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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 26, 1995.

I hereby designate the Honorable GEORGE P. RADANOVICH 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:

May the strength of faith move us forward toward the goals of justice; may the energy of hope encourage us to meet the future with confidence; and may the power of love unite us within the bonds of peace. We place before You, O gracious God, the concerns of our hearts and the decisions that are before us, asking that Your spirit will lead us and guide us along life's way. 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, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina [Mrs. MYRICK] come forward and lead the House in the Pledge of Allegiance.

Mrs. MYRICK 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.

MESSAGE FROM THE SENATE

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

S. 1060. An act to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize Members for 1-minute speeches after the joint meeting of Congress, which will begin at 11 a.m.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, July 13, 1995, the House will stand in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 2 minutes a.m.), the House stood in recess subject to the call of the Chair.

☐ 1050

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HIS EXCELLENCY KIM YONG-SAM, PRESIDENT OF THE REPUBLIC OF KOREA

The Speaker of the House presided.

The Assistant to the Sergeant at Arms, Bill Sims, announced the President pro tempore of the Senate (Mr. THURMOND) and Members of the U.S. Senate who entered the Hall of the House of Representatives, the President pro tempore of the Senate taking the chair at the left of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort His Excellency Kim Yong-sam into the Chamber:

The gentleman from Texas, [Mr. ARMEY];

The gentleman from Texas, [Mr. DELAY];

The gentleman from Ohio, [Mr. BOEHNER];

The gentleman from California, [Mr. COX];

The gentlewoman from Nevada, [Mrs. VUCANOVICH];

The gentleman from New York, [Mr. GILMAN];

The gentleman from Nebraska, [Mr. BEREUTER];

The gentleman from New York, [Mr. SOLOMON];

The gentleman from California, [Mr. KIM];

The gentleman from Missouri, [Mr. GEPHARDT];

The gentleman from Michigan, [Mr. BONIOR];

The gentleman from California, [Mr. FAZIO];

The gentlewoman from Connecticut, [Mrs. KENNELLY];

The gentleman from California, [Mr. BERMAN];

The gentleman from Pennsylvania, [Mr. MURTHA];

The gentleman from Pennsylvania, [Mr. FOGLIETTA];

The gentleman from New Mexico, [Mr. RICHARDSON];

The gentleman from New York, [Mr. ACKERMAN];

The gentleman from California, [Mr. BECERRA]; and

The gentleman from Texas, [Mr. DOGGETT].

The PRESIDENT pro tempore of the Senate. The President pro tempore of

☐ 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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the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Kim Yong-sam into the House Chamber:

The Senator from Kansas [Mr. DOLE];

The Senator from Mississippi [Mr. COCHRAN];

The Senator from North Carolina [Mr. HELMS];

The Senator from Rhode Island [Mr. CHAFEE];

The Senator from Virginia [Mr. WARNER];

The Senator from Alaska [Mr. MURKOWSKI];

The Senator from Wyoming [Mr. THOMAS];

The Senator from South Dakota [Mr. DASCHLE];

The Senator from Rhode Island [Mr. PELL];

The Senator from Hawaii [Mr. INOUYE];

The Senator from Georgia [Mr. NUNN];

The Senator from Ohio [Mr. GLENN]; and

The Senator from Virginia [Mr. ROBB].

The Assistant to the Sergeant at Arms announced the Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

At 11 o'clock and 3 minutes a.m., the assistant to the Sergeant at Arms announced His Excellency Kim Yong-sam, President of the Republic of Korea.

The President of the Republic of Korea, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER, Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you His Excellency Kim Yong-sam, President of the Republic of Korea.

(Applause, the Members rising.)

ADDRESS BY HIS EXCELLENCY KIM YONG-SAM, PRESIDENT OF THE REPUBLIC OF KOREA

HIS EXCELLENCY KIM YONG-SAM. Mr. Speaker, Mr. President, distinguished Members of the Senate and the House, ladies and gentlemen, I am deeply grateful to all of you for giving me the honor of addressing you in this historic Chamber of democracy, which represents the great American people.

As I stand here now, I feel as comfortable as if I were warmly meeting old friends in my hometown. This is probably because our own National Assembly became like a second home to me, since I served in it for nearly 40 years, after being elected for the first time at the age of 25. Furthermore, I have always felt an affinity with this august body for your unwavering support in the course of our long and painful struggles for the democratization of the Republic of Korea. For that I am deeply grateful.

We Koreans feel a very warm sense of friendship toward the American people, who have always stood beside us as we built Korea into the country it is today, with blood, sweat and tears. At the same time, we earnestly hope that these ties of solidarity between our two countries will continue to mature as we approach the new century, which is opening new horizons for all humanity.

Mr. Speaker, Mr. President, the end of World War II in 1945 brought the blessings of liberation and independence to the Korean people. However, that was short-lived, since we soon were faced with the historic misfortune of national division, and 5 years later, the tragedy of fratricidal war.

Faced with the vestiges of colonial rule, the legacies of poverty, the ruins of war and the threat of communism, the Korean people set out to build a country. We moved forward with great hope for the future and a determination to achieve prosperity. It is this hope and determination that have fueled us as we have striven tirelessly for the past 40 years. And it is this hope and determination which have created today's Republic of Korea, a country which started out as one of the poorest in the world but which today is the world's 11th biggest economic power.

More important than all our other achievements, however, is that democracy has now fully blossomed in Korea. The division of the Korean Peninsula and the military confrontation between the South and the North have cast long dark shadows over the flowering of Korean democracy. Nonetheless, after a long and tenacious struggle for freedom and dignity, the people of the Republic of Korea were able to finally open an era of civilian-ruled democracy.

Over the last 2 years, we have poured all our efforts into bold changes and reforms to eradicate the ills left over from the era of military dictatorship and to build a truly democratic society. We have poured all our efforts into bold changes and reform, to build a true democracy in Korea. Beginning last year, we launched our segyehwa, or globalization, policy and have been striving to turn our country into one which can make a greater contribution to the prosperity and well-being of the global community.

This is the story of the Republic of Korea, a country which began with nothing but bare hands and courage but managed to achieve democratization and industrialization in a short period of time, a country now proudly marching out toward the world and into the future.

Members of Congress, the Republic of Korea's success is, above all, the fruit of peace. If peace had not been maintained on the Korean Peninsula, the Korean people would not be able to enjoy the freedom and prosperity they have today. Peace, however, is something which must be purchased at a high price. Many young Americans shed their blood on the Korean Peninsula. Tomorrow will be a meaningful and emotional day, since all of us will gather to honor once again the Korean war heroes. The Korean War Veterans Memorial, which will be dedicated tomorrow, the 42d anniversary of the Korean war armistice, eloquently testifies to how precious peace is.

On behalf of the Korean people, I would like to take this opportunity to pay my respects to the memory of those young Americans who sacrificed their lives on Korea's battle front and express deep gratitude to all those brave soldiers who took part in the Korean war.

Just before I came to this Chamber, I had a chance to meet some of the Korean war veterans, and I would like to take this opportunity to pay my respects to the 28 Members of Congress who participated in the Korean war as young American soldiers. At the same time, I extend the gratitude of the Korean people to all the American soldiers who have guarded our Republic's frontline over the last 40-odd years and to their families.

Only a half century ago, our two countries felt very far apart, separated by the Pacific Ocean. Now we have become the closest friends. Instead of aid being given in only one direction, we have now forged a mature partnership where we help each other reciprocally, as we together strive toward continued freedom and prosperity.

The seeds of friendship our two countries have jointly nurtured have yielded a rich harvest. the success of our Republic is a joint victory of the people of Korea and the United States.

Mr. Speaker, Mr. President, and Members of Congress, the curtain has already been raised on the Asia-Pacific era. The Republic of Korea and the United States must open this era and reap its benefits even more fully through stronger solidarity.

The Asia-Pacific region has emerged as a new powerhouse of global development on the strength of its vigorous and sustained growth. This has been made possible by the United States long-term maintenance of stability and peace within the region. For the Asia-Pacific era to fully blossom, the United States must continue to play this role. Above all, safeguarding peace on the Korean Peninsula, situated at the heart of Northeast Asia, has become the key to the stability of the entire region.

More than 1.5 million heavily armed troops stand in sharp confrontation on the Korean Peninsula, the last remaining theater of the cold war. For over 40 years, the United States forces in Korea have made a decisive contribution to deterring war and preserving peace on the Korean Peninsula.

I would like to make it very clear to all of you today, to maintain peace in the Korean Peninsula and to maintain stability in the Asia-Pacific region, the United States forces in the Republic of Korea is necessary. The heightening of tension over the North Korean nuclear issue illustrates how potentially unstable the Korean Peninsula can be. We support the Kuala Lumpur accord reached between the United States and North Korea on the nuclear issue. Joint Korea-United States efforts to resolve the North Korean nuclear problem must be solidly maintained until all suspicions about North Korea's nuclear development have been removed. Accordingly, the Korean Government will exert its utmost efforts to ensure that the United States-North Korea agreed framework signed in Geneva is faithfully implemented.

Mr. Speaker, Mr. President, peace on the Korean Peninsula can only take root through dialog and cooperation between the South and the North, the two parties directly concerned. Without dialog, nothing can be accomplished. I am thus grateful that both the President and Congress have stressed the central importance of the South-North dialog.

We are exerting our utmost efforts to make this year a historic year, one which sees the opening of a new chapter in South-North relations, as we mark the 50th anniversary of Korea's joyous liberation, as well as its tragic national division. The Republic's unification policy aims to ultimately make Korea one nation and one state by gradually restoring a sense of national community through peaceful coexistence, reconciliation, and cooperation with the North. To that end, stability in North Korea is indispensable; therefore, we are pursuing a joint national development plan designed to promote the mutual prosperity of the South and the North. It is for this reason that the Republic is planning to shoulder the brunt of the costs of providing North Korea with the Korean-model light-water nuclear reactors and playing a central role in the overall project.

For the same reason, we are expanding South-North economic cooperation. Purely out of compassion for our Northern brethren, we are also providing rice to North Korea to help alleviate their difficult food situation. No matter how long and rough the road leading to the unification of the Korean Peninsula may be, we will continue to travel that road patiently but without rest. When the day comes that the Korean Peninsula finally becomes one nation again, genuine peace and prosperity will finally prevail in Northeast Asia.

This unified Korea, I believe, will make a major contribution to the progress of global civilization and the prosperity of all mankind.

Members of Congress, to foster the prosperity of the entire Asia-Pacific region, we must make sure that the ideals of free trade and liberalization take root throughout the region. After World War II, the open markets of the Free World, under the leadership of the United States, were a critical factor in reducing poverty and defeating Communism.

Korea has indeed benefited greatly from free trade. I believe that all countries in the Asia-Pacific region should also benefit from free trade. It is precisely for this reason that, together with President Clinton, I have been devoting particular efforts to the development of the APEC forum. The Korean Government is also actively supporting multilateral cooperation under the new WTO system.

The United States is our Republic's biggest trading partner, while Korea has grown to be America's sixth largest market. Last year, bilateral trade exceeded U.S. $40 billion, and it will soon reach the $50 billion level. Korean-United States trade has generally been balanced, although recently Korea's trade deficit with the United States has risen rapidly.

Through our segyehwa, or globalization policy, the Korean Government has been actively promoting openness and autonomy in the economy and every other sector of society. We will continue to pursue our policy of liberalization in earnest and, by joining the OECD, we will raise our degree of openness to the level of the advanced countries. Among the developing countries, Korea has been liberalizing its markets at the fastest rate. As we continue to pursue autonomy and openness in the future, the Republic will become an even stronger partner of the United States in boosting the prosperity of the entire Asia-Pacific region.

Mr. Speaker, Mr. President, and Members of Congress, a new world is unfolding before us in the 21st century. The importance of the role of the United States, however, has not diminished.

The Republic of Korea will expand its role and responsibilities in the international community. We plan to expand our assistance to developing countries drawing upon our past development experiences and also actively participating in international efforts to solve global problems.

The Korean people are filled with the hope that the cooperation between our two countries in preparation for the Asia-Pacific era of the 21st century will help turn the wheels of history swiftly forward. We are filled with determination to build a unified Korea and work with the American people as partners in peace and prosperity and thereby make a greater contribution to the world and to humanity.

This is the message from the Korean people I wish to deliver to you today. I am certain that you will recognize these sentiments, for they are the same as those which forged the American spirit and built such a great nation in the New World.

Let us march forward together shoulder to shoulder. Let us together open a new century and a new world that will abound with limitless dreams, hopes and possibilities.

Many things have their limitations, but not the yearning of humanity for peace and prosperity. Like our friendship, it is boundless.

Thank you very much.

(Applause, the Members rising.)

At 11 o'clock and 44 minutes a.m., the President of the Republic of Korea, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 11 o'clock and 45 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until 12:15 p.m.

□ 1215

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RADANOVICH) at 12:15 p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain ten 1-minutes on each side.

FACTS CONCERNING MEDICARE

(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, today, as for the past several months, Members will hear during these 1-minute speeches various screams of anguish about the Medicare system, particularly from the other side of the aisle.

Today I come here as a scientist, because I am interested in the facts. I

come here as someone who is just a few years from retirement, with a personal interest in having a Medicare system that will last.

Let us look at the facts. The trustees of the Medicare system have said that the system will be bankrupt in 7 years if we do not do something about it: Fact 1.

Fact No. 2: The costs of the Medicare system are rising roughly 2½ times as fast as they are rising in private sector insurance. That is fact No. 2.

Fact No. 3: is that the revenue coming into the Medicare system this year for the first time is going to fall behind the money being spent by the Medicare system. That is fact No. 3.

The Republicans have no plans to cut Medicare. In fact, we want to preserve it. That is fact No. 4.

What do we want to do? Frankly, from my perspective, we want to improve Medicare. We want to have it persist. We want to give people choices, HMO's and other things. We want competition, we want efficiency, and we want a better system. That is what we are going to work for.

MEDICARE CUTS: WHY PICK ON OUR GRANDPARENTS FIRST?

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

Ms. KAPTUR. Mr. Speaker, this week America celebrates the 30th anniversary of Medicare. Thirty years ago, Medicare brought to our senior population, for the first time, health security they never enjoyed before. They knew that whatever their circumstances, medical care would be available if they suffered from sickness or accident.

All that is threatened now. The majority party's budget does wage war on Medicare. It cuts $270 billion from Medicare to finance tax breaks for the privileged few. Seniors will lose their choice of physician unless they can afford to pay more. Everybody in this place can, because they earn $130,000 a year. Their budget will provide seniors cut-rate, substandard medical care unless they can afford to pay more. Their proposed cuts will deprive seniors of the security Medicare now provides, unless they can afford to pay more.

To curb costs, why not rein in rising insurance company premiums costs, along with hospital costs and prescription drug costs? Why pick on our grandparents first? Let us not let America backpedal into the 21st century.

TOP 10 NICKNAMES FOR LIBERAL PLAN FOR MEDICARE

(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, quickly, we are not out to cut Medicare, we are out to save it and improve it. That is the key difference.

Mr. Speaker, from the home office in Scotsdale, AZ, we have the top 10 nicknames for the liberal plan for Medicare, or the lack thereof:

No. 10: The X Files Plan.

No. 9: The Mediscare Plan.

No. 8: The Let-It-Go-Broke Plan.

No. 7: The Blank Page Plan.

No. 6: The Stick-Your-Head-in-the-Sand Plan.

No. 5: The We-Don't-Need-No-Stinking-Plan Plan.

No. 4: The Extra Top Secret ''We Don't Even Know it Ourselves'' Plan.

No. 3: The Change-the-Subject Plan.

No. 2: The ''Bash Conservative Republicans, Ignore the Solution'' Plan.

And the No. 1 nickname for the liberal plan on Medicare: The Invisible Plan.

□ 1220

AFFIRMATIVE ACTION

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

Mr. FRANKS of Connecticut. Mr. Speaker, I am a product of good affirmative action. Aggressive outreach programs represent good affirmative action.

Discrimination unfortunately does exist in this country. We must identify those who break antidiscrimination laws and we must punish them swiftly and severely.

Quotas, set-asides, and race norming are all related. They are close cousins. I abhor them all.

Race norming was eliminated in 1991; quotas are despised by everyone; and set-asides, which like quotas refers to proportional representation, should also be banned.

They attempt to help minorities and women but they create racial tension and they stigmatize their benefactors as products of a flawed system.

Seventy-seven percent of African-Americans oppose preferential treatment for minorities, according to a Gallup Poll.

There is nothing wrong with having goals coupled with rigorous outreach, but race and gender-based set-asides are wrong.

SPEAKER'S STATEMENT CALLED IRRESPONSIBLE

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

Mr. LEVIN. Mr. Speaker, I believe that this is the first time I have spoken on the floor this year about a statement of the Speaker, but I feel compelled to do so today.

His comment yesterday that he is not convinced that Vincent Foster committed suicide was highly irresponsible.

There is no evidence to support the notion that the death of Vincent Foster was not a suicide. It is not a subject to inquiry in the hearing now under way in this Congress.

The Speaker has shot from the hip before, but when it comes to matters of life and death, there is no good excuse.

No one, especially a Government official and surely the Speaker, can be too busy to think about the ramifications of what he says before he talks.

I urge the Speaker to reflect further and withdraw his comment. We need to appeal to the better instincts of our citizenry and not to reinforce or encourage, inadvertently or not, those who try to spread paranoia or unfounded conspiracy theories for whatever purpose, political or otherwise.

HAITI

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

Mr. BALLENGER. Mr. Speaker, earlier this year, I was approached by a group of Haitians requesting aid for their ailing nation. The group included Duly Brutus, a member of the opposition party, and also Josette Bouto, the mayor of a small town in northern Haiti. They painted a graphic picture of devastating conditions in Haiti.

The mayor had a special request of pencils and paper for the poor school in her town of Limbe. With the help of pencil and paper manufacturers, I secured the contribution of 800,000 sheets of paper and 5,500 pencils that were shipped on July 14 by the AID. The educational materials will be distributed in towns and schools in dire need of them, particularly the small town of Limbe.

This week, I learned of the arrest of Mr. Brutus. He is charged with allegedly committing arson, although many believe that because Mr. Brutus was active in opposing President Jean Paul Aristide, he may be a political prisoner. This arrest has added validity to election observers' statements that fraud and abuse in Haiti's political system is widespread. Furthermore, I have learned that the school in Limbe that was to receive the small contributions was burned to the ground.

These incidents illustrate how far from democracy Haiti is and how long a journey it must make. Although I fear an increased United States presence there, we must continue to support peace and democracy in Haiti and in our hemisphere.

IRS AND STRAIGHTENING OUT THE TAX MESS

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

Mr. TRAFICANT. The IRS said our goal is to learn how taxpayers cheat so

we are going to conduct 153,000 additional special audits of American taxpayers that will cost them $1.5 billion.

Check this out. You file a joint return, they demand to see the marriage license. You claim children, they demand the birth certificates. They demand all household expenses and want a detailed list of every single financial transaction. A W–2 form is not enough. They want a special affidavit from your boss. After all this, they call it voluntary.

Beam me up.

The truth is, while Congress keeps turning the other cheek on the IRS, the IRS keeps turning the screws on the American people.

Let us get down to business and straighten this tax mess out.

MEDICARE: THE REPUBLICAN VIEW

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

Mr. DAVIS. Mr. Speaker, since taking control of Congress, Republicans have proven that politicians can go to Washington and actually keep their word. We have not ducked the tough issues and we are not going to start now.

This spring, the Medicare trustees reported that Medicare will go broke in 7 years. Since then, Republicans have faced this issue head-on. We have not tried to duck or hide like some of the Members on the other side of the aisle have. But, you see, many of these Members cannot help it. They are the remnants of the old Washington establishment which was rejected by the voters last November, where it was standard operating procedure to avoid the tough issues, to look the other way, and to run from responsibility. It is outside of their political world view to meet an issue head-on, to take a tough position, to show leadership, and follow through with commonsense solutions.

Medicare is going bankrupt. It may be 30 years old this week, but it is condemned to death at age 37 unless action is taken.

Republicans are working to protect and strengthen Medicare. We ask the Democrats to join us. This is too important an issue to fall into partisan bickering.

TOP 10 REPUBLICAN REASONS TO CUT MEDICARE

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

Mr. ENGEL. Mr. Speaker, from the home office of New York's 17th Congressional District in the Bronx, here are the top 10 reasons why Republicans want to cut Medicare:

No. 10, a Republican memo says older Americans are pack oriented and want to follow a leader;

No. 9, on the 30th anniversary of Medicare, Republicans say don't trust anybody or anything over 30;

No. 8, Republicans need the money to pay for a big tax cut for the wealthy;

No. 7, $270 billion in cuts is a nice round number;

No. 6, Republicans want seniors to choose between buying food and buying medicines;

No. 5, according to DICK ARMEY, Medicare is a program that he would have no part of in a free world;

No. 4, Republicans want to balance the budget on the backs of the middle class;

No. 3, Republicans think if 40 million Americans don't have health care, why should seniors?

No. 2, Republicans want to see seniors go from Medicare to welfare;

And the No. 1 reason why Republicans want to cut Medicare is:

Medicare, Schmedicare, Who needs health care in a brave newt world!

WASTEFUL PRACTICES COST MEDICARE BILLIONS

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

Mr. STEARNS. Mr. Speaker, the top 10 reasons why the Democrats cannot solve the Medicare problem is they do not tell the straight facts. I can say that 10 times, but I do not want to use all my time.

Mr. Speaker, I want to talk about waste, fraud, and abuse in the Medicare Program, because this program is spending so much money. It is alleged that almost 12 percent of the entire Medicare-Medicaid budget is rife with fraud and abuse.

Let me share some facts. In 1980 Medicare spent $34 billion. In 1990 that sum had increased to $107 billion. In 1995 it will spend approximately $177 billion. When Willie Sutton was asked why he robbed banks, he responded, ''That's where the money is.''

Is it any wonder with billions of dollars at stake that all manner of scoundrels and ne'er-do-wells would plunder this Government bank account for all it is worth.

Over the next few weeks I plan to talk a good deal about this problem which is costing the taxpayers billions of dollars. I also plan to talk about what we can do to remedy the fraud, waste, and abuse in the Medicare Program.

MEDICARE: THE DEMOCRATIC VIEW

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute.)

Mrs. SCHROEDER. Mr. Speaker, on Sunday I turn 55 and Medicare turns 30. I think I have got a better chance of survival than Medicare does because the Republicans do not have quite as much oversight on my future as they do on Medicare's.

I will tell you why they are robbing Medicare—the same reason they rob banks. That's where the money is.

Medicare needs some reforms, we know that. But you take the money you save from the reforms and you put it back in Medicare. If Medicare is in trouble, which we all agree it could be because of the rising cost of health care, you certainly do not take $270 billion out of it to fund a tax cut.

Look, this is all about a tax cut for the rich. That is all it is about. What we are saying is that it is totally unfair to take the money out of the pockets of the elderly who had planned on this, who had counted on this, and they do not want to see one more Government promise undercut.

PRESERVING MEDICARE

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

Mr. TATE. Mr. Speaker, I have not done a 1-minute on the floor for probably several weeks, but I can be silent no longer.

Every day I turn on and hear the words ''mean-spirited'' and ''callous.'' I am coming to believe that if those words were eliminated from the minority party's vocabulary, there would truly be silence on that side of the well.

Nothing could be more callous and more mean-spirited than to sit back and do nothing. All I can think of, Mr. Speaker, is retirees back in my district that are on fixed incomes. Grandmothers and grandfathers across this country that are concerned about Medicare.

What do the Democrats do? They do nothing. Absolutely nothing. They have even ignored their own President's report that came out and stated clearly that Medicare would go broke in 7 years if we do nothing. The American people deserve more than scare tactics from liberal Democrats. The American people want to preserve and to protect Medicare.

SHOW US THE PLAN

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

Mr. POMEROY. Mr. Speaker, picture yourself as a homeowner who has just entered a contract for some home repairs. What would you do if the contractor showed up, not with a pickup and some tools on the back but, rather, driving a crane with a huge wrecking ball swinging from the turret? You would say, ''Wait a minute. You don't do home repair with a wrecking ball.''

Well, that is precisely what the Republicans are proposing to do to Medicare. They are saying, ''We're here to fix it.'' But they have a $270 billion cut they intend to inflict on this program. That is like trying to fix a home with a wrecking ball. It won't work. It will

inevitably mean higher costs for seniors and restricted choice of physician.

If you were the homeowner, you would say, ''Well, wait a minute. Show me the plan on how you're going to fix my home with that wrecking ball.''

We in Congress and the seniors of this country should say, ''Wait a minute. Show us the plan in terms of how you're going to fix Medicare with that $270 billion cut.''

They have no plan. They have not shown the plan. We deserve no less.

HELP US SOLVE THE MEDICARE CRISIS

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

Mr. SOUDER. Mr. Speaker, Medicare will be bankrupt in 7 years. No amount of accusations against each other about robbing banks or telling stories is going to solve the problem. We cannot stick our heads in the sand. Medicare will go broke in 7 years. We must work together to solve the problem rather than just spit out rhetoric.

Many of you have a parent or grandparent who is 58 years of age and expecting Medicare benefits when they turn 65. They have worked hard all their lives, paid their taxes, and saved for their retirement. When they reach 65, however, and are getting ready to retire, there will be no Medicare waiting for them.

Mr. Speaker, for 30 years Medicare has enabled the seniors of this country to get the medical attention they need, and now the Democrats seem to want to stand by, yell a lot, but let the program die.

We Republicans will not stand for it. We are working to strengthen and preserve Medicare. I hope my Democrat colleagues will stop the rhetoric and help us solve the Medicare crisis.

DO NOT BREAK OUR 30-YEAR COMMITMENT TO SENIORS

(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, this week we celebrate the 30th anniversary of the creation of Medicare, and it is an event that is worth celebrating. Thirty years ago we made a commitment to the Nation's seniors when we said to them, ''Never again will you go without health care. Never again will you be forced to squander your life's savings to pay a doctor's bill.''

But now Medicare is in danger, real danger. The Republican budget, which cuts $270 billion from Medicare, would end Medicare as we know it today. Thirty years ago, 93 percent of the Republicans in this body opposed the creation of Medicare, and now Republicans are closing in on a 30-year goal to end what they never wanted in the first place.

In 1965 we made a deal with seniors. We said, ''You pay into this trust fund all of your working life and when you are unable to work any longer, we will use that money to pay for your health care costs.''

Seniors have kept up their end of the bargain but now Republicans want to back down on our end. Medicare is the real Contract With America and Republicans should not break it.

IF YOU CARE ABOUT SENIORS, SAVE MEDICARE

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

Mr. LEWIS of Kentucky. Mr. Speaker, as you are well aware, this is the week of the 30th anniversary of Medicare. Republicans are working hard to make sure Medicare is available over the next 30 years. We wish the President was doing the same.

Instead, President Clinton is using the White House's resources and energies, not to mention taxpayers' dollars, to raid seniors' pension funds—not to save Medicare.

By promoting economically targeted investments [ETI's], which take into consideration the investment's benefit to society rather than the financial benefit to the retiree, the Clinton administration is depriving seniors of the most profitable return from their pension fund.

The Labor Department is supposed to protect your pension fund from being raided, not be the raider. And President Clinton is supposed to care about seniors, not shaft them.

THE CONTRACT WITH AMERICA IN 1965: MEDICARE

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, 30 years ago, we made a contract with the American people, particularly our elderly. We said, if you work hard and pay your Medicare taxes, you will have a guaranteed insurance program for your medical care that will free you from the threat of financial disaster in your retirement years.

The fact that one of the first things the Republicans have done since they took over Congress in January is to launch an assault on the Medicare Program by voting for $270 billion in Medicare cuts to pay for tax cuts for the wealthy should come as no surprise. The Republicans never wanted Medicare, they never liked it.

Suddenly, 30 years after they tried to block the program, they have come up with a plan for Medicare; a plan that will limit choice of doctors and hospitals, will double premiums, and will mean higher deductibles.

In just 6 months, House Republicans have passed, adopted, proposed, and drafted significant changes to the Medicare Program. Changes that will effectively take away the security that the Medicare Program represents to our seniors and that a single fact best summarizes: Before Medicare, 1 in 3 elderly Americans lived in poverty. Thirty years later, it is close to 1 in 10.

Can our elderly afford $1,650 more for premiums to cover their doctor bills? Can the elderly really afford $1,700 more for the same or less health care in 1 year alone? Will the proposed vouchers cover them against sudden premium increases if they get sick? Is it fair to make older Americans give up their doctors and be forced into managed care? As President Clinton stated yesterday, the answer to every single one of these questions is no. No.

While House Republicans believe they have devised a contract to meet the political whims of the day, Democrats made a commitment with Americans in 1965 when Medicare was enacted. Let me assure you that President Clinton and the Democrats intend to keep that commitment. Our seniors deserve no less.

MEDICARE IS A FAMILY ISSUE

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

Mr. OLVER. Mr. Speaker, on Sunday, Americans celebrate the 30th birthday of Medicare and Americans will celebrate the medical security that Medicare gives to our senior citizens.

I am sure there are people listening who just turned 30 who are thinking: ''This doesn't affect me? Why should I care?'' I'll tell you why you should care.

When the Republicans cut $270 billion from Medicare and use most of that to give tax breaks to the wealthiest handful of Americans, those cuts will make Medicare too expensive for many seniors who will have no place to turn for help except to their adult children.

How else will seniors pay a deductible that has doubled, or pay a monthly premium that has doubled, or pay a new copayment for home care? How else will they pay the specialist not covered by the managed care plan they have been forced into?

Young people cannot ignore the Republican attack on Medicare; 30-year-olds, seniors, and everyone in between should remember that Medicare is not just a seniors issue, it is a family issue.

□ 1240

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

Mr. LEWIS of Kentucky. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today

while the House is meeting in the Committee of the Whole House under the 5-minute rule.

The Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Government Reform and Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on National Security, the Committee on Science, the Committee on Small Business, and the Permanent Committee on Intelligence.

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

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

Mr. SKAGGS. Mr. Speaker, reserving the right to object, it is my understanding that our Democratic leadership has been consulted on this matter and we have no objection to the request, so I withdraw my reservation of objection.

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

There was no objection.

GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2076, and that I may include tabular and extraneous material.

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

There was no objection.

POSTPONING VOTES ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2076, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 2076, pursuant to the provisions of House Resolution 198, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and that the Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. RADANOVICH). Pursuant to House Resolution 198 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. 2076.

□ 1241

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. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. GUNDERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN (Mr. GUNDERSON). When the Committee of the Whole rose on Tuesday, July 25, 1995, the amendment offered by the gentleman from Maryland [Mr. HOYER] has been disposed of and title I was open for amendment at any point.

Are there further amendments to title I?

Mrs. SCHROEDER. Mr. Chairman, domestic violence is not just a private matter anymore; these private dramas are spilling out into public places, endangering family members and strangers. In Colorado alone, the following incidents have happened:

May 3, 1995: A teenage boy entered a Denver grocery store, pulled a gun on his former girlfriend, whom he had been stalking, and her friend. Police shot and killed him, only to find out it was a fake gun.

April 28, 1995: A man walked into a Denver grocery store, where he shot and killed his wife, the store director, and a sheriff's deputy who arrived on the scene. He then left the store, as customers crouched in the aisles and shielded their children. He entered the parking lot, spraying it with bullets as people ran for cover. He hit a pregnant woman in the leg; she lived. He apparently had made several threats that he was going to kill his wife. A few days earlier, she had gotten a restraining order against him, but it hadn't been served yet because there was some missing information and the court clerk couldn't reach her. She had also just filed for divorce and had received temporary custody of their son.

April 1994: A Boulder police officer was shot and killed while responding to a domestic dispute. The male suspect shot and killed himself at the scene.

April 1994: In Aurora, a man allegedly shot and killed his ex-girlfriend and her 2½-year-old son and wounded his twin brother.

July 1993: An Aurora man threatened with divorce shot his wife, crippling her, and killed her sister.

January 1988: A man shot and killed his wife outside a divorce courtroom in Littleton. He also wounded the man he thought was her lover.

January 1986: An Aurora police officer shot and wounded his wife's divorce lawyer.

My colleagues, I am very sorry we did not fully fund the Violence Against Women Act. I'm also very sorry we had to fight so hard for the money we got. It is clear that if the Congresswomen hadn't been constantly monitoring this—the amount would be zero. That is incredible when the act passed last year 421 to 0. What a difference a year makes. So there is some funding thanks to the hard work of NITA LOWEY, but we are still $50 million short. Women still must beg for every dollar.

Ms. HARMAN. Mr. Chairman, a vote to restore some of the funds to the Violence Against Women Act is a vote to fulfill only a part of the promise Congress made to help victims of domestic violence. This promise was made to make America and the home a safer place for women.

Last August, the Congress passed the Violence Against Women Act, a promise to finally treat domestic violence like the crime that it is, to improve law enforcement, to make the streets safer for women, and to vigorously prosecute perpetrators. We promised more counseling and more shelters to provide a safe haven for abused women. Now this Congress threatens to backtrack on our promise and abandon these promises to combat domestic violence.

Under the amendment, the Violence Against Women Act receives only a fraction of the promised authorization of $175 million to fund justice grants to combat violence against women. And while I appreciate the efforts of the committee to add $50 million to the bill for the program, the shortfall is still severe and I fear may be interpreted as a message to battered women that there are few resources for them, only empty promises.

A shelter in San Pedro, CA, in my district, desperately needs the money authorized in the Violence Against Women Act to implement its programs to combat domestic violence. Two women whom Rainbow Services had been helping were killed in the last 6 months—women whose lives could have been saved had they been able to stay at the shelter longer. These women came forward and tried to do the right thing, but the resources were not there to keep them away from their abusers long enough. The grants in the Violence Against Women Act money translate into saving human lives.

Rainbow Services has waiting lists for counseling, beds, and all of its other services. The number of women who come seeking help has doubled in the last 3 months since a domestic violence hotline was established in May. The increased funds from California's grant only constitutes half of what they need for their emergency response program, a program operating 24 hours a day, 7 days a week. They just received a grant for a new shelter—the first shelter for battered elderly women in the area—and the Violence Against Women Act grants are critical to its operation.

I urge my colleagues to join me in supporting the amendment to restore some funding for the Violence Against Women Act. It is critical that we keep our promise to help victims of domestic violence—they cannot wait any longer.

Ms. PELOSI. Mr. Chairman, I rise today in strong support of the amendment to increase funding for the Justice Department's violence against women programs.

Just 1 year ago, the Violence Against Women Act was passed in the House with overwhelming bipartisan support. Yet today, the funding allocation for these programs has

been reduced so drastically that it would cripple or eradicate many of the programs so recently created to address the needs of poor and abused women.

Programs covered under this funding include training for law enforcement and judiciary officials on violence issues and programs to address the serious problems of stalking and campus sexual assault against women.

How can we be satisfied with the efforts we have made to promote and address the problem of violence against women when the committee cannot see fit to fund adequately these necessary programs? This bill as written sends a clear message to the Nation that this Congress does not take violence against women seriously.

Women in danger of violence or sexual assault need our compassion, not deaf ears. I urge my colleagues to support Congresswoman LOWEY's amendment and to go on record with your commitment to the safety of America's women.

Mr. Chairman, I rise in support of the amendment offered by Mr. MOLLOHAN to H.R. 2076, the Commerce, Justice, State appropriations bill for fiscal year 1996. This amendment will provide much needed funds for community policing grants authorized by the Violent Crime Control Act of 1994.

The programs that we authorized last summer are aimed at preventing crime in our communities and have been supported by the mayors, police chiefs, and law enforcement officials throughout our country.

Mr. Chairman, it is important to acknowledge that the fight against crime requires more than simply adding prison space or new classes of punishment. It requires that we demonstrate the courage to champion the innovative programs which provide alternatives to drugs, gangs, and the random acts of violence which afflict our society. The Mollohan amendment realizes this and I urge a "yes" vote on this amendment.

AMENDMENT OFFERED BY MR. ROGERS

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

The Clerk read as follows:

Amendment offered by Mr. ROGERS: On page 22, line 6, strike "$102,400,000" and insert "$152,400,000";

On page 22, line 13, strike "$32,750,000" and insert "$82,750,000";

On page 24, line 4, strike "$3,333,343,000" and insert "$3,283,343,000"; and

On page 24, line 6, strike "$2,000,000,000" and insert "$1,950,000,000".

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

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

There was no objection.

Mr. ROGERS. Mr. Chairman, this is a noncontroversial amendment. I think it is agreed to by both sides. It moves $50 million from the local law enforcement block grant to the Violence Against Women Grant Program.

Mr. Chairman, we believe that these funds would have been spent out of the local law enforcement block grant for domestic violence programs, but moving these resources will ensure that local communities will target it to domestic violence issues.

Both the gentlewoman from New York [Ms. MOLINARI] and the gentlewoman from New York [Mrs. LOWEY] have worked closely with me and my ranking member on this amendment, and I applaud both of their efforts to pursue funding for this program and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 25, after line 24, add the following:

"*Provided further,* That if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service."

Mr. TRAFICANT. Mr. Chairman, there is an awful lot of talk about cops on the beat, but there is no provision in any of our legislation that ensures there be more cops on the beat. As an old sheriff, sometimes they hire three on the street and push three up into administrative type jobs. My amendment says that there shall be a net increase in street cops.

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

Mr. TRAFICANT. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. 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. MOLLOHAN: On page 24, line 13, strike "$475,000,000" and insert "$505,000,000".

On page 24, line 18, strike "$300,000,000" and insert "$270,000,000".

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 30 minutes, and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 15 minutes and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 15 minutes in opposition to the amendment.

The Chair recognizes the gentleman from West Virginia [Mr. MOLLOHAN].

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

Mr. Chairman, the amendment that I propose today to the body, I think, is about fairness in the distribution of scarce crime fighting dollars. It is really at the heart of it.

Mr. Chairman, for Members who do not know, or for whom, perhaps, it would be helpful for the purposes of this debate to refresh their memory, in the crime trust fund we have approximately $4 billion that is allocated. Mr. Chairman, out of that $4 billion, approximately a half a billion is spent on the Federal level, and that includes enhancements to the immigration initiative. It is enhancements to the FBI, to U.S. attorneys, to the DEA, to the Border Patrol, and to the Judiciary, and a number of other miscellaneous programs. Out of that $4 billion, that is about half a billion dollars.

Then, Mr. Chairman, there is about $116 million in budget authority for prevention programs. So, we are getting close up to a billion dollars there. Then, Mr. Chairman, when we go into the State and local assistance accounts, which are the biggest accounts, there is $3.3 billion.

Out of that $3.3 billion, $2 billion goes into this program, the block grants, and last night we argued strongly that that $2 billion be apportioned to the COPS Program. Then that leaves about $1.3 billion. Out of that $1.3 billion, Mr. Chairman, approximately $475 million, about half a billion dollars, is apportioned for the Byrne Grant Program.

Now, all of my colleagues know about the Byrne Grant Program. It is an extremely flexible program, getting money down to local law enforcement, which is used for a variety of purposes. There are about 21 authorized purposes for Byrne grants and they are very good, because they are very flexible. Subsequently, they are very popular.

For example, the DARE Program is funded through Byrne grants. The drug task forces are funded by Byrne grants all across this country in every State of the country. Byrne grant money is used for flexible purposes at all levels of Government. There is a half billion dollars in here for that Byrne grant money which is available to every State in the Union.

Mr. Chairman, out of that approximately $1 billion left, we take the Byrne grant out and now we have just a little more than a billion dollars. $500 million, or half a billion dollars, is appropriated in this bill to reimburse States, seven States, Mr. Chairman, and really principally one, for incarceration of illegal aliens; to pay for prison guards, if you will.

I am not suggesting during this debate, that we should not reimburse States for incarceration of illegal aliens. I think that is a proper purpose of the Federal Government within this crime trust fund. I do not object to the funding.

I do question the level of funding, because I think it is disproportionate. It

is, in fact, not fair. We have the Byrne Grant Program, which is about half a billion dollars, which is apportioned to all of the States, and we have the incarceration that goes to seven, and 80 percent of it to one State, to California.

Mr. Chairman, in committee I offered an amendment to combine these accounts. The Byrne Grant Program, money is sent out to all the States on a formula basis, based on population essentially. So, every State shares proportionately in the Byrne grant money. Every State, based on its population, receives money. We cannot get any fairer than that.

Under the Illegal Alien Program, it goes to States that incarcerate illegal aliens. The amendment that I offered in full committee would combine that money, send money to all the States, that billion dollars, and send that to all the States to be apportioned more fairly so that States have money to fight what is their particular crime problem, what is their particular priority.

Now, we lost that pretty much on a party line vote in full committee and we could not get a rule to offer it. So today this amendment that I offer is far more modest than that. Mr. Chairman, we take out of the $500 million for incarceration of illegal aliens only $30 million and we apportion it to the Byrne Grant Program which funds it at its authorized level of $505 million.

Mr. Chairman, this means more money for every State in the Union for the Byrne Grant Program. More money to every State, even the seven States that receive money from incarceration of illegal aliens.

It does mean that the incarceration of illegal alien account is reduced by $30 million. The only State in the Union that receives less total dollars is California. But let me emphasize, Mr. Chairman, California gets 80 percent of $470 million; 80 percent of $730 million if my amendment is adopted.

Mr. Chairman, it is a simple amendment, really. It is about fairness, it is doing what we can to get dollars apportioned across this country so that every jurisdiction can use these dollars for crime fighting. The benefits are set out in a handout that I will have for Members at the time of the vote, and it shows State by State, the benefit and the difference that this amendment would mean to the States and the difference is additional dollars to go into the Byrne Grant Program for local community law enforcement.

California gets $3.6 more million for Byrne grant. New York would get $2 million more for Byrne grant. Illinois would get $1.3 million more for Byrne grant. West Virginia would get $208,000 more, which may not sound like a lot of money, but $208,000 for local law enforcement is a lot of money, particularly when it is used more efficiently for the Byrne Grant Program.

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

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

Mr. Chairman, I am in opposition to the Mollohan amendment. I agree that the State and local communities need more money to fight crime. My bill already provides more resources than ever before to all State and local agencies to fight crime.

We have already increased Byrne grants by $25 million over 1995, and what the administration requested. Between the almost $2 billion local block grant program, and the $475 million Byrne formula grant program that I proposed, every State will receive approximately 5½ times more money to fight crime than they received this year; 5½ times more.

But for some States and local communities, addressing crime also means addressing the serious problems of illegal immigration, because often illegal immigration brings along with it other illegal criminal activities.

As my colleagues well know, along with addressing crime in our bill, we include a serious commitment to addressing the problem of illegal immigration. Our initiative is not only focused on controlling the borders; it is equally focused on addressing the growing population of deportable illegal aliens and is heavily weighted on the criminal illegal alien population.

Mr. Chairman, I agree that we should not just give money to the States to reimburse them for the costs they are incurring without having a strong plan to address the underlying problem. This is a Federal responsibility and we are responsible for getting it under control.

This bill, and the resources included in 1994 and 1995, provided during times when the subcommittee was under the watch of the gentleman from West Virginia, will significantly strengthen our ability to address illegal immigration.

Our hope is that States' burdens will decline as our efforts are successful in dealing with this problem. My bill attempts to address the costs that States bear as a result of crimes committed by aliens. The Department of Justice tells me that these resources will be available to all States based on the level of incarcerated illegal aliens.

Mr. Chairman, I oppose the Mollohan amendment and urge the Members to reject it.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. LEVIN] who worked so very hard on the Byrne amendment last year, the Super-Byrne program. He worked with our colleagues and created a real awareness for this program with the amendment. He did an excellent job.

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

Mr. LEVIN. Mr. Chairman, the Byrne program is built on one of the strongest principles I know: United we stand; divided we fall. It helps us fight the scourges of drugs and crime united as one.

DARE is a good example of a partnership that unites parents, teachers, students, and police to keep our kids off drugs.

When I was in the Sterling Heights DARE class some time ago, I saw a young officer with enormous energy who had developed personal rapport with the kids in his class. DARE means a lot to the children in my home communities.

It also supports multijurisdictional task forces which unite law enforcement from all levels: county, State, and local. Criminals do not respect city limits, so these partnerships, like our local Combined Oakland-Macomb Enforcement Team, otherwise known as COMET, and our Narcotics Enforcement Team, otherwise known as NET, enable our law enforcement officials to pool resources and information across city lines.

Last year, my friends, the gentleman from Michigan [Mr. STUPAK] and the gentleman from New York [Mr. RANGEL], and I gathered support of over 150 Members from both sides of the aisle in support of this program. I understand the need and Federal responsibility for criminal illegal alien incarceration. There is an increase here of 250 percent.

So, as a matter of priorities I believe we can afford this modest increase in Byrne without losing anything vital in our commitment to assiting the States with criminal illegal alien incarceration. We must never forget the frontline local enforcement people working to make our towns and our cities safer; to give our kids the heroes they deserve.

Vote for the Mollohan amendment.

□ 1300

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. SMITH], chairman of the Subcommittee on Immigration and claims of the Committee on the Judiciary.

Mr. SMITH of Texas. Mr. Chairman, as chairman of the Immigration Subcommittee that has just marked up comprehensive legislation to end the problem of illegal immigration, I rise in opposition to the Mollohan amendment on reimbursing our States for the costs of incarcerating illegal aliens. The Mollohan amendment violates the commitment that we made to our Governors and ignores Congress' culpability in the problem of illegal immigration.

The solution to the problem of illegal immigration is to prevent illegal immigrants from entering the United States. And removing illegal immigrants if they arrive. My bill, the Immigration in the National Interest Act, will accomplish this goal. It fulfills one of the Federal Government's central functions: securing our Nation's borders.

In the past, Congress has been part of the problem, not the solution. Past

Congresses have ignored the problem of illegal immigration and failed to stem the tide of illegal aliens entering our country. While Congress dithered, illegal immigrants entered our Nation in record numbers, with upwards of 1 million illegal aliens permanently entering our Nation every 3 years.

Congress' failure to secure our Nation's borders has been a disaster for our citizens, our local government, and our States. Our citizens have been plagued by crime committed by illegal immigrants. And States have been forced to pay the costs of incarcerating criminal aliens whom the Federal Government did not prevent from entering our country and preying on our citizens. These State costs have resulted directly because, in the past, Congress refused to address the problem of illegal immigration.

What has been the cost to States of Congress' failure to stem the tide of illegal immigration? The General Accounting Office estimates that incarcerating illegal immigrant felons costs States at least $650 million per year. That translates into $66 million that New York cannot spend on schools, $43 million that Texas cannot spend on roads, and $400 million that California cannot spend on health care. All because the Federal Government failed to do its job.

Mr. Chairman, I do not generally favor reimbursement as a means of solving our illegal immigration problems. We should prevent illegal aliens from entering the country, rather than spending money on them after they get here. However, Congress has made a commitment to our governors to help reimburse some of the costs that they have incurred. The Mollohan amendment goes back on this commitment and breaks our word to our governors.

The Mollohan amendment is wrong for our citizens and wrong for our States. Keep Congress' word to Governor Bush, Governor Wilson, Governor Whitman, Governor Pataki, and others. I urge my colleagues to oppose the Mollohan amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield myself 1 minute, and I invite the gentleman from Texas to stay in the well.

The gentleman from Texas indicated that one of the premises of your talk was that there would be a net loss to States as a result of this amendment. I would just like to point out to you that, indeed, there is a net loss only to one State. That is California. For every other State in the Union, it is a net gain.

Let me explain why, and it is true. For example, Texas would gain approximately half a million dollars net. It is a close call for Texas.

Under my amendment, Texas would get an additional $2 million, in Byrne grant money, with all the flexibility that represents, and they would get a decrease of about $1.5 million from the illegal alien assistance program, for a net gain of $500,000.

Mr. SMITH of Texas. If the gentleman will yield, I appreciate your point you just made. My concern is still the commitment we made to the Governors to reimburse the States.

Mr. MOLLOHAN. Reclaiming my time, one of the premises was there would be a net loss to the States. That is incorrect.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. STUPAK], another distinguished Member who has worked so hard on crime fighting and been such an integral part of our crime task force on the minority side.

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

Yesterday we had a fight on this floor about the Clinton COPS Program and your local block grant that you wanted over there. You claimed there was no flexibility in the Clinton program. Now we have the Byrne grant, which gives us 26 different programs, including illegal aliens. So this is all kinds of flexibility you want, and now you say, ''No, let us not do that, let us keep all the money in one pot for illegal aliens.''

We are asking for 10 percent, or $30 million, of a $300 million pot to be used for the Byrne memorial grant which can be used for 26 different programs, which can be used with all the flexibility you need.

My colleague from Michigan, Mr. LEVIN, spoke of DARE. In my district we do bake sales and pancake breakfasts to fund the DARE program. We are asking for a little help for the DARE program.

In my district, which has 23,000 square miles, we have undercover drug teams, which is a combination of Federal, State, and local officers, the same team, the TNT team, the Hunt teams, the upset teams. They do undercover drug work with the Byrne grant money. The arrests have gone up by 400 percent because of the cooperative efforts we have here. We could not do it without the Byrne Memorial grant.

What we are asking for underneath the Mollohan amendment is take 10 percent, $30 million of the $300 million, put it in the Byrne grants, and it still leaves $270 million for incarceration of illegal aliens. In Michigan that means $1 million more we have to work with under the DARE program and undercover drug teams.

The Mollohan amendment makes sense from a law enforcement point of view. It makes sense for 49 of the 50 States in the Nation. Our No. 1 priority in this country is crime and crime fighting. Here is a program that works, with all the flexibility you wanted yesterday. It is here. Do not gut this amendment. Please, support the Mollohan amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. GALLEGLY] who is chairman of the House task force on immigration.

Mr. GALLEGLY. Mr. Chairman, I rise in opposition to the amendment of the gentleman from West Virginia, which would eliminate $30 million earmarked for reimbursing States for incarcerating violent criminal aliens.

Earlier this year the House passed H.R. 667, the Violent Criminals Incarceration Act of 1995. In that legislation was a provision sponsored by this Member which would authorize $650 million per year to reimburse States for the burden of incarcerating illegal aliens that commit felonies.

In the bill before us today, there is only $500 million set aside for that purpose and this amendment would reduce this amount by another $30 million.

Mr. Chairman, the States can no longer afford to pick up the tab for the failure of the Federal Government to enforce its borders and enforce its immigration laws.

For some perspective, the cost of this failure to California alone is over $500 million a year. But this is not only a California problem. There are over 4 million illegal aliens in our country and they are found in every State. Clearly, the States that are negatively impacted by this failure of Federal policy can no longer pay the bill for the fact that the Federal Government has shirked its responsibility to enforce its border and the law.

I would just like to make one statement in relation to the gentleman from West Virginia: California gets less money per capita than any other State in the Nation as it relates to reimbursement for the incarcerating of illegal aliens under this legislation.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, first, let us give credit where it is due. The gentleman from West Virginia [Mr. MOLLOHAN], as chairman of the Appropriations Subcommittee that he is now the ranking member of, was the first person to put in money to reimburse costs for incarcerated illegal aliens last year.

Second, although my friend from West Virginia is looking at early disbursement of this year's funding to determine the percentages, the fact is if his amendment passes, increasing a good program, the Byrne program, we take away not only from California but from Texas, Florida, and New York City, not just State governments, but local governments, county jails that are dealing with this problem. We take away that which we are obligated to finance.

You cannot vote to compensate State and local governments for Federal mandates and then back away from the obligation to reimburse them for the costs of the failure of Federal policy. It is that simple.

If you are not from New York or Illinois or California or Florida or Texas, I can understand why you might think you would do better. It is not right.

I urge you to vote against this amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Florida

[Mr. SHAW] who is chairman of the Human Resources Subcommittee in the Committee on Ways and Means.

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

Mr. Chairman, we heard this is a California problem. Nothing could be further from the truth.

Three thousand illegal aliens each and every day violate our borders and come into the United States. This is a national disgrace. It has gone on through administration after administration, Congress after Congress: Yet we have not acted.

Our own State cannot act because, under the Constitution, this is a Federal responsibility, and it is a failed Federal responsibility in which we have failed our States.

Right now 10 percent of the prison population in my home State of Florida is made up of illegal aliens. The Governor, Governor Chiles, just within the last hour has told me $80.7 million a year this alien population is costing the State of Florida, and in addition to that, because of the fact that it is 10 percent of our jail population, we are going to have to build 4 or 5 new prisons at a capital cost of $80 million to $100 million.

Why in the world is this a State responsibility? Not only because of this, but only because of the impact on our prisons, but the impact on our hospitals, on our school systems. Down in south Florida, the Jackson Memorial Hospital is overrun with illegal aliens, and yet we are taking that as a local responsibility to our own State funding to take care of these people.

The impact is absolutely, absolutely incredible. For anyone to stand on this floor and talk about a Federal responsibility where we should take away 10 percent of the money that is not even funding half of the cost for the States today, I think, is very shortsighted and is overly parochial.

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

Mr. SHAW. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. I thank the gentleman for yielding.

First of all, we are not taking 10 percent. We are taking $30 million out of the half a billion.

Mr. SHAW. I did not say you were taking 10 percent. I said the illegal aliens are 10 percent of our prison population in Florida, and it is a responsibility of the Federal Government to at least reimburse all of the States of this country, not just Florida, all of the States, to reimburse them at least a share of this extra cost, because of a failed Federal responsibility.

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

I say to the gentleman from Florida [Mr. SHAW], the point I wanted to make is we are trying to get Florida more dollars, and Florida is a net beneficiary under our amendment.

Mr. SHAW. I heard you.

Mr. MOLLOHAN. Let me make my point. It is my time. I will let you respond to me.

Under the distribution, the first distribution of moneys under this program was $43 million. California got $33 million, Florida got $1 million. Under my amendment, Florida gets $1.5 million. It is a net gain for the State of Florida and for every other State if this money is put through the Byrne grant program, and Florida can spend the money, if they want, on incarceration of illegal aliens.

Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. LUTHER].

Mr. LUTHER. Mr. Chairman, I rise in support of the Mollohan amendment in order to bring some balance to this particular bill.

I can think of few initiatives here in Congress that work better for our local law enforcement officials than providing much needed assistance in drug prevention efforts, equipment acquisition, and overall support for law enforcement.

When I talk to my local police chiefs and other local law enforcement officials back home, they respond with a simple plea, and that plea is, ''Please, provide us with assistance on basic equipment, like fax machines and other support so that we can fight crime in our communities and also support strong prevention efforts.''

I ask Members to support this amendment. Bring some balance to this bill, and let us use a smart approach when it comes to criminal justice activities.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BECERRA].

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

I speak in some pain here because I do respect tremendously the ranking member on the committee, the gentleman from West Virginia [Mr. MOLLOHAN], and especially with all the efforts he has undertaken to try to provide law enforcement with the resources it needs and given his efforts so far on the issue of immigration.

□ 1315

Mr. Chairman, I see this as an issue where we are robbing from Peter to give to Paul. Both areas involve law enforcement; one is in the incarceration area, the other is with the Byrne grants. I am a strong supporter of the Bryne grants, but I must say we have a Federal commitment to provide States with reimbursement for criminal alien incarceration and, when we have a Federal commitment, we should live up to that commitment to provide the funds.

Finally last year we took some action on the issue of providing reimbursement to States for the criminal incarceration of immigrants, and what we find now is that the President, having taken this first step, it should now be continued. We should continue with this effort to try to provide the funds to reimburse the States.

Mr. Chairman, we have an obligation to follow our talk with our walk, and I would hope that what we will see is that, although we have two good programs, the Byrne grant program and the criminal incarceration of undocumented immigrants issue, we should try to meld the two and make sure that we are not taking from one to give to the other, because both are very good. In a tough time we should try to do the best we can, and I would hope that what we would find is that it is time for us to live up to our obligation of giving money to reimburse States for those obligations that really should be Federal obligations.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. PACKARD], a member of the committee.

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

Mr. PACKARD. Mr. Chairman, I rise in very strong opposition to the amendment offered by the gentleman from West Virginia. I realize that the Byrne grant program is a worthy program, however, I strenuously object taking $30 million dollars out of the funds which are committed to help reimburse States for the cost of incarcerating illegal aliens.

California will incarcerate nearly 19,200 illegal immigrant felons in State prisons this year. That is enough to fill eight new prison facilities to capacity. The cost to California taxpayers will be $503 million. In fact, over the past 8 years, the total cost to California is over $2.5 billion.

The current bill funds $300 million dollars for this reimbursement and I commend Chairman ROGERS for his support for this program. However, the authorized level provides for funding up to $650 million. As you can see, we are currently funding less than half of what we could. It may not seem like a lot of money to some, but $30 million dollars is monumental to the States that have to foot the bill for what is widely recognized as a national problem.

Until the Congress is able to provide fully, the authorized level of funding, a handful of States will continue to be penalized by the Federal Government's failure to combat illegal immigration and assume its proper responsibility.

Mr. Chairman, a reduction in funding such as the one Mr. MOLLOHAN is proposing, unfairly increases the burden that California taxpayers will have to bear and increases what could be called an unfunded mandate. I urge the defeat of this amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. DEAL].

Mr. DEAL. Mr. Chairman, I rise in opposition to the Mollohan amendment.

When the original Thirteen Colonies agreed to join together to ''form a

more perfect union'', one of the powers they conferred on their new Federal Government was that of protecting the national borders from foreign invaders. Considering the fact that four million or more aliens are in our country illegally, it is abundantly clear that the Federal Government has woefully failed in its promise to the States to secure our national borders.

The very least we can do is to assist the States in paying for the costs of imprisoning illegal aliens who have committed felonies against the people and property of their citizens. This amendment would be a backward step and would say to the States that we are unwilling to pay the costs of our breach of promise.

Now is the time to reaffirm to the States our commitment to uphold our Federal responsibility and to attempt to reimburse them for the partial costs resulting from our failure to protect U.S. borders in the past and the present. We can never repay their citizens who have been murdered, raped, and robbed by those who should never have been allowed inside our country, but we can begin by paying the costs of imprisoning these felons.

I urge a ''no'' vote on the Mollohan amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, as somebody who lives on the border, but as someone who was a mayor and a county supervisor, I recognize that law enforcement, neighborhood law enforcement, was the No. 1 responsibility of a locally elected official and a responsibility. The Federal Government's No. 1 responsibility was the integrity of our national frontiers, and it was nice when the Federal Government helped us with our local responsibilities. It was a great effort. But those of us that are impacted severely by the abandonment of the Federal Government of their No. 1 obligation needs to have redresses of those problems, and I say this to my colleague, ''I understand your concerns, but you take care of your obligations before you start issuing people gifts, and this is a moral obligation.''

Mr. Chairman, the fact is the State of California spends $400 million-plus. In the existing formula, existing formula, there will still be a $100 million debt owed to that one State. Now this is an obligation that my colleagues may say we can walk away from for a while, but the obligation to protect our borders is a responsibility. I say to my colleagues, ''Don't abandon it because it is coming your way.''

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California [Mr. BEILENSON].

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

Mr. BEILENSON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN]. This amendment would reduce the funding for reimbursing State and local governments for the costs of incarcerating illegal criminal aliens by $30 million.

Last year, in an amendment that I offered with several of our colleagues, Congress created the State Criminal Alien Assistance Program [SCAAP] in recognition of the serious burden that costs associated with incarcerating criminal alien place on State and localities—costs which are a result of the Federal Government's failure to enforce immigration controls. In addition, thanks to the efforts of the Appropriations Committee, the gentleman from West Virginia [Mr. MOLLOHAN], and the gentleman from Kentucky [Mr. ROGERS], Congress for the first time appropriated funds for the SCAAP Program. And, in February of this year, the House of Representatives approved an amendment H.R. 667, the Violent Criminal Incarceration Act, which provides that, before the Department of Justice can spend any funds authorized in the bill for prison construction, the Attorney General must reimburse States for at least $650 million of the cost of incarcerating illegal aliens convicted of felonies.

This year also, largely because of the commendable efforts of Chairman ROGERS and the subcommittee, funding for the State Criminal Alien Assistance Program [SCAAP] has been increased to $500 million. This is still $150 million below what is needed, but it would provide significant relief to the affected State and localities.

Criminal aliens are people who have entered our country in violation of Federal laws; that makes their incarceration a Federal responsibility, and thus a cost that should be borne by all U.S. citizens, not just those who live in regions with large numbers of illegal immigrants. As the House of Representatives recognized with the passage of unfunded mandate legislation earlier this year, the Federal Government should not continue to pass the costs of Federal actions—or in this case, lack of effective Federal action—onto State and local governments. Yet that is precisely what we have been doing for years by making States and localities pay for the Federal Government's failure to stop illegal immigration.

While State and local governments have the responsibility for incarcerating criminal aliens and processing their cases, they have no jurisdiction over the enforcement of immigration laws, no authority to deport aliens who are convicted of crimes, and no authority to ensure that those deported are not permitted to re-enter the country.

From 1988 to 1995, the number of illegal alien felons in California State facilities has soared by 235 percent—from 5,700 to an estimated 19,200 by the end of this year. During the same period, the total annual cost of incarcerating and supervising this population has skyrocketed from $122 million to an estimated $503 million by the end of the next fiscal year—a 310-percent increase. The cumulative cost during this 7-year period is in excess of $2.5 billion.

Mr. Chairman, shifting funds from the SCAAP Program to the Byrne grant program will disproportionately affect California, because of the enormously large population of illegal aliens in our State's prisons. California, like every other State, has drug and crime problems that are addressed by the Byrne program—and we would all like to be able to approve more money for it. But our attempts to deal with these serious problems are being overwhelmed by the Federal Government's failure to deal adequately with illegal immigration, and to meet its full responsibility to the States with respect to criminal aliens. Reducing this funding is counterproductive and will only exacerbate a very serious problem.

I urge my colleagues to oppose this amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

Mr. GOSS. Mr. Chairman, I rise in strong opposition to the Mollohan amendment. Taxpayers in my home State of Florida, as well as many other States, for too long have had to bear the burden of really failed Federal immigration policies. That is what we are talking about.

It is estimated that Florida spends in the area of $80.7 million, not $13 million. There was a number for $13 million. That is an old number. The Governor's office now tells us that number is $80.7 million annually to incarcerate illegal immigrants.

As a matter of fact, costs are so high for this and other immigration related services that Governor Chiles had to file suit against the Federal Government for reimbursement, and I think everybody knows that Governor Chiles is in the same party as the President. He should not have had to do that. This is a clear Federal obligation, and earlier this year in H.R. 667 we took positive action to help our States with the financial burden.

The Federal Government cannot shirk its responsibility in this, which is what the Mollohan amendment would allow. This amendment would take us back in the wrong direction, and that is why I am very strenuously in opposition to it and urge my colleagues to oppose it, as well, because when we look at the facts, it is going the wrong way.

Mr. ROGERS. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey [Mr. MARTINI].

Mr. MARTINI. Mr. Chairman, I rise in strong opposition to the Mollohan amendment.

In the United States there are over 50,000 prisoners in State and Federal facilities who are not American citizens. The incarceration of criminal aliens costs taxpayers between $15,000 and $30,000 per inmate annually.

Last year, American citizens spent between $800 million and $1½ billion feeding, clothing, and housing illegal aliens.

It is a grave injustice to hold States like New Jersey hostile to such expenses for the Federal Government's failure.

Mr. Chairman, illegal immigration has taken a toll on this country. Illegal aliens who commit crimes exact personal costs to the people they hurt as well as economic costs to those States who have to burden those costs.

I urge an opposition to this amendment.

Mr. MOLLOHAN. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] has 30 seconds remaining and the gentleman from Kentucky [Mr. ROGERS] has 1 minute remaining.

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

Mr. Chairman, there have been some comments made about meeting our obligation to fight the illegal alien problem, and I would say in this bill, with the chairman's leadership, we have provided resources to do just that. We have provided resources under the INS for illegal alien problems: 700 new Border Patrol agents, 400 new inspectors, 945 new detention personnel, and 750 new investigators, and that is very robustly funded to the tune of about a half-billion dollars in the crime trust fund. We have provided $500 million in this bill for reimbursement to States for incarceration of illegal aliens. There is only $30 million out of that to spread around the country.

Mr. ROGERS. Mr. Chairman, I yield the balance of our time to the gentleman from California [Mr. DREIER], a member of the Committee on Rules.

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

Mr. DREIER. Mr. Chairman, this is a very important moment. For the first time the Federal Government has stepped up to the plate to acknowledge its responsibility with the issue of illegal immigration.

There is a perception this is simply going to benefit California. I was joking with the gentleman from West Virginia about that a few minutes ago. The fact of the matter is California will proportionately get less than any other State involved in this based on the number of illegals we have in California, and the figures that have been thrown about here, especially by my friend from West Virginia, are way off base. The best example was Florida, where we have seen an increase from 13 to 80.7 million as the cost for the incarceration of illegals in that State.

This is a very serious Federal problem. Let us defeat the Mollohan amendment and move ahead with the committee position.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] will be postponed.

Are there further amendments to title I?

AMENDMENT OFFERED BY MR. SCOTT

Mr. SCOTT. 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. SCOTT: Page 24, line 6, strike ''$2,000,000,000'' and insert ''$2,300,000,000''.

Page 24, line 23, strike ''$500,000,000'' and all that follows through page 25, line 1, and insert ''$200,000,000''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 20 minutes and that the time be equally divided.

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

There were no objection.

The CHAIRMAN. The gentleman from Virginia [Mr. SCOTT] will be recognized for 10 minutes in support of the amendment, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 10 minutes in opposition.

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

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

Mr. Chairman, this is a fairly straightforward amendment. It moves $300 million from prison construction funds to the local law enforcement block grant so that programs for prevention and cops can be funded to a larger extent. Mr. Chairman, this will have no effect on the money for incarcerating illegal aliens that we just heard the debate on. The prison grant program requires an increase in incarceration on a massive basis. We already have one of the highest incarceration rates in the world, over five times the international average.

Mr. Chairman, increasing incarceration wastes the scarce resources that could be better spent on prevention. In Virginia, for example, Mr. Chairman, we have a program that we have just embarked on that will cost the State of Virginia $1 billion per congressional district over the next 10 years in increased prison expenses, and the estimates are that the reduction in crime will be less than 4 percent, statistically insignificant. Mr. Chairman, that is a national equivalent of spending $435 billion without any reduction in crime.

Mr. Chairman, earlier this year we heard the city of Philadelphia needs about $2½ billion to build prisons, and again that is just one city. So more money and prisons will be a drop in the bucket as far as the crime rate is concerned. That money could be better spent, Mr. Chairman, on drug courts which take low-level drug abusers, possession only, nonviolent, and refer them into rehabilitation rather than prisons at a cost of 5 percent of what the prisons cost and will result in 80 percent reduction in crimes.

□ 1330

We heard last night about community policing and how that works, Job Corps, education programs, recreation programs. We have heard midnight basketball savaged on this floor, yet we do not hear that the crime rate went down 60 percent in Landover, MD when the midnight basketball program went into effect.

Mr. Chairman, I have 3 cities in my district that are in the top 30 in murder rate, so I want to make sure that we use our scarce resources in a way that will actually reduce crime. It is clear we will get more return for our money by putting it into local law enforcement, like crime prevention and community policing, rather than just in general increasing incarceration.

In conclusion, Mr. Chairman, in the words of the poet Joseph Malins, in his poem ''A Fence or an Ambulance,'' ''It is better to put a strong fence around the top of a cliff than an ambulance down in the valley.''

Mr. Chairman, let us build fences, rather than buying ambulances, and support this amendment.

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

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

Mr. Chairman, I rise in strong opposition to the Scott amendment. The truth is that this amendment would eliminate what the Congress passed back in February in the crime bill. It would eliminate truth in sentencing grants to States and shift that money to local government law enforcement block grants.

Now, we already provide in the bill 5½ times more for local crime programs than was ever provided in history by the Congress, and particularly 1995. They are going to have plenty of money to work with.

What the gentleman would eliminate with this amendment, however, is a very critical part of the crime package that passed back in February as a part of the Contract With America, and that was to allow States to have grants if they lock up their violent criminals for a certain period of time.

Convicted felons serve only 38 percent of their sentences now on average. This revolving door of justice is the heart of the crime problem. Truth in sentencing grants are a vital and sensible response to this problem. Lack of prison space is a national problem. It is appropriate for the Congress to respond by setting aside funds specifically for the purpose of increasing prison capacity on the State level for violent offenders.

Local law enforcement block grants provide funding directly to local communities. States, not local communities, have the responsibility of building prisons. The Scott amendment would prevent States from receiving any funds for prison construction. The State prisons grant program ensures that States will have the resources to keep violent offenders locked up. Do not tear that from this bill. It will be a very critical part of the States' efforts and our effort on their behalf to fight violent criminals across the country.

Mr. Chairman, I urge a ''no'' vote on the Scott amendment. Stay with us on the crime package.

Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. BARR].

Mr. BARR. Mr. Chairman, I appreciate the gentleman yielding, and I appreciate the chairman's attention to this very important matter.

Mr. Chairman, it has been only about a year since the citizens of the State of Georgia had a legal lottery, and it apparently is doing somewhat well. Unfortunately, in Georgia, as in many other States, however, we have had a lottery for many, many years, and it is the lottery of revolving justice. Every criminal in our State, as well as all across this country, when they go out to commit a crime, they are purchasing a lottery ticket. They are betting the State in which they commit the crime will not have the wherewithal and the will to keep them incarcerated for a major part of their sentence, and they are getting out, as the chairman has already indicated, within, on average, after serving only 38 percent of their time, and in many instances it is far less than that time.

The bill that we passed very soundly and very strongly in this body just a few months ago tells our States that, at least insofar as American taxpayer dollars are concerned, we are not going to stand for that, and when we the taxpayers of this country, through us in this Congress, direct the taxpayer money go back to the States to construct prisons, we want to see that those prisons are constructed and housed with inmates who are going to serve at least 85 percent of their time.

I wonder what motivation anybody on the other side could have for saying we do not want them to serve 85 percent of their time. As a matter of fact, I would prefer if they served 100 percent of their time. But it is a very sound provision that we in this body passed, with very strong support of the American people, to tie prison construction funds, which go to the States, these are not local community block grants, the responsibility for building prisons in this country is essentially with our States. These moneys go to the States, but we are telling the States, ''Keep your prisoners in these prisons at least 85 percent of the time.'' This is very sound policy. It is at the core of why we are seeing such tremendous recidivist rates in our country.

Mr. Chairman, there is in fact a direct correlation over the years between a decrease in the amount of prison time that those convicted of crimes serve and the recidivist rate.

As the prison inmate rate goes up, as people serve more of their sentence, crime rates do in fact go down. That is the very sound reason and demonstrable public policy behind the provisions in the bill, and the efforts of the gentleman from Virginia [Mr. SCOTT] will in fact aid revolving-door justice in this country. We are telling the American people let's stop that revolving door, at least insofar as we are able through taxpayer dollars being used to construct prisons that will go to those States that have the will, the wherewithal, to say we are going to build those prisons, and, more importantly, we are going to ensure when we put somebody in one of those prisons, they are going to stay there for at least 85 percent of the time.

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

Mr. Chairman, first of all, I am not aware of any studies that show that increasing the time served reduces the recidivism rate. The testimony we have heard in fact is that there is no reduction in recidivism rate generated by increasing the time served.

This revolving door that we have is a revolving door because we are not putting our money into prevention. We are trying to build our way out of the problem. If we are going to be honest, we ought to acknowledge that 38 percent figure. If you want to move it up to a 100-percent figure, you ought to add up and tell the American people what it is going to cost.

In Virginia, proposal X that recently has been enacted, but not fully funded, increases the time served from about 25 to 50 percent, and that cost will cost Virginia $11 billion in the next 10 years. That is a national equivalent of spending $400 billion trying to build our way out of this problem.

If we want to be honest, we will tell the people what result we are going to get. The studies have shown the result will be statistically insignificant. So this little $300 million we are talking about will not make any difference if we put it into incarceration. It is an insane strategy to try to build our way out of the problem. We ought to put our money where it will make a difference, and that is in prevention. That is why I have introduced the amendment, and hope it is agreed to.

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

Mr. ROGERS. Mr. Chairman, I yield the balance of my time to the gentleman from New Mexico [Mr. SCHIFF].

The CHAIRMAN. The gentleman from New Mexico is recognized for 5 minutes.

Mr. SCHIFF. Mr. Chairman, I want to begin briefly on another subject, by complimenting Chairman ROGERS and other members of the subcommittee in both parties for the emphasis they have placed in supporting assistant U.S. attorneys and agents in the field for the Federal Government, because that is where the proverbial rubber meets the road in terms of law enforcement. More crime is investigated and prosecuted with more professionals assigned to do that.

Mr. Chairman, I rise in opposition to the Scott amendment for several reasons. The gentleman from Virginia I think stated that his district was in the top 30 in the Nation in burglaries. I strongly suggest that if more of those burglars were off the street there would be less burglaries in the gentleman's district.

The question was, in prison population related to crime. Well, first, I would point out that we have all heard the statistics that the number of people incarcerated in the United States has been going up. We all know that. But more recently, there have been a number of news articles pointing out that the percentage of crime, the crime rate in many areas, including violent crime, has been going down. So there is a general correlation that I think is obvious, that as the prison population goes up crime goes down.

It is not that I think prisons are wonderful places, but if you take perpetrators off of the street, we have less crime. In fact, the U.S. Bureau of Statistics, I am informed, stated that in a study, those offenders who serve more than 5 years in prison actually were repeaters less often than those who served less than 5 years in prison.

But the main point is when that criminal is out of prison, particularly repeat criminal, then that criminal is repeating crimes on the street, in the district of the gentleman from Virginia or any district.

Mr. Chairman, I would like to say that the cost of prisons is high. There is no doubt about that. I think it can be reduced in many ways. But the fact of the matter is, it will never be inexpensive in a due process country that respects human rights. But I submit the cost of crime, particularly repeat crime, is greater than the cost of prisons, that a repeat offender committing crimes, particularly burglaries, because the average burglar does not commit one burglary a week, he commits one or more burglaries every single day, 365 days a year. It does not take long to compute the fact that even with moderate gains from each burglary, the cost to society in crime in pure dollars, not even talking about the human heartache of people having their homes invaded or businesses taken over, but the cost to society in pure dollars of having repeat criminals on the street is worse than the cost to society of prisons.

This is not to say that there is not room for alternatives. Nothing in this truth in sentencing says that every single person convicted of any crime must go to prison. I do not believe that is appropriate in every case. But what truth in sentencing does recognize is that those States that are trying to make headway by establishing truth-in-sentencing laws, which have come to mean requiring those who are sent to prison to serve at least 85 percent of their sentences, and I agree with the gentleman from Georgia [Mr. BARR], I think individuals deserve 100 percent of their sentences, whatever the sentences might be, but truth in sentencing has come to mean serving 85 percent of sentences.

That is often double what is served in many States. I regret to say in my own

State of New Mexico the good time law there is one of the most liberal in the Nation. There is up to 50 percent off of sentences to prison for all kinds of crimes, including murder. So when the people of New Mexico see in their newspapers that a particular criminal is sentenced to a certain number of years in prison, that will be the headlines. They then have to read in the fine print the fact that that is not the real figure. The real figure is half of what is in the headlines.

Now, truth in sentencing in the bill recognizes that keeping offenders, particularly repeat offenders, in prison longer will cost the States more money. That is an obvious fact, too. Every day someone is in prison is a cost to the State. I think it is a cost to the State that is warranted in a number of cases, because it saves money on the cost of crime. But, nevertheless, it occurs.

Truth in sentencing does not force States to adopt truth-in-sentencing laws. Truth in sentencing recognizes that because of the increased cost of keeping offenders, particularly repeat offenders, off of the street, there is an increased cost to the States to do so. For that purpose, the bill provides an incentive to support States economically with their difficult decision to keep offenders off of the street.

So, Mr. Chairman, I want to say that the truth in sentencing is an important part of the bill to keep offenders, repeat offenders, off of the streets, and I urge rejection of the Scott amendment.

Mr. SCOTT. Mr. Chairman, I ask unanimous consent to reclaim 10 seconds of my time to clarify a word that was used.

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

There was no objection.

□ 1345

Mr. SCOTT. Mr. Chairman, the Third Congressional District of Virginia has three of the top murder rates. I meant to say murder. I just wanted to correct the RECORD.

Mr. SCHIFF. Mr. Chairman, I ask unanimous consent to proceed for 10 additional seconds.

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

There was no objection.

Mr. SCHIFF. Mr. Chairman, I accept the gentleman's correction that his district is in the top in murder rate, not burglary rate. But I think that my point, that keeping criminals off the street may help alleviate that problem, still stands.

Mr. ROTH. Mr. Chairman, I rise in opposition to this amendment.

By eliminating the truth-in-sentencing prison grants, the amendment would let violent criminals loose on the streets to continue to prey on innocent Americans.

The American people are tired of the liberals' soft-on-crime, hug-a-thug approach. The American people want murderers and rapists behind bars.

The senseless murder of a young girl named Cora Jones in rural Wisconsin tragically underscores what I've heard from thousands of people in northeast Wisconsin:

It's time to get tough on criminals.

Cora was killed by a criminal released on parole. If that criminal were in prison where he belonged, Cora would be alive today.

People are scared about rising crime rates, and they are demanding action.

The statistics are frightening.

Every year, nearly 5 million Americans are victims of violent crime.

Another 19 million are victims of property crime.

A murder is committed every 21 minutes in the United States.

A rape, every 5 minutes.

A robbery, every 46 seconds.

Why such staggering figures?

Because we aren't keeping criminals in prison.

Sixty-nine percent of young adults released from prison are arrested again within 6 years, after committing an average of 13 new crimes.

Overall, 7 percent of criminals commit 70 percent of all violent crimes.

It's no wonder Americans are fed up.

We need a new approach to fighting crime.

If a thug is behind bars, he can't commit another murder, rape, or robbery.

But under this amendment, we will have no new prisons to hold violent criminals.

These prison grants will go only to States that enact truth-in-sentencing laws.

Truth-in-sentencing laws mean a 30-year sentence is just that: 30 years, no parole.

Criminals will think long and hard before committing an offense if they know they won't be back out on the street in a few months. It's wrong that law-abiding Americans—who work hard, pay their taxes, and raise their kids—have to live in fear.

Mr. Chairman, we cannot rest until every man, woman, and child in America can walk down any street in America and feel safe.

Vote against the Scott amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SCOTT].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Virginia [Mr. SCOTT] will be postponed.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. STUPAK

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

The CHAIRMAN. The Clerk will designate the amendment.

Amendment offered by Mr. STUPAK: Page 24, line 7, after ''Grants'' insert ''of such amount $600,000,000 shall be available for rural areas in which the unit of local government in such area has a population of less than 50,000)''.

Mr. ROGERS. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The point of order is reserved.

Mr. STUPAK. Mr. Chairman, my amendment, No. 41, is what I would consider the rural setaside amendment. What this amendment does is set aside approximately $600 million for rural law enforcement programs. The money would come from the $2 billion set aside for the local law enforcement block grant.

When this bill was being considered by both authorizers and appropriators, the President had requested over $10 million to be set aside for rural law enforcement needs. As we went through the appropriation process, no money was set aside for rural America. As we had our discussions yesterday on the local law enforcement block grant program, to put money into local block grants, we found during the debate yesterday that the money will go to those communities which have the highest crime rates, the highest crime rates.

Those of us who live in rural areas find ourselves relatively safe and free from high crime rates. Therefore, our communities will not be able to benefit underneath the existing appropriation as passed yesterday by the House, especially when we talk about the local law enforcement block grant. The high crime rate areas usually are urban areas. The money, therefore, this $2 billion would to go the urban areas. Rural law enforcement has no access to money for police officers or for equipment underneath this program.

Those of us in rural areas were very pleased that the President's COPS Program recognized the specific needs of rural areas. The President had recognized rural areas as being those communities of less than 50,000. Therefore, my amendment has also recognized rural areas as being those of less than 50,000 population.

Twenty-seven to 30 percent of the people in this country live in rural areas. We pay taxes. We need help with law enforcement. We need help with all kinds of programs with the Federal Government. What we are asking for is that some of this money in this local law enforcement block grant be set aside. Yesterday the Clinton COPS Program was defeated. Therefore, our access to law enforcement, to equipment, to personnel, to help rural areas has been denied underneath the majority vote yesterday.

So what my amendment says is of this $2 billion set aside in the local law enforcement area, 30 percent be set aside for rural areas. It is interesting to note that where we are asking the money to come from is local law enforcement block grants. We are taking the word ''local'' as being the small communities including our rural areas.

So, as you consider this amendment, if you have a community in your district where your population is less than 50,000 you would be denied any kind of funding. The only place we can find where rural areas are considered at all in this bill is found on page 38 in the report where it says, for domestic violence and child abuse enforcement

they have set aside $7 million annually for 27 to 30 percent of the country. Rural areas have more than just domestic violence and child abuse enforcement. So, therefore, we are asking the Federal Government for some help.

With this amendment, amendment No. 41, we are asking then that 30 percent of the total local law enforcement block grant money be set aside for rural areas.

POINT OF ORDER

Mr. ROGERS. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ROGERS. Mr. Chairman, I rise to a point of order against this amendment under clause 2 of rule XXI.

The Stupak amendment constitutes legislation on an appropriations bill, because it attempts to earmark $600 million for a program for rural areas which is not authorized in law. The amendment attempts to amend the local law enforcement block grant which is an unauthorized program that is permitted to remain under the rule.

According to the ruling of the Chair on July 12, 1995, where an unauthorized appropriation is permitted to remain in a general appropriation bill, an amendment directly changing the amount in that paragraph and not adding legislative language of earmarking separate funds for another purpose is in order as merely perfecting. Clearly, this amendment does more than merely change the amount in the paragraph. It adds legislative language and earmarks a portion of the funds for a new purpose and so constitutes legislation on an appropriations bill.

I ask for the ruling of the Chair.

The CHAIRMAN. Does the gentleman from Michigan [Mr. STUPAK] wish to be heard on the point of order?

Mr. STUPAK. Mr. Chairman, on this point of order, if we look on page 39 of the report and even coming back to H.R. 728, which we debated on February 14, 1995, under the title local law enforcement block grant, throughout the bill we talk about local law enforcement block grant. What we have merely done was do the perfecting that is allowed underneath hereby defining what local is. We are not saying that what the local law enforcement block grant is those communities with populations less than 50,000. This is a perfecting amendment to the authorized program.

When we talk about local law enforcement, nowhere in the bill, whether it is the authorizing bill or whether it is this appropriation bill, do they identify and state to us what local is. This would be a perfecting amendment. Therefore, I feel it would be appropriate.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

For the reasons stated by the gentleman from Kentucky regarding unauthorized earmarking, the point of order is sustained.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. 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. HASTINGS of Florida: Page 18, line 2, strike ''$2,574,578,000'' and insert ''$2,539,578,000''. Page 77, line 8, strike ''$233,000,000'' and insert ''$268,000,000''.

POINT OF ORDER

Mr. ROGERS. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. Mr. Chairman, I rise to a point of order against the amendment.

Mr. Chairman, the amendment would increase the level of budget authority/outlays in the bill in violation of clause 2(f) of rule XXI. This rule states that ''it shall be in order to consider en bloc amendments proposing only to transfer appropriations among objects in the bill without increasing the levels of budget authority or outlays in the bill.''

The amendment would increase the level of budget authority outlays in the bill. We have CBO scoring which shows a net increase in outlays of $1,753,000. So, therefore, it violates a rule of the House.

I ask for the ruling of the Chair.

The CHAIRMAN. Does the gentleman from Florida [Mr. HASTINGS] wish to be heard on the point of order?

Mr. HASTINGS of Florida. Mr. Chairman, may I have a colloquy with the gentleman?

The CHAIRMAN. The gentleman cannot conduct a colloquy on a point of order. The gentleman may be recognized on the point of order.

Mr. HASTINGS of Florida. Mr. Chairman, more importantly, I seek unanimous consent to amend the amendment as offered, to increase the measure as proposed by $33 million.

The CHAIRMAN. Did the gentleman say to increase or to decrease?

Mr. HASTINGS of Florida. Mr. Chairman, I am seeking an increase of $33 million. The gentleman's point of order says I am a million plus over. I now ask unanimous consent to amend my amendment to increase by $33 million the funding that I seek.

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

Mr. ROGERS. Reserving the right to object, Mr. Chairman, I suggest to the gentleman that this amendment be withdrawn while he has a chance to discuss the matter with this Member, perhaps, to see what can be worked out.

Mr. HASTINGS of Florida. Mr. Chairman, I accept the gentleman's admonition.

Mr. Chairman, I ask unanimous consent to withdraw the amendment at this time.

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

There was no objection.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. 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 Ms. NORTON: Page 29, strike line 12 and all that follows through line 18.

Redesignate succeeding sections accordingly.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided between the gentlewoman from the District of Columbia and myself.

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

There was no objection.

The CHAIRMAN. The gentlewoman from the District of Columbia [Ms. NORTON] will be recognized for 15 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 15 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

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

Mr. Chairman, this Congress did the right thing in 1993 when it finally allowed women in prison to elect an abortion among the medical services provided them. We overturned the barbaric policy that allowed such abortions only when the life of the mother was endangered or when rape had occurred, not even apparently when incest was involved.

Women in prison, Federal prisons, earn between 10 and 40 cents an hour. There is no hope that they could get the average $231 that an abortion in the first trimester costs. Yet these are the women most in need of choice. These are the women in our country who have led the most chaotic lives. These are the women who are least capable of taking care of themselves. They have not been able even to keep within the law. These are the women least able to bear and relate to children.

Who will speak for these children? We must speak for these children. We must speak for these women.

I strongly favor and would rise just as adamantly to protect the rights of these women to bear children in prison, if they desire. But surely we would not want to deny a woman the right to choice in prison. Two-thirds of these women are drug offenders. More than two-thirds are 40 or under. Most of them are of reproductive age. Many of these women are HIV infected or have full-blown AIDS. Many are addicts who have landed in prison, very often.

In the last 11 years, the number of women in Federal prisons has more than doubled, more than tripled. These

women have themselves been the victims of wholesale physical and sexual abuse.

What happens to these women happens to their fetuses or to their children. In prison they are subjected to a high-starch prison diet. Nobody brings in the right WIC food for women in prison.

□ 1400

Prison is not where people go to get prenatal care. These women have to contemplate the fact that if they were to bear a child to term, they would have to be separated from that child. These are the women in our society most in need of choice—those in Federal prisons. They do get counseling, including religious counseling and social counseling. This is not, for a women in prison, any more than for any other woman, a decision that can or should be made lightly. In effect, if these women do not have choice, of course, we are forcing women who are incarcerated to bear children. This is not America if that is what we are prepared to do, particularly given the particular kind of population that we find in Federal prisons today.

Mr. Chairman, we must, even at this time in the proceedings, try to be remembered for other than being the Congress who looked for each and every opportunity to deny women the most fundamental of rights. We have done it to women in the military who are serving their country, we have done it to Federal workers, we have done it to Federal planning overseas, and today in committee we passed, or the committee passed, a provision making it optional for States to fund for rape and incest. How low are we willing to sink on the question of abortion? How far are we willing to go to deny the most fundamental of rights?

Mr. Chairman, whatever we think and wherever Members stand on the notion of choice generally, I hope Members will now allow themselves to be recorded as forcing women who are incarcerated to bear children against their will.

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

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON]. This bill reinstates a provision which was carried in the bill prior to fiscal 1994. That provision prohibits Federal tax dollars from being used to pay for abortions for Federal prison inmates. This amendment would strike that provision, that prohibition.

The issue here is very simple and clear. The question is should taxpayers' money be used to pay for an abortion. Time and again, the Congress has debated this issue. Time and again the Congress' answer, and more importantly, the answer of the American taxpayer, has been no. I urge rejection of the gentlewoman's amendment, and urge that the bill be supported.

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

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

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I rise in support of the Norton amendment which would remove the ban on access to abortion services for incarcerated women, except in cases of rape or life endangerment.

There are currently 5,984 women incarcerated in Federal Bureau of Prisons facilities, the majority—68 percent—of whom are serving sentences for drug offenses. Most of the women are young, were frequently unemployed, and many were victims of physical or sexual abuse. According to a 1987 survey, 6 percent of women in prisons and 4 percent of those in jail were pregnant when admitted. Limited prenatal care, isolation from family and friends, and the certain loss of custody of the infant upon birth present unusual circumstances that exacerbate an already difficult situation if the pregnancy is unintended.

Because Federal prisoners are totally dependent on health care services provided by the Bureau of Prisons, this ban, in effect, prevents these women from exercising their constitutional right to abortion. Most women prisoners were poor when they entered prison, and they do not earn any meaningful compensation from prison jobs. This ban then closes off their only opportunity to receive such services, and thereby denies them their rights under the Constitution.

I urge my colleagues to support the Norton amendment.

Ms. NORTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

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

Mrs. SCHROEDER. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from the District of Columbia. I think this is absolutely a very essential thing that we should be doing. The gentlewoman from Maryland also made an important point in that when women are in prisons as prisoners, first of all, they are not in the best of shape, obviously, to start or raise a family. Second, one never really knows about their total health condition, and they have no option to go outside if they disagree with what is being imposed upon them.

I thought it was outrageous to impose this on women in the military and dependents in the military who are overseas, but they certainly have more options than women in prisons. What we are really doing is mandating motherhood for them, and denying them the right to full health care benefits that women would have on the outside.

Furthermore, Mr. Chairman, it seems to me there is no exemption here for incest or for many other things that I think concern people very much. I really would hope that the membership would think about this. My understanding is that the Congressional Budget Office has scored the amendment and said that there was no scoring effect to that. I would like to ask the gentlewoman from the District of Columbia if that is correct.

Ms. NORTON. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, the gentlewoman is correct.

Mrs. SCHROEDER. Mr. Chairman, I would ask the gentlewoman, this has not been a huge spending item, obviously, or they would have found this was a terrific cost?

Ms. NORTON. Mr. Chairman, I would say to the gentlewoman, indeed, there have been only nine abortions since this right has been in effect, and women in prison have fewer abortions than women outside, and more choose to carry their babies to term, considerably more than choose to have abortions, so that what we are asking for here is merely for genuine choice.

Mrs. SCHROEDER. Mr. Chairman, I think the gentlewoman makes a very good point. There is some kind of image out there that this is some benefit to women in prisons and so forth and so on, but the statistics show just the opposite, just as they did with the women in the military, where there were a whole 10 abortions. Most people figured this was because of some disease-related complication or many other kinds of complications that could occur.

I find it really amazing that we are doing this type of thing to women. It seems like women were maybe the fad last year, but we cannot unroll their rights fast enough this year. We keep unrolling them. I urge Members to vote for the gentlewoman's amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute and 40 seconds to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I hear some people saying we have too many votes on abortion. I frankly do not like a lot of votes and debate on this issue. Let me just say very candidly and clearly that absent the votes and the amendments and the language we will be paying for, in one appropriations bill after another, abortion on demand.

This is not a benign process. If there is not explicit language proscribing the use for abortion, we will then be subsidizing abortion on demand. This language that is included by the gentleman from Kentucky, HAL ROGERS, the chairman of the subcommittee, would stop funding abortions in the Bureau of Prisons. Forty or so abortions were done prior to the language going into effect some time ago in the 1980's. The gentleman from California, BOB DORNAN, was the author of that language.

It seems to me it is worth the inconvenience, it is worth the difficulty, and again, I do not like going through this time and time again, but it is worth it if we can cease the facilitation and the subsidization of the killing of at least one child, and in this case we are talking about dozens of children. It seems to me that again we are talking about Government subsidization of abortion on demand.

The pendulum, without question, is swinging in favor of life. People no longer want to subsidize and pay out of their pockets for the chemical poisoning or the literal dismemberment of an unborn child's body. We happen to believe that the women are the victims as well, the co-victim, if you will. We want to see positive, nonviolent solutions to women who have pregnancies that were unintended, not the killing of their unborn babies.

Please, do not force me, my wife and my family and all of us, to pay for it. Again, the language the gentleman from Kentucky has put in would do that. Defeat the Norton amendment.

Ms. NORTON. Mr. Chairman, I would ask who has the right to close.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] has the right to close. He has 11 minutes and 20 seconds remaining. The gentlewoman from the District of Columbia has 6 minutes remaining.

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

Mr. Chairman, the Bureau of Prisons has gone to great lengths to make sure that it is operating within the law, and indeed, has attached conditions to abortion that do not obtain in every State of the Union. For example, there must be medical, religious, or social counseling sessions offered. There must be written documentation that these sessions have taken place. The process is laid out in great detail in order to make sure that there are no violations. Those who are on the staff and somehow involved also have their rights protected. No staff or supervisory person need be involved with these decisions at all. The Bureau of Prisons, it seems to me, has handled this sensitive issue in just the right way, and the question before the House is are we prepared to handle this issue in just the right way.

Almost all of these women will be faced with two choices: Either make the choice for abortion, or make the choice to have a child who they will have very little, if anything, to do with. Most of these children, if they are carried to term, will go to the State. Since the majority of these women are women of color, in effect that means putting children born in prison into the foster care system.

Mr. Chairman, the foster care system cannot absorb the children of parents who are not in prison. The GAO has written a report on the foster care systems in a number of States. It is an appalling report. The situation is the same all over the country: too few foster parents, too many children. If a woman decides when she is incarcerated that she would like to choose an abortion, society, it seems to me, should be where she wants to be, just as it would be if she made that choice and were not in prison.

Remember, Mr. Chairman, of whom we are speaking. Since more than two-thirds of these women are in prison for drug offenses, understand that most of them were selling drugs because they were addicts themselves, many of them crack addicts. That says all we need to hear about their own pregnancies. The decision to carry a child or not carry a child should not be circumscribed by whether one happens to be incarcerated or not. The nature of the duress is even greater if the woman involved is, indeed, incarcerated.

I recognize that this issue is now and always will be contentious in this House. I would hope that at some point and for some women, we would understand the consequences sufficiently so we would not vote in knee-jerk ways on this sensitive issue. I ask, therefore, Mr. Chairman, for support of the Norton amendment, in the name of these women who cannot speak for themselves.

□ 1415

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

Mrs. LOWEY. Mr. Chairman, I rise in support of Ms. NORTON's amendment. My colleagues, what we have seen throughout this appropriations process is a direct assault on the right to choose. The ban on Federal funds for abortions for women in prison is just the next in a long line of rollbacks on women's reproductive freedoms. This assault on the constitutional rights of women must be stopped.

The antichoice forces have not directly confronted the basic right, because they know that the vast majority of American people support women's reproductive rights. Rather, they have chipped away at it, hoping that American women will not notice. We must prove them wrong. We must stand up and say ''We do notice, and we will not stand for it.''

What is particularly shameful about the strategy of the abortion foes is that they have singled out groups of women for attack. I suppose that their theory is that most American women will not notice until it happens to them, and then it will be too late. Just look at their record in both the appropriating and authorizing committees this summer:

In the Labor-HHS bill, funding for abortions for indigent victims of rape and incest was cut;

Also in the Labor-HHS bill, funds for family planning services for poor women were zeroed out;

In the Treasury-Postal bill, Federal employees have been barred from purchasing insurance with abortion coverage;

Earlier this summer, in the DOD authorization bill, military women were barred from purchasing abortions on bases overseas with their own funds;

At the Judiciary Committee, they are considering authorizing legislation that would ban one of the safest procedures for women who face a late-term abortion due to a severe threat to her life or health, or a severe fetal anomaly;

And now, they want to ban abortion funds for women in prison.

Poor women. Victims of rape and incest. Federal employees. Women in the military. Women facing severe health crises. Women in prison. Who is next? It could be any of us. We must stop this assault on reproductive rights now.

I urge my colleagues to support the Norton amendment, and to say no to this rolling back of the reproductive rights of American women.

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

Mr. Chairman, I will be very brief, as the issue is starkly simple. Do we use Federal funds to pay for abortions? Time and again, Congress has said no. Time and again, the American people have told us to say no, that these moneys should not be used for that purpose.

The amendment would strike the prohibition in the bill that prevents funds from being used for that purpose. I urge a ''no'' vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON].

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

Ms. NORTON. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 46 OFFERED BY MR. FIELDS OF LOUISIANA

Mr. FIELDS of Louisiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 46 offered by Mr. FIELDS of Louisiana: Page 24, line 6, strike ''$2,000,000,000'' and all that follows through ''1995'' on line 9 and insert ''$1,800,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed the House of Representatives on February 14, 1995; $200,000,000 for crime prevention and model grants as authorized by title III of the 1994 Act;''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Louisiana [Mr. FIELDS] will be recognized for 5 minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 5 minutes.

Is the gentleman from Kentucky opposed to the amendment?

Mr. ROGERS. I am opposed, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. FIELDS].

Mr. FIELDS of Louisiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I commend the chairman and the ranking member on our side of the aisle for all the hard work they have done on this particular piece of legislation.

Mr. Chairman, this amendment is a very straightforward amendment. It is an amendment that many Members of the House have already considered in one form or another.

This amendment will take 10 percent of the $2 billion and use that money for crime prevention. This bill appropriates $2 billion in the form of a block grant. This amendment will simply take 10 percent of that, which would be about $200 million, and $200 million will be used for the precise purpose of prevention.

When we passed the crime bill in 1994, we enumerated several crime prevention programs within that legislation and we balanced the bill such that money will not only go into jails and prisons but also go into crime prevention.

If we pass the Fields amendment, this amendment will provide the $200 million that could be used for the Ounce of Prevention Council which was a part of the 1994 crime bill; Local Crime Prevention Block Grant Program; the Model Intensive Grants Program; Family and Community Endeavor Schools Grant Program.

All these programs are very conducive programs for preventing crime so that we will not spend the kind of money that we spend today in locking people up and putting them behind bars: Family and Community Assistance Program; Assistance for Delinquent and At-Risk Youth; Police Retirement; Local Partnership Act; the National Community Economic Partnership; the Urban Recreation and At-Risk Youth Program; Community-Based Justice Grants for Prosecutors; the Family Unity Demonstration Project; substance abuse treatment in Federal prisons as well as State prisons; and Gang Resistance and Education Training, which is a great program that many people in many States across the country use.

I think this is a very important amendment and I would hope that Members accept this amendment. We spend $60,000 to build a jail cell in this country, $30,000 to maintain it. This is prevention. I think it is in the best interests of our country to spend money where it is most needed.

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

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

Mr. Chairman, I rise in strong opposition to this amendment. It takes $200 million from the Local Law Enforcement Block Grant Program to fund crime prevention programs like midnight basketball, homework assistance, after-school programs, nutrition services, family counseling, job programs to prevent crime, grants for education, recreation facilities and so on and so forth.

We have voted on these things now time and again. We voted yesterday on this. The House by a huge majority rejected this type of funding. These are the midnight basketball programs that are back with us again. We turned them down in the Mollohan amendment yesterday.

They are back with us again today. I have no doubt they will be with us tomorrow and from here on to eternity. But nevertheless the House says ''no.'' How many times do we have to say no? I hope that the House will do short order on this and will vote down this amendment as it has repeatedly.

What the amendment says is that we believe that Washington knows how local communities should spend their money to prevent crime. Instead of letting communities decide what they want to do with the money, this amendment spreads $200 million over a host of programs, tells them how much they can spend and for what purposes, whether they like it or not.

We are back to the same old thing of ''one size fits all,'' all communities are just exactly alike, and Washington knows how to administer funds to all of them irrespective of their own peculiarities.

Mr. Chairman, I urge the House to reject this effort, stay with us on sending money back to the local communities for them to decide how they would like to spend their money in preventing crime and in punishing crime once it takes place.

I urge Members to reject again midnight basketball for the 18th time.

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

Mr. FIELDS of Louisiana. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Maryland [Mr. WYNN].

Mr. WYNN. I thank the gentleman from Louisiana for yielding me the time.

Mr. Chairman, I rise to support his amendment. I think it makes good sense. What we do here in Washington is basically try to strike a balance between Federal planning and priorities and local planning. Not all local planning is good, not all Federal planning is bad.

The gentleman's amendment simply says, let's give 90 percent of the money to the locals and let them make the decisions, but let 10 percent reflect certain national priorities. The specific national priority he is talking about is crime prevention.

When I talk to local law enforcement officials, they say crime prevention is essential. We cannot arrest ourselves out of the crime problem. We have to have prevention.

What is important about the prevention programs provided in this amendment? I would like to refer specifically to two: The first is substance abuse treatment in Federal and local prisons. Why? Because substance abuse leads to recidivism which means prisoners come out of prison, commit more crimes because they have substance abuse problems, and then they go back in the prison system and we the taxpayers pay $25,000 a year to keep them in prison. We need substance abuse treatment.

Second, I refer Members to the Gang Resistance Program, called GRATE. We have it in my district and it works. One of the biggest threats in our society today is the emergence of organized gangs. To the extent that at a national level we say that it is important to thwart the emergence of these gangs, we are making good Federal decisionmaking.

I would urge my colleagues not to say that all Federal decisionmaking is bad and all local decisionmaking is good, but to strike a reasonable balance that enables us to impart certain Federal priorities for fighting gangs and for substance abuse treatment as well as other programs that have been proven to work. Prevention works. Please vote for prevention.

Mr. FIELDS of Louisiana. Mr. Chairman, I yield the balance of my time to the gentleman from West Virginia [Mr. MOLLOHAN], the ranking member.

The CHAIRMAN. The gentleman from West Virginia is recognized for 1½ minutes.

Mr. MOLLOHAN. Mr. Chairman, I express great appreciation to our colleague, the gentleman from Louisiana [Mr. FIELDS], for his leadership in this area, and his efforts to make sure that when we address this crime issue, that we do it in a comprehensive sort of way and look to prevention.

I want to note that the chairman, in his mark, does look to prevention as I add up the numbers. There is $166 million in the crime trust fund for prevention programs. We have just recently added $50 million, through the chairman's good graces, to the violence against women account. The subcommittee transferred $40 million over to Labor-HHS, all for violence against women.

All of these are prevention programs. What the gentleman from Louisiana [Mr. FIELDS] does here is simply add a few more dollars to prevention programs, recognizing that intervention, particularly with our youth at an early stage, can prevent the crime that we are trying to fight here, and prevention

is just that, prevention. For every dollar we spend there, we pick up a lot of dollars on the crime-fighting side.

I strongly support the gentleman's amendment. It is a relatively small amount of money added to the already $166 million that the chairman supports, as I add it up here, and it is a little complicated because we have a number of different counts.

But the point is, our chairman has supported prevention, we are supporting it. The Fields amendment would support it, give greater resources, and we need them. We need them for programs like family demonstration grants and at-risk youth grants. I do not think anybody in this body can deny that.

I strongly support the gentleman's amendment.

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

The CHAIRMAN. The gentleman from Kentucky is recognized for 3 minutes.

Mr. ROGERS. Mr. Chairman, there is a reason why this bill refers to the Local Law enforcement Block Grant Program. These are law enforcement block grants. They are not education block grants, they are not family counseling block grants, they are not after-school program block grants, they are not nutrition block grants. These are law enforcement block grants. This is to enforce the law, not just to prevent crime but also to punish it after it takes place.

There are hundreds of programs on the books of this Federal Government that provide moneys for those types of programs. In the Department of Education, in the Department of Health and Human Services, and so forth, there are all sorts of moneys available for those types of things.

□ 1430

This money in this bill is for law enforcement and we have voted on this time and again, as recently as yesterday, to reject this type of an approach.

I urge my colleagues to stay with the bill's provisions for providing local governments block grants to fight crime with a Local Law Enforcement Block Grant Program. Do not water it down with midnight basketball. We can do that elsewhere.

I urge a ''no'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. FIELDS].

The amendment was rejected.

Mr. FIELDS of Louisiana. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Louisiana [Mr. FIELDS] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of today, proceedings will now resume on those amendments on which further proceedings were postponed. They will be considered in the following order:

Amendment No. 4 offered by the gentleman from West Virginia [Mr. MOLLOHAN]; amendment No. 36 offered by the gentleman from Virginia [Mr. SCOTT]; amendment No. 54 offered by the gentlewoman from the District of Columbia [Ms. NORTON]; and amendment No. 46 offered by the gentleman from Louisiana [Mr. FIELDS].

AMENDMENT NO. 4 OFFERED BY MR. MOLLOHAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the order of the House of today, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings. This will be a 17-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 256, not voting 7, as follows:

[Roll No. 572]

AYES—171

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bereuter
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (OH)
Bryant (TX)
Cardin
Chabot
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Cooley
Costello
Coyne
Cramer
Cremeans
Danner
Davis
de la Garza
DeFazio
DeLauro
Dicks
Doggett
Doyle
Durbin
Edwards
Engel
Evans
Fattah
Fields (LA)
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Goodlatte
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hayes
Hefner
Heineman
Hilliard
Hinchey
Hobson
Hoke
Holden
Hoyer
Jefferson
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Levin
Lewis (GA)
Lincoln
Lowey
Luther
Maloney
Manton
Markey
Mascara
McCarthy
McCrery
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Mfume
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Orton
Owens
Pallone
Payne (NJ)
Payne (VA)
Peterson (MN)
Pickett
Pomeroy
Portman
Poshard
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Slaughter
Smith (MI)
Smith (NJ)
Spratt
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Torricelli
Towns
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Ward
Watt (NC)
Williams
Wilson
Wise
Wolf
Wyden
Wynn
Yates
Zeliff

NOES—256

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brown (CA)
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chambliss
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, Sam
Johnston
Jones
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Manzullo
Martinez
Martini
Matsui
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Meek
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Pastor
Paxon
Pelosi
Peterson (FL)
Petri
Pombo
Porter
Pryce
Quillen
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stark
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White

Whitfield
Wicker
Woolsey
Young (AK)
Young (FL)
Zimmer

NOT VOTING—7

Bateman
Chenoweth
Collins (MI)
Dingell
Jacobs
Moakley
Reynolds

□ 1453

Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Mr. COX of California, Mr. YOUNG of Alaska, Ms. PELOSI, and Mr. MILLER of California changed their vote from ''aye'' to ''no.''

Messrs. NADLER, TAYLOR of Mississippi, CREMEANS, NEY, HEINEMAN, SCHUMER, KASICH, TANNER, and EDWARDS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the order of the House of today, the Chair again announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 36 OFFERED BY MR. SCOTT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia [Mr. SCOTT] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 105, noes 321, not voting 8, as follows:

[Roll No. 573]

AYES—105

Abercrombie
Ackerman
Becerra
Beilenson
Bereuter
Berman
Bishop
Bonior
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
DeFazio
Dellums
Dicks
Dixon
Doggett
Ehlers
Engel
Eshoo
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoekstra
Inglis
Jackson-Lee
Jefferson
Johnson, E. B.
Kanjorski
Kleczka
LaFalce
Lantos
Lazio
Lewis (GA)
Lofgren
Lowey
Maloney
Markey
Martinez
McDermott
Meek
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Nadler
Oberstar
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Rahall
Rangel
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Scott
Serrano
Shays
Sisisky
Skaggs
Slaughter
Smith (MI)
Stark
Stokes
Studds
Thompson
Torres
Towns
Tucker
Velazquez
Vento
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn
Yates

NOES—321

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehrlich
Emerson
English
Ensign
Evans
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manton
Manzullo
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Peterson (FL)
Petri
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Bateman
Chenoweth
Collins (MI)
Dingell
McKinney
Moakley
Olver
Reynolds

□ 1501

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. NORTON

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 146, noes 281, not voting 7, as follows:

[Roll No. 574]

AYES—146

Abercrombie
Ackerman
Andrews
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gonzalez
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hilliard
Hinchey
Horn
Houghton
Hoyer
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kolbe
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Mink
Molinari
Moran
Morella
Nadler
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Rangel
Reed
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Slaughter
Stark
Stokes
Studds
Thompson
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams

Wilson
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—281

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

NOT VOTING—7

Bateman
Chenoweth
Collins (MI)
Dingell
Moakley
Reynolds
Smith (WA)

□ 1510

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

Mr. DURBIN 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. WISE. Mr. Chairman, on the amendment offered by the gentlewoman from the District of Columbia [Ms. NORTON], I voted ''no.'' I was in error as to the order that the votes were being called. I would like for the RECORD to reflect that I would have voted ''aye'' on rollcall 574.

AMENDMENT OFFERED BY MR. FIELDS OF LOUISIANA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana [Mr. FIELDS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 296, not voting 10, as follows:

[Roll No. 575]

AYES—128

Abercrombie
Ackerman
Baldacci
Becerra
Beilenson
Berman
Bishop
Bonior
Borski
Brown (CA)
Brown (FL)
Bryant (TX)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Engel
Eshoo
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Horn
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson, E.B.
Johnston
Kennedy (MA)
Kennedy (RI)
Kildee
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Luther
Maloney
Manton
Markey
Martinez
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne (NJ)
Pelosi
Rahall
Rangel
Reed
Richardson
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Thompson
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOES—296

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

Weldon (PA)	Wicker	Young (FL)
Weller	Wilson	Zeliff
White	Wolf	Zimmer
Whitfield	Young (AK)	

NOT VOTING—10

Bateman	Dingell	Rose
Bilbray	Lazio	Stockman
Chenoweth	Moakley	
Collins (MI)	Reynolds	

□ 1517

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BILBRAY. Mr. Chairman, on rollcall No. 575, I was unavoidably detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Chairman, on Tuesday, July 25, I missed rollcall vote No. 571 during consideration of H.R. 2076, the Commerce, Justice, State appropriation bill for fiscal year 1996. Had I been present, I would have voted ''aye.''

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

Mr. Chairman, rather than call up the amendment that I had filed on this topic, I want to discuss briefly with the subcommittee chairman an issue concerning a provision in the bill that would transfer a significant number of departmental lawyer positions to the U.S. Attorney's offices.

Mr. Chairman, after our subcommittee completed its work on this bill, I learned from the Department of Justice that they had some serious concerns about this proposal, which was to transfer several lawyers out of the Environment and Natural Resources Division and the Tax Division out into the offices of the several U.S. Attorneys. In particular, a letter from the Assistant Attorney General Lois Schiffer about this complained that it would cause ''* * * severe problems for the Environment Division'' and would ''* * * threaten the effective enforcement of our environmental laws, clean water, clear air, and clean land.'' I share these concerns.

As the chairman knows, the U.S. Attorneys have broad responsibilities, including prosecution of many, many different kinds of cases involving narcotics violations and other criminal offenses. I am just concerned that this transfer might have the unintended and unfortunate effect of lessening our ability to adequately represent the interests of the United States and the American people in these environment and natural resource cases.

I wonder if the subcommittee chairman could assure me he is willing to consider these problems raised by the Department of Justice and would be open to working with the Department on their concerns as we proceed through the rest of the process with this bill in the Senate and in conference?

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

Mr. SKAGGS. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I can assure the gentleman that it is our intent to continue enforcement of our environmental and tax laws, at least at the current rate. We state this in our report to the bill. I will carefully review the objections of the Justice Department and will remain open to working with the Department on this issue as we proceed on the bill.

Mr. SKAGGS. I thank the gentleman for his observations.

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

Mr. SKAGGS. I yield to the gentleman from Virginia.

Mr. MORAN. Mr. Chairman, I thank my friend from Colorado and the chairman of the subcommittee. I wanted to confirm as well the response to the gentleman from Colorado [Mr. SKAGGS].

Mr. Chairman, you are saying that you would yield maximum flexibility to the Attorney General to determine who would be transferred and where they would be transferred from and give them an opportunity to get some feedback from the attorneys themselves, so that we would not see the loss in cost of time and money that the gentleman from Colorado [Mr. SKAGGS] referred to in the letter we received from the Assistant Attorney General?

I am equally concerned that this move, which I know is intended to accomplish efficiencies, might in fact backfire because we have so many cases tried in Washington that it might wind up costing us more money, and, if there is to be a transfer, you would rely upon the advice of the Attorney General in letting the Attorney General reach those decisions on how to carry out the language that is in the report.

Mr. ROGERS. I think I have responded adequately.

Mrs. MORELLA. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentlewoman from Maryland.

Mrs. MORELLA. Mr. Chairman, I appreciate the gentleman yielding, because I, too, had some of the similar concerns that have been brought up in the colloquy about the transfer of the 200 attorneys from the Environment and Natural Resources Division and Tax Division of the Department of Justice to the U.S. Attorney's Office. It has been well-intended, as we know, and yet there are unintended consequences with regard to the disruption to Federal law enforcement, the question about whether we would even save money. It may slow down the Justice Department's ability to resolve caseloads, and it may increase the number of cases that would be handled by the Tax and Environment Divisions that are heard in local courts in Washington, as well as the cost.

So I appreciate the fact that the subcommittee chair is going to try to ameliorate this situation, to remedy it, and I support the colloquy. I thank the gentleman from Colorado [Mr. SKAGGS], for having initiated it.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Florida: Page 18, line 2, strike ''$2,574,578,000'' and insert $2,537,078,000.

Page 77, line 8, strike ''$233,000,000'' and insert ''$268,000,000''.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent that the amendment and all amendments thereto be concluded in 20 minutes, and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. HASTINGS] will be recognized for 10 minutes in support of the amendment, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 10 minutes in opposition to the amendment.

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

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to increase by $35 million the funding for the Equal Employment Opportunity Commission. This amendment would bring the EEOC to the administration's requested level of $268 million.

I have offset this increase by taking $37.5 million from Federal prisons, salaries and expenses, because I believe that fighting discrimination will yield greater results than buttressing the prison system. The committee increased the appropriation for Federal prisons by $236 million and recommended that $57 million of these dollars go toward activating 10 new and expanded facilities.

In this particular matter, despite the effectiveness of reforms undertaken by the EEOC, I do not believe that they will be able to fulfill their duty in a timely manner unless they have the resources to do so. Every day new cases are added to the caseload of this agency. The committee report states that the committee is confident that the EEOC will be able to streamline the process and thereby reduce the case numbers. However, I do not share such blind confidence.

There are approximately 771 caseworkers at the EEOC. This means that the average caseworker is handling more than 135 cases at one time. Gilbert Cassellas, chairman of the EEOC stated during the May 11, 1995 hearings before the Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies, Committee on Appropriations, that even if the Commission took no more cases, it would still take the organization 18.8 months to finish its present caseload.

Consider the fact that 97 percent of this country's Fortune 500 companies'

senior management positions are filled by white males. Women and minorities still make significantly less than white males. In 1992, white women made 70 cents for every dollar white males made, and black males made 74 cents for every dollar made by their white counterparts. These facts demonstrate that considerable discrimination is continuing in this country, unfortunately.

It is unconscionable that we create a commission such as the EEOC and not give them the tools to meet their goals. This country is divided over the issue of race and gender. We must not undermine programs that actively deal with such discrimination.

The work of the EEOC is not complete, as evidenced by the fact that almost 100,000 complaints have yet to be examined. Given the recent attacks on affirmative action, I feel it is imperative that the EEOC is able to fulfill its mandate of protecting all American workers from discrimination.

Mr. Chairman, I urge my colleagues on both sides of the aisle to rise in support of this amendment.

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

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

Mr. Chairman, I rise in opposition to the gentleman's amendment. This amendment, Mr. Chairman, would take $35 million out of vitally needed resources to open new prisons. I am not talking about the merits of the gentleman's proposal to help EEOC. I am just talking about what it is going to do to us if we do this amendment.

□ 1530

These are prisons that are almost complete and will be coming on line in 1996. Mr. Chairman, we have spend hundreds of million of dollars to build five new prisons and expand five others, all of which will be ready for occupancy in 1996. These facilities will not open if this amendment should pass. They will sit there empty. Meanwhile we have got crowded prisons all over the country.

We are at 140 percent or so of occupancy in the Federal prison system, at least. And these 10 new facilities are absolutely vital to relieve the overcrowding that exists in the present prisons, not to mention the heavy influx of new prisoners that we expect in 1996.

Here is an example of some of the facilities that will not open if this amendment passes: A low- and minimum-security facility in Beaumont, TX, a low- and minimum-security facility in Taft, CA, and a facility in Forrest City, AR. Five new expansions will not be available in Tallahassee, FL, in Milan, MI, in Lompac, CA, Fort Worth, TX, and Lexington, KY.

As a result, nearly 9,200 more Federal prison beds will be sitting vacant and unused if this amendment passes. The Federal prison system is the second most overcrowded system in the Nation. Overcrowding would increase by 132 percent in 1996. We simply cannot tolerate this when the Federal prison system is housing the most volatile Federal inmate population in history.

So I urge Members to vote ''no'' on this amendment. The gentleman, I am sure, has a legitimate argument to make on the EEOC question. I am just saying to my colleagues, this is something we cannot afford to take the money from.

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

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, most respectfully to the gentleman from Kentucky [Mr. ROGERS], I would urge him to be mindful that the Federal prison system had a carryover of $35 million from the 1994 budget and has a $2 billion budget; and I do not think that that can reasonably be argued that they cannot make their requirement.

Mr. Chairman, I yield 2 minutes to my good friend, the gentlewoman from the District of Columbia [Ms. NORTON].

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

I rise as a former chair of the Equal Employment Opportunity Commission who was able to get rid of the backlog of the commission not only through greater efficiency but because the President of the United States gave me enough money to do it and said the rest would have to be done by efficiency. And we did that.

Mr. Chairman, I just heard a stark contrast. The gentleman from Florida [Mr. HASTINGS] says, give a few dollars to get rid of discrimination. The chairman says, no, give a few dollars to put people in jail.

Watch out for the message you send. The message you send is that this Congress does not want to devote the money it would take to process cases of intentional discrimination but instead refuses to do that and says the money has to go to prisons.

I know what this means in the society at large, and I know what that means at EEOC. The agency is under ever so much greater pressure than when I was there. There is a whole new complicated statute. We have court decisions, the Adarand decision, and we have a level of funding that will not allow the job to get done.

The majority says, what we want to go after is intentional discrimination. These are backlog cases of intentional discrimination. This is a very difficult agency to run. It is much more like a manufacturing agency than a Government agency because you have to put out and account what you put out and account what you take in.

If we do not want to pay the money, if we do not want the money to go for antidiscrimination enforcement, then do not be heard to say that you are for ending discrimination, because when the time came, when the test was before you, you refused to allow the money to go to enforce antidiscrimination.

I thank the gentleman for this amendment. It draws the line. Let us ask the Members here today which side of the line are they on.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I rise to support the gentleman's amendment.

We see Members every day run down to the well and say, I believe in a colorblind society. If there is discrimination, take it to EEOC. EEOC cannot do that job unless we pass this amendment. The bulk of EEOC's work involves investigation, processing and resolution of complaints. This requires interviewing, reviewing files, not computer work. This requires old-fashioned legwork.

In order to do legwork, you need personnel. But over the past 14 years, EEOC has experienced a reduction of 500 full-time employees. This comes despite a significant increase in responsibility.

In terms of private-sector complaints, they increase by 47 percent, up 29,000 additional charges.

The Federal sector: Again, up over 7,000 additional charges. More complaints, less personnel, it cannot work.

As a result, each investigator now has 135 cases. Four years ago they only had 55. They say, Mr. Chairman, justice delayed is justice denied. Pass this amendment. Eliminate the backlog. Help EEOC do its job.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina [Mr. WATT] my friend, who wished to have been a cosponsor of this amendment.

Mr. WATT of North Carolina. Mr. Chairman, I thank the gentleman for yielding time to me. I rise in strong support of the Hastings amendment.

I want to remind my colleagues that this is about the Equal Employment Opportunity Commission. Equal. This is not about affirmative action. This is not about setasides. This is about enforcing the law to make sure that people are treated equally in this country. Instead of funding the mechanism in our country that is designed to ensure that, we have allowed equal employment opportunity to become a joke.

Three hundred twenty-eight days behind in their processing, 97,000 cases in backlog, and we say that we want to stand for equality in this country.

I remind my colleagues, this is not about affirmative action. It is about equal treatment under the law.

Mr. HASTINGS of Florida. 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 Hastings amendment.

Mr. Chairman, I rise in support of the Hastings amendment to provide funds to the

EEOC. The EEOC has a backlog of 97,000 cases of alleged discrimination. These are hard charges of discrimination in the workplace that need to be investigated. The Hastings amendment would provide funds for the EEOC to handle these discriminatory claims.

The facts speak for themselves. Over 95 percent of the top jobs in America go to white males, according to the ''Glass Ceiling Report.'' It seems to me that some people want a guarantee of 100 percent of those jobs by eliminating affirmative action programs.

It's like my grandmother's sweet-potato pie. Some folks, white males, have pretty much had the whole pie to themselves for a very long time. Affirmative action has helped minorities get a small slice of that pie.

Full enforcement of equal employment laws is critical. I urge my colleagues to support the Hastings amendment so the EEOC can fully pursue discrimination charges.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to my friend, the distinguished gentleman from New York [Mr. SERRANO].

Mr. SERRANO. Mr. Chairman, I rise in strong support of the gentleman's amendment.

I think the point that a lot of Members miss on this issue is that in the Federal workplace and in the workplace in general, there are many people who rely on this agency for their last resort. Their ability to deal with the system, to deal with discrimination, to get some relief comes from this agency. What the gentleman is trying to do is deal with the fact that has been stated here before; the backlog of cases in this agency, the inability to process all the cases is really creating a very unfair situation.

This is, as has been stated before, about equality. This is an agency and a program that is truly in the best tradition of American democracy. Not to support this amendment is really to continue to say that equality in this country is not important. If you do not build a Federal prison, you can create a slight problem. If you do not give someone their due rights in this society, you create a major unfair problem.

This is a good amendment, and every Member should vote for it.

Mr. HASTINGS of Florida. Mr. Chairman, I want to thank very much the gentleman from Kentucky [Mr. ROGERS], and his staff and the ranking member, the gentleman from West Virginia [Mr. MOLLOHAN], and his staff for being considerate of the circumstances giving rise to this hastily drawn but very important measure.

Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. BECERRA].

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

Let me say that I want to, with all fervor and heart, support the amendment by the gentleman from Florida [Mr. HASTINGS].

This is not a time for us to retract and say that this is not a time to defend civil rights. This is an opportunity for us to say to all of America that we understand the value of passage of the Civil Rights Act back in the 1960's, and this is a chance for us to tell all Americans, every American, regardless of their race, creed, or color, that it is time to increase pressure on all those who might discriminate.

I do not know if it has been mentioned, but over 100,000 allegations of discrimination have been filed with the EEOC over the past several years, each year. This is a time to make sure we have a strong, a vibrant EEOC. This is a time for us to say that we understand that the Federal Government has a role in enforcing our laws against discrimination.

I would hope that, along with the gentleman from Florida, what we do is understand that this is a time to recognize that all Americans should be treated equally. So I hope that my colleagues will join me in supporting the Hastings amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. EDWARDS].

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

Mr. EDWARDS. Mr. Chairman, I rise in strong support of this amendment. This country must make a commitment to equal opportunity in the job place, and that is what this amendment does.

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

Mr. Chairman, I want to say that this amendment, however well intentioned, would have a devastating effect on the prison activation program that we are entering into for 1996. We have 10 new prison facilities that will be ready to open in 1996. This amendment, if it passes, will prevent us from opening those facilities.

We would be at 132 percent of capacity next year. A result of this amendment would be that 9,200 more Federal prison beds will be sitting vacant and unused and in empty, new or expanded buildings. I do not think the Congress wants that to be printed in the newspapers, that is, pictures of those empty prisons when we have overcrowding in the others.

I urge Members to vote ''no'' on this amendment. If this amendment passes, new prisons will not open in Texas, California, and Arkansas; expanded prisons will not be allowed to be opened in five other States.

I urge a ''no'' vote.

Mr. MINETA. Mr. Chairman, I rise today in strong support of the amendment offered by my colleague from Florida, Mr. HASTINGS.

Mr. Chairman, the Equal Employment Opportunity Commission is the Federal Government's frontline agency in the fight against racial discrimination in employment—a fight which I know we all support.

The amendment before us would increase the appropriation for the Equal Employment Opportunity Commission by $35 million—an amount equal to the President's request for fiscal year 1996.

Recent reforms put in place at EEOC, including the use of mediation as an alternative for resolving disputes and a new system for prioritizing incoming cases, show great promise for reducing the tremendous backlog which has built up in recent years.

And I would here like to thank the Chair of the subcommittee, my good friend from Kentucky, Mr. ROGERS, for his recognition of those reforms in the report language for the bill.

However, additional resources are needed to make those reforms a true success. The gentleman from Florida's amendment would fully fund the President's budget request for EEOC for fiscal year 1996—and help put the teeth back in civil rights enforcement.

I urge my colleagues to vote ''aye'' on the Hastings amendment.

Mrs. MEEK of Florida. Mr. Chairman, I rise to support the Hastings amendment.

This amendment would fully fund the Equal Employment Opportunity Commission, and provide it with the necessary resources to wage wholesale battle on its more than 100,000-case backlog.

I realize that there are some who contend that we must tear down equal opportunity programs as if racial discrimination were ancient history.

And at the same time, they would eliminate every program that holds out even the hope of opportunity and equality.

Sure, there are some businesses that want to do away with the EEOC because they think it is a burden, but I am not thinking about the businesses. I am thinking about the hard-working men and women who must labor day-in and day-our under glass ceilings, and employers who break the law and refuse to judge their employees on their abilities as opposed to their gender or race. If the EEOC is not there to protect these hard-working Americans then who will?

Discrimination is not an evil of the past. Unfortunately, contrary to this Nation's best hopes, today, unlawful employment discrimination is a very painful reality. Just look at the 100,000-case backlog.

As much as we would all like to believe that the problem of employment discrimination has been resolved, both the quantity and the nature of the charges provide evidence to the contrary.

In fiscal year 1994, the EEOC received 91,189 new complaints. As of the second quarter of fiscal year 1995, the backlog of complaints reached 108,106.

Unfortunately, business is still too good for the EEOC. The agency remains as needed, and as relevant today, as it was when Congress created it 30 years ago.

The Hastings amendment says to America, and to this body, that we should be opening the door to opportunity, not slamming it shut. I encourage my colleagues to support the Hastings amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. HASTINGS].

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

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the

Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 576]

Abercrombie
Ackerman
Allard
Andrews
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
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clay
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Conyers
Cooley
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

□ 1605

The CHAIRMAN. Four hundred and three Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Florida [Mr. HASTINGS] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 321, not voting 29, as follows:

[Roll No. 577]

AYES—84

Abercrombie
Ackerman
Barrett (WI)
Becerra
Berman
Bishop
Bonior
Brown (CA)
Brown (FL)
Clay
Clayton
Clyburn
Collins (IL)
Conyers
Coyne
Dellums
Diaz-Balart
Dixon
Durbin
Edwards
Engel
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (CT)
Gejdenson
Gibbons
Gunderson
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Jackson-Lee
Jefferson
Johnson, E.B.
Johnston
Kennedy (MA)
Kildee
Klink
Lantos
Lewis (GA)
Lofgren
Martinez
McCarthy
McDermott
McKinney
Meek
Menendez
Mfume
Mineta
Mink
Moran
Nadler
Olver
Owens
Pallone
Pastor
Payne (NJ)
Rangel
Richardson
Ros-Lehtinen
Roybal-Allard
Rush
Sanders
Schroeder
Scott
Serrano
Stokes
Studds
Thompson
Torres
Towns
Tucker
Velazquez
Visclosky
Waters
Watt (NC)
Woolsey
Wynn

NOES—321

Allard
Andrews
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Dickey
Dicks
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kim
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manzullo
Markey
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McKeon
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Orton
Packard
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Rose
Roth
Roukema
Royce
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)

Smith (NJ)	Taylor (MS)	Wamp
Smith (TX)	Taylor (NC)	Ward
Smith (WA)	Tejeda	Weldon (FL)
Solomon	Thomas	Weldon (PA)
Souder	Thornberry	Weller
Spence	Thornton	White
Spratt	Thurman	Whitfield
Stearns	Tiahrt	Williams
Stenholm	Torkildsen	Wilson
Stockman	Torricelli	Wise
Stump	Traficant	Wolf
Stupak	Upton	Wyden
Talent	Vento	Yates
Tanner	Vucanovich	Young (FL)
Tate	Waldholtz	Zeliff
Tauzin	Walker	Zimmer

NOT VOTING—29

Archer	Graham	Oxley
Bateman	Green	Reynolds
Blute	Hall (OH)	Stark
Chenoweth	Hoke	Volkmer
Clement	King	Walsh
Collins (MI)	Livingston	Watts (OK)
Costello	Manton	Waxman
Dingell	McIntosh	Wicker
Duncan	Moakley	Young (AK)
Gekas	Neal	

□ 1612

The Clerk announced the following pair:

On this vote:

Mr. Stark for, with Mr. Neal against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BLUTE. Mr. Chairman, on rollcall No. 577, the Hastings amendment, and the previous quorum call, I was unavoidably absent. Had I been present, I would have voted ''no'' on the Hastings amendment.

□ 1613

AMENDMENT NO. 13 OFFERED BY MR. BECERRA

Mr. BECERRA. 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. BECERRA: Page 59, line 9, strike ''16,400,000'' and insert ''$8,400,000''.

Page 16, line 5, strike ''$1,421,481,000'' and insert ''$1,429,481,000''.

Page 17, line 2, before the period insert, '': *Provided further,* That $8,000,000 shall be available to promote and expedite naturalization, in accordance with section 332 of the *Immigration and Nationality Act*''.

Mr. BECERRA. Mr. Chairman, let me begin by thanking the chairman of the committee and the ranking member for their thoughtfulness as they approached this amendment, and try to address the body on this particular issue.

The issue at hand is that of naturalization. Too often when we talk about the Immigration and Naturalization Service within the Department of Justice, we forget what the ''N'' in INS stands for.

Naturalization is one of the principal components of the work of the INS. Unfortunately, too many people do not see the naturalization efforts of the INS.

Mr. Chairman, by the end of this decade, before we reach the 21st century, there will be nearly 11.5 million people in this country who will be eligible for U.S. citizenship. Let me give some quick information on where we are right now.

The INS approved during fiscal year 1994 roughly 420,000 applications for naturalization, people who wanted to become U.S. citizens. At the end of that fiscal year, they had a backlog of 300,000 people wishing to become U.S. citizens.

This fiscal year, the INS estimates that it will have 900,000 people who will come through their doors applying for citizenship. They estimate that with the current funding they have, plus some reprogramming funds from fee accounts that they receive of about $22 million, they will be able to process about 700,000 people.

Mr. Chairman, fully 200,000 people will be added to the 300,000 backlog, so we will end up with 500,000 people, half a million people, seeking citizenship who have gone through the entire process and are still not able to become citizens, after they paid their fees and waited their time.

The amendment I have, Mr. Chairman, is an attempt to try to address that major backlog that we have. We are talking about people who in some cases have waited 12 to 15 years to enter this country, to get the permission to get to this country. People who, once in this country, pay every single tax that a citizen does, abide by every single law that a citizen does, and in many cases, like citizens, have defended this country in time of war, whether the Gulf War or any other theater of war. They are on their way to becoming full-fledged American citizens, and now we find at this time that we cannot accommodate them.

This amendment is an effort to try to do just that and help relieve the backlog.

I believe it is important for us to send a message to people who have gone through every step the correct way to come into this country, that they are entitled to get processed through because they have paid a fee to do so. It seems anomalous to me to consider the fact that we have hundreds of thousands of people who have said they are willing to relinquish their current citizenship and adopt this country fully and faithfully, yet we cannot get there because we are unable to get through the bureaucracy to get them sworn in.

For some people to have to wait fully 2 years between submitting their fees and their application and actually getting to be sworn in, to say, ''I do become a U.S. citizen,'' is abysmal. We must change that.

The money that I am requesting through this amendment, $8 million for the INS, would not resolve the whole problem, but it would get us part of the way there and help us stay more current with our applications and relieve, or at least eliminate a good portion of the backlog, if not all the backlog.

Mr. Chairman, for that reason, I believe this amendment is very worthy of consideration.

Ms. ROS-LEHTINEN. Mr. Chairman, will the gentleman yield?

Mr. BECERRA. I yield to the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Chairman, under the leadership of the gentleman from Arizona [Mr. PASTOR] and the gentleman from Illinois [Mr. GUTIERREZ] the Hispanic Caucus has undertaken an ambitious, nationwide program to get more naturalized Americans. As a naturalized American myself, I know how important this process can be.

One of the problems, a serious problem that we have had, is the incredible backlog in every major urban center, whether it is Miami, Los Angeles, New York, Chicago. Freeing up more money and making sure that INS, as the gentleman from California, [Mr. BECERRA] points out, puts the ''N'' back in INS, is very important to clear up this backlog.

Mr. Chairman, I congratulate the gentleman from California for highlighting this concern.

Mr. BECERRA. Mr. Chairman, I thank the gentlewoman for her words.

Mr. Chairman, I will conclude by saying the following: We have actually increased the funding for the Immigration and Naturalization Service dramatically, and it is about time, because we know we need to do more to try to regulate our borders. We know we have to do a better job of verifying those who have come into this country with visas and ultimately overstay their visas and no longer have the permission to be here.

We have the job to do to make sure that people who are entitled to work do work, and those that do not have the authority to work do not. We have a lot of things to do, and much of the money that we are providing to the INS goes to those areas.

But, Mr. Chairman, we unfortunately do not do the job that we can, and certainly that the INS should do, to try to eliminate the backlog of people who say, ''We are ready to become full-fledged participants in this American society.''

Mr. Chairman, I believe it is consistent with a great Nation to say that we will be there with them to carry them through the process.

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

Mr. BECERRA. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman has gone a long way to bring to the attention of this body, and our subcommittee, the problem that exists in the backlog of applications for naturalization at INS. The subcommittee, as the gentleman has said, has provided record sums, even a record increase in funding for INS, but the funding for the naturalization still is low, as the gentleman has pointed out, given the backlog that they have.

The gentleman and other Members, the gentlewoman from Florida [Ms.

ROS-LEHTINEN] and others, have pointed out the shortcomings, and the subcommittee will be having an opportunity to help the INS solve the problem.

There are reprogramming procedures that the gentleman is aware of where we are able to reprogram from one part of INS to another, funding for various purposes, and I assure the gentleman that in the next round of reprogramming, funds will be provided to stay current and eliminate the backlog in naturalization applications; I assure the gentleman of that.

Mr. BECERRA. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS] for that assurance.

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

(By unanimous consent, Mr. BECERRA was allowed to proceed for 2 additional minutes.)

Mr. BECERRA. Mr. Chairman, I thank the distinguished gentleman from Kentucky [Mr. ROGERS] for his recognition of this problem, and for working with a number of us to try to resolve this.

Mr. Chairman, we know that there are program accounts which are funded through fees, and those funds, with those fees, are subsequently allocated by the administration with the approval of Congress.

Is it the chairman's intention that the next time we have reprogramming done by the INS, as they come to the Congress for approval of those reprogramming priorities, that we make it clear to the INS, and it may be our efforts in Congress, to assure as they reprogram those dollars, that it is the intention to eliminate the backlog of naturalization applications and stay current with those applications for naturalization that are coming in?

Mr. ROGERS. Mr. Chairman, that is correct.

Mr. BECERRA. Mr. Chairman, I thank the gentleman for his time and his great efforts on this issue, because I think as most people will recognize in this Chamber, anyone who pays for a service is entitled to get it. What we are trying to do is accelerate the process.

Mr. Chairman, I hope now we have as much cooperation with the administration as we have had from the committee on this particular matter.

Mr. ROGERS. Mr. Chairman, if the gentleman would yield further, I would hope, on that assurance, that the gentleman would withdraw his amendment.

Mr. BECERRA. Mr. Chairman, with that assurance, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 48 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. 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. GUTIERREZ: Page 17, line 2, before the period insert *''Provided further,* That $4,000,000 shall be available to promote the opportunities and responsibilities of United States citizenship with the assistance of appropriate community groups, in accordance with section 332(h) of the Immigration and Nationality Act''.

Mr. GUTIERREZ. Mr. Chairman, the amendment I offer today is very simple and I believe it should be supported by anyone who believes that the Federal Government should do all it can to encourage immigrants to our Nation to become citizens.

Mr. Chairman, my amendment is about using Federal dollars efficiently. It is about providing desperately needed community outreach and resources to people who want to become U.S. citizens, and it is about making an important statement that this Government wants to take every action it possibly can to encourage U.S. citizenship.

My amendment earmarks $4 million in funding to allow appropriate community groups to work with the Immigration and Naturalization Service to promote the opportunities and responsibilities of United States citizenship.

Mr. Chairman, let me tell my colleagues how this program works. In my city of Chicago, our regional INS office cannot possibly keep up with the volume of people who desire to become citizens of our great Nation. To help try to provide the basic and vital service of naturalizing qualified individuals, the office has empowered community groups to prepare citizenship applications.

All across my city respected and effective community organizations have been approved by the INS office to sponsor and promote citizenship workshops. After these workshops, volunteers help eligible applicants complete their application forms, take the photos and the fingerprints as required by law.

In many cases, volunteer attorneys double check the applications to make certain everything is in order. The community organizations then again check the applications for accuracy and turn them into the regional INS office for processing.

This convenient, efficient, and affordable practice has allowed tens of thousands of Chicagoans to start on the road to citizenship. It has saved hundreds of thousands of Chicagoans lengthy waits in lines at regional INS offices, bringing government services right to the neighborhoods.

In short, Mr. Chairman, it is a rare action that the Federal Government has taken to actually make its services more efficient; to respond effectively to a need; to send a strong message to people that Government will solve problems instead of create them.

How do I know? Because on July 8, Mr. Chairman, the Congressional Hispanic Caucus sponsored a National Citizenship Day in conjunction with NALEO in nine cities. From Houston to New York, from Miami to Los Angeles, in 1 day we efficiently and effectively helped more than 9,000 people start toward citizenship.

Mr. Chairman, my office alone in Chicago in the last year has handed in over 5,000 applications for citizenship and it is a program that should be encouraged and expanded. My amendment simply provides the resources to the INS to work to expand this program across the country; to invest in empowering community groups at the local level who can help share the responsibility of an increasing number of citizenship applications.

The vast majority of immigrants come to our Nation looking for nothing more than a chance to contribute, a chance to share in the freedom and the prosperity that is America. An opportunity one day to become full partners in the fight for the American dream by becoming American citizens.

□ 1630

All my amendment does is make it a little bit easier for them to have that opportunity. It is not a dramatic amount of money, simply enough to expand the modest work already begun. It is reasonable and an expenditure that puts this Congress on record as supporting and helping in an efficient manner people who want nothing more than to contribute to our Nation.

My friends, we all know these are dangerous days for immigrants in our Nation. This body has gone on record in supporting dramatic cuts and elimination of services to noncitizens, people who reside in our Nation perfectly legally. I emphasize legal, people who are in this Nation as all of us are here as Members of Congress today, and I ask my friends to help and support in reaching the goals of tens of thousands of others who wish to share in the American dream.

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

Mr. GUTIERREZ. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, I just want to share with our colleagues what happened in New York. The gentlewoman from New York [Ms. VELÁZQUEZ] and I encourage the people to come to the July 8 citizenship day. We set up an 800 number. One thousand people showed up and were processed for citizenship, but 29,000 phone calls came in that we were able to record.

Every time 40 phone calls came into the machine, the system closed down until we cleared it out, so the estimate is that maybe over 100,000 people called up.

Again, to reiterate, people who are here with documents, people who are here legally, as we say, people who want to be American citizens, we were able to process them on their way to full citizenship.

I think it is important to support this amendment and to say if we, indeed, wish people to follow the law,

then what we should be supportive of is this kind of amendment.

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

Mr. Chairman, I would ask the gentleman, based on the assurances that I am prepared to make to him, if he might be willing to withdraw the amendment. Let me say this to this gentleman: It is my intent that from within funds provided to the Immigration and Naturalization Service, funds be provided to community based organizations to promote the opportunities and responsibilities of U.S. citizenship with the assistance of appropriate community groups in accordance with section 332(h) of the Immigration and Nationality Act, and we will work with the gentleman to make sure that happens.

Based on that assurance, I would hope the gentleman would be able to withdraw his amendment.

Mr. GUTIERREZ. If the gentleman would yield, if I could enter into a colloquy with the gentleman and ask him one question, No. 1, I would like to thank the gentleman for working and making those assurances, and certainly we are going to be willing to withdraw our amendment.

I would just like to ask to make sure that community based organizations are actually going to get dollars so that they can go out and sponsor these workshops and be viable in terms of helping, and I say that, and I want to let all the Members know that when someone goes to an INS office with an application that is badly done, the INS personnel there have to turn that back to that individual, wasting dollars and time. When community organizations do these events, we have lawyers checking them, doing the fingerprinting, and if the INS finds anything wrong, anybody authorized by the INS to conduct these workshops, if they find anything wrong, the INS sends back the application directly back to the community organization and says, ''Fix it,'' ''If you do not get it right, do not bring it back to us,'' which I think is very appropriate.

Mr. ROGERS. Reclaiming my time, the gentleman has made a very eloquent case and need not make it further.

It is my intent, as the gentleman requested, that we will work with the gentleman to see that funds are provided.

Mr. GUTIERREZ. Mr. Chairman, I thank you for your leadership on this issue.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. Are there further amendments to title I?

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

Mr. Chairman, I would like to enter into a colloquy with the distinguished gentleman from Kentucky [Mr. ROGERS], the chairman.

Mr. Chairman, I understand that following the closure of the border patrol checkpoints at San Clemente and Temecula, CA, approximately $7.5 million will be available for INS border and infrastructure improvements, subject to approval by your committee.

I would request that, in the course of evaluating proposals for this funding, that you would consider using the funding for construction of fencing along the border area in San Diego. The comprehensive immigration reform legislation that is now pending before the Committee on the Judiciary, that is, H.R. 1915, includes the authorization for an additional border fencing project and road improvements in the San Diego sector, and this would augment our program increases for border security and the enforcement of our immigration laws.

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

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

Mr. ROGERS. The gentleman is one of the champions of border protection and has done more than anyone that I am aware of in this body to protect the borders of our country, and I am aware that the construction of barriers at certain points along our southern border has greatly enhanced the operations of the border patrol.

I will work with the Commissioner of the INS and the gentleman in securing funding for those projects.

Mr. HUNTER. I thank the gentleman. We owe him a debt of gratitude for the increases he has made in border enhancement, and the gentleman from West Virginia.

The CHAIRMAN. Are there further amendments to title I?

Mr. KENNEDY of Massachusetts. Mr. Chairman, I move to strike the last work for the purposes of entering into a colloquy with the distinguished chairman of the committee.

Mr. Chairman, I appreciate the opportunity to discuss with you the importance of a program, the community-based justice grant program, which was contained in last year's crime bill, which has been a part of the local law enforcement block grant.

This is a very, very impressive program that was initiated by the district attorney in Middlesex County, MA, Tom Riley.

Several years ago I went up to Lowell, MA, on a hot summer day. In the morning I met with over 100 residents of the city of Lowell, MA, who were meeting with five young top police officers. This was a tremendous program where 100 residents of the city of Lowell, MA, got together with five young police officers from the Lowell department with a couple of young prosecutors and identified some of the worst violent criminals in the city of Lowell. They went after these criminals in a way that was unprecedented and, as a result, we saw the crime rate in Lowell, MA, drop by 50 percent.

Last year, for the first time in scores of years, we saw the crime rate drop to its lowest point. There was not a single murder committed in Lowell, MA, last year.

We expanded the program into Somerville, MA, Malden, MA, a range of other cities and towns throughout the State. In each case the crime rate was dropped in half or better as a result of the people taking the streets back, working hand in glove with the local police department and taking the time to identify specific criminals that were perpetrating violent crimes against others. If they think there are drugs being dealt in at a particular apartment, they tell the local prosecutor, tell the police officers, and work together to eliminate and eradicate those individuals that are responsible for these crimes. It really is a tremendous program.

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

Mr. KENNEDY of Massachusetts. I yield to my good friend, the gentleman from Lowell, MA [Mr. MEEHAN], who was a prosecutor in that program and did some fine work in bringing many of the criminals to justice as well.

Mr. MEEHAN. I thank my colleague, the gentleman from Massachusetts [Mr. KENNEDY]. No doubt I was probably one of those young prosecutors before I got down here and became an old Member of Congress.

In any event, I thank the gentleman from Massachusetts [Mr. KENNEDY] for his efforts over the years in this program.

The tremendous thing about this program is not only does it identify those worst offenders and have the community identify those worst offenders and remove them from society, but once those individuals are removed, there is a program in place where the police officers coach soccer leagues and football leagues and work with the rest of the communities so they get kids headed in the right direction. They opened up gymnasiums, opened up the schools. That is a program that is working extremely effectively.

I think when the Justice Department looks for a model in terms of community-based prosecution, as the gentleman from Massachusetts [Mr. KENNEDY] said, they have to look no further than Lowell, MA, and Somerville, MA, as well. This program has been implemented there.

I thank the gentleman from Massachusetts [Mr. KENNEDY] for his efforts. I think this is extremely important.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I just would hope that you might encourage people under this block grant. I know that in the past we have been able to set aside some funds for this program under the new leadership that has been determined to make decisions at the local level. I hope you would join with me in encouraging police departments and prosecutors from around the country to apply for the

funds that are available under this program because of the tremendous successes it has had.

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Kentucky.

Mr. ROGERS. I want to compliment the gentleman for bringing to our attention the efforts that are ongoing in your State.

As an old State prosecutor, I can appreciate very much the efficacy of what they are doing there. I support the type of efforts at the local level you have mentioned to control crime and certainly would encourage local communities to use block grant funds that are in this bill to fund efforts of this type, and would join the gentleman in encouraging your communities as well as others across the country to get those block grant applications in at the appropriate time to fund this type of activity.

Mr. KENNEDY of Massachusetts. I thank the chairman.

The CHAIRMAN. Are there other amendments to title I?

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

Mr. Chairman, I would like to engage in a colloquy. Mr. Chairman, in the report language for H.R. 2076, there is a section entitled ''State and local enforcement assistance,'' under which grants are provided for the Edward Byrne Memorial State and local law enforcement assistance programs.

In that report language, Mr. Chairman, it states this:

> The committee also encourages the attorney general to provide grants to public or private agencies and private nonprofit organizations for advanced education and training of criminal justice personnel and to provide educational assistance to students who possess a sincere interest in public service law enforcement. The committee expects the Bureau of Justice Assistance to submit a report to the committee on its intentions for this proposal by November 15, 1995.

Now, based on our previous conversations, mine with you, Mr. Chairman, it is my understanding that the intent of this language was to strongly urge the Department of Justice to provide a portion of the funding in the Byrne Grant Program to fund State and local police corps programs as well as State and local law enforcement scholarship programs as previously authorized by Congress in the Violent Crime Control and Law Enforcement Act of 1994.

Am I correct in this assessment, sir?

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

Mr. DORNAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman is absolutely correct. As I have stated to the gentleman previously, it is my intention to strongly urge that the Attorney General use a portion of the Byrne Grant Funding Program for the purposes that you have described.

Mr. DORNAN. Excellent. I thank the chairman.

Mr. ROGERS. I thank the gentleman from California [Mr. DORNAN] for bringing this to our attention.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $20,949,000, of which $2,500,000 shall remain available until expended: *Provided,* That not to exceed $98,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $42,500,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment; $264,885,000, to remain available until expended: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; $38,644,000, to remain available until expended: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91–304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment assistance, $328,500,000: *Provided,* That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project, when in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: *Provided further,* That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $20,000,000: *Provided,* That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $32,000,000.

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the United States Travel and Tourism Administration

for participation in the White House Conference on Travel and Tourism, $2,000,000, to remain available until December 31, 1995: *Provided,* That none of the funds appropriated by this paragraph shall be available to carry out the provisions of section 203(a) of the International Travel Act of 1961, as amended.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $40,000,000, to remain available until September 30, 1997.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

The Secretary of Commerce is authorized to disseminate economic and statistical data products as authorized by 15 U.S.C. 1525–1527 and, notwithstanding 15 U.S.C. 4912, charge fees necessary to recover the full costs incurred in their production. Notwithstanding 31 U.S.C. 3302, receipts received from these data dissemination activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $136,000,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, $135,000,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, $19,709,000, to remain available until expended: *Provided,* That notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA in furtherance of its assigned functions under this paragraph and such funds received from other Government agencies shall remain available until expended.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $19,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided,* That not to exceed $2,200,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further,* That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $40,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided,* That not to exceed $4,000,000 shall be available for program administration and other support activities as authorized by section 391 of the Act including support of the Advisory Council on National Information Infrastructure: *Provided further,* That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further,* That notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks; $100,000,000, to remain available until expended: *Provided,* That the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: *Provided further,* That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall remain available until expended.

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $263,000,000, to remain available until expended, of which not to exceed $8,500,000 may be transferred to the ''Working Capital Fund''.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $81,100,000, to remain available until expended, of which not to exceed $500,000 may be transferred to the ''Working Capital Fund'': *Provided,* That none of the funds made available under this heading in this or any other Act may be used for the purposes of carrying out additional program competitions under the Advanced Technology Program: *Provided further,* That any unobligated balances available from carryover of prior year appropriations under the Advanced Technology Program may be used only for the purposes of providing continuation grants.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $60,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire of aircraft; not to exceed 386 commissioned officers on the active list; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 883i; $1,690,452,000, to remain available until expended: *Provided,* That notwithstanding 31 U.S.C. 3302 but consistent with other existing law, fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering aeronautical charting programs: *Provided further,* That the sum herein appropriated from the general fund shall be reduced as such additional fees are received during fiscal year 1996, so as to result in a final general fund appropriation estimated at not more than $1,687,452,000: *Provided further,* That any such additional fees received in excess of $3,000,000 in fiscal year 1996 shall not be available for obligation until October 1, 1996: *Provided further,* That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further,* That in addition, $55,500,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': *Provided further,* That grants to States pursuant to sections 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to 16 U.S.C. 1456a, not to exceed $7,800,000, for purposes set forth in 16 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and 16 U.S.C. 1461(c).

CONSTRUCTION

For repair and modification of, and additions to, existing facilities and construction of new facilities, and for facility planning and design and land acquisition not otherwise provided for the National Oceanic and Atmospheric Administration, $42,731,000, to remain available until expended.

FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

For expenses necessary for the repair, acquisition, leasing, or conversion of vessels, including related equipment to maintain and modernize the existing fleet and to continue planning the modernization of the fleet, for the National Oceanic and Atmospheric Administration, $20,000,000, to remain available until expended.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

For carrying out the provisions of section 3 of Public Law 95–376, not to exceed $1,032,000, to be derived from receipts collected pursuant to 22 U.S.C. 1980 (b) and (f), to remain available until expended.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $999,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), the Magnuson Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627) and the American Fisheries Promotion Act (Public Law 96–561), there are appropriated from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $196,000, to remain available until expended.

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $5,000,000.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed $3,000 for official entertainment, $29,100,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11 as amended by Public Law 100–504), $21,849,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

This title may be cited as the ''Department of Commerce and Related Agencies Appropriations Act, 1996''.

The CHAIRMAN. Are there amendments to title II?

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

As I was saying in title I and now in title II, I had been prepared to offer an amendment to this title of the measure which would have, in effect, cut the funding for the general administration of the Department of Commerce by 25 percent, the objective being, in effect, to indicate that the first three-quarters of next year of the Department of Commerce would be funded, but the last quarter would not, contemplating the dissolution of the Department of Commerce by that time.

Mr. Chairman, the department serves a number of important functions, but I believe any of these functions, any of these functions can be performed just as well or perhaps better in the private sector or the State or local level or elsewhere in the Federal Government. Those functions that are unnecessary should be terminated.

I think we would all agree the Commerce-Justice-State Appropriations Subcommittee has already eliminated funding for the U.S. Travel and Tourism Administration and the Advanced Technology Program. I would like to see us go the next step forward, which is to have all committees with jurisdiction over this department work on an expedited basis to find an appropriate home for necessary Commerce Department programs, eliminate those that are not necessary, and ultimately abolish the Department, and this we can do within the reconciliation process.

Functions of the Commerce Department overlap with 71 agencies and 60 percent of the agency is not focused on trade or commerce, which, in my view, should be the focus of the Department. It is instead devoted to NOAA, the National Oceanic and Atmospheric Administration, which is 60 percent of the funding and the manpower of the department. Responsibility for the trade functions of the department are spread out among multiple undersecretaries, assistant secretaries and others.

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Clearly, Mr. Chairman, there is room to preserve and improve the central functions of government without maintaining the sprawling bureaucracy of the Department of Commerce. It is my view that because it is so diverse, running from the prior administration to the patent office, NOAA and all the rest of it, that the principal focus, which should be on the trade mission and promoting U.S. trade, both at home and abroad, it does not get the attention that it really deserves in this huge, loaded bureaucracy.

So Mr. Chairman, I will not offer my amendment today, as I have confidence that we can work, and are working, on a very regular and expedited basis with the authorizing committees, of which there are many, to effect a timely dismantling of this department through the reconciliation process.

I would urge my colleagues to support these efforts.

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

Mr. Chairman, I intend to vote for final passage of the appropriations bill because this is the beginning of the end of the Department of Commerce. Yes, the bill could have gone further and more programs could be eliminated outright, yet this will be done in cooperation, as the gentleman from Pennsylvania [Mr. CLINGER] just stated, with all of the relevant authorizing committees as part of the reconciliation process in moving forward.

Mr. Chairman, the Department of Commerce cannot and should not be eliminated in one appropriations bill. We must craft responsible legislation to do certain things. Privatize certain functions, localize certain functions back to State and local government. Consolidate certain functions within the Federal Government and eliminate some outright from the Department of Commerce.

While we speak, authorizing committees are moving to construct legislation to do just this. We have received solid commitments and firm commitments from the leadership and from the authorizing committees to move this package forward aggressively this year.

Mr. Chairman, our goal of improving commerce in our vast and diverse Nation will not be accomplished by a centralized bureaucracy. We do not promote commerce by erecting crippling taxes and a regulatory maze that you need a cabinet and department level to break through. I think we promote it by free enterprise.

A recent Business Week poll of executives illustrated their support of eliminating the Department of Commerce by calling for its elimination by a vote of two-to-one. The American people have spoken. They want a smaller, more limited, more focused Federal Government. I urge my colleagues to work with the authorizing committees to eliminate the Department of Commerce this year.

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

Mr. BROWNBACK. I yield to the gentleman from Michigan.

Mr. CHRYSLER. Mr. Chairman, I thank the gentleman from Kansas for yielding. I also thank the gentleman from Kentucky [Mr. ROGERS] for his work in not funding many of these agencies within the Department of Commerce, and I also thank the gentleman from Pennsylvania [Mr. CLINGER] on his efforts for 21st century government to give us less government and lower taxes and letting people keep more of what they earn and save.

Mr. Chairman, I too intend to vote for final passage of this appropriation bill. As the gentleman from Kansas has said, we have received assurances from the speaker and the majority leader that the Department of Commerce will be dismantled as part of this year's budget reconciliation package.

Our task force study on the Department of Commerce found that all but 3 of the 100 programs in Commerce are duplicated someplace else within the Federal Government and/or by the private sector. Here is what the business community says about the Department of Commerce: Just a few weeks ago, the Wall Street Journal carried a story reporting that business sheds few tears over the calls for the department's elimination.

A recent Journal of Commerce headline declared the Commerce Department seen less vital than deficit cut. Business support wanes for the agency.

From my own experience in my business of over 1,200 employees, in doing business in 52 countries around the world, not once did we call for help from the Department of Commerce and/or did they call us. American businesses would be much better served if the Federal efforts were focused on cutting taxes and enacting regulatory and tort reform, and most importantly, balancing the Federal budget. Yet the voice of business, the Department of Commerce, remains notably silent on all of these issues.

Mr. Chairman, by dismantling the Department of Commerce, not only will we be creating a more efficient and effective Federal Government, we will be saving taxpayers $8 billion.

Mr. Chairman, we will look forward to working with the authorizing committees to put the Department of Commerce out of business.

Mr. BROWNBACK. Mr. Chairman, we look forward to working with the appropriate authorizing committees and thank very much the appropriating committee for working with us.

The CHAIRMAN pro tempore (Mr. EVERETT). Are there amendments to title II?

AMENDMENT OFFERED BY MR. MOLLOHAN

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

Mr. CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MOLLOHAN: On page 44, line 4, strike ''$1,690,452,000'' and insert ''$1,752,652,000''.

On page 44, line 14, strike ''$1,687,452,000'' and insert ''$1,749,652,000'' .

On page 43, line 16, strike ''$60,000,000'' and insert ''$50,000,000''.

On page 45, line 14, strike ''$42,731,000'' and insert ''$32,731,000''.

On page 51, line 4, strike ''$2,411,024,000'' and insert ''$2,388,824,000''

On page 57, line 4, strike ''$1,716,878,000'' and insert ''$1,706,878,000''.

On page 59, line 3, strike ''$363,276,000'' and insert ''$353,276,000''.

AMENDMENT OFFERED BY MR. ROGERS AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. MOLLOHAN

Mr. ROGERS. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS as a substitute for the amendment offered by Mr. MOLLOHAN: On page 44, line 4, strike ''$1,690,452,000'' and insert ''$1,724,452,000''

On page 44, line 14, strike ''$1,687,452,000'' and insert ''$1,721,452,000''

On page 45, line 23, strike ''$20,000,000'' and insert ''$8,000,000''

On page 62, line 7, strike ''$870,000,000'' and insert ''$858,000,000''

On page 42, line 6, strike ''$100,000,000'' and insert ''$90,000,000''.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment offered as a substitute for the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on the Mollohan amendment, my substitute amendment, and all amendments thereto close in 20 minutes and the time be equally divided.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Kentucky [Mr. ROGERS] will be recognized for 10 minutes in support of his substitute, and the gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 10 minutes in support of his amendment.

The Chair recognizes the gentleman from Kentucky [Mr. ROGERS].

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

Mr. Chairman, this substitute amendment adds $34 million to the NOAA programs, of great interest to Members from coastal areas of the United States and to Members from the Great Lakes region of the country.

The programs are as follows: We add $20 million to the National Marine Fisheries Service, an increase of $20 million; the Great Lakes Environmental Research Labs, an increase of $4 million; the Coastal Ocean Science Program, authorized by the House Committee on Science, an additional $5 million; and the Coastal Zone Management Program, an increase of $5 million.

The purpose of this substitute is to address concerns raised by a number of Members about coastal and fisheries programs. This substitute is paid for by three offsets. One, it reduces the NOAA Fleet Modernization Program by $12 million; two, it reduces contributions to international organizations by $12 million; and three, it reduces the Patent and Trademark Office by $10 million.

Mr. Chairman, this amendment represents a compromise to the Mollohan amendment, which would have, in my opinion, made a number of unwise choices in the bill; namely, cutting the judicial system funding to offset increases in the Commerce Department.

We realize how important fisheries, and coastal programs are to many of our Members. We also realize how important it is that we balance the competing priorities and important programs in this bill. Adjustments may be necessary as we proceed to conference on the bill. But I assure my colleagues that we will work diligently to address the concerns of all Members to the best of our ability.

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

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

Mr. Chairman, I support the compromise agreement to restore $34 million to programs under the National Oceanic and Atmospheric Administration. Mr. Chairman, this compromise will be completely offset. Specifically, this compromise would add $20 million to important programs under NOAA's National Marine Fisheries Service. It would restore funding for the popular Great Lakes Environmental Research Laboratory, and increase funding by $5 million for the Coastal Zone Management grants. Finally, Mr. Chairman, it would add $5 million for the Coastal Ocean Program.

Mr. Chairman, NOAA's fishery and coastal ocean programs have traditionally been underfunded and they took really painful cuts in this year's bill. Restoring the programs to the levels that these numbers reflect will prevent the deterioration of vital national resources.

Mr. Chairman, let me express my appreciation to all of those who have supported our efforts with regard to my original amendment. Also, I would like to express appreciation to the chairman for his accommodation in reaching a compromise which is reflected in his substitute amendment.

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

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER], chairman of the Committee on Science.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding time to me. I want to congratulate the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] for working out this substitute. I think that they have helped strengthen and improve the bill.

Mr. Chairman, although it still funds the NOAA discretionary programs above the level of H.R. 1815, our authorization bill, it does track H.R. 1815 to a much greater extent than previously. The substitute funds the Coastal Ocean Program at $5 million, which H.R. 1815 authorizes. It reduces the funding for the fleet modernization account which was eliminated in H.R. 1815. This reduction is consistent with the support of the Committee on Science for privatizing the NOAA Fleet and eliminating the NOAA Corps.

The substitute is also notable for what it does not do. It does not reduce NIST construction funding, allowing the people at NIST to move forward with the programs that they need to have to upgrade and modernize those laboratories. It does not endanger the National Weather Service modernization. That would also have been tragic, to move forward on something that would undercut our ability to do the next generation of weather radar.

I support the substitute of the gentleman from Kentucky [Mr. ROGERS] and encourage my colleagues to join me in voting for that measure.

Mr. MOLLOHAN. Mr. Chairman, I am very pleased to yield 1 minute to the

distinguished gentlewoman from Hawaii [Mrs. MINK].

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, the fiscal year 1995 levels of funding of two very important programs are not being fully funded in this bill. I assume that with the restoration of some of the funds in the substitute amendment, which is now pending, that these two programs will have a chance to survive. These are two essential programs for the saving of the Hawaiian Monk Seal Program and the Hawaiian Sea Turtle Program.

Mr. Chairman, there is a tremendous possibility that if the programs are not funded, that these species will actually go extinct, and it will be a tremendous loss, not just to Hawaii, but to the whole world. These two species do not occur anywhere else on this planet, and it is extremely important that this 15-year program be funded and be continued and not be sacrificed, because without the support of the National Government in this effort, these two species will likely disappear.

Mr. Chairman, I rise to offer an amendment to restore funding for Hawaiian monk seal and Hawaiian sea turtle recovery programs, which have for the last 15 years worked to assure that these valuable species would not be doomed to extinction. My amendment asks a mere $760,500 to maintain these severely underfunded programs at fiscal year 1995 levels—$520,500 for the Hawaiian Monk Seal Program and $240,000 for the Hawaiian Sea Turtle Program. Discontinuation of these programs at this point would mark a shameful waste of substantial Federal investment in these species and lead to their irreversible disappearance from Hawaii's marine ecosystems.

These funds are desperately needed to assist my State of Hawaii as it suffers the effects of a devastating endangered species crisis. Despite the fact that in land area, the Hawaiian Islands make up a mere 0.2 percent of the United States, an overwhelming 21 percent of listed endangered and threatened species and 18 percent of candidate species in the United States are Hawaiian species. The majority of these are indigenous only to Hawaii—once these species go extinct, they will never exist on this earth again.

The Hawaiian monk seal and Hawaiian sea turtle are two of the State's species in extremely precarious positions. Decades of polluted runoff and ocean discharges have harmed Hawaii's coastal waters and made 13 percent of the shoreline unhealthy habitat for marine life. Highly trafficked areas in Hawaiian waters constantly traversed by cruise ships, glass bottom boats, scuba diving tours, jet skis, snorklers, kayakers, surfers, and other popular ocean activities have disrupted many areas around the islands. Longline, net and other types of fishing have further produced unfriendly territory for many marine species. These human disturbances have plagued the monk seal and sea turtle.

The Hawaiian monk seal, after facing tragic decline for more than 50 years, has come to be designated the most endangered marine mammal within U.S. waters. This 50-million-year-old species can only be found within the Hawaiian Islands and half of its numbers have vanished since the 1950's. In 1976, the animal was listed as depleted under the Marine Mammal Protection Act and as endangered under the Endangered Species Act. Hawaiian monk seal recovery programs were finally initiated in the 1980's, and critical habitat was designated in 1988 from beaches to a depth of 20 fathoms around breeding islands and Maro Reef.

Because of these crucial rehabilitation and recovery programs put into place by the National Marine Fisheries Service [NMFS], the decline of the Hawaiian monk seal has slowed to 5 percent a year. The animal can be found in discrete populations at eight locations in the northwestern Hawaiian Island chain, and in rare birth sightings within the main Hawaiian Islands. Single births have occurred on the Island of Kauai in 1988 and 1991 and the Island of Oahu in 1991.

Only three types of monk seals have ever been known to exist during the Earth's history. The Caribbean monk seal vanished during this century. The Mediterranean monk seal lies on the verge of extinction with only 250 to 300 animals remaining. The Hawaiian monk seal clearly has the best chances at survival with approximately 1,300 animals remaining, according to environmental group Earthtrust. The Federal recovery program for the Hawaiian monk seal could be the last effort worldwide to save the monk seal.

Major causes of mortality specific to the Hawaiian monk seal include predation by tiger sharks, fatal entanglement in marine debris, parasites, heart anomalies, and ciguatera poisoning. In incidents termed ''mobbing,'' groups of adult male seals are seen to kill adult females at breeding islands where the number of adult males is significantly greater than the number of adult females. NMFS has worked to monitor monk seals populations for patterns of reproduction, survival, number of seals at sites, causes of injury, and death and behavior. Undersized female pups have been rehabilitated for release into the wild. NMFS removes debris from island beaches and releases seals trapped in debris. Seals are also translocated to stabilize adult sex ratios to decrease mobbing. It is essential that Hawaiian monk seal research and management programs are allowed to continue to assure the survival and success of this rate and unique animal.

The status of threatened and endangered Hawaiian sea turtles is also perilous. Of the world's seven sea turtle species, five can be found in Hawaiian waters. Of these, the hawksbill and green sea turtles are seen most frequently and found to nest in Hawaii. NMFS efforts have centered around the green sea turtle, which nests almost exclusively in the northwestern Hawaiian Islands. In 1993, 400 to 500 turtles were recorded nesting at the French Frigate Shoals.

Federal research dollars have worked to combat the spread of the deadly fibropapilloma disease, which had become a worldwide problem. This untreatable disease, which has no known cause, produces fatal tumors that interfere with the animals' ability to move, feed, and see. Recent research has shown that the tumors may be viral in origin, opening up the possibility for inoculation against the disease. Without continuation of this research, sea turtles in Hawaii, Florida, and worldwide will be stricken with this rapidly spreading disease.

Hooking mortality has been another major threat to the Hawaiian sea turtle. Many animals drown due to entanglement in gill nets set for fin fish and lobster, and death or amputation of flippers due to entanglement in fishing line is a common tragic occurrence, according to the Sierra Club Legal Defense Fund. NMFS programs have worked to save these precious animals from being fatally snared in fishing nets and lines, and from ingestion of plastic debris.

Alteration and destruction of sea turtle habitat has encompassed a wide range of specific problems, including vehicle traffic on nesting beaches which has crushed eggs and emerging hatchlings. Hatchlings have been distracted by beach fires and lighting, stranding them or otherwise drawing them away from the ocean. Erosion, siltation, and vegetation changes have made it impossible in certain nesting areas for turtles to dig nests. Predation in the sea by tiger sharks and on land by mongooses and feral cats has also led to a reduction in several turtle populations. Federal research to track these threats and to study population dynamics of Hawaiian sea turtles species must be maintained for effective mitigation of dangers facing these animals.

My amendment seeks to restore a small amount of funding to continue a meaningful Federal commitment to two dwindling species. The State of Hawaii's endangered species crisis cannot be ignored because it in turn affects all coexisting ecosystems and each species is eliminated. Termination of Federal programs for the Hawaiian monk seal and Hawaiian sea turtle would cause the rapid deterioration and eventual extinction of these species. I urge my colleagues to support my amendment, which ventures to restore a small amount of this entire appropriation bill we are debating today to save these priceless species from tragic extinction.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. LATOURETTE].

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

Mr. LATOURETTE. Mr. Chairman, I rise to thank the gentleman from Kentucky [Mr. ROGERS] and support his substitute amendment.

Mr. Chairman, I say ''Thank You'' because I had planned to offer an amendment with Congressman QUINN to the bill that addressed funding for the Great Lakes Environmental Research Lab. We approached the committee staff with our case and Chairman ROGERS' amendment addresses our concerns and saves from extinction this most valuable of scientific centers.

The Great Lakes Environmental Research Lab is a fact-finding and fact-interpreting agency. It helps the Federal

Government meet its scientific, ecosystem, and management responsibilities under the Great Lakes Water Quality Agreement with Canada. This responsibility spans 8 States, two provinces, and contains a 1,000-mile international border. The loss of the research lab would put these responsibilities in severe jeopardy.

The GLERL has recently completed studies in Lake Erie to help figure the role of wetlands in reducing the effects of nutrient inputs from non-point agricultural sources. This information will help farmers develop coherent, nonregulatory pollution control.

So far, GLERL work has saved billions of dollars. Its nutrient dynamics and modeling work contributed to saving more than $10 billion dollars of ineffective additional sewage treatment. The present GLERL appropriations level is $5.6 million per year; these savings are equivalent to over 1,000 years of GLERL funding.

The research lab's expertise and research related to contaminated sediments were key to the findings and recommendations of a scientific panel, led by GLERL scientists, that the Coast Guard relax their proposed regulations, thus saving the shipping industry tens of millions of dollars in lost time and additional costs.

The GLERL also helps saves lives. GLERL's Great Lakes Atmospheric Wave Model gives local emergency preparedness agencies the ability to make advanced predictions of shoreline flooding caused by storm surges. GLERL's research will give property owners and industries time to protect their property and evacuate to higher ground.

GLERL's PATHFINDER model for oil/chemical spill trajectory is used by NOAA on the Great Lakes for spill response and by the Coast Guard to help guide search and rescue operations.

When zebra mussels clogged the water intakes in Monroe, MI, and cut off drinking water supplies, GLERL went to work to determine not only how to control zebra mussels, but how to keep them clear of vital water lines.

When the people of Milwaukee became sick—and some died—from contaminated drinking water, GLERL began an intensive search to understand near-shore water conditions which will help prevent future health catastrophe caused by drinking water contamination.

The United States is tremendously lucky to have the Great Lakes, which account for 20 percent of the world's fresh water surface. A vital link in the competitiveness of the Great Lakes region are the Great Lakes themselves—a system of five lakes which connects our breadbasket and heavy industries to other destinations across the globe.

The Great Lakes are key to our past, and they are key to our future. The Great Lakes Environmental Research Lab is a multifaceted lab that provides a great and vital service. I urge my colleagues to support this measure.

□ 1700

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Massachusetts [Mr. STUDDS], who knows an awful lot about this issue.

Mr. STUDDS. Mr. Chairman, I will not take the time. I also want to thank the gentleman from Kentucky [Mr. ROGERS], and I can tell from his expression a moment ago the best way to do that would be to sit down. I want to thank him and the gentleman from West Virginia. These are modest programs, but they are immensely important to the coastal regions of this country, and I think sometimes that those who talk fairly glibly about eliminating this department ignore the fact that this part of it is crucially important. In fact, it is over half of the budget, NOAA is, and for the living marine resources of the country, for the stressed coastal areas and the stressed commercial fisheries, this compromise is very, very welcome. So I thank both gentlemen for being willing to work it out.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in strong support of the compromise amendment, which increases funding for Coastal Zone Management programs.

Coastal Zone Management is critical and vital to both the environment and the economy of shoreline States such as my home State of Connecticut. Thanks to this program we have restored over 1,500 acres of the State's critical tidal wetlands, and 10 miles of new public access has been added along the shores of the Long Island Sound. From 1991 to 1993 the number of beach closings along Long Island Sound in Connecticut was reduced from 292 to 174. Still, much remains to be done. More than 25 percent of Long Island Sound's beaches are chronically closed due to pathogen contamination.

Coastal Zone Management State grants are not a Federal give away. Federal funds are met with a dollar for dollar state match. These are exactly the kind of government partnerships that we should be encouraging. They are economically and environmentally sound.

Mr. Chairman, I urge my colleagues to join me in voting for the amendment and for protecting America's coastal resources.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California [Ms. ESHOO].

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

Ms. ESHOO. Mr. Chairman, I rise in strong support of the compromise amendment to restore crucial funding to NOAA, and in particular, the Coastal Zone Management Program.

President Nixon signed the Coastal Zone Management Act into law in 1972 and since then it's been remarkably successful in achieving the dual goals of environmental protection and economic development.

This is a voluntary program that allows states which choose to participate to establish their own programs based upon their own needs. The fact that 34 out of 35 eligible States have chosen to participate in CZMA is a testament to the program's overall success. Indeed, this Federal partnership with the States has encouraged coastal-dependent industries, enhanced commercial, recreational, scientific, and educational uses of marine resources, and protected natural and scenic treasures.

Why is this program so important? Almost 50 percent of our country's population lives along our coasts and 80 percent live and work within 50 miles of our coasts. Of course, millions more visit our beautiful coasts each year. These growing numbers generate competing demands for coastal resources and create an increasing need for coastal management.

The Federal matching grants from the Coastal Zone Management Program are critical for allowing local coastal managers to continue doing the jobs they do so well.

Retreating from our Federal commitment to the coasts will not make coastal problems or coastal needs go away. It will just saddle cash-strapped state an local governments with more of the responsibility.

What does this mean? It means less protection for our beaches, environmentally sensitive habitats, and wetlands. All of these are critical to the fishing, tourism, and recreation industries which together contribute more than $50 billion to our economy and support hundreds of thousands of jobs.

It means less money for flood control and natural disaster protection. In short, it means a lower quality of life for the growing numbers of people who choose to live, work and visit our coastal areas.

Mr. Chairman, I happen to have one of the most beautiful sections of coastline in my district and I want it to remain that way so that my grandchildren can enjoy it as much as I do.

I urge my colleagues to join me in supporting the Mollohan amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California [Ms. WOOLSEY].

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

Ms. WOOLSEY. Mr. Chairman, I rise also today in strong support of this compromise amendment.

Mr. Chairman, I am privileged to represent 140 miles of coast in Marin and Sonoma Counties, CA, the two counties north of San Francisco, across the Golden Gate Bridge. Each year visitors come to see one of our Nation's most picturesque scences, our coast. It is

hard for these visitors to imagine that there are troubled waters off our coast, Mr. Chairman, but there are. Extensive recreation and commercial use takes a serious toll on our coast. This toll threatens the health of our marine resources and our coastal economies.

If California's coast is to be utilized by future generations as it is today, it must have strong protection now. Funding for the coastal zone program will help provide that protection.

Mr. Chairman, I urge my colleagues to take our commitment to the national marine sanctuary and the coastal zone management programs seriously. Please join with me in fighting for the future well-being of our coastal waters; our coastal economies; and the Nation as a whole. Vote ''yes'' on this compromise amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. FARR], who has been extremely interested in these issues.

Mr. FARR. Mr. Chairman, I want to point out to Members of this body that this is a very, very important issue to the coastal States of the United States. This issue affects how we manage where the land mass of the United States meets the water mass of the United States. That is a very delicate zone in this country, and the fact is 80 percent of Americans live and work within 50 miles of a coastline. So all of the pressures of on-land meet the pressures of off-land, and that very fragile area needs special attention, and that is what this budget does. Frankly I wish we had restored more. We restored $20 million and a $37 million cut, so they are going to get less money, and in the NMFS budget, that was a 20 million of 37, and in the coastal zone management budget, restored $5 million of a $9.5 million cut. So there is still a substantial cut, and I just want to support the compromise, but I want to point out that this is such an important area, important issues to all Americans, that we need to pay attention to these fundings and hope in a subsequent amendment that my colleagues will also support an increase in the sanctuaries.

Mr. MOLLOHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Michigan [Ms. RIVERS].

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

Ms. RIVERS. Mr. Chairman, The Great Lakes are home to 25 million people and some of the most productive cities and agricultural areas of our Nation.

The Great Lakes contain 20 percent of the world's—20 percent—fresh surface water, and they contain 95 percent of the fresh surface water in the United States. The Great Lakes supply drinking water, fish, and other food to millions of Americans.

A vital link in the competitiveness of the Great Lakes region are the Great Lakes themselves, a system of five lakes which connects our breadbasket and heavy industries to other destinations across the globe.

For decades we have relied upon the good assistance of NOAA's Great Lakes Environmental Research Lab to provide sound science to our mariners, State and local governments, and citizens on a variety of Great Lakes issues.

GLERL costs U.S. taxpayers a little less than $5 million. The benefits it provides to taxpayers far surpasses its costs by providing crucial data and information to decisionmakers at all levels, while providing the science necessary to protect the world's largest body of fresh surface water—one of our Nation's most previous and vital natural resources.

GLERL IS A FACT-FINDING AND FACT-INTERPRETING AGENCY

GLERL helps the Federal Government meet its scientific, ecosystem, and management responsibilities under the Great Lakes Water Quality Agreement with Canada. This responsibility spans eight states, two provinces, and contain a 1000-mile international border. Losing GLERL would put these responsibilities in severe jeopardy.

GLERL is one of only two nonregulatory Federal lake/coastal-waters-related research labs in the Great Lakes basin. The Great Lakes Science Center is the other, which is scheduled to close due to the Interior appropriations bill.

GLERL and Ohio State University created a system being used by the Great Lakes coastal forecasting system on Lake Erie that provides forecasts of currents, waves, water levels. These forecasts are of critical importance to lake shore residents, the fishing and shipping industries, and recreational users. This cutting edge system will soon be turned over to the National Weather Service to be used in their forecasting data.

GLERL has recently completed studies in Old Women Creek, Lake Erie, to help figure the role of wetlands in reducing the effects of nutrient inputs from nonpoint agricultural sources. This information will help farmers develop coherent, nonregulatory pollution control.

GLERL WORK HAS SAVED BILLIONS

GLERL's nutrient dynamics and modeling work contributed to saving over $10 billion dollars of ineffective additional sewage treatment. Note: At the present GLERL appropriations level of $5.6 million per year, these savings are equivalent to over 1,000 years of GLERL funding.

When zebra mussels clogged the water intakes in Monroe, MI, and cut off drinking water supplies, GLERL went to work to determine not only how to control zebra mussels, but how to keep them clear of vital water lines.

GLERL has worked extensively with private industry, providing models to help them with a host of problems. An example being a model created by GLERL of the Detroit River for Detroit Edison to aid with their hydro-power predictions.

GLERL's expertise and research related to contaminated sediments were key to the findings and recommendations of a scientific panel, led by GLERL scientists, that the Coast Guard relax their proposed regulations, thus saving the shipping industry tens of millions of dollars in lost time and additional costs. These regulations were modified as a result of the sound science provided by GLERL.

GLERL's CoastWatch Synthetic Aperture Radar Applications Program has developed better means of identifying ice type and ice concentration on the Great Lakes. GLERL's data is used by the National Weather Service and the U.S. Coast Guard in their ice forecasting, search and rescue, and ship assistance activities. This function of GLERL is critical to the billion dollar fishing and shipping industry in the Great Lakes basin.

GLERL is currently studying the rainfall-runoff relationship of the 121 watersheds within the Great Lakes basin. This work is essential to predicting lake levels, information which is essential to shipping and hydroelectric power.

GLERL HELPS SAVE LIVES

When the people of Milwaukee became sick—and some died—from contaminated drinking water, GLERL began an intensive search to understand near-shore water conditions which will help prevent future health catastrophe caused by drinking water contamination.

GLERL's Great Lakes atmospheric wave model gives local emergency preparedness agencies the ability to make advanced predictions of shoreline flooding caused by storm surges. GLERL's research will give property owners and industries time to protect their property and evacuate to higher ground.

GLERL's wind wave models have provided the National Weather Service with a more accurate forecasts and warnings of wave conditions on the Lakes, thus helping safeguard the lives of commercial and recreational boaters.

GLERL's Pathfinder model for oil/chemical spill trajectory is used by NOAA on the Great Lakes for spill response and by the Coast Guard to help guide search and rescue operations.

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

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I want to rise to praise the good work of our chairman of the subcommittee and the ranking member for their cooperation in bringing about this bipartisan compromise. As a member of the Committee on Science and chairman of the Subcommittee on Military Research and Development for the Committee on National Security, I am very concerned about the cuts that are being made to the NOAA accounts and the cuts that are being made in ocean research and ocean programs. While I am not totally pleased with the amount of money this puts back in, I think this does make a statement that we want to keep our ocean research programs in place, that we want to place additional funds into the coastal zone management program, that we want to support the marine fisheries programs, all of which are extremely important.

This is a necessary compromise. I wish we could go further, but in this tough budget environment it is the best we could get. I want to thank both sides for working this agreement out, and hopefully we can continue to work in a bipartisan manner for the good of our world oceans and world cooperation in these issues in the future.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I really appreciate the compromise that has been worked out on both sides of the aisle. A couple of quick comments to show the Members the importance of these little-known issues:

The National Marine Fisheries Service is the entity that collects the biological data on coastal fisheries worth billions and billions of dollars to this country. Even if we stopped fishing in all the oceans, we could still lose 70 percent of the commercially caught fish if we did not have any sense of where these fish spawn and where these fish spend a good deal of their life. The National marine Fisheries Service collects that biological data, and I appreciate the increase in the amount of money. The Great Lakes is an enormous attribute to the United States, so we need to have some sense of the fisheries in that area. The coastal ocean program forged grants, which is very valuable to coastal States, the Coastal Zone Management Act, a voluntary organization which provides valuable data on the biological health of our coastal economies.

I would ask the Members though, as we pursue this effort, the National Marine Sanctuary program should use a little bit of attention as we move along on this issue.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Chairman, I rise in strong support of this amendment. It maintains the funding which I believe is very crucial and important to the coastlines of these United States. By maintaining funding for the Coastal Zone Management Act we are maintaining stable and crucial resources for some of our country's most pristine, valuable, and ecologically sensitive real estate.

Over the years, the Coastal Zone Management Act or CZMA has proven to be a cost-effective tool, which relies on State authorities to accomplish its objective of effectively balancing national, State, and local interests in the utilization of our Nation's finite coastal resources. This is a clear example of a program that empowers State and local decisionmakers. However, because States rely on Federal funding generally for between 50 and 100 percent of State program costs, significant reductions in Federal funding would severely reduce State capabilities to manage their coastal areas. In most States, the impacts would be felt most acutely at the local government level, where many of the Federal dollars end up.

Mr. Chairman, I just hope that in future discussions we can address the issue of the national marine sanctuaries.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, I would like to make sure my colleagues understand this is not a coastal vote. Those of us that really want to see environmental strategies work and want to see cooperative efforts between the local governments and the Federal Government need to support this motion. Those of us that want to see the old command-and-control environmental regulations done away with and new progressive, aggressive environmental preservation move forward need to stand up and support this motion because it is really showing the kind of things that we can do right in protecting our environment, and I pointed out where we have done wrong, and I will continue to fight what we have done wrong, but I think we have an obligation when we point out where environmental regulations are wrong to also stand up for it when they are right, and this program and this strategy is one that we should support.

So I ask those of my colleagues that want to protect private property rights, want to protect local control, now is the time to join with us that really want to protect the environment, to protect those rights and protect the environmental by supporting this cooperative effort between the Federal Government and the citizens at large.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS] as a substitute for the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN], as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Are there further amendments to title II?

AMENDMENT OFFERED BY MR. ALLARD

Mr. ALLARD. 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. ALLARD: Page 47, strike lines 1 through 6, relating to the Under Secretary for Technology and the Office of Technology Policy.

□ 1715

Mr. ALLARD. Mr. Chairman, I ask unanimous consent that we limit debate on this amendment to 10 minutes, 5 minutes on each side.

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

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. ALLARD] will be recognized for 5 minutes in support of the amendment, and the gentleman from West Virginia, [Mr. MOLLOHAN] will be recognized for 5 minutes in opposition.

The Chair recognizes the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I would like to take this opportunity to commend my colleague, the gentleman from Kentucky [Mr. ROGERS], for putting together a strong bill. I applaud the efforts he made to reduce the funding for programs which must be downsized in this tight budgetary climate. Nonetheless, we must not pass up an opportunity to eliminate a needless layer of bureaucracy and save $5 million.

As a member of the Committee on the Budget, I am personally committed to eliminating redundant and unnecessary bureaucracies. In this vein, I offer this amendment, which would zero out the funds for Undersecretary of Technology. Besides being redundant, this office helps to put the government in an area in which it should not be, the office assisting government ''in picking winners and losers,'' as stated by the OMB's fiscal year 1996 budget report, by benchmarking the competitiveness of industrial sectors.

These programs do little to enhance our overall economic welfare. Although they may indeed help certain sectors or individual companies within those sectors, it harms the welfare of the Nation as a whole by wasting our limited tax dollars and by diverting resources toward those sectors in which we are relatively inefficient. This is the perfect definition of corporate welfare.

However, even if we support these industrial policy programs, this amendment would not destroy the actual policies. It only cuts an office which the budget resolution claims is duplicative and unnecessary in its administrative and other responsibilities.

A vote in favor of my amendment sends a strong signal that the House is in support of ending this unneeded office rather than continuing to fund it at a decreased level. We must completely eliminate unnecessary bureaucracies, rather than phasing them out over time. As in the private sector, a gradual approach only allows the affected agencies to grow back.

Citizens for a Sound Economy and the National Taxpayers Union have strongly endorsed this amendment stating,

In this time of making government smaller and more efficient, the Office of Technology Policy is one bureaucracy that serves virtually no purpose for American taxpayers. Its elimination will show that Congress is serious about downsizing government and allowing Americans to keep more of their own money.

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

Mr. Chairman, I rise in strong opposition to the gentleman's amendment and think it is a very unwise one, I certainly do not share his sentiments.

This world is changing. We are increasingly becoming a smaller international community. It is becoming very apparent to everyone that we are going to have to be increasingly competitive in the technology areas.

The Department of Commerce generally, Mr. Chairman, is the department that is strategically focusing on these issues, trying to promote international trade, and at the same time promote technology development in key areas, targeting areas that will be growth sectors into the future.

The Technology Administration is the place that looks at these issues. It is not a lot of money. It is a very small investment to have this kind of strategic thinking. I think this elimination amendment is extremely unwise. The Technology Administration works with American industry to maximize the technology's contribution to economic growth.

Mr. Chairman, I really hope that the body will not move on this issue in this appropriations bill. If there is some effort to reconstruct the Commerce Department, to look at Commerce generally, to look at its role into the future, the authorizing process is the proper place to do that, not here today. We have not had any hearings to suggest elimination of the Technology Administration during our appropriations hearings. We simply do not have a factual foundation to intelligently make this kind of a decision.

The facts we do have are that increasingly this is a competitive international community. Our opposition, our competitors around the world, Europe, Japan, the emerging nations, are all focusing strategically on technology development.

Mr. Chairman, I urge a ''no'' vote on the gentleman's amendment for all of those, I think, very good reasons.

Mr. ALLARD. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I rise today in support of the Allard amendment to eliminate the Technology Administration.

The Technology Administration is a redundant bureaucracy that is tasked with overseeing other departments. The elimination of this office will not harm other programs under the Department of Commerce jurisdiction, and some contend it may even cause other functions to perform better.

In our efforts to downsize government, it is important for us to eliminate all layers of unnecessary bureaucracy. In my opinion the Technology Administration fits that category and I urge my colleagues to support the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Tennessee [Mr. TANNER].

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

Mr. TANNER. Mr. Chairman, I rise in strong opposition. This may be one of the more shortsighted amendments that we will address in this Congress this year. In a time of global competition, the Office of Technology Administration is the one place in the Federal Government where the government is an ally, not an enemy, of our businesses here in this country. The Technology Administration acts as a focal point for all industry concerns, both foreign and domestic, such as the activities of foreign firms and their parent governments, the unintended consequences of legislation and regulations, and, as I said, a rapidly changing global economy.

The Office of Technology Assistance is an advocate for industry in this country, at a time when our American businesses need help from the Government, not a silent voice here as they struggle to meet this worldwide competition.

This would be a disaster for this country. The Office of Technology Administration manages and oversees the very things that make our businesses competitive. In a time where the marketplace in this country is squeezing the ability of our firms here in America to research and develop products over a long period of time without a short, virtually lifespan payback, this is the very thing that other countries are doing to gain a competitive edge.

So I would urge all Members to reject this shortsighted amendment.

Mr. Chairman, the Commerce Department's Technology Administration serves several important roles in the Federal Government that assist the private sector in maintaining a competitive edge. We should not only provide social assistance but we should also assist the private sector which is the backbone of our economic vitality.

More than ever before, U.S. economic growth and prosperity depend on technological innovation. Here are just a few of the responsibilities of the Technology Administration.

First, the Technology Administration is the only Federal agency charged with maximizing technology's contribution to the U.S. economy.

Too often in the past, technology development, particularly by the Government, has ignored business issues that affect the ability of the private sector to bring new technologies to the marketplace.

The Technology Administration works not only to see that America leads the world in creating new technologies, but that Federal economic, tax, trade, and regulatory policies help our business community, not hinder it.

Second, the Technology Administration monitors the policies of our foreign competitors to ensure that U.S. firms are not handicappeed in the global marketplace.

The Technology Administration works to ensure that American firms have access to foreign government sponsored technology development programs, while protecting U.S. intellectual property rights.

Third, the Technology Administration acts as a focal point for industry concerns, such as the activities of foreign firms and their parent governments, the unintended consequences of legislation and regulations, and a rapidly changing global economy. The Technology Administration is an advocate for industry in addressing issues which affect U.S. competitiveness.

Finally, the Technology Administration manages three organizations vital to U.S. competitiveness: The National Institute of Standards and Technology, the National Technical Information Service, and the Office of Technology Policy.

Eliminating the Technology Administration will have a negligible impact on the Federal deficit, but it will deprive U.S. industry of an advocate within government at a time of intensifying global competition.

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

The CHAIRMAN. The gentleman from Colorado is recognized for 2 minutes.

Mr. ALLARD. Mr. Chairman, we are talking about change in the Congress, and we hear all sorts of reasons why there should not be change, that it is shortsighted if we work for change to take an agency like this that is working and doing so much for business. But in reality, the future shortsightedness is we need to balance the budgets and we need to look at where duplication is occurring, and this Technology Administration is a classic example of where we need to look.

How many people do we need speaking on behalf of business? We have under the Office of the Undersecretary of Technology, the Office of Technology Policy. Currently, we have under the National Institute of Standards and Technology. We have the National Technical Information Service. I would have to compliment the appropriation members for recognizing that we not longer need the National Technical Information Service. So that is being eliminated. They reduced by 50 percent the National Institute of Standards and Technology, and basically what we have is the Office of Technology Policy.

Now, we have oversight of just this one and a half divisions under the Office of Undersecretary, a full Secretary. It seems to me that what we need to do is eliminate an administrative layer and let the head of the Office of Technical Policy report directly to the Secretary or the Deputy Secretary. I think it makes lots of sense. It is a tremendous opportunity for this Congress to make an effort to cut spending, to reduce duplication in programs.

So I am urging a ''yes'' vote on the Allard amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. BROWN], the very distinguished ranking minority member on the Committee on Science.

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

Mr. BROWN of California. Mr. Chairman, of course I rise in opposition to the Allard amendment. I want to compliment the chairman and the ranking member of the subcommittee for the fine job they have done.

Mr. Chairman, what we are doing here in this action and a number of

others is to try and define the terms of what is admittedly a revolution that is taking place in our concepts of government and the way it should operate. This is not a new phenomenon. I have been here long enough to have been through several revolutions in the way government sought to operate and the Congress sought to operate.

What we are looking at here in the Technology Administration was really a part of the so-called Reagan revolution. This was created by a bill which President Reagan signed just before the end of this term, and it sought to change a situation that we all knew was bad, namely, the adversarial relationship that existed between the government and industry and business in this country.

President Reagan wanted to establish a new, friendlier relationship in which industry and the government could in many areas become partners and work together in the best interests of this country. The Technology Administration was one of the primary features of the Reagan revolution effort to change the relationship between business and industry in this country.

Now, I do not know what the current generation of Republicans wants to do in terms of the revolution. I had thought that they wanted to extend and build upon some of the earlier aspects of the Republican revolution, but apparently they want to throw out everything, the baby with the bath water.

I hope we can do better than that. I hope we can look at these previous programs, determine whether they are working, and, if they are, continue to support them or to change them wherever necessary.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. ALLARD].

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

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

The CHAIRMAN. Pursuant to the order of the House of earlier today, further proceedings on this amendment will be postponed.

The CHAIRMAN. Are there further amendments to title II?

AMENDMENT OFFERED BY MR. KLUG

Mr. KLUG. Mr. Chairman, I offer an amendment, No. 17, printed in the RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KLUG: Page 43, line 25, strike ''386 commissioned officers'' and insert ''358 commissioned officers''.

Mr. KLUG. Mr. Chairman, very briefly, this is an amendment supported both by myself and the gentleman from Florida [Mr. FOLEY]. What this amendment attempts to do is to capitalize on the agreement reached just a short time ago by our distinguished chairman and the ranking member from West Virginia. As you know, we just reduced funding for the NOAA fleet by roughly $12 million.

□ 1730

At the same time, what this amendment will do is to correspondingly reduce the number of NOAA officer corps members by 25 slots. NOAA, believe it or not, has its own navy and numerous admirals which receive full military pay and retirement benefits while, frankly, never facing any kind of enemy.

Corps officers spend roughly two-thirds of their time behind desks because there are so many of them in relation to the size of the fleet. Since today we are beginning to reduce the NOAA fleet, it obviously makes sense to reduce the officer corps level.

The NOAA authorization bill passed last month by the Committee on Science specifically terminates the NOAA Corps over 3 years, so this begins to reduce the size of the corps correspondingly. And I would point out that our amendment, mine and the gentleman from Florida [Mr. FOLEY] is supported by both the Committee on Science and the Committee on Resources.

In 1995, the commerce inspector general questioned the need for the NOAA Corps. The budget resolution calls for the elimination of the NOAA Corps. NOAA, quite frankly, does not need its own high-priced militia. In fact, the concept of a uniformed NOAA Corps predates NOAA and is an anachronistic throw-back to World War I, World War I, when mapping the U.S. coastline was considered a military, not a civilian endeavor.

I think the amendment we have in front of us is budget neutral today, but in the long run will save a minimum of $700,000 a year, as we begin to reduce the size of the officer corps several million dollars a year.

Mr. Chairman, I yield to the gentleman from Florida [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, I am delighted to join the gentleman from Wisconsin on this very important issue. Every time the gentleman from Wisconsin [Mr. KLUG] finds an item that we can privatize, I am ready to join with him in that effort because we came to Congress to make a difference and reduce the size of the Federal Government. This clearly is an amendment that will allow for that slow elimination of the NOAA Corps, which are costing the taxpayers significant dollars.

So I associate myself with the words of the gentleman from Wisconsin, urge my colleagues to vote favorably on this amendment to continue our mission to downsize the Federal Government.

Mr. ROGERS. Mr. Chairman will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we accept this amendment and think it is a good one and hope that it is approved.

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

Mr. KLUG. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, we have to objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by gentleman from Wisconsin [Mr. KLUG].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title II?

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman. I offer an amendment.

The Clerk read as follows;

Amendment offered by Mr. FARR: On page 44 of the bill, line 22, strike ''$55,500,000'' and insert instead ''$57,500,000''.

Mr. FARR. Mr. Chairman, this amendment increases the transfer from the fund to promote the development of fishery products to NOAA's operation, research, and facilities account. This increase of $2 million would provide additional funding for the National Marine Sanctuaries Program.

In 1995, $9.2 million was available from the fund for the fisheries development grants but only $7.2 million in the grants were awarded. This amendment maintains the level of funding for fishery grants from this fund while partially restoring reductions to the marine sanctuaries program.

Mr. Chairman, this amendment restores about 15 percent of the 25 percent of the marine sanctuaries program that was cut. I think that it goes a long way to try to help a program that is not a very big one. It is a $12 million program in total.

The program is very important because there are dozens of marine sanctuaries around the United States, not only in California but in Florida, Georgia, Hawaii, Louisiana, Maine, North Carolina, Texas, and Washington. So Members from those States are very interested in making sure that those programs are run effectively.

Mr. Chairman. I yield such time as she may consume to the gentlewoman from California [Mrs. SEASTRAND] who also shares the largest marine sanctuary, the Monterey Bay Sanctuary.

Mrs. SEASTRAND. Mr. Chairman, I rise to support this amendment and additional funding for the National Marine Sanctuary Program. It is going to be of great assistance in law enforcement programs as well as giving opportunities to provide sanctuary educational materials to boaters and also to provide rescue service to stranded boaters in the sanctuary.

This is of crucial importance to the Channel Islands National Marine Sanctuary in my district. The sanctuary produces a majority of the seafood harvested in California. It is a highly sensitive ecosystem and in my own possibly biased opinion is one of most beautiful coastal waters in these United States.

To eliminate significant funding, whether it is for the Channel Islands National Marine Sanctuary or the beautiful Monterey Bay sanctuary, I think

would be a mistake. We have tobe prepared for oil spills and other emergencies. I think for this reason and aforementioned points, I would ask my colleagues to support this amendment.

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

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

Ms. ESHOO. Mr. Chairman, I rise in support of the Farr amendment, which reinstates funding for the coastal zone management program and marine sanctuary program.

I would just like to say something about the word sanctuary. Whenever anyone hears that word, we think of something being precious, something being holy, as it were. There have been great battles in California to designate our precious areas of our coast as marine sanctuaries. These are gifts of our Nation that we share with all of our citizens and the citizens of the world, because they come to see it.

So I think that funding should match the nobility of what we have. I rise to support what the gentleman from California is doing. He has been on the forefront of this issue for many, many years. I think that the Congress of the United States would distinguish itself in appropriating some money so that we can continue saying that this is indeed sanctuary, it is holy, it is something special, and we should treat it that way.

Mr. Chairman, I rise in strong support of the Farr amendment, which reinstates funding for the Coastal Zone Management Program and the Marine Sanctuary Program.

Our Nation is largely a coastal one, with 80 percent of Americans living within 50 miles of the coast. The increasing demands on our coastal resources that result from the growing number of people and industries residing in coastal areas require sound policy and an adequate level of protection.

The Coastal Zone Management Program is a proven State Federal partnership that protects our national treasures and promotes economic development. It is a voluntary program that 34 of 35 eligible States have chosen to participate in. They have elected to participate in this program because it allows them to establish their own programs based upon their own needs.

The $9 million that the Farr amendment seeks to reinstate is critical for allowing local coastal managers to continue doing their jobs. I remind my colleagues that the increasing demands on our coasts will not go away if we choose to retreat from our Federal commitment. Indeed, failing to adequately fund this program will only result in a declining economy and a declining quality of life for the majority of Americans that choose to live and visit our beautiful coasts.

The sanctuaries program protects and conserves our Nation's most precious marine resources. Limited funding in the past has barely kept pace with this rapidly growing program. But the 50 percent cut proposed by the Republicans would require closing some sites and drastically reducing funding for others.

Mr. Chairman, these programs are vital to our coastal and marine resources. I urge my colleagues to support the Farr amendment.

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

Mr. FARR. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we accept this amendment. We want to thank the gentleman for bringing it to our attention and hope the body will adopt it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FARR].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. 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. HEFLEY: Strike page 36, line, 21, through page 38, line 4.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 50 minutes and that the time be equally divided between the gentleman from Colorado [Mr. HEFLEY] and the gentleman from Kentucky [Mr. ROGERS], who is opposed to the amendment.

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

Mr. MOLLOHAN. Reserving the right to object, Mr. Chairman, would the Chair explain that arrangement to me again?

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] has asked unanimous consent that all debate time on this amendment and all amendments thereto conclude within 50 minutes and that the time be equally divided between the proponent of the amendment, the gentleman from Colorado [Mr. HEFLEY] and an opponent, in this case the gentleman from Kentucky [Mr. ROGERS].

Mr. MOLLOHAN. Continuing my reservation of objection, Mr. Chairman, I yield to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I will yield half of my time to the gentleman from West Virginia [Mr. MOLLOHAN] in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 12½ minutes in opposition, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 12½ minutes in opposition, and the gentleman from Colorado [Mr. HEFLEY] will be recognized for 25 minutes in favor of the amendment.

Is there objection to the request of the gentleman from Kentucky?

Mr. MOLLOHAN. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. HEFLEY] will be recognized for 25 minutes, the gentleman from Kentucky [Mr. ROGERS], will be recognized for 12½ minutes, and the gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 12½ minutes.

The Chair recognizes the gentleman from Colorado [Mr. HEFLEY].

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

Mr. Chairman, I was going to come here today and tell my colleagues what I think about the Economic Development Administration, but I have decided I am not going to do that. After all, I am not the one who audits the EDA's books.

In order to assess the effectiveness of the EDA, I should be telling Members what the Department of Commerce inspector general says about the EDA. Let us start with the March 1995 report. The inspector general said that the CPA firm was unable to express an opinion on the revolving funds statement of financial position because of multiple, material weaknesses in EDA's internal control structure. The IG went on to note that the nature and extent of the internal control deficiencies reported by the CPA firm indicate serious problems in financial mismanagement at EDA.

Several of these issues were previously raised by the inspector general in the past. However, little progress has been made since the survey report was issued 2½ years ago.

Here is a list of the audit headlines in the March 1995 report. In order to be fair, I will read the positive results first. South Carolina city earned full Federal funding of public works project. City in Texas properly managed public works grant. Those are the two positive reports.

Let us get to the negative ones. Michigan county committed serious grant violations, $1,285,000. A New Jersey public works project not financially feasible, $34,000. Revolving loan fund created to relieve impact of Hurricane Andrew, not needed, $1,900,000. Grant to Michigan organization should be terminated, $243,000. Louisiana grantees mismanage revolving loan fund, $388,000. Indiana recipient violated Federal regulations and grant requirements, $475,000. Cost question on South Carolina public works project, $120,000. Iowa recipient mismanaged grant funds, $1,500,000.

And in September 1994, the IG report said more of the same. Georgia revolving loan fund operator directed to return $3 million in overcharges and excess cash, $3 million. Ohio revolving loan fund grantee violated EDA approved plan, $90,000. Grantee mismanaged Tennessee revolving loan fund, $34,000. City of South Carolina inadequately accounted for revolving loan fund, $238,000. And get this, this money is still missing. Arizona public works project, jeopardized by grantee mismanagement, $504,000.

Unneeded public works project in New Mexico should be terminated,

$400,000. Texas grantee improperly solicited matching share from borrower, $50,000. Audit of proposed grant reveal need for clearer definition of demonstration projects, $4,300,000.

My state is not immune either. In fact one EDA grantee in Colorado faced felony embezzlement charges before settling out of court for the money that she owed.

Mr. Chairman, that is over $14 million of problems discovered by the inspector general. There are hundreds of more grants out there just like these, but they will probably never be discovered or investigated by the Department of Commerce inspector general.

□ 1745

I have not read a report this bad since Price Waterhouse left here a few weeks ago. It is time to put an end to this outrageous abuse of taxpayer dollars, support the Hefley-Solomon-Goss amendment, and let us put an end to the EDA.

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

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

Mr. Chairman, I urge opposition to this amendment. I hope the House will once again defeat the Hefley proposal to eliminate the Economic Development Administration. If we do not vote this amendment down we will deprive hard-hit communities, all over the country, of the vital assistance provided by the EDA which was created to help our Nation's poorest areas raise their standards of living, or to help communities recover from sudden economic disasters.

I say to the Members, it has worked in my congressional district and virtually every other. EDA provides basic infrastructure in poor counties so they can attract the private investments that lead to long-term jobs. EDA is the cornerstone of our efforts to help local communities rebound from the loss of a military base or defense downsizing. In fact, EDA has helped 151 communities hard hit by base closures over the last 3 years alone. These areas are converting bases to provided long-term jobs to the people that depended on them for decades. Today new communities, facing another round of base closures, need EDA to help their families bounce back, but like other good programs, EDA must be streamlined and reformed and targeted, and this bill does that.

First, we cut EDA dramatically, a 21-percent reduction in grants, a full one-third reduction in staff, almost $100 million in cuts. Second, we have worked closely with the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Maryland [Mr. GILCHREST] of the Committee on Transportation, who are pushing the most significant overhaul of EDA programs in 15 years.

Our reforms provide fewer funds and put them in areas that need help the most. They provide greater local and State control over project decisions. No longer will Washington pick and choose the projects. Our Governors, our local officials, our communities will decide. If our local factory pulls out, EDA monies will help our town create new opportunities for its workers.

Mr. Chairman, if NAFTA or the GATT treaty pushes our industry to Mexico or overseas, EDA will be there if Members vote down this amendment. If Members have any of the 50,000 defense jobs potentially being eliminated in this year's base closure process, their communities will need this program more than ever.

Let me repeat. In this bill, we cut EDA by 21 percent. We say ''No more bloated Washington bureaucracy,'' and we targeted these very limited dollars to communities and families that simply cannot afford to cope with disasters and job loss. They need our help. Give them our vote. Vote down this amendment.

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

Mr. Chairman, I rise in very strong opposition to the Hefley amendment. No other agency, no other program, Mr. Chairman, in the Federal Government has the flexibility of EDA to respond to unique community needs. EDA programs target funds in areas of need and assistance across the board. For communities who are experiencing structural economic changes, and many across the Nation are, EDA provides flexible assistance to help them design and implement their own local recovery strategies. For communities who are experiencing long-term economic distress, EDA provides funding necessary to repair decaying infrastructure, and it is doing so in virtually every congressional district across the Nation.

Mr. Chairman, defense conversion has been on the lips and minds of every Member of this Congress, and we have had strategies to try to address the massive job losses associated with defense downsizing. It is EDA that has the flexibility to step up and address those concerns. Mr. Chairman, over the last 30 years EDA has invested $15.6 billion in our Nation's distressed communities. I really urge my colleagues to think strongly about this amendment. Oppose the Hefley amendment.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Chairman, I would like to associate myself with the remarks of Representatives HEFLEY and SOLOMON. Mr. Chairman, the new Congress was elected with a clear mandate to eliminate any and all wasteful spending and reduce the size and scope of the Federal Government. I applaud the work of Chairmen LIVINGSTON and ROGERS in crafting a Commerce, Justice, State bill that reflects that goal and makes difficult choices in a responsible manner.

Nevertheless, I worry that certain programs that have outlived their usefulness may escape intact, slightly slenderized but still weighing down the American taxpayer needlessly. It seems to me that we must examine all Federal programs not only as to cost, but also ask ourselves if there is an appropriate Federal role. EDA fails this test on several levels.

EDA purports to assist distressed areas yet its broad eligibility criteria allows areas containing 80 percent of the U.S. population to compete for benefits. EDA's programs are duplicative—four separate departments along with the ARC, TVA, and SBA fund similar development programs. EDA programs are not cost efficient—one analysis on an EDA Emergency Jobs Program suggested each job created ultimately cost the American taxpayer $307,000, seven times the cost of the private sector.

Again, I commend the committee for the 25 percent cut in EDA funding—it is a step in the right direction. But it is not enough to merely cut back on programs that are no longer appropriate. We must take the next step to rip out the roots altogether. As we are ready to eliminate the Commerce Department in the authorization process, I would suggest it is time to fold the tent at the EDA.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the chairman of the Committee on Transportation and Infrastructure, the authorizing committee for EDA.

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

I rise in strong opposition to this amendment, but I must say that the gentleman from Colorado [Mr. HEFLEY] and the gentleman from Florida [Mr. GOSS] are quite accurate in many things they say about criticizing some of the boondoggles we have seen in EDA and the Federal bureaucracy.

That is the reason, that is the reason why yesterday in our Subcommittee on Public Buildings and Economic Development of the Committee on Transportation and Infrastructure, we abolished EDA and we put in its place a Federal, State, and local partnership of regional commissions.

The gentleman from Florida is absolutely correct when he says 80 percent of the country is eligible. That is wrong. Yesterday we changed that. We cut it right in half. We not only cut it in half, we also upped the criteria to be eligible in another respect and said for a county to be eligible, they have to be above the unemployment rate by at least 1 percent. Yes, also, this is a partnership program where we also said the Federal share will only be 50 percent. If it is a good program, the States and the localities have to come with the other 50 percent.

Stop and think about it. We have fundamentally changed this program by abolishing the Economic Development Administration itself, putting in its place regional commissions, cutting, as my friend, the gentleman from

Kentucky, has said, cutting $100 million a year out of the program, reforming the program to the extent that only the truly needy counties are eligible. My good friend, the gentleman from Florida, also talks about an example of the job creation costs on a particular project being several thousands of dollars.

I do not doubt that, but if we look at the overall cost of the program, the cost to create a job, that figure is $2,500. Compared to many other programs, this is a very efficient program. I would say, particularly to my freshman colleagues, the model that we have adopted in abolishing EDA and putting in its place these regional commissions is the model proposed by the gentleman from Mississippi, ROGER WICKER, the president and leader of the freshman class. He is the one that came to the committee, he is the one that proposed this regional commission approach.

I say vote down this amendment.

Mr. MOLLOHAN. Mr. Chairman, I am very pleased to yield 2 minutes to my good friend and colleague, the gentleman from West Virginia [Mr. WISE], the ranking member of the authorizing committee.

Mr. WISE. Mr. Chairman, I thank the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Kentucky [Mr. ROGERS] who have done such an able job.

Mr. Chairman, I rise in strong opposition to this amendment. This bill provides $348 million for EDA programs. This appropriation is well within the Economic Development Administration authorization which our Subcommittee on Public Building and Grounds and Economic Development unanimously, unanimously, passed yesterday, incidentally, at the same time cutting $100 million a year out of EDA in the authorization for a savings of $½ billion over the 5-year period.

EDA is essential to these efforts. In the past 30 years it has created almost 40,000 economic development projects, generated more than almost $2 billion of private sector capital through revolving loan funds that have supported more than 7,000 businesses, leveraged $3 for every Federal dollar invested.

To the critics of EDA who want to vote for this amendment because they do not believe the programs have worked as well as they do, I say, ''Before you vote, listen to the chairman, the gentleman from Pennsylvania [Mr. SHUSTER], look at the authorization bill that passed yesterday.'' This is a visionary, responsive, and constructive new version of EDA.

The bipartisan bill creates a national, Federal, State, and local partnership that focuses on the local governments, and particularly on the Governors being directly involved in economic development. It involves regional commissions. It tightens EDA's program eligibility criteria and lowers it significantly from what it was. It requires all applicants to develop an investment strategy.

A recent EDA project in our State generated over 300 jobs. I calculated for what the Federal taxpayers put in, it would be repaid in new taxes coming from those workers alone in less than 4 years. That is an incredible return on the money, and over 300 more people are working that would not have been working elsewhere. I urge Members to vote against this amendment.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman, I thank the gentleman from Colorado for yielding time to me.

Mr. Chairman, I would just like to say that I want to put my faith in the marketplace. I have respect for what the gentleman is trying to do. I support what the gentleman is trying to do with his amendment, because the real, the real test of business is when we allow the consumer to go out here and they vote on a daily basis with their dollar bill, paying for those services that they feel like they want and they need.

When we pass out Federal dollars or Government dollars and then businesses go ahead and compete, it becomes a system of grantsmanship: who can write up the best grant, who can plead the hardest for what they need. The best and most humane system we have, and this is what we need to encourage, is a system that says ''Individuals can go out there and they make their selection on the services they want to receive.'' The best thing we can do for hardship cases is to reduce the tax burden, to reduce the regulatory burden, and do away with this process where we have some bureaucrat out here saying, ''Okay, you are going to be a winner and you are going to be a loser, and you get this benefit and you do not get that benefit.'' I think we are much better off to support the Hefley amendment and encourage the free market system.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. GILCHREST] who is the chairman of the subcommittee in charge of EDA, the authorizing subcommittee.

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

Mr. Chairman, I would like us to all ponder a question: What is the role of the Federal Government in economic development. What is our role? We hear a lot about the private sector. I think everybody here believes in the private sector. I believe that the role of the Federal Government is to create an environment conducive for economic productivity in the private sector. Once in a while, the Federal Government needs to play that particular role.

The new Republican majority has raised a lot of questions as to what the role is that Government should play in the private sector, and I think we can all agree that in certain circumstances, the Federal Government needs to provide the infrastructure, whether it is highways, water projects, certain basic needs that the community cannot provide for itself.

I want to make one other point here. This is not a giveaway program. This whole program has been reformed, and to a large extent this program provides grants so communities can make them into loans, and these distressed communities can create much more diversity in their economy.

The EDA reform bill, which our subcommittee recently reported, will make significant changes in the way the agency is structured. The Washington bureaucracy of EDA, and listen to this, the Washington bureaucracy of EDA, is entirely eliminated. It will be replaced by eight regional commissions that will be controlled by the States. I might add that under the reforms we have passed, EDA will no longer be dependent on the Department of Commerce. If the Department of Commerce, if it is the will of the House and the Senate to get rid of it, EDA can continue.

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Finally, we will get back to focusing on the mission of EDA, which is creating infrastructure, but I want to make one last important point. The second main mission is one that is gaining in importance with each new round of base closings.

Many communities stand to be devastated by the loss of defense-related jobs. The bill before us directs significant resources into defense conversion. EDA is the largest program aimed at weaning communities off these defense-related agencies.

I urge my colleagues to vote against the Hefley amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the reason for EDA was to help with infrastructure, to help underdeveloped areas, and to help with jobs. That is the name of the game, Mr. Chairman.

In my area, I can point to a foreign trade zone, I can point to a shrimp boat harbor, I can point to all of the areas where we have developed with the help of EDA in cooperation with the local communities.

I do not know that we need any more than strong oversight by the appropriations subcommittee and by the committee of jurisdiction. I know that there are some practices that need to be changed. Maybe there are some people that need to be replaced. But I can say that my experience with EDA has been very positive and we have worked together.

I would like to mention Joe Bailey Swanner, who was the regional director for EDA when I first came to the Congress. He was a professional amongst the professionals. He did what needed to be done. The jobs are there, the infrastructure is there. I can say,

''Thank you, Joe Bailey Swanner. Thank you, EDA.''

All of the other things can be corrected by oversight, yes, maybe they need to change some practices and change some people. Otherwise, I think they do not deserve the fate that is pronounced for them here. EDA has served my area well and I am happy to support them.

Mr. HEFLEY. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Did you hear that?

You will.

Mr. Chairman, I rise in strong support of the Hefley amendment. I dropped this on the table here. This is $850 billion in spending cuts. It balances the budget.

Every single Member of this body that voted for a balanced budget ought to be voting for this amendment, because it is in here, along with $850 billion of other cuts. This amendment is consistent with our goal of balancing the budget.

Eliminating the Department of Commerce. Are any Members going to vote for that? I am. You said you would. Then come over here and vote for this amendment. This redefines the role of the Federal Government.

To truly understand what we are trying to do, I think it may be insightful for the House to review the history of this 30-year-old program. I say that, and I have probably benefited from this program in my district as much as any other district. But, ladies and gentlemen, we have got to balance the budget, or this country is going to go down the drain.

The EDA was formed under the Public Works and Economic Development Act of 1965 as an agency of the Department of Commerce to provide Federal assistance to State and local governments through grants that can be used for public works, technical assistance, defense conversion activities, job programs, and loan guarantees to firms for business development.

Originally created to support the economic growth in some of this country's neediest areas, the EDA through years of bureaucratic growth and political maneuvering has outgrown its purpose and outlived its usefulness, as hundreds of others bureaus and agencies have done.

In our budget, we eliminated them, we restructured the Federal Government.

Over the years, EDA has poured thousands of dollars into politically connected schemes that have invested in shopping centers and hotels in my district, okay? Talk about corporate welfare. Hotels in my district, boating marinas, amusement parks and numerous loans that went, bad, bad, bad, that all of you and your families and I paid for.

The most notorious EDA grant earned the EDA former Wisconsin Senator William Proxmire's Golden Fleece award for spending $200,000 to build a limestone replica of the Great Wall of China in, of all places, Bedford, IN. I do not know what it is doing there. I think I will go out and take a look at it. That boondoggle followed a $500,000 grant to build a 10-story model of the great pyramid of Egypt. Clearly Federal dollars could be better used than on that project.

Mr. Chairman, these are not just random EDA expenditures. According to the Congressional Budget Office, EDA programs have been criticized for substituting Federal credit for private credit.

This is the United States of America. Let us get the Federal Government out of the loan business, and for facilitating the relocation of businesses from one distressed area to another. In other words, you come from a distressed area and your community puts in an application. It scores high. So what it does, it creates a program to take a business out of one distressed area and put it in the other. Does that make any sense? Absolutely not.

The EDA has also been criticized for its broad eligibility criteria which allows areas containing 80 percent of the United States population to compete for benefits and for providing aid with little proven effect compared with other programs having similar goals.

Despite these faults, some in this body may argue that eliminating this funding will unduly harm local communities. However, due to the competitive nature of EDA programs, local governments already do not incorporate this type of aid into their annual budgets, so you are not going to hurt them one dollar.

Therefore, eliminating future EDA funding effective immediately would not impose unexpected hardships on any community in this United States, but instead would foster more local control of developing local solutions to local problems and at the same time save the American taxpayers over $349 million. While the EDA may have once funded on a greatest needs basis, today the decisions have become in a great many cases highly politicized, with absolute need apparently no longer a priority.

I say all this, ladies and gentlemen, because in my district I have taken advantage of this, but the truth of the matter is this. Like other programs—the Small Business Administration, I came out of the small business area—it just is not right to subsidize one business at the expense of another. Every time we make a Small Business Administration loan to someone who has been turned down from 2 to 3 banks, and the next-door neighbor in competition with him has got to pay the income taxes to pay for the loan guarantee and the interest on that loan, that is wrong.

Ladies and gentlemen, if we are going to restructure this government, if we are going to stop this sea of red ink that is literally ruining this country, so that the annual debt service just to pay the interest on this loan today is more than the defense budget, that is what it is going to be for 7 years, you are going to be held responsible. Your children are going to regret it. That is why you ought to vote for this amendment.

If you are going to say with all the rhetoric that you support a balanced budget, then you are going to have to cut in your district as well as the other guy's. That is what I am doing in mine. That is why you have got to support this amendment.

Mr. ROGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. ENGLISH].

(Mr. ENGLISH of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I am opposed to the amendment to H.R. 2076 offered by my colleagues, Messrs. HEFLEY and SOLOMON. I support the proposed funding level for the programs and administrative expenses of the Economic Development Administration [EDA]. The EDA has effectively operated the Trade Adjustment Assistance Center and maintaining this mutual relationship is essential to continue to protect American workers and manufacturers nationwide who have been severely impacted by foreign imports.

I have been a strong advocate of retaining adequate funding levels for both the EDA and the Trade Adjustment Assistance [TAA] program. Over 23,000 manufacturing firms in my home State of Pennsylvania rely on TAA. I was pleased to see that in an era of tremendous fiscal constraint, the Committee disagreed with President Clinton's recommendation to eliminate the program and chose to include sufficient resources to provide strategic protection for our domestic workforce in a competitive world economy.

The number of jobs and amount of company sales supported by TAA is impressive, particularly relative to the modest amount of Federal investment. In Pennsylvania, this private/public partnership has resulted in the protection or creation of approximately 6,000 jobs and $485 million in company sales. Moreover, nationwide TAA has resulted in the reinvestment of $742 into the economy (including Federal tax revenues) for every Federal dollar appropriated for the program. That's a solid investment by any standard.

I urge my colleagues to protect U.S. manufacturing by continuing TAA funding through the able administration of the EDA. TAA and other services provided by the EDA will allow our companies to compete with imports, and expand into the global marketplace.

Mr. ROGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of the Economic Development Administration and against the Hefley amendment.

Why is it that we are against the Federal Government lending a helping hand to economically distressed communities? Were we

sent to Washington to abandon areas of our Nation that require Federal assistance to provide jobs for their citizens? I don't think so.

Now I am not claiming that every EDA loan or grant can be defended. But this amendment throws out the baby with the bathwater. The Transportation and Infrastructure Committee is in the process of reauthorizing EDA, and I am confident that bill can clean up any problems with the agency. You don't improve a program by eliminating it.

Killing EDA is particularly offensive right now because many communities being aided buy the EDA are the victims of Federal policies. Almost $100 million in this bill would go to assist communities that have been hard-hit by base closures and realignments. Don't we have an obligation to assist communities that have been harmed by sudden reversals of Federal policy? I think we do, and so do those on the Appropriations Committee.

I could provide a list of EDA success stories, but my time is limited, and I'm sure many of you have your own lists from your own districts. The EDA is a successful means to fulfill Federal obligations. The Appropriations Committee—hardly a bunch of big spenders—have recognized this.

This bill cuts funding by 21 percent, but it allows a reformed EDA to continue working to endure that American in all regions of this country can share in our prosperity. That's a worthy and necessary mission. I urge defeat of this amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. BLUTE].

Mr. BLUTE. Mr. Chairman, I rise in strong opposition to this amendment, which would completely eliminate the Economic Development Administration [EDA] and all its programs.

Mr. Chairman, over the years, the EDA has played a pivotal role in helping communities across the country overcome severe economic difficulties. This is an excellent example of a program that truly works.

I have seen the good work of the EDA in action. In particular two communities in my district, Worcester and Attleboro, MA, have receive much-needed assistance from the EDA. These communities were hit particularly hard during the period of economic hardship that swept across the country earlier this decade.

Mr. Chairman, clearly economic development assistance remains an important source of funding for many communities. At the same time, I recognize the need for reform and reductions in Federal spending. As a member of the Transportation and Infrastructure Committee, I fully support the EDA reform bill that was recently reported out of subcommittee.

In closing, I would simply state that this amendment is ill-advised and would destroy a program that has helped and continues to help needy communities around the country. I applaud Chairman ROGERS for his support and interest in the EDA. Reform measures and spending reductions are moving through the committee process which will result in an even stronger, more efficient and responsive economic development program.

I urge my colleagues to defeat this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois [Mr. POSHARD].

Mr. POSHARD. Mr. Chairman, I rise today in strong support of the Economic Development Administration. With all due respect to my friend the gentleman from New York, I have a completely different view of the EDA.

We are talking about help in distressed areas of this country. I represent a coal mining district that has been closed down by the Federal Clean Air Act. You want to talk about help to our communities? It was the EDA that helped us get a water tower, I say to the gentleman from New York [Mr. SOLOMON], that saved 1,250 jobs in one of those communities that was devastated in a coal mining community.

It was the EDA that helped us put a sewer line into a business park that had been ravaged by another one of our Federal acts. It was the EDA that helped us put in a water line and a sewer line for an industrial park that has created a diverse economic opportunity for hundreds of people in my district.

I have a distressed area. The EDA and the Small Business Administration above all Federal agencies are the two agencies that have helped us forge Federal, State, and local partnerships to save our jobs in this country, and we should not be cutting funding for this agency.

Mr. HEFLEY. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I would just say to my good friend, where the problem is, it is not with keeping the EDA going. We ought to come with the Corrections Calendar and repeal some of those things that have caused all those problems in the gentleman's district. I am on that committee. I will support him if he does.

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

Let me just respond to some of the things that have been said. The budget that we passed here the other day, the balanced budget by 2002, assumed that we would get rid of the EDA. That was a part of the assumption that was built into that budget and the gentleman from New York [Mr. SOLOMON] eloquently made that point. It did not assume, as the gentleman from Pennsylvania [Mr. SHUSTER] said, that we would get rid of the EDA but we would change its name to something else.

What does that do for the $348 million if you move it from this pocket to that pocket? I guess we can go home and we can brag to our constituents, We got rid of the EDA. You wanted us to get rid of that. We got rid of the EDA, and it's gone. But then it is over here doing something else. That does not save the money. That does not get us down the road to the time when we will have a balanced budget in the year 2002.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. I thank my friend from West Virginia for yielding me the time.

Mr. Chairman, I rise in support of the Economic Development Administration's level of funding contained in this bill. Consequently, I oppose the amendment. I want to congratulate the people that have spoken out. I am going to sound something like a chorus here: The gentleman from Kentucky [Mr. ROGERS], the chairman; the gentleman from West Virginia [Mr. MOLLOHAN]; the gentleman from Pennsylvania [Mr. SHUSTER]; and the gentleman from Maryland [Mr. GILCHREST] as well. We are fighting within a tight budget to reform an administration that might in some ways need some reform but has been incredibly effective in my community there in Alabama.

In the Fifth District of Alabama, EDA has helped leverage non-Federal funds on projects ranging from water treatment facilities to business incubators. I think most of my local officials are clearly endorsing EDA, especially its concept of helping communities that help themselves. EDA is important because it provides seed money that promotes long-term investments that respond to locally defined economic priorities.

I hope the Members will pay attention to this debate. I think we owe as much responsibility to revise and evaluate before we eliminate. We should not make an extreme move and eliminate EDA. I oppose this amendment.

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Mr. ROGERS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Mr. Chairman, I would associate myself as a very practical matter with the remarks just made by the gentleman from Illinois [Mr. POSHARD].

My district is right across the river from the gentleman's district, and I can say the gentleman knows whereof he speaks and I share his sentiments. I also agree with the gentleman from Colorado [Mr. ALLARD] who made an exceedingly fine philosophical statement with which I can also agree.

But the answer, Mr. Chairman, lies somewhere between economic purism and the reality of factors out and around the country that would say from time to time, certainly in some of these small, disadvantaged communities, some help is needed. So I do not think the answer lies all one way or the other.

Mr. Chairman, I regret that the gentleman from New York in his presentation of bouncing books on the table

down here had apparently not heard the statement of the Chairman of the Committee on Transportation and Infrastructure, who has assured the House that significant serious reform is in process in the committee, and that significant dollars will be shaved and more appropriately directed than in the past.

I rise in strong opposition to the Hefley amendment and urge Members to take a more balanced view.

Mr. Chairman, I rise today in strong opposition to this amendment and in support of the successor agency to the Economic Development Administration. First, I want to explain what the EDA does and has done for those who may not be familiar with this issue. The EDA works with many of America's most economically distressed local communities and regions to plan and implement development projects to create jobs, retain jobs, and spur economic growth throughout rural and urban America.

In fact, I can tell you that had it not been for the EDA, several communities in my rural district would not have been able to attract the businesses and jobs that are now located in these areas. Over the years, the EDA has leveraged billions of dollars in local government and private capital for projects and generated billions more in tax revenues. For these reasons, the EDA has enjoyed the bipartisan support of the Congress for 30 years.

This Congress will soon approve or disapprove BRAC's third round of recommendations for base closure and realignments. These recommendations will have a devastating impact on communities and families across the nation. Who do you think will be there to offer help to these cities and towns? The Economic Development Agency or its successor agency will be there only if this amendment fails.

When rivers rise and communities are flooded; when earthquakes strike and all that is left is rubble; when a major plant closes due to foreign trade and leaves behind a virtual ghost town; when a community comes up with a great development plan but can't scrape together all the funding by itself, who steps in to help? The Economic Development Agency will, but only if this amendment fails.

Mr. Chairman, while opponents may question the usefulness of the EDA and exaggerate the past problems associated with the program, I stand and want to reform it, but not abolish it. I want to take a moment to explain that the authorizing committees are working on reforms. Under the able leadership of Chairman SHUSTER and Chairman GILCHREST, the Committee on Transportation and Infrastructure, and its Subcommittee on Public Buildings and Economic Development, EDA reform legislation is coming together.

EDA reform legislation replaces the federal bureaucracy with regional commissioners to make policy and grant decisions. The bill would also reform eligibility criteria to focus funds on truly distressed regions and cuts spending by $100 million a year. And finally, the EDA reform bill would allow the EDA to continue to do its important work if the Department of Commerce is eliminated. Let me make this point clear. A vote for the EDA is not a vote for the Department of Commerce.

Mr. Chairman, the EDA is the only place for distressed communities to turn when they are not able to contribute all of the capital investment needed for legitimate public works and economic development projects. The EDA reform bill will change the way the EDA does business for the better. I strongly urge my colleagues to oppose this amendment.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. KANJORSKI].

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

I have heard all the arguments, and I join my colleague from Missouri [Mr. EMERSON]. I have been to the gentleman's district, I have been to Illinois, I have been to Pennsylvania.

What we are really talking about here, Mr. Chairman, is priorities. We are trying to save about one-fifth of a B–2 bomber, the $350 million we are talking about here. I cannot talk about the whole country, and I cannot say that there are not those examples of the Golden Fleece Award, as my friend, the gentleman from New York, mentioned, but I can tell you one little story.

Nanticoke, PA, 3 years ago, was able to get an EDA grant that afforded the municipal authority the opportunity to build a $4 million building downtown. It was the first $4 million building built from the New York State line to Harrisburg, along the Susquehanna River, that had an elevator that went above two floors. In that building more than 300 people today are employed in data processing for a Fortune 500 insurance company that would never have come to northeastern Pennsylvania or that little town.

Mr. Chairman, 300 people are employed making $15,000 to $25,000 a year that otherwise would have been on unemployment compensation, welfare, or unemployed. That is what economic development is all about. That is what our priorities should be all about.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman three decades ago ''Night Comes to the Cumberlands'' described the abject poverty and desperate economic conditions in which people in rural Appalachia lived, and the Nation responded with the Appalachian Regional Commission, an issue we settled on the floor last week.

Similar conditions exist in rural areas and in pockets of poverty in urban areas around this country, and the Congress responded to their needs with the Economic Development Administration. Every year, the jobs created by EDA exceed the total amount of Federal investment by over $6 billion a year in Federal, State, and taxes paid from the jobs created by EDA.

Mr. Chairman, let us not chop this program from the Federal budget. Let us give hope to the economically depressed areas, the investment-starved areas of this country, so that, for them, ''Night Comes to the Cumberlands'' will become ''Morning Comes to America.''

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

Mr. TOWNS. Mr. Chairman, I rise in opposition to the amendment. At $348.5 million, the subcommittee has already reduced funding for EDA by 21 percent from its fiscal year 1995 funding level. Totally eliminating funding for this Agency is not justified either from the standpoint of fiscal constraints or economic development policy.

The Economic Development Administration plays a vital role in supporting and enhancing communities around this Nation in a manner that is not carried out by any other agency. EDA grants help localities to build the capacity to plan and implement economic development strategies needed to respond to problems and to restore an employment base.

In areas where there has been a significant loss in the manufacturing sector, EDA has been able to halt further economic deterioration through its revolving loan programs to local businesses. In Buffalo, these efforts resulted in a 61-percent increase in manufacturing employment.

EDA also aids strategic planning and feasibility studies that bolster cooperative efforts for local economic development. For example, EDA efforts in this area helped the State of Maryland and the city of Baltimore to develop a restructuring plan for the promotion of local biomedical research and health facilities.

But Mr. Chairman perhaps the most important aspect of EDA programs are being overlooked here. The Agency's ability to pay for itself. It may be the only Federal program that is actually a net profit maker with a return for the Federal Government. Statistics suggest that approximately $3 of private investment is spurred by every invested EDA dollar.

As the Secretary indicated in his testimony before Congress, ''* * * economic opportunity is not evenly dispersed to all communities * * *'' EDA programs strive to equalize the economic playing field for distressed communities. This week the Public Works Committee reported out new strict eligibility standards which will ensure that EDA grants are awarded to our most distressed regions. This action ensures that funds will only go to the neediest communities.

Let us give these new changes an opportunity to work. EDA makes an important contribution to the economic vitality of this country. It is an agency that we need and an agency that deserves our support.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I rise in strong opposition to the amendment to eliminate the EDA. The EDA works. We are cutting the EDA by 20 percent in this bill and that is enough.

Mr. Chairman, I have seen it work in my own district in Virginia, where

Henry County used an EDA grant to prepare a site for an industrial park. The EDA grant of $650,000 was matched by $740,000 in State and local money and attracted private sector investments of $68 million, 100 times the investment of EDA.

As a result, 550 people now work at the site in six different businesses. However, the site today would be an empty lot in a high unemployment area, except for the investment of the EDA.

Mr. Chairman, my district is not unique. The EDA is targeted, it is effective and locally driven, and the EDA works in partnership with local leaders in the private sector to foster economic growth for citizens in distressed areas. Clearly, the EDA is an important cost-effective agency; one that we should support, not eliminate.

Mr. Chairman, I urge my colleagues to reject this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. MINETA], a distinguished minority member of the authorizing committee.

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

Mr. MINETA. Mr. Chairman, I rise in strong opposition to the amendment offered by my colleagues from Colorado, New York, and Florida. However, before I discuss the specific provisions of the amendment, I would like to commend the chairman of the Commerce, Justice, State, and Judiciary Appropriations Subcommittee, Mr. ROGERS, and its ranking member, Mr. MOLLOHAN, for their excellent work on this bill.

This bill provides $348 million for the programs of the Economic Development Administration [EDA]. This appropriation cuts the EDA's current year funding by more than 20 percent. It is $91 million less than the President's request and well within the economic development authorization which our Subcommittee on Public Buildings and Economic Development unanimously passed just yesterday.

Nevertheless, this amendment seeks to eliminate all funding for the Economic Development Administration. At a time when the infrastructure of distressed communities is crumbling, this amendment would eliminate much-needed public works funds. At a time when communities need assistance to determine how to compete in the global market, this amendment would cut off critical planning and technical assistance. At a time when our defense industry is radically downsizing and hundreds of bases are closing, this amendment would cut assistance these communities and the industry need to help them pick themselves up, brush themselves off, and put the pieces of job creation back in place.

For instance, look at EDA's crucial role in defense conversion. Nationwide, more than 250 military bases are currently closing and almost 150 additional facilities are being realigned. As we all know, the 1995 Base Closure and Realignment Commission proposes closing another 79 based and realigning 26 others. In my home State of California alone, the defense industry has already lost one-quarter of a million jobs. Since 1988, 21 major bases have been slated for closure, with more than 80,000 military and civilian workers losing their jobs.

Through it all, EDA—with infrastructure grants, business development loans, and technical assistance—has helped both communities and industry adjust to the post-cold-war world. Now is not the time to kill this critical program.

To the critics of EDA, let me say: the subcommittee-passed bipartisan authorization bill will launch EDA on a new effort founded on reform, responsibility, efficiency, and accountability. Gone are the programs and approaches of old. Gone are the inefficient bureaucracies; gone are the archaic eligibility requirements; and gone are the time-consuming and cumbersome approval processes. I believe that our bill addresses your concerns about EDA.

Both the Transportation Committee's bipartisan authorization bill and this appropriation bill address the concerns of the past and the challenges of the future. Before we eliminate these programs without due consideration to the effect, let us provide EDA with an opportunity to ensure that our Nation's economic development program is second to none.

I urge Members to vote ''no'' on the amendment.

Mr. Chairman, it was my hope, that our colleague from New York, Mr. SOLOMON, in dropping all the papers here, would have left them here, because I would have come back to put them back into place.

Mr. Chairman, I submit the following:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 1995.

Mr. WILLIAM DAVIDSON,
Regional Planning Board,
Lake George, NY.

DEAR WILLIAM: Thank you for contacting me regarding the Economic Development Administration. I most certainly share your concern with this matter. I vigorously support the efforts of the Economic Development Administration to provide much needed capital to businesses.

Although, Congress recently rescinded a total of $45 million in unspent funds to the Economic Development Administration, these funds represent monies that were authorized years ago and still remain unspent. This reduction does not represent a cut in current funding for the Economic Development Administration.

These rescissions consist of funds appropriated in fiscal year 1992 for emergency relief related to Hurricane Andrew and the Midwest floods. In both cases money for the Economic Development Administration was not requested by the Clinton Administration. Additionally it was generally accepted that these funds had been available for an appropriate length of time to address the effect of economic dislocation resulting from these disasters. The bill also included the rescission of $7.5 million originally provided in 1987 for the Fort Worth Stockyards Project that remained unspent after eight years.

These rescissions and others like them address the long overdue problem of our national debt that now exceeds $4.5 trillion and threatens the fiscal stability of this nation for future generations. Interest in the deficit will amount to over $234 billion this year alone. This means that this year's spending by the federal government will be paid for by our children and grandchildren. That's why spending reforms must take place to make this government live within its means and to restore accountability to the budget in Washington. For as long as I have been in Congress, I have supported efforts to reduce government waste and achieve a more efficient use of taxpayers' money. For the sake of future generations the time has come to cut spending. This means reducing, consolidating and eliminating even the most popular programs.

Although, the time has come for all programs to be trimmed or returned to localities, I strongly support helping small business and will do everything possible to ensure that the reforms maintain the Economic Development Administration.

Once again, thank you for contacting me regarding your thoughts on this matter.

Sincerely,

GERALD B. SOLOMON.

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

Mr. Chairman, let me say I have offered similar amendments over the years to abolish EDA and in the past it is not the easy thing to do, because it is the kind of amendment that strains friendships. Each of my colleagues has their own experiences about how EDA has helped their communities.

Mr. Chairman, I do not dispute that the EDA has done some good things, but it cannot be disputed that the EDA has had many, many failures as well. To top that off, the financial management of the EDA, according to the Department of Commerce inspector general, is in absolute shambles.

But, Mr. Chairman, the debate is not about whether a particular project is beneficial or not. The debate is whether the EDA is the best use of taxpayers' dollars and it clearly is not. The EDA's influence on the economy is highly overrated. On a good month, the U.S. economy creates more long-term jobs than the EDA has created in its 28-year history.

The best economic performance this country has experienced in the past 28 years was when the EDA's budget was at its lowest. Let us face it, the EDA has been on the chopping block for years. It has survived for the simple reason that it makes Representatives and Senators look good.

Mr. Chairman, I contend that balancing our budget will do more for all of our reputations than all of the successes of the EDA. We need to bring these taxpayers' dollars back to do what they should be doing.

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

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. CLINGER], the chairman of the Committee on Government Reform and Oversight.

Mr. CLINGER. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Colorado [Mr. HEFLEY] with all due respect.

Mr. Chairman, I think that having been at one time an alumnus of the EDA, I would disagree that the Agency has not, in fact, done many good things throughout this country. It has not been a boondoggle. We used to argue this with David Stockman who said it was a zero sum game and it does not create any new jobs.

□ 1830

I think there are Members in this body who can speak from experience who know, in fact, we did create jobs.

I think the important thing to emphasize here is we are now on track to eliminate the Department of Commerce. We are proceeding to do that. My committee is going to be not orchestrating it, but finding out where things fit.

I think it would be premature at this point to eliminate EDA until that process that we have ongoing now through the reconciliation process has been completed.

I think the chairman, the gentleman from Pennsylvania [Mr. SHUSTER], testified we are making dramatic changes in the delivery system. There have been mistakes. Too much of the country qualified for EDA assistance. It clearly should be focused on those areas of greatest need. Give us a chance to make those kinds of reforms. Give us a chance to do reconciliation before we hack the agency to death.

Mr. ROGERS. Mr. Chairman, I yield the balance of our time to the gentleman from Mississippi [Mr. WICKER], who, as many know, is president of the freshman class on the Republican side of this body.

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

Mr. WICKER. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding this time to me.

I certainly rise in opposition to this amendment, and I rise in support of the Economic Development Administration.

I want to associate myself with the remarks made by many of my colleagues here this afternoon.

My colleague, the gentleman from New York [Mr. TOWNS], spoke eloquently on behalf of the EDA, and I want to take issue with only one thing he said. He said that EDA is the only agency he knows of that actually makes money for the Government at the end of the day by drawing down so much money from other levels of Government and from the private sector. Actually, there are other such agencies, and I would suggest to you that this is the very argument that carried the day on behalf of the Appalachian Regional Commission a couple of weeks ago, when, by an overwhelming bipartisan majority, this House rejected an amendment to defeat the Appalachian Regional Commission and rejected an amendment to eliminate the economic development portion of the Tennessee Valley Authority.

The same arguments that carried the day 2 weeks ago on TVA and ARC are true today, with the exception of the fact that EDA helps needy counties in every section of the United States of America, not just in a localized area, as the Appalachian Regional Commission and TVA do.

It would be the height of inconsistency for this House of Representatives to save the ARC and TVA while at the same time killing EDA.

Now, there are differences in the programs, but the main factors still remain. I would suggest to you that the chairman, the gentleman from Pennsylvania [Mr. SHUSTER], was correct when he spoke earlier about the need for changes in the funding formula.

I do have a bill in the subcommittee that has authorizing jurisdiction, and that subcommittee is working on changing the funding formulas. I think, quite frankly, that EDA could have more of a bottom-up approach and more participation by the Governors than they presently have.

But the arguments still basically are the same. We are talking about an agency that provides jobs and an agency that is working. It provides for needy countries, for example, fire protection to attract jobs and industry into a community and create taxpayers out of people. It helps communities build industrial parks. It helps communities build access roads to job locations. This is money well spent.

There is Federal money that basically takes a dollar out of somebody's pocket who is working and gives it to somebody else who is not working. I think Americans have the right to question that type of Federal spending, and we are doing that. We are balancing the budget in this House of Representatives and in this Congress.

But, when we can take Federal dollars and provide the opportunity for private sector employers to create jobs in the private sector and make taxpayers out of individuals in the counties which need it most and the locations which need it most, to me that is so much better than a transfer payment because it creates long-term jobs. EDA, just like TVA and ARC, is a good investment in jobs in the private sector.

I urge a ''no'' vote on the amendment and support for the EDA.

Mr. FOGLIETTA. Mr. Chairman, I rise to strike the requisite number of words.

I rise in strong opposition to this short-sighted amendment which would terminate funding for the Economic Development Administration.

As the Representatives whose district is home to the Philadelphia Naval Shipyard and has been one of the most heavily affected regions in the base closure process, I know firsthand the remarkable work being done by EDA.

With the expected loss of over 38,000 direct and indirect jobs as a result of the closure of the Navy Yard, EDA was on the ground working with the community—not as bureaucrats, but as a partner.

In Philadelphia, thanks in large part to this partnership, we are on the brink of creating good jobs and economic opportunity by reviving commercial shipbuilding at the Navy Yard.

EDA provides planning grants to local communities so that they can develop their own economic development plans. EDA provides seed money for community-identified infrastructure investments so that they can recover from an economic loss and rebuild their economic base.

And there are similar success stories throughout the Nation. EDA is assisting big cities hit by defense downsizing, small farming communities stricken by drought and suburban towns hurt by industry cutbacks.

People think of big cities when they talk about the EDA. But these EDA cuts will cut across all geographic lines.

I urge my colleagues to talk to their mayors, county executives and local chambers of commerce to hear these success stories firsthand. Oppose this amendment.

Mrs. CLAYTON. Mr. Chairman, I rise in opposition to the amendment.

The Economic Development Administration has been critical for rural America, and it promotes domestic growth as well as international trade growth.

It truly puzzles me how Members can propose to eliminate the very agencies of Government that have been effective in advancing the fiscal health of America.

The Economic Development Administration has done that.

I wonder if Members are aware of how this agency works.

I am familiar with how it works in the promotion of international trade and exporting of U.S. goods and services.

That is a vital and important function.

Exports from the United States have accounted for more than one-third of the economic growth in America, over the last 7 years.

Over the next 10 years, exports will grow three times as fast as any other component of the U.S. economy.

Export-related jobs have grown faster than domestic employment and export-related jobs pay almost one-fifth more than other domestic jobs.

In 1994 alone, exports supported some 11 million jobs in this Nation, and by the year 2000, exports will support nearly 16 million jobs.

In light of this compelling data, why then, Mr. Chairman, does this House seem to continue to be penny wise and pound foolish?

Why does this House continue to cut the budget without regard to what's in the budget?

Is this House so determined to march recklessly towards a balanced budget that it is willing to sacrifice good, important and valuable programs along the way?

I would suggest, Mr. Chairman, that by retaining the Economic Development Administration, we are more likely to balance the budget by the year 2002 than if we eliminated it.

The Economic Development Administration does just what its name suggests—it spurs economic development in America—not just domestic development, but global development, where the real future lies.

I urge a ''no'' vote on this amendment. Wake up Congress!

Mr. RAHALL. Mr. Chairman, I rise in strong opposition to the amendment offered by my colleague, Representative HEFLEY, to strike all funds contained in H.R. 2076 for the Economic Development Administration.

Just yesterday, a bill reauthorizing the EDA was reported to the Transportation & Infrastructure Committee by the subcommittee of jurisdiction, and it is a bill that streamlines and tightens eligibility for EDA program assistance so that the funds spent go only to our most distressed regions throughout the Nation.

H.R. 2076, the Commerce/State/Justice appropriations bill, has already cut EDA funding by 21 percent—or $91 million—below the fiscal year 1995 funding level. Twenty-one percent is a huge cut and I believe it represents EDA's fair share contribution toward reducing the deficit.

The reauthorization bill preserves the basic EDA programs, but has radically altered the program delivery mechanism by adopting an ARC Commission model for future grant-making and policy decisions.

In order to counter criticism of the EDA that it is nothing more than a Federal piggy bank, the new authorizing legislation strengthens the program by tightening the eligibility criteria, so that only truly distressed regions throughout the country will receive economic development assistance.

Mr. Chairman, the new authorizing bill continues the ability of communities to respond to defense cutbacks and base closures while, at the same time, retaining eligibility for local development districts and university centers; the bill also reforms the EDA delivery mechanism basing it on the ARC model of documented success; and it tightens eligibility criteria, while cutting EDA funding by $91 million—21 percent in fiscal year 1996. This is good reform where needed, and qualifies the EDA for our continued support.

I urge my colleagues to defeat the Hefley amendment to abolish the EDA, and urge their strong support for the continued funding for this vital job-creating program.

This is a program that has always helped regions of the country in need of economic development and job-creating assistance—and it should be allowed to continue to provide this assistance to local governments.

Defeat the Hefley amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of today, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: First, amendment No. 43 offered by the gentleman from Colorado [Mr. ALLARD]; second, amendment No. 1 offered by the gentleman from Colorado [Mr. HEFLEY].

AMENDMENT OFFERED BY MR. ALLARD

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado [Mr. ALLARD] on which further proceedings were postponed and on which the nose prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 17-minute vote.

Pursuant to the order of the House of today, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the next amendment.

The vote was taken by electronic device, and there were—ayes 197, noes 230, not voting 7, as follows:

[Roll No. 578]

AYES—197

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Boehner
Bonilla
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Chabot
Chambliss
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fields (TX)
Foley
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hunter
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
Kingston
Kleczka
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Moorhead
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Regula
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Wamp
Watt (NC)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Zeliff
Zimmer

NOES—230

Abercrombie
Ackerman
Baesler
Baldacci
Ballenger
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Blute
Boehlert
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Calvert
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Cramer
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Ehlers
Engel
English
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Forbes
Ford
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Green
Greenwood
Gutierrez
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Houghton
Hoyer
Hutchinson
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Klink
Kolbe
LaFalce
Lantos
Laughlin
Leach
Levin
Lewis (GA)
Lightfoot
Lincoln
Lipinski
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McCrery
McDade
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Quillen
Rahall
Rangel
Reed
Richardson
Riggs
Rivers
Rogers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Skaggs
Skelton
Slaughter
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Volkmer
Walsh
Ward
Waters
Watts (OK)
Waxman
Weldon (FL)
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—7

Bateman
Chenoweth
Collins (MI)
Dingell
Hall (OH)
Moakley
Reynolds

□ 1854

The Clerk announced the following pair:

On this vote:

Mrs. Chenoweth for, with Mr. Dingell against.

Messrs. HOLDEN, DEUTSCH, FORD, and SKELTON changed their vote from ''aye'' to ''no.''

Messrs. GALLEGLY, RADANOVICH, BUYER, LAZIO of New York, WICKER, EMERSON, and GORDON changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 115, noes 310, not voting 9, as follows:

[Roll No. 579]

AYES—115

Allard
Archer
Armey
Bachus
Baker (CA)
Barr
Barrett (NE)
Barton
Bass
Bereuter
Bilirakis
Bliley
Boehner
Brown (OH)
Brownback
Bunning
Chabot
Christensen
Chrysler
Coble
Condit
Cox
Crane
Crapo
Cubin
Cunningham
DeLay
Doolittle
Dornan
Dreier
Dunn
Ehrlich
Ensign
Ewing
Fawell
Fields (TX)
Foley
Forbes
Frisa
Gallegly
Goss
Gutknecht
Hancock
Hansen
Hastert
Hayworth
Hefley
Hobson
Hoekstra
Hoke
Hostettler
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Klug
Kolbe
LaHood
Largent
Linder
Manzullo
McCollum
McInnis
McIntosh
McKeon
Miller (FL)
Moorhead
Moran
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Paxon
Petri
Porter
Pryce
Radanovich
Ramstad
Rohrabacher
Roth
Royce
Salmon
Sanford
Scarborough
Schaefer
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Smith (MI)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Talent
Tate
Tiahrt
Waldholtz
Walker
Watt (NC)
Weldon (PA)
White
Wolf
Young (FL)
Zeliff
Zimmer

NOES—310

Abercrombie
Ackerman
Andrews
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barrett (WI)
Bartlett
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilbray
Bishop
Blute
Boehlert
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Bryant (TN)
Bryant (TX)
Bunn
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cardin
Castle
Chambliss
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coburn
Coleman
Collins (GA)
Collins (IL)
Combest
Conyers
Cooley
Costello
Coyne
Cramer
Cremeans
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Funderburk
Furse
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Graham
Green
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Holden
Horn
Houghton
Hoyer
Hunter
Hutchinson
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kingston
Kleczka
Klink
Knollenberg
LaFalce
Lantos
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCrery
McDade
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Morella
Murtha
Myers
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Portman
Poshard
Quillen
Quinn
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Scott
Serrano
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Wamp
Ward
Waters
Watts (OK)
Waxman
Weldon (FL)
Weller
Whitfield
Wicker
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—9

Bateman
Canady
Chenoweth
Collins (MI)
Dingell
Hall (OH)
Moakley
Reynolds
Roukema

□ 1902

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. ROUKEMA. Mr. Chairman, on rollcall No. 579, I was not recorded. I believe that I registered a ''no'' vote but it was not recorded.

Had I been present, I would have voted ''no.''

I ask unanimous consent that my statement appear in the RECORD immediately following that rollcall vote.

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

Mr. Chairman, if I may have the Members' attention on the schedule, I think we have some information that would be helpful to everyone.

Mr. Chairman, we think we have time agreements on all the rest of the amendments that will take significant time, and we think that will take around two hours. We think we should roll all votes on this bill until all debate has ended so that there will only be one other series of votes at the conclusion of debate.

Therefore, Mr. Chairman, if this is agreeable, there will not be any votes, we estimate, for around two hours.

Members who have amendments should be prepared to offer them because there will not be any intervening votes to kill time.

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

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

Mr. PACKARD. Mr. Chairman, we intend to have on the legislative branch appropriations bill a unanimous-consent to appoint conferees after the last vote on the bill. We do not anticipate a vote to be called for on either side. If that is the case, then there would not be a vote, but that is the intent, to ask unanimous consent to appoint conferees, and we intend to go into conference tomorrow, tomorrow evening. We are assuming no one will call for a vote on that.

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Chairman, on today, Wednesday, July 26, during consideration of H.R. 2076, the Commerce, Justice, State appropriations bill for fiscal year 1996, I missed rollcall vote No. 577. Had I been present, I would have voted ''no.''

The CHAIRMAN pro tempore (Mr. LAHOOD). Are there further amendments to title II?

AMENDMENT OFFERED BY MR. MOLLOHAN

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MOLLOHAN:

On page 43, line 2, strike '': *Provided*, That'' and all that follows through ''grants'' on line 10.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on

this amendment and all amendments thereto close in 30 minutes and that the time be equally divided.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 15 minutes, and is the gentleman from Kentucky [Mr. ROGERS] seeking recognition in opposition?

Mr. ROGERS. I am, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Kentucky [Mr. ROGERS] will be recognized for 15 minutes in opposition.

The Chair recognizes the gentleman from West Virginia [Mr. MOLLOHAN].

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

Mr. Chairman, I rise to offer an amendment to strike language in the bill which prohibits funds under the NIST Industrial Services account from being used for the Advanced Technology Program.

Mr. Chairman, this program has been in existence for 4 or 5 years. It was initiated under President Reagan's administration. One of the prime sponsors was a former distinguished Member of this body, Mr. Ritter, who served on the Republican side of the aisle from Pennsylvania. It was an expression of his strong interest and, as well, the Reagan administration's interest, in this country being strategic about approaching technology development and understanding its importance in making the United States competitive vis-a-vis our world competition.

The rule today did not permit me to offer the amendment I would like to offer, Mr. Chairman, which was to restore funding to the ATP program. In this bill funding is eliminated in 1996 for any new ATP grants. There is carryover money allowed in the bill to fund grants made in 1994 grants and before. However, Mr. Chairman, the funding is not adequate. My amendment today would strike the language in the bill which is contained on page 43 which states that none of the funds made available under this heading in this or any other act may be used for programs of carrying out additional program competitions under the Advanced Technology Program. This amendment does not restore any funding. It simply eliminates that prohibition.

Let me say a few words about the ATP program, which I think is extremely valuable. Some would say, Mr. Chairman, that the Advanced Technology Program is corporate welfare. I would suggest that nothing is further from the truth.

Let me make it clear that ATP is not an entitlement program. It is a competitive program. In fact, industry funds more than half of the total R&D costs for ATP projects, and most of the awards of this program go to small and medium-sized businesses. Many of these businesses are in partnerships with universities, with foundations, with research organizations, as well as with larger corporate partners. That is hardly corporate welfare. Additionally, ATP does not pick winners and losers. This program does not even address technology when it is at the commercial state. It is pre-competitive.

Mr. Chairman, I urge support for our amendment to remove this limiting language.

Mr. ROGERS. Mr. Chairman, I yield myself one minute.

Mr. Chairman, I rise in strong opposition to the gentleman's amendment, and I will yield myself further time in a few minutes, but I wanted the Chairman of the Committee on Science to be able to speak because he has other work he has to go to.

This amendment deals with the Commerce Department's Advanced Technology Program, which is not currently authorized. I do not expect it will be reauthorized, and it is not funded in this bill. The amendment deletes the insurance language in the bill, language which insures that recipients of ATP grants in prior years would have some continuation funding to either complete their projects or to carry them through while they find alternative funding.

So I urge a no vote on this amendment. We did not fund the program in this bill. We allowed unused money, carryover money, from last year to be used to pay for projects from 1994 and previous years, but not 1995, nor certainly any new ATP grants. We think it is the fair approach to shutting down a program that needs to be shut down without undue harm to previous recipients.

Mr. Chairman, I yield two minutes to the very distinguished gentleman from Pennsylvania [Mr. WALKER], chairman of the Committee on Science who has a very deep interest in this program.

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

First of all, let us do away with the myth that somehow this is a Reagan program that ought to be supported because it was Ronald Reagan. The Reagan administration never requested money for this program.

Now it is true that the Bush administration did request some money for this program, but that was in dialog with the Democrats who were looking for some other kinds of concessions, and the Bush people ultimately bought in. I have since talked to some of the people who were Commerce Secretaries under President Bush who told me that they were very reluctant about this program and believe that it is now time to do away with it, and that is exactly where we are headed here.

The Commerce appropriation bill provides no money for the Advanced Technology Program. This program was terminated as a part of the assumptions of the budget resolution. The ATP program authorization expired in fiscal year 1993. The Committee on Science, which I chair, has reported the National Institute of Standards and Technology authorization, and the ATP program is not included.

So, the only reason to strike the good-government taxpayer-protection provisions regarding ATP in H.R. 2776 is to establish a loophole for spending hundreds of millions of dollars of new money on new grants. If we spend the last dollars on new grants, nothing will be left for completing the ongoing projects that have already gotten some money. With this language $318 million is now available for the orderly completion of the program. If, in fact, what we do is adopt the Mollohan amendment, what we are not going to be able to do is complete these programs in an orderly way, and we are going to have a mess out there.

I understand that there are some in the opposition party that do not want to reduce the size of government at all. They are against any and all program terminations. Let us stand up and do what we said we were going to do in November—with this amendment—so that we can have an ordinary termination of a program that has outlived its usefulness.

□ 1915

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

Mr. Chairman, I would like to engage the distinguished chairman, the gentleman from Pennsylvania, in a colloquy. Did I understand the gentleman to suggest that there was not support for this program in the Bush administration?

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

Mr. MOLLOHAN. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, no, what I said was that they did in fact come up with money for it, but since that time, I have talked to Cabinet Secretaries who served in the Bush administration who indicated to me this is a program we can get rid of.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, I would like to read from Mr. Bromley, President Bush's Science Adviser:

> In the Bush administration we made a start towards more effective use of our technology strengths as, for example, in the successful Advanced Technology Program in the National Institute of Standards and Technology, and I am pleased to see that the program is expanded. There is much that remains to be done, however, and the Clinton administration has emphasized its intent to make technology one of its major thrusts.

Mr. WALKER. Mr. Chairman, if the gentleman will continue to yield, the gentleman is not refuting anything I said. I said Commerce Secretary.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, Secretary of Commerce Barbara Franklin, under the Bush administration, says,

> ATP is an excellent example of the kind of practical partnership between industry and government that can lay the foundations today for commercial successes in world markets tomorrow.

Mr. ROGERS. Mr. Chairman I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I would say to the gentleman that Barbara Franklin and I are very good friends. We grew up in the same town. I just had an opportunity to talk to her on the telephone the other day, and she assured me if we could in fact get rid of the ATP program, we would be doing a service to the country.

So she is one of the people that I feel strongly would say now that the direction in which this bill goes is exactly the right direction to go.

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

Mr. WALKER. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, Barbara Franklin also says, ''Now entering its third year, the Advanced Technology Program has demonstrated its ability to attract top-flight proposals from virtually every field of technology, and from innovation companies both large and small.'' She goes on.

Mr. WALKER. Mr. Chairman, reclaiming my time, I am sure there are plenty of quotes of people at the time they were administering the program.

Mr. MOLLOHAN. That is Barbara Franklin.

Mr. WALKER. I said I talked to her within the last few days.

Mr. MOLLOHAN. You are so persuasive, even in the interpretation of this language.

Mr. WALKER. I have talked to former Secretary Franklin within the last few days, and she is in favor of getting rid of the ATP program.

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

Mr. Chairman, as I said earlier, I am in opposition to this amendment. Essentially what this amendment would do would be to strike the language in the bill that prohibits the carry-over funds, $187 million that have not been spent, from being spent for new ATP grants or to pay for the continuation of 1995 ATP grants. The bill language only allows those carry-over funds to be spent for grants made in 1994 and previous years.

We think that money is necessary to be able to close out in a reasonable fashion older grants, the mature grants, the ones who have a life-span of 3 to 5 years. This money that is carry-over funds could be used under the bill language to finish out those older grants, but not to make new ones in 1995 or 1996.

Now, the amendment that the gentleman from West Virginia [Mr. MOLLOHAN] has filed, would allow those carry-over funds to be used to finance the continuation of the ATP grant program, to issue new grants in 1996, to issue continuation grants for 1995 programs, and so on. It is the old business as usual. We think, Mr. Chairman, that the ATP program is a corporate welfare program.

No. 2, it is a Washington-based picker of winners and losers in the private sector. We think the private sector is the one to make choices of winners and losers, and therefore we urge the defeat of this amendment and to keep the prohibition in the bill to stop the ATP program in its tracks.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. SKAGGS], a distinguished member of our subcommittee.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for yielding and congratulate him on this proposal, which I support.

Mr. Chairman, we are going to hear a lot of mythology during this debate. One of the myths was just offered up, and that is we are somehow picking winners and losers. In fact, this is an enlightened effort to create a partnership in which a modest amount of capital from the Federal side is used to leverage a great deal of capital from the private sector into doing the kind of applied technology that the marketplace simply is not going to support otherwise.

Look at the analogy to the National Science Foundation. We know that private enterprise in this country is not going to support the kind of basic research that does not have immediate payoffs. We realize that that is in our enlightened national self-interest to support such research through a collective effort, through taxes.

The same thing applies here. There are some key technologies that are not quite market-ready, but we have reasonable grounds to know that they are going to pay off big time for us in the long haul. The ATP program is to give an increment of public capital to leverage a great deal of private capital to bring some of these promising technologies to market viability.

Mr. Chairman, we are up against a very competitive world situation in which most of the rest of the industrialized world has things like this going on. Let us not tie our hands behind our backs.

Mr. ROGERS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. MORELLA].

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

Mrs. MORELLA. Mr. Chairman, I rise in behalf of the amendment offered for the ATP program, which is administered through NIST.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise very strongly to support the Advanced Technology Program, because I know locally that it is not about big business; it is about small technological firms that help give jobs to Americans.

Over 177 R&D projects have been created since the program's inception involving the efforts of some 400 organizations, from government laboratories to academic institutions, and I really want to emphasis academic institutions. It allows the research that would not be supported by the private sector to be supported and to provide the kind of technology, that a local firm in my community has been able to develop a biocatalytic desulfurization technology which aids petroleum companies in conforming to environmental regulations. What better use of our tax dollars than to improve the quality of life, to create jobs, and, of course, to help an industry that is so much in need of enhanced technology to improve its productivity.

This small company is an excellent example of why we need the ATP program, to aid small R&D organizations with Federal moneys in order to develop promising technologies that private sector corporations and venture capital groups would be hesitant to fund. We cannot leave the development of these important new technologies to tax credits or regulatory reform and ignore the need for Federal programs like ATP.

Let us continue, Mr. Chairman, to fund programs like this. Let us support ATP. I rise in support of this amendment.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Massachusetts [Mr. OLVER].

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

Mr. OLVER. Mr. Chairman, I rise in support of the Mollohan amendment. Mr. Chairman, I am puzzled why the Republicans want to eliminate the Advanced Technology Program, which was established by President Bush. Every major industrialized country in the world has private sector, government cooperative programs designed to increase their country's competitiveness in this global economy. Incredibly, to me at least, this bill terminates our own program. That is like unilateral disarmament in the midst of a war, and competition in today's global economy is clearly the economic equivalent of war.

Yesterday, my distinguished Committee on Science chairman, the gentleman from Pennsylvania [Mr. WALKER], asserted that tax cuts, regulatory relief, and product liability reform are more beneficial than ATP. Well, what better gift to governments and businesses around the world than to see the United States disarm its private sector-government partnerships that could support competitiveness?

Mr. Chairman, I urge a yes vote for the Mollohan amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

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

Mr. TANNER. Mr. Chairman, I rise in strong support of the Mollohan amendment. I realize the difficult task facing Chairman ROGERS and Ranking Member MOLLOHAN in making cuts to the Department of Commerce.

Mr. MOLLOHAN was prevented from offering an amendment which would have ensured funding for commitments made in fiscal year 1995 and prior years. A goal which I might add is supported by the Technology subcommittee of the Science Committee which reported out a bill with bipartisan support authorizing the ATP all the Republicans on our subcommittee voting aye. Mr. MOLLOHAN's amendment would give NIST the flexibility to try and meet these commitments.

I understand that the current budget climate is not the time to expand the ATP program. However, we should do our best to ensure that those commitments made by the Government to the private sector are kept. We should not terminate this program mid-stream, after companies have begun projects, developed strategic business plans, and invested their own money based on a Federal commitment to a program that goes back to the Reagan administration.

However, I believe the Advanced Technology Program should not be eliminated outright. At a time when American corporations are scaling back R&D spending to focus on short-term profits, and small high-tech entrepreneurs are finding it increasingly difficult to find needed venture capital, the Advanced Technology Program is a small, but important Government program to fill this gap and to help ensure the future vitality of our economy.

We can argue the philosophy of whether or not the Government should engage in partnership with industry. But, I think we can all agree that we should do our best to ensure that the Government meets existing commitments.

Keep in mind that the private sector puts up their money to fund this precompetitive research.

Mr. Chairman, I urge my colleagues to support the Mollohan amendment.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, this amendment concerns the Advanced Technology Program, but it would be more rightly called the initiative from the gentleman from West Virginia for jobs for Americans, because that is what it is all about. It focuses on science and technology, but it is about whether we want jobs in this country or we want to continue to see the good, high-wage jobs going somewhere else.

We understand that in Austin, TX. You see, in our community, concepts like public-private partnership, consortium, teamwork, alliance, the idea that the government and the private sector can work together, those are not alien concepts. They are what has given us the kind of economic development problems that every other county in the country would like to have. Unemployment that has stayed consistently below 4 percent, because we are developing good, high-wage jobs in a public-private partnership, and technology has been essential to that. It is essential today as we recognize the kind of fierce international competition we have.

Other countries, our competitors like Germany and Japan, are spending 3 percent of their gross national product on research and development. We are spending about 2 percent. And with this kind of approach, that investment is going to plummet.

I believe tonight that the opposition to the Mollohan amendment has reached a new standard in myopia, with reference to this whole question of how we can work together to improve research in this country and keep jobs here.

Moreover, unless we adopt this amendment, this appropriations bill is going to break the word of the U.S. Government to those who have submitted requests and who are not going to be funded unless the Mollohan amendment is adopted.

□ 1930

Let me just give one example of the kind of company we are talking about, a small company called SciComp, Inc., in Austin. It is a small startup company that is developing numerical software. As a result of the ATP they will be able to continue to do that and provide more good jobs in America. If we adopt the Mollohan amendment, that kind of thing can be going on all over the country.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BROWN], the distinguished ranking member of the Committee on Science.

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

Mr. BROWN of California. Mr. Chairman, I support the Mollohan amendment to strike the ban contained in this legislation.

I regret that my good friend, the distinguished chairman of the Committee on Science, had to leave for another appointment because I wanted to follow up on the discussion that he was conducting about how this really was not something that Reagan wanted, even though he signed the bill that created this program. It really was not something that Bush wanted, even though his science advisor and the chairman of his Council of Economic Advisors helped to develop the program to where it is at the present time.

The gentleman from Pennsylvania [Mr. WALKER] has been a consistent opponent of this program since the 1980's. He did not buy the philosophy which the Bush administration bought and which most Democrats bought, that the U.S. Government ought to be user friendly for business, because that is what this program is intended to do. It is intended to make government and business partners in reversing the decline in our competitiveness and in improving the efficiency of industry, in developing new innovations which will create jobs, as our distinguished colleague from Texas just indicated earlier, and which will restore this country to the superiority that it has had in industrial practices and in international business.

The gentleman from Pennsylvania [Mr. WALKER] has always felt that this is too heavy an intervention, that you just cut their taxes and reduce the amount of regulation, and they will automatically achieve the kind of efficiencies that they should have. They do not automatically achieve it. We have seen that through years of experience. This program makes the government a partner with business that needs the help, that needs the small amount of capital infusion which is shared.

I urge that Members support the Mollohan amendment and keep this an open situation.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California [Mr. MINETA].

The CHAIRMAN. The gentleman from California [Mr. MINETA] is recognized for 2 minutes.

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

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

The Advanced Technology Program is a common-sense program that funds precompetitive research and technology. Federal investment is necessary so that industry and universities can eventually reach a point where it makes sense to proceed on their own with certain long-range technologies.

This foresight promises to pay tremendous dividends in the form of new economic opportunities and next generation technologies that bring a higher quality of life into our homes.

The ATP is based on the basic principle that public policy should be determined by a vision that extends further than the next election. It is a program based on the knowledge that some important research will not get done without public involvement because the research is too costly or too long term to fit into next quarter's bottom line.

I support this amendment because it would give NIST the flexibility it needs to complete its funding of existing Advanced Technology Program contracts.

Companies, consortia, and universities around the Nation have expended millions of dollars and focused vast resources in keeping to their half of the Advanced Technology Program agreement. Now they are counting on the Government to do its part.

Mr. Chairman, let me be clear. We are not talking about whether or not future ATP grants should be made. We are not discussing how much money should be spent in future years. The rules does not allow those debates.

Rather, this amendment simply gives NIST the minimum amount of flexibility necessary to finish its assigned job—a job by the way, that Congress ordered it to perform just last year.

Mr. Chairman, it is bad enough that through this legislation the majority is attempting to eliminate the ATP, one of the most effective long-term research and technology policies currently employed by the Federal Government.

What is inconceivable, and what this amendment would strike, is language that would virtually prohibit NIST from fulfilling its existing legal obligations.

I urge my colleagues to act responsibly and to support the Mollohan amendment.

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

Mr. Chairman, if you want to vote to end corporate welfare, vote ''no'' on the Mollohan amendment.

Mrs. MORELLA. Mr. Chairman, I rise in support of the gentleman from West Virginia's amendment.

The Advanced Technology Program is administered by the National Institute of Standards and Technology, headquartered in my congressional district. I have been, and continue to be, a supporter of the ATP.

I believe the ATP is a program with merit in fostering emerging, precompetitive technologies. I have been informed by industry of its effectiveness in promoting their new technologies.

Although I strongly support the Appropriations Committee's recommendation to utilize $180 million in unobligated funds for the continuation of ATP awards, I am supporting the gentleman's amendment because it would allow NIST greater flexibility in the spending of its unobligated balance of funds. NIST has requested this flexibility and I believe it will be useful to administering the program as Congress continues to debate the health and future of the ATP.

Mrs. KENNELLY. Mr. Chairman, I rise in support of the Mollohan amendment to restore funding for the Advanced Technology Program.

I come from a State that has been hardhit by defense downsizing. Rebuilding our economy is a slow process, but today, we have a growing high-technology sector, which means more jobs and stronger businesses.

If we cancel the ATP program, that growth will stop dead in its tracks. To Connecticut, that means higher unemployment and a weaker economy.

Some people say ATP helps only big corporations. But tell that to the small high-technology businesses in my district, who employ 5 or 10 people, and who depend upon ATP for their very existence. Cut ATP, and you cut jobs. Cut ATP, and you kill promising technologies that strengthen our economy.

In Connecticut and in States across the country, ATP creates jobs, increases exports, and gives taxpayers a huge return on their investment. That's not picking winners and losers—that's making winners out of all of us.

I urge my colleagues to support small business, support technology R&D, and support new jobs. Support the ATP program.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] will be postponed.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ENGEL: Page 41, insert the following after line 6:

ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION

For expenses necessary to carry out the provisions of the National Endowment for Children's Educational Television Act of 1990, title II of Public Law 101–437, including costs for contracts, grants, and administrative expenses, $2,000,000, to remain available as provided in section 394 (h) of the Communications Act of 1934.

Page 40, line 4 strike ''$135,000,000'' and insert ''$133,000,000''.

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

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

There was no objection.

Mr. ROGERS. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. ENGEL] will be recognized for 5 minutes in support of the amendment, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 5 minutes in opposition to the amendment.

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

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

Mr. Chairman, this amendment represents a minor shift of funds from the periodic censuses and programs into the National Endowment for Children's Educational Television. This amendment is important not just for what it does but for what it represents. Throughout this appropriations process, I have witnessed many programs which I support lose funding partially or in many cases completely. I feel that I cannot stand idly by as another successful program falls victim to the budget axe.

The National Endowment for Children's Educational Programs last year was funded at $2.5 million. Under the proposal, it is zeroed out. Mr. Chairman, funding in the previous fiscal year for the National Endowment for Children's Educational Television was funded at $2.5 million in this year's proposed appropriation, wiped out, funded at zero.

I am proposing to fund it at $2 million which would represent a 20-percent cut over the funding last year because I understand that many programs are taking cuts because of budgetary constraints. But I do not think that the National Endowment for children's Educational Television, which has been so successful, ought to be zeroed out.

Next week we are going to begin debate on Labor HHS appropriations, and we are going to cut back a lot of funds for education. Right now we have before us the Endowment for Children's Educational Television, which in my opinion is a very worthwhile program, which will fall victim to shortsighted cuts.

Now, the National Endowment for Children's Educational Television is the only Federal setaside dedicated exclusively to the funding of educational programming for children. I am the father of three children. Many of us have children and grandchildren. We realize how important it is to have children's educational television. The endowment is a worthwhile investment in our children's education. Projects which have been funded by the endowment include Storytime and Ghostwriter, reading and literacy programs which are aired daily on PBS.

Public broadcasting programs focus not only on reading, literacy and math but on productive social behavior, cultural tolerance, ethics and values. Unfortunately, the funding resources, the Endowment for Children's Educational Television, from corporate foundation and governmental institutions remains low. While most of this money is raised through corporations and foundations, Federal funds remain a small but crucial portion of their budget. This is a public/private partnership that works. Why would we want to kill it?

Ending it will only hurt the children who rely on educational programming.

Again, as the father of three small children, I appreciate the value of this programming, and I am sure most parents do. At a time when we are all concerned about the amount of violence our children are seeing on television, on commercial television, I find it hard to believe that we would forgo the opportunity to provide wholesome programming for the youth of the country. By the time a child in the United States reaches the age of 18, he or she

will have spent nearly 13,000 hours in school. By contrast, that child will have spent roughly 15,000 to 20,000 hours watching television.

The National Endowment for Children's Educational Television does its own small part to ensure that these children have the option of quality programming. Two million dollars is certainly money well spent for this very worthwhile programming. Public polls have shown that people across the country do support public broadcasting, particularly when we are talking about children's educational television. So, my colleagues, I cannot think of anything worse to zero out, worse than to cut this very, very worthwhile program.

I am proposing that we reinstate $2 million which by budgetary standards is a very, very small amount of money to aid our children's future. Again, under my amendment, the National Endowment for Children's Educational Television would still take a 20-percent cut but would not be zeroed out.

I urge my colleagues to support this. It is very, very important. Please save public broadcasting and let us send a message that funding for children's educational television should not be eliminated.

□ 1945

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Kentucky [Mr. ROGERS] insist on his point of order?

Mr. ROGERS. Mr. Chairman, I do. I make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI, which states, in its pertinent part ''No appropriation shall be reported in any general appropriations bill, or be in order as an amendment thereto for any expenditure not previously authorized by law.''

Mr. Chairman, the authorization for this program has not been signed into law. The amendment therefore violates clause 2 of rule XXI. I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman from New York [Mr. ENGEL] wish to be heard on the point of order?

Mr. ENGEL. I certainly do, Mr. Chairman. Mr. Chairman, I would respectfully disagree. I would say that this has been authorized in every single budget, and I see no reason why it should not be authorized in this budget. I would respectfully disagree.

The CHAIRMAN. Does anyone else wish to be heard on the point of order? Based on the information the Chair has, the Chair is willing to rule at this point in time.

Pursuant to Public Law 102–538, section 132, there is no authorization for the program beyond fiscal 1994 that has been called to the Chair's attention. The point of order has to be sustained at this time.

AMENDMENT OFFERED BY MR. ENGEL

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

The Clerk read as follows:

Amendment offered by Mr. ENGEL: Page 40, line 24, strike ''$19,000,000'' and insert ''$21,000,000''.

Page 40, line 4, strike ''$135,000,000'' and insert ''$133,000,000''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes, and that time be equally divided.

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

Mr. ENGEL. Reserving the right to object, Mr. Chairman, would this be on all subsequent amendments to the bill?

The CHAIRMAN. To this amendment and to all amendments thereto.

Mr. ROGERS. That is correct, Mr. Chairman.

The CHAIRMAN. To this amendment and all amendments thereto.

Mr. ENGEL. Five minutes on each side?

The CHAIRMAN. Five minutes total. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. ENGEL] will be recognized for 2½ minutes, and the gentleman from Kentucky [Mr. ROGERS] will be recognized for 2½ minutes.

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

Mr. ENGEL. Mr. Chairman, I yield myself such item as I may consume.

Mr. Chairman, since my previous amendment was not allowed to be put forward to a vote, this amendment represents, again, a modest shift of funds from periodic censuses and programs to the program for public broadcasting facilities, planning, and construction. Public broadcasting facilities, planning, a construction have been cut severely in this budget. Again, if Members support public broadcasting, then this is an amendment that ought to be supported.

By voting for this amendment, Mr. Chairman, we will send a message that funding for children's educational television should not be eliminated. We will increase funding for public broadcasting facilities across the country. We will support funding for long distance video learning, specialized equipment for services for the hearing impaired, and we will send and give a reliable public broadcasting signal for 25 million Americans.

There has been a battle in this Congress to end public broadcasting. I happen to think that is a very misguided battle. Public broadcasting is the best example, as I mentioned before, of a public-private partnership that works. For every $1 that public funds are put into public broadcasting, they are able to generate $5 and $6 of money from corporations and from the private sector. We should be, in my opinion, increasing public broadcasting, not cutting it back. If we increase by only $2 million, again, a small amount considering the magnitude of this budget, for public broadcasting facilities, planning, and construction, we will be sending a message that we want and support public broadcasting and that public broadcasting ought to continue.

I say to all my colleagues who have come up to me and have expressed strong support on both sides of the aisle for public broadcasting, by voting this amendment they are sending a message, sending a message to their folks back home, to their constituents, to their colleagues, that they support public broadcasting. By putting the money into public broadcasting facilities, planning, and construction, we will continue to have the finest public radio and television anywhere in the world.

Mr. Chairman, I believe that the cuts in public broadcasting are representative of the poor judgment we have used in this process to cut worthwhile programs indiscriminately. What I do is take a small step in the right direction. Again, the funding which is provided for these facilities through corporate, foundation, and governmental resources remains low. Why, again, would we want to break something that works? Please support the amendment and save public broadcasting.

Mr. ROGERS. Mr. Chairman, I rise in opposition to this amendment. The gentleman increases funds for the Public Broadcasting Facilities Program by $2 million. The funds in this bill for PBFP are already $11 million above the request. There were Members on my side of the aisle who had planned to offer amendments to eliminate the program altogether. The gentleman's amendment would target funds toward grants for television programs for children, a very worthy goal, but this is not a program that belongs in this bill. It is not authorized.

I suggest the gentleman talk to the chairman of the subcommittee, the gentleman from Texas [Mr. FIELDS]. This amendment cuts funds from the Census Bureau, as that agency prepares for the year 2000 census. My bill already cuts the Census Bureau by $67 million. Mr. Chairman, I urge a ''no'' vote on the Engel amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ENGEL].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from New York [Mr. ENGEL] will be postponed.

Are there other amendments to title II?

The Clerk will designate title III.

The text of title III is as follows:

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $25,834,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $3,313,000, of which $500,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $14,070,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, $10,859,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $2,411,024,000 (including the purchase of firearms and ammunition); of which not to exceed $14,454,000 shall remain available until expended for space alteration projects; of which not to exceed $11,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects; and of which $500,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other legal reference materials, including subscriptions.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $2,318,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

VIOLENT CRIME REDUCTION PROGRAMS

For activities of the Federal Judiciary as authorized by law, $41,500,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103–322.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations, the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended, the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)), the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel, the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences, and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), $260,000,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i): *Provided*, That none of the funds provided in this Act shall be available for Death Penalty Resource Centers or Post-Conviction Defender Organizations.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); $59,028,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702); $109,724,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $47,500,000, of which not to exceed $7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $18,828,000; of which $1,800,000 shall remain available through September 30, 1997, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $24,000,000, to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $7,000,000, and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $1,900,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $8,500,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Appropriations made in this title shall be available for salaries and expenses of the Special Court established under the Regional Rail Reorganization Act of 1973, Public Law 93–236.

SEC. 303. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

This title may be cited as ''The Judiciary Appropriations Act, 1996''.

The CHAIRMAN. Are there amendments to title III?

AMENDMENT OFFERED BY MR. PORTMAN

Mr. PORTMAN. 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. PORTMAN: Page 51, line 4, strike ''$2,411,024,000'' and insert ''$2,409,024,000''.

Page 51, line 6, strike ''$14,454,000'' and insert ''$13,454,000''.

Page 51, line 8, strike ''$11,000,000'' and insert ''$10,000,000''.

Mr. PORTMAN. Mr. Chairman, the amendment I offer today is modest in amount, but it is significant in message. It cuts $2 million for space alteration expenses and related furnishing expenses for the U.S. Court of Appeals, district courts, and the bankruptcy courts. The purpose of this amendment is to send a strong signal to the judiciary that it must revise its court design guide. That design guide contains specifications for courthouses and office space that drives up the costs of relocation and furnishings at taxpayer expense.

It just does not make sense, for example, to require courts to make whatever structural changes have to be

made to attain a mandated ceiling height of 16 feet, to use premium grade hardwood veneer paneling, premium grade hardwood veneer door solid core doors, hardwood door jambs, and the highest quality paint, at a time when the legislative branch, the executive branch, and folks back home are reducing spending in their operations in an effort to set an example and to help balance the budget. The judiciary must be subject to the same scrutiny.

The need for this amendment is particularly acute because in this bill before us there is actually an increase in these items over the appropriated amount for fiscal 1995. Clearly we are moving in the wrong direction here. This just does not make sense in light of our fiscal crisis. I understand the need for the courts to appear judicial, but these one-size-fits-all standards from this guide add huge costs to the alteration of courts and office space, huge costs we simply cannot afford.

More specifically, the amendment before us would simply reduce the funding that remains available for space alteration projects from about $14 million to about $13 million, and for furnishings from $11 million to $10 million. The court design guide, prepared under the direction of the Judicial Conference of the United States, is used by architects, engineers, contractors, and court administrators when renovating existing courthouses and office space. The guide was developed over a 3-year period and instituted in 1991.

Again, I understand the need for courtrooms to meet some standards, but I do not believe it is necessary for them to follow these kinds of strict specifications at taxpayer expense. I can tell the Members from firsthand experience that the design guide does increase costs. In my district, the U.S. bankruptcy court recently moved from the Federal courthouse into private office space at a significant cost to the taxpayer. I have been told that there is Federal office space available, but because it did not meet the specs in the design guide it could not be used. The private office lease that the court did sign required significant renovation and complete furnishing of this space as dictated by the design guide.

I had hoped this was an isolated incident, but having looked into it, I found it not only occurred in other places in our State of Ohio, but also other parts of the country. In fairness, let me make it clear that the judiciary has made some progress recently in revising the design guide. Over the past few years a conscious effort has been made to try to keep costs in mind and make these guidelines more flexible. I applaud that effort, but it has not gone far enough.

The current court design guide continues to require all those things that I mentioned, in addition to premium grade hardwood decorative moldings, and so on. These result in unnecessary and wasteful Federal expenditures. It is time for us in Congress to call for real reform. That is what this amendment does. In light of our debt, the judiciary must be as cost conscious as everyone else. My amendment is a small but responsible cut.

It is a warning to the judiciary they must review the guidelines which are set forth by the design guide and make sensible changes. Many of our constituents who are tightening the belt back home are demanding it. They are incensed, and they should be.

I want to thank the chairman, the gentleman from Kentucky, and the committee for working with us, and I want to ask my colleagues to join the National Taxpayers Union and Citizens Against Government Waste in supporting this amendment.

Mr. Chairman, I yield to my colleague and friend, the gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Chairman, I would like to compliment my good friend and neighbor, the gentleman from Ohio, Mr. PORTMAN, for his outstanding work in saving taxpayer dollars in this area. This amendment will send a strong message to the Federal courts: We are serious about bringing wasteful Federal spending under control. This $2 million start is a very good first step.

What is this $2 million all about? Unfortunately, courts around the country have failed to grasp the seriousness of our current budget crisis. At a time when every newborn child is already saddled with a bill of $187,000 just to pay the interest on the national debt, many courts have been moving into high rent buildings that dramatically increase the cost to taxpayers. In several areas, including our city of Cincinnati, the bankruptcy courts have moved into luxurious downtown buildings with rents that range from $900,000 to $1.5 million per year.

WCPO TV, Channel 9 in Cincinnati, should receive credit for focusing attention on this particular abuse of taxpayer dollars regarding the Cincinnati Bankruptcy Court. Further investigation has shown that this is not an isolated incident. Bankruptcy courts across the country have limited their relocation options by requiring such amenities as 16-foot-high ceilings and cultured marble sinks, and judges' chambers equipped with bathrooms, showers, and kitchenettes.

In other instances, court specifications are so rigid that building is limited to just a handful of buildings, sometimes only one building. As we all know, when we limit competition, it costs more. We should pass the Portman amendment. I strongly support it.

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

Mr. Chairman, let me say that we accept the amendment. The gentleman has brought a very important matter to the attention of the Congress for which we are very grateful, and we accept the amendment and think it is a good one. We urge its adoption.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words, and I have no objection, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. PORTMAN].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to title III?

The Clerk will designate title IV.

The text of Title IV is as follows:

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration $1,716,878,000: *Provided*, That starting in fiscal year 1997, a system shall be in place that allocates to each department and agency the full cost of its presence outside of the United States.

Of the funds provided under this heading, $24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing base services and not to exceed $17,144,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service (DTS), except that such latter amount shall not be available for obligation until the expiration of the 15-day period beginning on the date on which the Secretary of State and the Director of the Diplomatic Telecommunications Service Program Office submit the DTS pilot program report required by section 507 of Public Law 103–317.

In addition, not to exceed $700,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956, 22 U.S.C. 2717; and in addition not to exceed $1,223,000 shall be derived from fees from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90–553, as amended by section 120 of Public Law 101–246); and in addition not to exceed $15,000 which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

Notwithstanding section 402 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, ''Diplomatic and Consular Programs'' and ''Salaries and Expenses'' under the heading ''Administration of Foreign Affairs'' may be transferred between such appropriation accounts: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

For an additional amount for security enhancement, to counter the threat of terrorism, $9,720,000, to remain available until expended.

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, $363,276,000.

For an additional amount for security enhancements to counter the threat of terrorism, $1,870,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $16,400,000, to remain available until expended, as authorized in Public Law 103–236: *Provided,* That section 135(e) of Public Law 103–236 shall not apply to funds appropriated under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), $27,669,000: *Provided,* That notwithstanding any other provision of law, (1) the Office of the Inspector General of the United States Information Agency is hereby merged with the Office of the Inspector General of the Department of State; (2) the functions exercised and assigned to the Office of the Inspector General of the United States Information Agency before the effective date of this Act (including all related functions) are transferred to the Office of the Inspector General of the Department of State; and (3) the Inspector General of the Department of State shall also serve as the Inspector General of the United States Information Agency.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), $4,780,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, $8,579,000.

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), $391,760,000, to remain available until expended as authorized by 22 U.S.C. 2696(c): *Provided,* That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), $6,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $593,000, as authorized by 22 U.S.C. 2671: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $183,000 which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8 (93 Stat. 14), $15,165,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $125,402,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $870,000,000: *Provided,* That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further,* That 20 percent of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under section 401(b) of Public Law 103–236 for fiscal year 1996: *Provided further,* That certification under section 401(b) of Public Law 103–236 for fiscal year 1996 may only be made if the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives are notified of the steps taken, and anticipated, to meet the requirements of section 401(b) of Public Law 103–236 at least 15 days in advance of the proposed certification: *Provided further,* That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $425,000,000: *Provided,* That none of the funds made available under this Act may be used, and shall not be available, for obligation or expenditure for any new or expanded United Nations peacekeeping mission unless, at least fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable), (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further,* That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses authorized by section 5 of the State Department Basic Authorities Act of 1956, in addition to funds otherwise available for these purposes, contributions for the United States share of general expenses of international organizations and conferences and representation to such organizations and conferences as provided for by 22 U.S.C. 2656 and 2672 and personal services without regard to civil service and classification laws as authorized by 5 U.S.C. 5102, $3,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed $200,000 may be expended for representation as authorized by 22 U.S.C. 4085.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $12,358,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $6,644,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182; $5,800,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $14,669,000: *Provided,* That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101–246, $10,000,000 to remain available until expended as authorized by 22 U.S.C. 2696(c).

GENERAL PROVISIONS—DEPARTMENT OF STATE

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and

hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided,* That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses not otherwise provided, for arms control, nonproliferation, and disarmament activities, $40,000,000, of which not to exceed $50,000 shall be for official reception and representation expenses as authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.).

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.) and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by 22 U.S.C. 1471, and entertainment, including official receptions, within the United States, not to exceed $25,000 as authorized by 22 U.S.C. 1474(3); $445,645,000: *Provided,* That not to exceed $1,400,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085: *Provided further,* That not to exceed $7,615,000 to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, and publication programs as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended: *Provided further,* That not to exceed $1,700,000 to remain available until expended may be used to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

TECHNOLOGY FUND

For expenses necessary to enable the United States Information Agency to provide for the procurement of information technology improvements, as authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), $5,050,000, to remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), $192,090,000, to remain available until expended as authorized by 22 U.S.C. 2455.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–05), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 1996, to remain available until expended: *Provided,* That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1996, to remain available until expended.

AMERICAN STUDIES COLLECTIONS ENDOWMENT FUND

For necessary expenses of American Studies Collections as authorized by section 235 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, all interest and earnings accruing to the American Studies Collections Endowment Fund on or before September 30, 1996, to remain available until expended.

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the United States Information Agency, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, to carry out international communication activities; $341,000,000, of which $5,000,000 shall remain available until expended, not to exceed $16,000 may be used for official receptions within the United States as authorized by 22 U.S.C. 1474(3), not to exceed $35,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, not to exceed $250,000 from fees as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended, to remain available until expended for carrying out authorized purposes: *Provided,* That funds provided for broadcasting to Cuba may be used for the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception.

RADIO CONSTRUCTION

For an additional amount for the purchase, rent, construction, and improvement of facilities for radio transmission and reception and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by 22 U.S.C. 1471, $70,164,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a).

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $28,000,000, to remain available until expended.

This title may be cited as the ''Department of State and Related Agencies Appropriations Act, 1996''.

The CHAIRMAN. Are there amendments to title IV?

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey: Page 72, line 20, strike ''$28,000,000'' and insert ''$30,000,000''.

Mr. SMITH of New Jersey. Mr. Chairman, this amendment restores a relatively small amount of funding for the National Endowment for Democracy. I happen to serve as the chairman of the authorizing subcommittee. We have had extensive hearings on this. It is one of the most effective uses of our foreign aid dollars. I think we can all be very proud that Harry Wu and his Laogai Institute have been funded by NED, and it is just one example of many where we have provided scarce resources for an effective pro-democracy building effort around the world.

For this program we had authorized, let me remind Members, $34 million in the House-passed bill. The appropriators came in at $28 million. In working with the chairman, we have been able to find a compromise at $30 million. I think that $2 million additional is a very modest amount that will be used very effectively.

I also wish to commend Mr. RICHARDSON for his amendment—for which I understand there may not be time this evening—which would have added $500,000 to NED for pro-freedom and pro-democracy programs in Burma. These programs are urgently needed, and NED is just the institution to support them. I urge NED to provide substantial funding for these projects, on at least the scale suggested by the Richardson amendment.

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

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

Mr. ROGERS. Mr. Chairman, the gentleman has worked very hard on this issue, and has convinced certainly this Member that this is a worthwhile amendment, so we accept the amendment from our side and urge its adoption.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for his kind words.

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

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

Mr. MOLLOHAN. Mr. Chairman, we accept the amendment.

Mr. RICHARDSON. Mr. Chairman, after the military seized power of Burma in 1988, Aung San Suu Kyi became leader of the opposition pro-democracy movement.

She was placed under house arrest by Burma's military junta the State Law and Order Restoration Council or SLORC on July 20, 1989, on allegations of inciting unrest. Her party, the National League for Democracy, won a landslide victory in 1990 general elections, but the military refused to honor the results.

Referred to reverently as "the Lady," she remained steadfastly committed to democracy even in detention. In 1991, she won the Nobel Peace Prize.

On July 10 the government, which had indicated it did not plan to release Suu Kyi when she completed her sentence on July 19, decided to lift the restriction order without conditions.

The release should mark the renewal of a genuine process of political reconciliation leading to the installation of a democratically elected government and restoring peace and stability in Burma.

I intended to offer an amendment to capitalize on this development by directing the NED to cultivate the struggling democratic movement in Burma.

Instead, I have gotten the assurance of Chairman ROGERS that NED will recognize the need to support the growing democratic movement in Burma and spend the sufficient amount of funds necessary to carry out this function.

Over 5 years of political suppression by the SLORC have left the infrastructure of democratic political activity extremely weak. It is important that approximately $500,000 of NED funding go directly to operations designed to nurture Burma's National League for Democracy at this critical time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

□ 2000

The CHAIRMAN. Are there further amendments to title IV?

If not, the Clerk will designate title V.

The text of title V is as follows:

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATING-DIFFERENTIAL SUBSIDIES

(LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies as authorized by the Merchant Marine Act, 1936, as amended, $162,610,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $64,600,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, the Secretary of Transportation may use proceeds derived from the sale or disposal of National Defense Reserve Fleet vessels that are currently collected and retained by the Maritime Administration, to be used for facility and ship maintenance, modernization and repair, conversion, acquisition of equipment, and fuel costs necessary to maintain training at the United States Merchant Marine Academy and State maritime academies: *Provided further,* That reimbursements may be made to this appropriation from receipts to the ''Federal Ship Financing Fund'' for administrative expenses in support of that program in addition to any amount heretofore appropriated.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act of 1936, $48,000,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $4,000,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided,* That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $206,000, as authorized by Public Law 99–83, section 1303.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $8,500,000: *Provided,* That not to exceed $50,000 may be used to employ consultants: *Provided further,* That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further,* That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairperson who is permitted 125 billable days.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, $2,377,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,090,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; not to exceed $26,500,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000: *Provided,* That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–02; not to exceed $600,000 for land and structures; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; $185,232,000, of which not to exceed $300,000 shall remain available until September 30, 1997, for research and policy studies: *Provided,* That $116,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at $68,832,000: *Provided further,* That any offsetting collections received in excess of $116,400,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–02; $15,000,000: *Provided,* That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses; $82,928,000: *Provided,* That notwithstanding any other provision of law, not to exceed $48,262,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from the General Fund estimated at not more than $34,666,000, to remain available until expended: *Provided further,* That any fees received in excess of $48,262,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996: *Provided further,* That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242, 105 Stat. 2282–2285).

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

JAPAN-UNITED STATES FRIENDSHIP TRUST FUND

For expenses of the Japan-United States Friendship Commission as authorized by Public Law 94–118, as amended, from the interest earned on the Japan-United States Friendship Trust Fund, $1,247,000; and an amount of Japanese currency not to exceed the equivalent of $1,420,000 based on exchange rates at the time of payment of such amounts as authorized by Public Law 94–118.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $278,000,000 of which $265,000,000 is for basic field programs; $8,000,000 is for the Office of the Inspector General, of which $5,750,000 shall be used to contract with independent auditing agencies for annual financial and program audits of all grantees in accordance with Office of Management and Budget Circular A–133; and $5,000,000 is for management and administration.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

SEC. 501. Funds appropriated under this Act to the Legal Services Corporation shall be distributed as follows:

(1) The Corporation shall define geographic areas and funds available for each geographic area shall be on a per capita basis pursuant to the number of poor people determined by the Bureau of the Census to be within that geographic area: *Provided,* That funds for a geographic area may be distributed by the Corporation to one or more persons or entities eligible for funding under section 1006(a)(1)(A) of the Legal Services Corporation Act, subject to sections 502 and 504 of this Act.

(2) The amount of the grants from the Corporation and of the contracts entered into by the Corporation in accordance with paragraph (1) shall be an equal figure per poor person for all geographic areas, based on the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code.

SEC. 502. None of the funds appropriated in this Act to the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts for the provision of legal assistance unless the Corporation ensures that the person or entity receiving funding to provide such legal assistance is—

(1) a private attorney or attorneys admitted to practice in one of the States or the District of Columbia;

(2) a qualified nonprofit organization chartered under the laws of one of the States or the District of Columbia, a purpose of which is furnishing legal assistance to eligible clients, the majority of the board of directors or other governing body of which is comprised of attorneys who are admitted to practice in one of the States or the District of Columbia and who are appointed to terms of office on such board or body by the governing bodies of State, county, or municipal bar associations the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance;

(3) a State or local government (without regard to section 1006(a)(1)(A)(ii) of the Legal Services Corporation Act); or

(4) a substate regional planning or coordination agency which is composed of a substate area whose governing board is controlled by locally elected officials.

SEC. 503. None of the funds appropriated in this Act to the Legal Services Corporation for grants or contracts to basic field programs may be obligated unless such grants or contracts are awarded on a competitive basis: *Provided,* That not later than sixty days after enactment of this Act, the Legal Services Corporation shall promulgate regulations to implement a competitive selection process: *Provided further,* That such regulations shall include, but not be limited to, the following selection criteria:

(1) The demonstration of a full understanding of the basic legal needs of the eligible clients to be served and a demonstration of the capability of serving those needs.

(2) The quality, feasibility, and cost effectiveness of plans submitted by the applicant for the delivery of legal assistance to the eligible clients to be served.

(3) The experiences of the Corporation with the applicant, if the applicant has previously received financial assistance from the Corporation, including the applicant's record of past compliance with Corporation policies, practices, and restrictions:

Provided further, That, such regulations shall ensure that timely notice for the submission of applications for awards is published in periodicals of local and State bar associations and in at least one daily newspaper of general circulation in the area to be served by the person or entity receiving the award: *Provided further,* No person or entity that was previously awarded a grant or contract by the Legal Services Corporation for the provision of legal assistance may be given any preference in the competitive selection process: *Provided further,* That for the purposes of the funding provided in this Act, rights under sections 1007(a)(9) and 1011 of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall not apply.

SEC. 504. None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity—

(1) that makes available any funds, personnel, or equipment for use in advocating or opposing any plan or proposal, or represents any party or participates in any other way in litigation, that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census;

(2) that attempts to influence the issuance, amendment, or revocation of any executive order, regulation, or similar promulgation by any Federal, State, or local agency;

(3) that attempts to influence any decision by a Federal, State, or local agency, except when legal assistance is provided by an employee of a grantee to an eligible client on a particular application, claim, or case, which directly involves the client's legal rights or responsibilities, and which does not involve the issuance, amendment, or revocation of any agency promulgation described in paragraph (2);

(4) that attempts to influence the passage or defeat of any legislation, constitutional amendment, referendum, initiative, or any similar procedure of the Congress of the United States, or by any State or local legislative body;

(5) that attempts to influence the conduct of oversight proceedings of the Corporation or any person or entity receiving financial assistance provided by the Corporation;

(6) that pays for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, administrative expenses, or related expenses, associated with an activity prohibited in paragraph (1), (2), (3), (4), or (5);

(7) that brings a class action suit against the Federal Government or any State or local government;

(8) that files a complaint or otherwise pursues litigation against a defendant, or engages in precomplaint settlement negotiations with a prospective defendant, unless—

(A) all plaintiffs have been specifically identified, by name, in any complaint filed for purposes of litigation; and

(B) a statement or statements of facts written in English and, if necessary, in a language which the plaintiffs understand, which enumerate the particular facts known to the plaintiffs on which the complaint is based, have been signed by the plaintiffs (including named plaintiffs in a class action), are kept on file by the person or entity provided financial assistance by the Corporation, and are made available to any Federal department or agency that is auditing the activities of the Corporation or of any recipient, and to any auditor receiving Federal funds to conduct such auditing, including any auditor or monitor of the Corporation:

Provided, That upon establishment of reasonable cause that an injunction is necessary to prevent probable, serious harm to such potential plaintiff, a court of competent jurisdiction may enjoin the disclosure of the identity of any potential plaintiff pending the outcome of such litigation or negotiations after notice and an opportunity for a hearing is provided to potential parties to the litigation or the negotiations: *Provided further,* That other parties shall have access to the statement of facts referred to in subparagraph (B) only through the discovery process after litigation has begun;

(9) unless, after January 1, 1996, and prior to the provision of financial assistance—

(A) the governing board of a person or entity receiving financial assistance provided by the Legal Services Corporation has set specific priorities in writing, pursuant to section 1007(a)(2)(C)(i) of the Legal Services Corporation Act, of the types of matters and cases to which the staff of the nonprofit organization shall devote its time and resources; and

(B) the staff of such person or entity receiving financial assistance provided by the

Legal Services Corporation has signed a written agreement not to undertake cases or matters other than in accordance with the specific priorities set by such governing board, except in emergency situations defined by such board and in accordance with such board's written procedures for such situations:

Provided, That the staff of such person or entity receiving financial assistance provided by the Legal Services Corporation shall provide to their respective governing board on a quarterly basis, and to the Corporation on an annual basis, all cases undertaken other than those in accordance with such priorities: *Provided further,* That not later than 30 days after enactment of this Act, the Corporation shall promulgate a suggested list of priorities which boards of directors may use in setting priorities under this paragraph;

(10) unless, prior to receiving financial assistance provided by the Legal Services Corporation, such person or entity agrees to maintain records of time spent on each case or matter with respect to which that person or entity is engaged in activities: *Provided,* That any non-Federal funds received by any person or entity provided financial assistance by the Corporation shall be accounted for and reported as receipts and disbursements separate and distinct from Corporation funds: *Provided further,* That such person or entity receiving financial assistance provided by the Corporation agrees (notwithstanding section 1009(d) of the Legal Services Corporation Act) to make such records described in this paragraph available to any Federal department, or agency or independent auditor receiving Federal funds to conduct an audit of the activities of the Corporation or recipient receiving funding under this Act;

(11) that provides legal assistance for or on behalf of any alien, unless the alien is present in the United States and is—

(A) an alien lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

(B) an alien who is either married to a United States citizen or is a parent or an unmarried child under the age of twenty-one years of such a citizen and who has filed an application for adjustment of status to permanent resident under the Immigration and Nationality Act, and such application has not been rejected;

(C) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157, relating to refugee admission) or who has been granted asylum by the Attorney General under such Act;

(D) an alien who is lawfully present in the United States as a result of the Attorney General's withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)); or

(E) an alien to whom section 305 of the Immigration Reform and Control Act of 1986 applies but only to the extent that the legal assistance provided is that described in such section:

Provided, That an alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political calamity shall be deemed, for purposes of this section, to be an alien described in subparagraph (C);

(12) that supports or conducts training programs for the purpose of advocating particular public policies or encouraging political activities, labor or anti-labor activities, boycotts, picketing, strikes, and demonstrations, including the dissemination of information about such policies or activities, except that this paragraph shall not be construed to prohibit the training of attorneys or paralegal personnel to prepare them to provide adequate legal assistance to eligible clients or to advise any eligible client as to the nature of the legislative process or inform any eligible client of his or her rights under statute, order, or regulation;

(13) that provides legal assistance with respect to any fee-generating case: *Provided,* That for the purposes of this paragraph the term ''fee-generating case'' means any case which, if undertaken on behalf of an eligible client by an attorney in private practice may reasonably be expected to result in a fee for legal services from an award to a client from public funds, from the opposing party, or from any other source;

(14) that claims, or whose employees or clients claim, or collect attorneys' fees from nongovernmental parties to litigation initiated by such client with the assistance of such recipient or its employees;

(15) that participates in any litigation with respect to abortion;

(16) that participates in any litigation on behalf of a local, State, or Federal prisoner;

(17) that provides legal representation for any person, or participates in any other way, in litigation, lobbying, or rulemaking involving efforts to reform a State or Federal welfare system, except that this paragraph shall not preclude a recipient from representing an individual client who is seeking specific relief from a welfare agency where such relief does not involve an effort to amend or otherwise challenge existing law;

(18) that defends a person in a proceeding to evict that person from a public housing project if that person has been charged with the illegal sale or distribution of a controlled substance and if the eviction proceeding is brought by a public housing agency because the illegal drug activity of that person threatens the health or safety of other tenants residing in the public housing project or employees of the public housing agency: *Provided,* That for the purposes of this paragraph, the term ''controlled substance'' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802): *Provided further,* That for the purposes of this paragraph, the terms ''public housing project'' and ''public housing agency'' have the meanings given those terms in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a);

(19) unless such person or entity agrees that it and its employees will not accept employment resulting from in-person unsolicited advice to a nonattorney that such nonattorney should obtain counsel or take legal action: *Provided,* That such person or entity or its employees receiving financial assistance provided by the Corporation shall also agree that such person or entity will not refer such nonattorney to another person or entity or its employees that are receiving financial assistance provided by the Legal Services Corporation; or

(20) unless such person or entity enters into a contractual agreement to be subject to all provisions of Federal law relating to the proper use of Federal funds, the violation of which shall render any grant or contractual agreement to provide funding null and void: *Provided,* That for such purposes the Corporation shall be considered to be a Federal agency and all funds provided by the Corporation shall be considered to be Federal funds provided by grant or contract.

SEC. 505. None of the funds appropriated in this Act to the Legal Services Corporation or provided by the Corporation to any entity or person may be used to pay membership dues to any private or non-profit organization.

SEC. 506. None of the funds appropriated in this Act to the Legal Services Corporation may be used by any person or entity receiving financial assistance from the Corporation to file or pursue a lawsuit against the Corporation.

SEC. 507. None of the funds appropriated in this Act to the Legal Services Corporation may be used for any purpose prohibited or contrary to any of the provisions of authorization legislation for fiscal year 1996 for the Legal Services Corporation that is enacted into law: *Provided,* That, upon enactment of Legal Services Corporation reauthorization legislation, funding provided in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation shall no longer have effect.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,000,000.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Martin Luther King, Jr. Federal Holiday Commission, as authorized by Public Law 98–399, as amended, $250,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $103,445,000, of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (i) such incidental expenses as meals taken in the course of such attendance, (ii) any travel or transportation to or from such meetings, and (iii) any other related lodging or subsistence: *Provided,* That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of 1 per centum to one twenty-ninth of 1 per centum and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 103–403, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $217,947,000: *Provided*

further, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further,* That notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11 as amended by Public Law 100–504), $8,750,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $5,000,000, and for the cost of guaranteed loans, $146,710,000, as authorized by 15 U.S.C. 631 note, of which $1,700,000, to be available until expended, shall be for the Microloan Guarantee Program, and of which $40,510,000 shall remain available until September 30, 1997: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $97,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $34,432,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, $78,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the ''Surety Bond Guarantees Revolving Fund'', authorized by the Small Business Investment Act, as amended, $2,530,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

SEC. 501. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The CHAIRMAN. Are there amendments to title V?

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

Mr. Chairman, in title IV, I wish to engage in a brief colloquy with the distinguished chairman of the subcommittee.

The bill before us provides for the merger of the inspector general's office of the U.S. Information Agency with the inspector general's office of the Department of State and the Arms Control and Disarmament Agency.

As the chairman of the committee knows, H.R. 1561 preserves for extensive reorganization the foreign affairs agencies of the U.S. Government, including the very merger called for in this bill, and during the course of our work, we discovered an anomaly in the interpretation of the civil service laws under which individuals working in the acquired agency in a merger lost all of their protection under the civil service laws, if, and only if, the work they were doing was deemed identical in function with some kind of work being done in the agencies into which they were merged.

Our Committee on International Relations decided this was inappropriate under the circumstances and specifically legislated against the interpretation in section 510 of H.R. 1561, which was passed by the House on June 8. Our decision was based on the view that all individuals other than those appointed by the President with the advice and consent of the Senate who are on the day before the merger employed at agencies to be merged should be considered for assignment in the merged agency and judged in the case of adverse personnel actions based on generally applicable merit procedures. They should certainly not lose their jobs over the arbitrary question of which agency was merged into which.

Would the chairman, therefore, agree that the rule we decided on would be appropriate in the circumstances, and would he be willing to undertake to clarify if necessary, in statutory language, that this would be the case should this provision be accepted by the other body?

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

Mr. GILMAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we are willing to accept the suggestion of the gentleman on this organizational issue that the authorizing committee has addressed in its legislation. It is our hope that the solution would be worked out in the context of the authorization bill, but if it is not, we would attempt to work it out in conference on the appropriations bill.

I thank the gentleman for bringing this to our attention.

Mr. GILMAN. I thank the distinguished chairman for his clarification.

The CHAIRMAN. Are there amendments to title V?

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just take a very brief moment to enter into a colloquy with the distinguished chairman, the gentleman from Kentucky [Mr. ROGERS].

I had intended on offering an amendment to restore funds to the authorized level for the Radio Free Asia. Just a few days ago we voted on the Bereuter amendment, which reaffirmed our collective commitment to Radio Free Asia. The subcommittee looked at this, I know, and came to the conclusion that the money available plus the $5 million that is included in this bill would be sufficient because there is not an expectation that Radio Free Asia will be up and running soon. I hope that is an error, that it gets up and running sooner rather than later.

Should Radio Free Asia get off and running as we hope, I would just hope the chairman and ranking member would work with us to insure sufficient money would be available.

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

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

Mr. ROGERS. I appreciate the gentleman's concern. He has been very avid in his support of Radio Free Asia and has worked very actively with this Member and with our subcommittee. We certainly would consider a reprogramming request at a later time if there is need for it and will try to work with the gentleman to satisfy his concerns.

As the gentleman knows, there is $5 million in this bill for Radio Free Asia. There is $5 million in additional carryover funds expected to be available in fiscal year 1996. They have not yet appointed the board for the broadcasting system, but if at the time there is a need, we can look at reprogramming funds. I assure you we will discuss that with you further.

Mr. SMITH of New Jersey. I appreciate that.

The CHAIRMAN. Are there amendments to title V? If not, the Clerk will designate title VI. The text of title VI is as follows:

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which (1) creates new programs; (2) eliminates a program, project, or activity, (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes

offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

The CHAIRMAN. Are there amendments to title VI?

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment, amendment No. 2.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN: At the appropriate place, insert the following:

SEC. . LIMITATION ON THE USE OF FUNDS FOR DIPLOMATIC FACILITIES IN VIETNAM

None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Social Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. GILMAN] will be recognized for 2½ minutes.

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

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

Mr. Chairman, I rise in strong support of the Kingston-Gilman-Barr-Dornan amendment which bars the use of Federal funds for implementing the President's ill-considered, pre-mature decision to expand diplomatic relations with Vietnam.

Nothing in this amendment interferes with our efforts to identify, locate and repatriate the remains of U.S. service personnel.

According to the National League of Families, since the President lifted the trade embargo against Vietnam, remains of only eight Americans, of over 2,200 still missing, have been accounted for since February of 1994.

A Chinese mortician who has passed a polygraph test, testified under oath that he preserved nearly 400 sets of remains of American servicemen.

A significant number of those 400 remains are still not accounted for, and the administration can not explain why these remains have not been accounted for.

It is obvious that—far from cooperating—Hanoi is coldbloodedly using the remains of missing Americans as pawns in a sordid game to extract maximum concessions from our Government. Let us not permit them those ghoulish tactics.

Many veterans groups, support our amendment.

Mr. Chairman, this amendment sends a forceful message to Hanoi that the Congress will not just sit idly by and permit them to filmflam the American people.

Accordingly, I urge my colleagues to support our amendment.

If Vietnam wants normalized relations with the United States—then they must deal honestly with us and must provide the full and fair accounting that they promised.

We owe that much to those who gave so much for all of us.

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

Mr. FOGLIETTA. Mr. Chairman, I rise to strike the requisite number of words. I rise in opposition to this amendment which will prevent the complete normalization of relations with the Republic of Vietnam.

Having just returned from Vietnam, I stand to bear witness to the extraordinary efforts being made to locate every single American soldier missing there.

I departed for Vietnam with grave skepticism about the claims of the Vietnamese Government that they were providing every piece of information available on the fate of missing American soldiers.

After seeing the efforts being undertaken by our military people and the Vietnamese—and listening to our military leaders on the ground in Vietnam, I believe that the Vietnamese Government is being completely cooperative and honest.

Admiral Macke told me that the Vietnamese Government has shown excellent cooperation.

Lt. Col. Timothy Boffe with the Joint Task Force overseeing the MIA/POW project in Vietnam explained to me that when the United States asks for information the Vietnamese deliver, nothing is being withheld.

We must continue to do everything in our power to help American families identify the remains of their loved ones, and we are. By establishing an official diplomatic dialog, we will expedite this process. Extending diplomatic relations to Vietnam does not mean that we forfeit all leverage with that government. Full normalization will be a continuing process, including the grant of most-favored-nation trading status.

This action will help heal the wounds of Vietnam. With a greater sharing of information, we will continue to search out the MIA's to give peace of mind to the families of those who served valiantly but have not returned.

Mr. RICHARDSON. Mr. Chairman, this amendment undermines the President's ability to conduct foreign policy.

Congress should not micromanage foreign policy by cutting funds that improve our relationship with Vietnam.

Diplomatic relations with Vietnam have entered a new phase of cooperation designed to serve the legitimate interests of both countries and contribute to the cause of peace, stability and cooperation in Southeast Asia.

Since the United States lifted the embargo levied against Vietnam last year, our diplomatic, financial, and economic ties to Vietnam have grown.

More importantly, the Vietnamese have been cooperating fully on the issue of MIA's.

For the better part of the last 20 years, the United States has tried to resolve the POW/MIA issue by isolating the Vietnamese, by denying them benefits of trade and diplomatic relations—and this policy has failed.

Progress has come on the POW/MIA issue because we actively engaged the Vietnamese, encouraged cooperation, and created incentives to ensure compliance.

The Vietnamese handed over 100 new documents on missing United States servicemen to me when I visited there last month. They have also honored my request to give United States officials consular access to Ly Van Tong, a United States citizen of Vietnamese origin imprisoned in 1993.

VFW Commander in Chief ''Gunner'' Kent, a marine Vietnam veteran representing over 2 million veterans, supports normalization and has said:

If by normalizing relations with Vietnam we can further the process leading towards the fullest possible accounting, then the VFW will support such a decision.

Recognizing Vietnam does not have to mean forgetting the MIA's. It can mean establishing even more cooperation—economic and diplomatic—between the two nations.

Such cooperation will boost chances for more success in learning about the fate of those missing since the Vietnam war.

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

If not, the gentleman from New York has 1 minute remaining.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Chairman, even though I was a POW in Vietnam for 7 years, I understand the importance of our business access to Vietnam's emerging market. But I refuse to endorse opening relations with a country that simply will not provide us with information which they fully admit to having about our POW's and MIA's.

Vietnam's communist leadership just cannot be trusted. They have led us to alleged crash sites that, on inspection, had been recreated for U.S. visits. We have received animal bones that the Vietnamese said were human bones. This does not illustrate cooperation, in my opinion.

Vietnam never lived up to the 1974 peace agreements. The time has come for the war to end, but it must be a two-way street, and Until Vietnam demonstrates that they can work with us in good faith, keep the promises that they have made, they should not be rewarded with all the benefits of full diplomatic relations with the wealthiest, freest nation in the world.

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

I thank the gentleman from Texas for his statement in support of this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DORNAN], who has been a longtime supporter of this proposal.

The CHAIRMAN. The gentleman will suspend. The gentleman from New York was given 2½ minutes of the 5 minutes. The gentleman has used that 2½ minute time period.

If, however, there is no one seeking time in opposition, the gentleman from New York may ask unanimous consent for those 2½ minutes if he does so at this point.

Mr. PETERSON of Florida. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Florida seeks the time?

Mr. PETERSON of Florida. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. PETERSON] will be recognized for 2½ minutes.

Mr. GILMAN. Mr. Chairman, it was our understanding it was 5 minutes on each side.

The CHAIRMAN. That was not the request. The request was for 5 minutes.

Mr. GILMAN. Mr. Chairman, I ask unanimous consent that we be given 5 minutes on each side with regard to this.

Mr. MOLLOHAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The gentleman from Florida [Mr. PETERSON] is recognized.

Mr. PETERSON of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will not take all of the time. I will not belabor this point.

It is clearly not in our best interests to take away our opportunity to communicate with Vietnam in a diplomatic nature.

So at this time I want to go on record in opposition to the amendment as proposed by the distinguished gentleman from New York [Mr. GILMAN] at this time.

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

Mr. BARR. Mr. Chairman, the President's decision to confer full diplomatic recognition to Vietnam, prior to establishing the fullest possible accounting of our American POW's and MIA's, was wrong. In my judgment the dignity and honor of those 58,000 Americans who died fighting for freedom in the Vietnam war and the memory of the 2,200 American MIA's would be violated were this Nation to enter into formal relations with Vietnam at this time.

It's been more than 20 years since the United States withdrew from the Vietnam war, and at no time in that entire period has Vietnam been completely forthcoming in answer to repeated requests for assistance in locating American MIA's.

For these reasons, I am offering an amendment to H.R. 2076, the Commerce, Justice, State appropriations bill that essentially prohibits Federal funds from being used to establish full diplomatic relations with the Communist Government of Vietnam. I am proud to have the privilege of offering this amendment with my colleague from Georgia, JACK KINGSTON—a distinguished member of the House Appropriations Committee, and Chairmen SOLOMON and GILMAN among others.

The amendment is both straightforward and simple. It will prohibit any of the bill's funds from being used to open or operate any new United States diplomatic or consular post in Vietnam after the retroactive cut-off date of July 11, 1995, or expand any post that existed prior to that date. It also prohibits funds from going to increase the total number of personnel assigned to such posts above the level that existed on July 11.

During a hearing before the Military Personnel Subcommittee of the House National Security Committee, current officials of the Pentagon's Defense POW/MIA Office [DPMO], and recently retired senior field investigators of the military's Joint Task Force Full Accounting [JTFFA] revealed under oath that Vietnam continues to: First, withhold remains; second, withhold essential documents and records; and third, manipulate field investigation to include coaching and intimidating witnesses as well as manipulating evidence at crash sites.

Many of the remains returned in recent years from Hanoi draped with the American flag have been discovered to be animal bones or non-American remains.

Some 163 remains returned to the United States from Vietnam have shown sign of chemical processing and prolonged storage. There are potentially 400 such processed remains.

During the Reagan administration when the United States officials adhered to strict negotiating principles, 169 MIA's from Vietnam were accounted for, an average of 21 per year. During the Bush administration, 96 MIA's were accounted for, averaging 24 per year. However, during the first 2½ years of the Clinton administration, only 30 MIA's have been accounted for, a drop to only 12 per year. But, even more telling, since the Clinton administration lifted the trade embargo, the number of those accounted for has dropped to a mere eight.

As Presidential candidate, Mr. Clinton named four criteria for the normalization of relations with the Government of Vietnam. To this day those criteria have not been achieved.

The President's own standards were: First, Concrete results from efforts on Vietnam's part to recover and repatriate American remains; second, continued resolution of discrepancy cases; third, further assistance in implementing trilateral investigations with Laos; and fourth, accelerated efforts by Vietnam to provide all POW/MIA related documents that will help lead to genuine answers.

Since President Clinton defined the criteria, progress has been almost totally limited to fate determinations produced by joint U.S./SRV investigations. Resolution means accountability, defined by the U.S. Government as the man returned alive, or his remains, or convincing evidence as to why neither is possible. In nearly all instances of the 117 with reported confirmation of death, evidence also indicates that Vietnam should be able to locate and provide remains. Of the 81 special remains cases—94 individuals—now being pursued jointly, unilateral efforts by Vietnam to locate and provide remains are required on all but the died-in-captivity [DIC] cases. The DIC cases require joint investigation due to wartime burial, mostly in the south.

There are some 300 Americans who were last known alive under Vietnamese control. Their status remains unresolved. Further, only three sets of remains have been returned of 97 Americans known to have died in captivity—85 percent of approximately 600 Americans captured in Laos were under Vietnamese control.

Mr. Chairman, it is clear that the President's decision was wrong, this amendment corrects that decision. I urge my colleagues to support this amendment, support the MIA's and POW's and their families that so heroically served this great Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title VI?

AMENDMENT OFFERED BY MR. GOODLING

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

The Clerk read as follows:

Amendment offered by Mr. GOODLING: Page 102, after line 20, insert the following:

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the federal official having authority to obligate or expend such funds (1) that the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve

United States Armed Forces under the command or operational control of a foreign national, and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

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

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

There was no objection.

Mr. ROGERS. Mr. Chairman, further, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, and that the time be equally divided.

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

There was no objection.

Mr. MOLLOHAN. We have no objection. Does that mean we get 5 minutes on this side? Mr. Chairman, who is to control the time?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 5 minutes in support of his amendment.

Who seeks to control time in opposition?

Mr. MOLLOHAN. Mr. Chairman, I will seek time.

The CHAIRMAN. The gentleman from West Virginia [Mr. MOLLOHAN] will be recognized for 5 minutes also in support of the amendment.

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

Mr. Chairman, H.R. 7, the National Security Revitalization Act, and H.R. 1530, the defense authorization bill, both of which contain provisions severely restricting deployment of U.S. troops under foreign command, are now law, or have been passed by the House.

The amendment I offer today is a compromise proposal drafted with the support of the ranking Democrat in the Committee on International Relations, the gentleman from Indiana [Mr. HAMILTON], and it will apply these restrictions to this spending bill. I prefer to see that the provisions contained in H.R. 7 and H.R. 1530, which were approved by the House be enacted into law. These bills contain important certification and reporting requirements concerning U.S. involvement in U.N. missions that should be the law of the land.

In the interim, however, this amendment provides some measure of reassurance to Congress that U.N. mission debacles such as UNOSOM in Somalia will be avoided in the future.

In short, this amendment would prohibit the placement of U.S. troops under U.N. command unless military advisers report to the President and Congress such deployment was in the security interests of the United States.

I just want to restate to my colleagues the current U.N. command structure is largely unworkable. Current structure brought us the tragedy in Somalia and remains inept in Bosnia. The United Nations must rework its structure if it is to remain viable. As it currently stands, I do not see how we can subject Americans to that unworkable structure, needlessly endangering their lives.

I thank the chairman, the gentleman from Kentucky [Mr. ROGERS] and his staff, the gentleman from West Virginia [Mr. MOLLOHAN] and his staff, my friend, the gentleman from Indiana [Mr. HAMILTON], and his staff for working with me on the matter.

I urge an ''aye'' vote on the amendment.

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

Mr. GOODLING. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, on this side of the aisle, we are prepared to accept the amendment, thinking it is a good one, and urge its adoption.

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

We have no objection to the amendment.

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

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The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

The amendment was agreed to.

Mr. KIM. Mr. Chairman, I move to strike the last word, and I would like to engage the gentleman from Kentucky in a colloquy.

Mr. Chairman, I had intended to offer an amendment which would have withheld money for any official congressional travel to North Korea until North Korea ends its policy of discriminating against certain Members of this Congress in permitting travel to North Korea.

As the only Korean-American in Congress, the Speaker and the chairman of the Committee on International Relations asked me to lead a special bipartisan delegation to North Korea in an effort to provide an in-house assessment of the nuclear agreed framework and future relations.

This bipartisan delegation was rejected, yet another congressional mission was not. I have very convincing evidence that this rejection was based on my national origin and political philosophy and perhaps that of others in the delegation.

Mr. Chairman, this is a direct insult to Congress. North Korea is deliberately insulting this Congress, with some Members obviously being more friendly to North Korea than others. We should not tolerate this demeaning insult.

My objective is to send two strong messages: One, to North Korea, Congress will not accept this insult. Congress, not the North Koreans, will decide which Members of Congress represent this institution abroad.

Since North Korea needs the United States Congress, not the other way around, my message is, ''Accept the delegation we choose to send or none will be sent at all.''

The second is to the State Department.

I am disappointed at the apparent lack of seriousness the State Department has given to North Korea's insult. North Korea is not going to change its position unless strong and convincing representations are made at much higher levels.

The State Department has been too busy appeasing North Korea at the expense of Congress and the dignity of our own Government. What is the personal threat of North Korea? Will Korea not attack us? This is really embarrassing.

Mr. Chairman, in lieu of offering this amendment at this time, I welcome the commitment of the gentleman from Kentucky [Mr. ROGERS] to help me get this important message across to North Korea and the State Department, loud and clear. With the help of the gentleman, I am willing to give the State Department one more chance to get tough with the North Koreans.

Furthermore, as a means of protesting North Korea's insult and showing solidarity, I urge my colleagues to boycott traveling to North Korea until this discrimination ends.

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

Mr. KIM. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the gentleman from California [Mr. KIM] not offering his amendment at this time and his willingness to give the State Department one more chance. In return, as the chairman of the subcommittee, I commit to raise this situation directly with Secretary of State Warren Christopher, and to relay the concern of the gentleman from California [Mr. KIM] that the State Department should be making this issue a higher priority.

The Department is expected to do a much better job of making North Korea appreciate the role of Congress in determining the pace and scope of future relations and the seriousness of Pyongyang's insult to Congress. I fully support the choice made by Speaker GINGRICH and the chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN], of Mr. KIM to lead a bipartisan delegation to North Korea representing the House.

Mr. Chairman, I see North Korea's rejection of this codel as a rejection of the House as a whole. Congress cannot cede its decisionmaking authority on Member travel to the Communist dictatorship of North Korea.

Furthermore, Mr. Chairman, North Korea's direct snub of Congress raises serious questions about the sincerity of

North Korea's other interactions with the United States, including Pyongyang's commitment to the nuclear agreed framework. Do they intend to only cooperate on some parts of the agreement and not others?

Mr. KIM. With our chairman's commitment and that of the gentleman from New York, I will not offer my amendment at this time with the understanding that I will withdraw my amendment.

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

Mr. Chairman, I want to express my strong support for the resolution of the gentleman from California [Mr. KIM]. I think it is appalling that another country would sort out who they want of our congressional delegation to visit their country and to decide arbitrarily that the gentleman from California could not be admitted to North Korea, and it is for that reason I urge our colleagues to be supportive of the Kim resolution.

The CHAIRMAN. Are there other amendments to title VI?

AMENDMENT OFFERED BY MR. ZIMMER

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

The Clerk read as follows:

Amendment offered by Mr. ZIMMER: Page 102, after line 20, insert the following new section:

SEC. . None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the federal prison system—

(A)(i) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(ii) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

(iii) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(iv) possession of in-cell coffee pots, hot plates, or heating elements;

(v) the use or possession of any electric or electronic musical instrument.

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

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

There was no objection.

Mr. ZIMMER. Mr. Chairman, I will take only 1 minute.

Mr. Chairman, this amendment deals with prison amenities. Prison perks are bad public policy and a waste of taxpayer dollars. My amendment is designed to start eliminating them from Federal prisons.

In some prisons, inmate amenities are better than what law-abiding Americans have. Prisons should be places of detention and punishment; prison perks undermine the concept of jails as deterrence. They also waste taxpayer money.

Mr. Chairman, my amendment would help end this taxpayer abuse by prohibiting funds from being spent in Federal prisons on luxuries such as martial arts instruction, weight rooms, in-cell televisions, sexually explicit or violent movies, and expensive electronic musical instruments. We must make sure we are spending public funds wisely, not using them on amenities that have little bearing on institutional security and that far exceed basic standards of human dignity.

Mr. Chairman, my amendment has won the support of the Law Enforcement Alliance of America, the Nation's largest coalition of law enforcement officers, crime victims and concerned citizens. This is a reasonable amendment. It does not provide for a return to the chain gang. It does provide for a return to common sense.

Mr. Chairman, I urge my colleagues to support this amendment.

Prison perks are bad public policy and a waste of taxpayer dollars. My amendment is designed to start eliminating them from Federal prisons.

In some prisons, inmate amenities are better than what law-abiding Americans have:

The Lompoc, CA, Federal penitentiary offers premium cable TV, movies 7 days a week, pool tables, handball, tennis, and miniature golf.

The Duluth, MN, Federal prison camp is called Club Fed. It provides a movie theater, musical instruments, softball fields, and game rooms.

The Federal prison in Manchester, KY, in which some State politicians have taken up residence, has a jogging track, several basketball courts, and multiple TV rooms.

Prisons should be places of detention and punishment. Prison perks undermine the concept of jails as deterrence. They also waste taxpayer money.

My amendment would help end this taxpayer abuse by prohibiting funds from being spent in Federal prisons on luxuries such as martial arts instruction; weight rooms; in-cell televisions; sexually explicit or violent movies; and expensive electronic musical instruments.

Earlier this year during consideration of the anticrime component of the Contract With America, this House accepted a no-frills prison amendment I offered that requires the Attorney General to set specific standards governing conditions in the Federal prison system that provide the least amount of amenities and personal comforts consistent with constitutional requirements and good order and discipline in the Federal prison system.

That amendment also requires the Bureau of Prisons to submit an annual audit to Congress listing exactly how much is spent at each Federal prison for basics and how much is spent on extras, perks, and amenities.

This requirement will allow Congress to get a handle on whether we are spending taxpayers' money on reasonable items to maintain and secure prisoners, or whether money is being wasted on luxuries that many law-abiding Americans cannot afford.

We must make sure we are spending public funds wisely—not using them on amenities that have little bearing on institutional security.

My amendment has won the support of the Law Enforcement Alliance of America, the Nation's largest coalition of law enforcement officers, crime victims, and concerned citizens.

This is a reasonable amendment. It does not provide for a return to the chain gang. It does provide for a return to common sense.

I urge my colleagues to support this amendment.

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

Mr. ZIMMER. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, on this side, we accept this amendment.

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

The CHAIRMAN. The question is on the amendment by the gentleman from New Jersey [Mr. ZIMMER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SKAGGS

Mr. SKAGGS. Mr. Chairman, I offer an amendment, amendment No. 40.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendent offered by Mr. SKAGGS: Page 102, after line 20, insert the following:

SEC. 609. None of the funds made available in this Act may be used for ''USIA Television Marti Program'' under the Television Broadcasting to Cuba Act or any other program of United States Government television broadcasts to Cuba.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and the time be equally divided between the gentleman from Colorado [Mr. SKAGGS] and a Member on this side in opposition.

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

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. SKAGGS] will be recognized for 10 minutes.

Does any Member seek recognition in opposition to the amendment?

Mr. SMITH of New Jersey. Mr. Chairman, I seek recognition in opposition.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Colorado [Mr. SKAGGS].

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

Mr. Chairman, the purpose of this amendment is to prohibit the use of any funds in this bill for the operation of TV broadcasting to Cuba, otherwise known as TV Marti. Put quite simply, this program is, has been, and will continue to be, a colossal waste of U.S. taxpayers' money.

Virtually no one in Cuba has, is, or will ever be able to receive a TV Marti signal. We are broadcasting into the black hole created, unfortunately, by the very effective jamming of this program by the Castro government.

Mr. Chairman, in the process, however, we have thrown away something on the order of $90 million over the last several years in an empty gesture of political symbolism that accomplishes absolutely nothing in terms of the interests of the United States relative to Cuba or Latin America.

Mr. Chairman, the research conducted on this by USIA's own researchers has demonstrated that there is no effective viewership of TV Marti. Pursuant to the appropriations bill enacted a couple of years ago, we required USIA to set up a review committee on broadcasting to Cuba and to inform Congress whether there was any effective viewership at all. That advisory committee came back with a clear finding that no one sees TV Marti.

Private researchers have gone to the island to see if they can find the TV Marti signal. No one can see TV Marti.

In the process of trying a Rube Goldberg contraption to improve the signal being sent to Cuba, we compromised for a while our Caribbean air defenses, all again in this vain effort to get a TV signal into Cuba which no one sees.

Mr. Chairman, there is now under way, at a waste of millions more in taxpayers' money, an effort to convert what had been a VHF program to a UHF program. That misses a couple of fundamental technical points. One is that most TV sets in Cuba do not receive UHF. The second is, verified by technical experts in this country, that it would be far easier to jam UHF signals than VHF signals. So no matter how you look at this, unless you are interested in spending tens of millions of dollars, in the very, very difficult budget time we are now in, on symbolism that has no practical effect, to no benefit to the interests of the United States, it is time to put this program out of its intense misery.

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

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO THE AMENDMENT OFFERED BY MR. SKAGGS

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey to the amendment offered by Mr. SKAGGS: In the matter proposed to be inserted by the amendment, strike the period at the end and insert the following:

, when it is made known to the Federal official having authority to obligate or expend such funds that such use would be inconsistent with the applicable provisions of the March 1995 Office of Cuba Broadcasting Reinventing Plan of the United States Information Agency.

Mr. SKAGGS. Mr. Chairman, I reserve a point of order against the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the Skaggs amendment and in support of the legislation that I am offering to his amendment. The amendment of the gentleman from Colorado [Mr. SKAGGS] is aimed at the heart of what is sometimes called surrogate broadcasting. An even better term, Mr. Chairman, is freedom broadcasting sending the message of freedom to people who live in countries where this message is not permitted to be carried on domestic radio and television stations.

The amendment of the gentleman from Colorado, [Mr. SKAGGS], would eliminate TV Marti, would deprive millions of Cubans of not only vital information around the world and about the world, but also the hope that comes with knowing that the free world cares. My substitute perfecting amendment guarantees fiscal responsibility without compromising our commitment to freedom.

Mr. Chairman, eliminating or crippling freedom broadcasting into Cuba, as the Skaggs amendment would do, would send exactly the wrong message at exactly the wrong time.

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

Mr. SMITH of New Jersey. Mr. Chairman, I do not have the time.

Mr. SKELTON. Mr. Chairman, I ask unanimous consent that each side have 1 additional minute.

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

There is no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I yield to my friend, the gentleman from Missouri.

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

Mr. Chairman, I will not take the full minute, but I want to associate my remarks with those of the gentleman from New Jersey [Mr. SMITH], particularly in regard to the electronic communications of Marti toward the Island of Cuba. That is a very, very important subject for us as Americans. We should not forget that.

Mr. Chairman, many people from Cuba are here and enjoying our freedoms, but they also have friends and relatives back there, and the best way to communicate with them is for us to do it through the freedom network which the amendment of the gentleman from New Jersey [Mr. SMITH] addresses. I compliment the gentleman for addressing it in his substitute amendment.

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Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman from Missouri [Mr. SKELTON], my good friend, for his very kind words and for his support for the amendment I am offering.

Mr. Chairman, eliminating or crippling freedom broadcasting to Cuba, as the Skaggs amendment would do, would sent the wrong message at exactly the wrong time. The Castro dictatorship is at an all-time low in domestic support and international prestige. Like the two recent Clinton-Castro immigration agreements, the silence of Marti-TV would provide new hope for the Castro dictatorship and a fresh dose of despair for the Cuban people.

Mr. Chairman, let me just say that the amendment that I am offering achieves fiscal responsibility by guaranteeing that no funds would be spent for TV-Marti except in accordance with a careful and thoughtful plan for the streamlining and reinvention of the Office of Cuba Broadcasting proposed by the then Director, Mr. Richard Lobo, and approved by USIA Director Dr. Joseph Duffy in March of 1995.

These reforms are going to be implemented; they can save taxpayers money without sacrificing our commitment to end the slavery in Cuba.

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

The CHAIRMAN. Does the gentleman from Colorado insist on his point of order?

Mr. SKAGGS. No, Mr. Chairman. I have consulted with the Parliamentarian, and I am afraid my point of order would be unlikely to be sustained, so I will not put us through the exercise.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I rise in strong support of the Skaggs amendment to defund TV–Marti. I think it is very important that this amendment passes. I think it is time that we recognize that that program is an anachronism from the past, that what we ought to do is engage in a modern policy with the people of Cuba to engage them both in trade, and personal communications, and travel and tourism, and start to bring our values to their island, and to let them expand the values that they hold, and they can do that by greater contact with this country, greater contact with the rest of the world, and I think the notion that somehow we are going to provide some kind of meaningful engagement through the use of this process is simply ridiculous. We ought to understand that we ought to get out of the business of the embargoes, we ought to get out of all these old policies from the cold war, and start out fresh with the people of Cuba, and this program has never worked. It has been an incredible waste of money. It has not reached the population for which it was designed.

Mr. Chairman, we ought to stop this program, but, once this program is stopped, we ought to move on to a new relationship.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. DIAZ-BALART].

Mr. DIAZ-BALART. Today, Mr. Chairman, is an interesting day, the 26th of July, the anniversary of Castro's movement in Cuba, big celebration day for him, the day he got his so-called revolution going, and the revolution culminated with the oppression that has been on the Cuban people for 36 years. It is also interesting that just last week the Christian Science Monitor pointed out the vast new campaign of repression that Castro is engaging in against the—all signs of budding, free, independent press within Cuba. Our colleagues who are proposing this amendment, the gentleman from Colorado [Mr. SKAGGS], the gentleman from California [Mr. MILLER], the gentleman

from New York [Mr. SERRANO], in their Dear Colleague they say Television Marti uses tax dollars to produce and broadcast programs to Cuba, but Cubans cannot see them because the signals are jammed by the Cuban Government, so, they continue to say, while we support USIA's efforts to provide biased news, we are convinced it makes no sense to continue with the program.

In other words, the essence of their argument is, because Castro engages in jamming of TV Marti, that we should give up. In other words, during the heat of the cold war, when the Soviet Union was most engaging in jamming of Radio Free Europe and Radio Liberty, and was very successful, at some point jamming up to 90 or 95 percent of the transmissions of Radio Liberty and Radio Free Europe, if we were going to engage in the philosophy, accept the philosophy of the proponents of this amendment of the kill TV Marti, we would simply say, ''Oh, they won. They are jamming 80 percent, they are jamming 85–90 percent, so we have to give up.''

Mr. Chairman, that is not the American way. When we have a burden to overcome, when we have a situation where Castro was spending tons and tons of oil to jam, attempt to jam, the signal, we overcome the jamming, and we are doing that. We are engaging in the conversion of the UHF which the technicians tell us is going to markedly increase the receptivity of TV Marti, and, if we have to, we will use a C–130. We will get the transmission through. That is the American way, not throw in the towel, not give up, not give Castro a victory on the 26th of July.

Reject this effort by the gentleman from Colorado [Mr. SKAGGS].

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

Mr. Chairman, I want to take a little time to respond to the substitute amendment that has been offered by the gentleman from New Jersey.

The underlying assumption of the substitute of course is that this program can be fixed. The problem is that it is beyond fixing. It is not within the technical capabilities of the United States to make this thing work, and we should recognize that and get on with more productive uses of our very, very scarce resources.

Let me quote again the findings of the panel appointed by the United States Information Agency, which had an interest, since this operates under USIA auspices, in seeing a successful finding. But the panel that the USIA itself appointed said the following about this program, and I quote: ''The panel is able to state categorically that at present TV Marti's broadcasts are not consistently viewed by a substantial number of Cubans. Whatever TV Marti's shortcomings, they are negligible compared to its inability to reach its intended audience.''

Now I understand the strongly held feelings of the gentleman from Florida that just spoke and many that believe that this is an absolutely stellar effort to show the flag. I understand that. I think it is just too expensive for its purely symbolic effect.

In passing my amendment, we are not giving Castro a victory. We are giving the American taxpayers a victory.

Mr. Chairman, the substitute amendment is not going to solve the problem, it should be rejected, and I again urge my colleagues to support the original amendment as I offered it.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent that there be an additional 6 minutes. There are a number of speakers who would like to come forward on this important issue and for the interest of the membership of knowing the breadth and the fervor, equally divided, of course, with the gentleman from Colorado [Mr. SKAGGS].

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

Mr. OBEY. Reserving the right to object, Mr. Chairman, I do not want to object. We have been asked time and time again by the majority to cooperate in closing down debate so we can get out of here.

Mr. SMITH of New Jersey. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Ms. ROS-LEHTINEN], who has been very stalwart on the issue of human rights in Cuba.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in strong support of the substitute amendment and in favor of the important functions served by television broadcasting to Cuba.

Mr. Chairman, for decades Castro has been a master at manipulating information inside Cuba to serve his evil purposes. This information monopoly went unchallenged until the creation of Radio and TV Marti which effectively broke the information embargo that Castro has imposed on the people of Cuba.

The reality is, Mr. Chairman, that both Radio and TV Marti have been invaluable in providing the enslaved Cuban people access to information they would otherwise not obtain.

In Europe and Asia, American broadcasts played a critical role in freeing the enslaved countries of those continents against their Communist rulers. In Cuba, the broadcast of these two stations have made similar breakthrough impacts in the short number of years they have been in operation.

Moreover, the importance of the broadcasts of Radio and TV Marti have dramatically increased, given the newly enhanced repression by Castro's poilce state against journalists who try to act as independent sources of information.

Just 2 weeks ago, it was reported that Rafael Solana Morales, the founder of a clandestine independent news agency, Havana Press, was arrested by Castro's police state.

That same day, July 12, Jose Rivero Garcia, of the Council of Cuban Independent Journalist, was likewise arrested and detained.

Similarly, other independent journalists from the Association of Cuban Independent Journalists were also arrested, detained, and interrogated in early July by Castro's thugs.

As one of the victims of Castro's repression, Solano Morales, stated: ''This is harassment and attempted intimidation of the free press in Cuba, but it will not have the desired effect.''

The words of Mr. Solana Morales symbolize the determination of these journalists to continue working against the Castro regime.

What message will we be sending to these journalist dissidents if we move to eliminate broadcasting to Cuba?

Mr. Chairman, Castro has recently been working overtime to portray a reformist image of the island. However, Cuba remains to this day a totalitarian state where no freedoms of expression, press, assembly and all others that we in this country enjoy, exist.

A human rights activist of the organization America's Watch recently phrased it perfectly when referring to the Castro regime, ''They've been working hard since about November to improve their image, but this shows there's no real change in the structure of human rights limitations.''

Without Radio and TV Marti the Cuban people might have never found out about the intentional sinking by Castro's thugs of a tugboat filled with refugees and the resulting death toll of dozens of Cuban citizens, mostly women and children.

Without Radio and TV Marti the Cuban people would have been blind to the massive demonstration in Havana last year, or the refugees crisis that followed it.

TV and Radio Marti allow the Cuban people to differentiate the facts from the fiction that Castro promotes inside the island. This is critical to help the dissident movement on the island obtain the information necessary to continue with their courageous activities against Castro.

Mr. Chairman, let us not hand Castro a victory or buy into his cheap image enhancement.

TV Marti is an important tool in our battle to bring freedom and democracy to the Cuban people. Its elimination would undermine the efforts of those inside the island who look toward us as partners in their struggle to eliminate tyranny in Cuba.

I urge my colleagues to support the substitute amendment and reject attempts to eliminate TV Marti and its message of freedom.

Mr. MENENDEZ. Mr. Chairman, I ask unanimous consent to address the Committee for 2 minutes on this vital issue in my district.

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

Mr. MOLLOHAN. Mr. Chairman, reserving the right to object, we have

agreed to a time certain on these amendments, and I think it is extremely important to move this bill efficiently tonight. I think everybody agreed by unanimous consent on these time limits, and I would very reluctantly ask that the gentleman reconsider his request.

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

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

Mr. MENENDEZ. Mr. Chairman, I appreciate the gentleman's concern. Let me just say, had I been here, I would have objected, or I would have sought to at least insure this. It is interesting the only Cuban-American Democrat cannot get a unanimous-consent request from his own colleagues to be able to speak for 2 minutes for the second-largest concentration in the country.

Mr. Chairman, I would hope the gentleman would reconsider his objection.

Mr. MOLLOHAN. Mr. Chairman, I withdraw my reservation of objection.

I hope there will be restrained respect of our time limits and that the gentleman will come in if they have these issues and they want to speak on them. I hope in the future that we would come and get time during the agreed-upon originally time, and I withdraw my reservation of objection.

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

There was no objection.

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

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman from West Virginia [Mr. MOLLOHAN] for withdrawing his objection, and I have, in every way along the way, attempted to cooperate. As a matter of fact, I came the other day to speak on something, and even though I had asked prematurely to speak, I was not given time, so I have tried to cooperate, but I appreciate the gentleman's withdrawing his objection.

Mr. Chairman, I do not have enough time in 2 minutes, but let me just briefly say for those who say this is a cold-war relic, I say someone should tell Fidel Castro that it is a cold-war relic. We just had four ex-political prisoners from a generational difference, one who was just here a year ago, just came here a year ago, others who spent more time in Castro's jail than any other political prisoner in the world, Mario Chamas, in excess of 30 years. He saw his son born outside of jail and his son die while he was still in jail. He said tonight here in the House of Representatives in one of our offices where we were having an open meeting for Members to come, ''Don't cut Radio and Television Marti. Give the opportunity for the people in Cuba to have an open window, the only window of information that, in fact, we have,'' and this report which was authored by those who have the capacity, the intellect, and the technological background say we can do so, we can fix Television Marti to insure that in fact it is available to all the people of Cuba.

Lastly let me just say that the fact of the matter is this House just approved to transmit into China and into a Communist country. All we ask our colleagues to do is to keep the opportunity for information to continue to flow to the people of Cuba for an item that already exists. The fact of the matter is that 90 miles away from our shores there is a society that is closed, that has not been awoken to the waves of democracy that have come throughout the world, and whose only information comes from this great country as to what is happening in the rest of the world.

Do not close that window on these people. Vote against the amendment offered by the gentleman from Colorado [Mr. SKAGGS] and for the amendment offered by the gentleman from New Jersey [Mr. SMITH].

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The CHAIRMAN. The Chair would point out the gentleman from New Jersey [Mr. SMITH] has 4 minutes remaining, the gentleman from Colorado [Mr. SKAGGS] has 6 minutes remaining, and the gentleman from Colorado has the right to close.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BECERRA].

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

Mr. BECERRA. Mr. Chairman, this is an issue which undoubtedly has the passion of several Members, and I respect that passion and their desire to fulfill what they believe is the right course of action when it comes to Cuba and Mr. Castro. So I say this with deep respect for their views.

But I must say that at a time when we are cutting back on so many different programs, to spend $90 million on TV Marti, when we know we are cutting back on some very, very essential programs, to me is difficult to swallow.

Worse, when I realize that TV Marti does not even reach most of the Cuban people because it is blocked, it is something that cannot get through as much as we might desire, some people might desire, makes it a doubly more difficult thing to swallow.

Mr. Chairman, I would urge Members to consider the fact that what we are trying to do with these budget bills, these spending bills, is to try to come up with ways to spend our money the best we can for Americans. I would hope that we would concentrate on those. As much as I respect a lot of the Members who are my good friends, who have a great deal of interest and, as I said before, passion on this issue, I would urge colleagues to vote for the Skaggs amendment.

Mr. SMITH of New Jersey. Mr. Chairman, it is my privilege to yield 2 minutes to the gentleman from New York [Mr. GILMAN] the distinguished chairman of the Committee on International Relations.

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

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

Mr. Chairman, earlier this month, our Committee on International Relations took a bold, bipartisan step forward to prescribe proactive measures to help bring freedom to Cuba once and for all. The amendment offered by the gentleman from Colorado, [Mr. SKAGGS], is a step backward—and I urge my colleagues to oppose the Skaggs amendment and to support the Smith amendment.

Despite the controversy that usually marks any debate on Cuba, there is one issue on which all sides generally agree: that is on the manifest need to communicate with the Cuban people—to offer them a window to the real world and a hopeful glimpse at the future.

That is the spirit behind Radio and TV Marti.

One of the key provisions of legislation offered by Mr. BURTON, which has been referred favorably by our Committee to the Whole House, is a requirement that the President start planning now for United States support to a democratic transition in Cuba.

That plan, which was an idea conceived by our good friend and committee colleague, Mr. MENENDEZ of New Jersey, will lay out clear steps toward the normalization of our political and economic relations with Cuba.

A hallmark of that plan is the ability to communicate its contents to the Cuban people with two simple purposes: to offer them hope and to refute Castro's virulent propaganda that we mean them harm.

We cannot hope to achieve that mission—nor reach the broader objective of advancing liberty's reach—if we gut broadcasting to Cuba.

Let's be clear: there is one reason that TV Marti's audience is limited: because that's the way Castro wants it. If we silence TV Marti, we will be handing his dictatorship a victory by default. TV Marti's reporting is journalistically sound and evenhanded. That is why Castro is against it; that is why we should be for it. From the point of view of United States Cuba policy—which has been compromised recently by mixed signals—I cannot conceive of a worse time in recent memory to serve up a ''stocking-stuffer'' for Castro. I urge my colleagues to consider the broader policy issues when making the decision on this amendment.

Let's not abandon the field, particularly at a time when our policy is at a crossroads and when Castro is looking for cracks in our resolve. I urge my colleagues to defeat the Skaggs amendment.

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

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

Mr. SERRANO. Mr. Chairman, I do not really think that this is an argument about our resolve to do what we have to do for democracy or any other subject we want to discuss. This is just a bad expenditure. That TV station has not been seen in Cuba for the last couple of years. In fact, the reports are that it was seen one evening with Popeye cartoons. I know Popeye is good and funny. I do not know if Popeye is good at undoing any kind of government.

Those of you who are new to this House and strong on the issue of cutting budgets, this is a good one to start. The problem here is simple, and you are going to hear it throughout this discussion. There is a lobby in Miami that I envy. They are so strong. They can get their own TV station, their own radio station, their own embargo, and, of course, they can present it as something that is against everything that is wrong and in favor of everything that is right.

This, my friends, is a waste of money. When was the last time someone came from Cuba and said I saw TV Marti? They do see CNN programming. What they do see is the World Series when it goes in on the antenna. TV Marti does not get in. Whether or not it is jammed by Mr. Castro is not the point. I do not allow anything to come to my House that I do not want.

So maybe he has got a problem with that. That is his decision to make. But why are we spending tax dollars on something that does not work because we have got people telling us that they want electronic toys to play with? If they want electronic toys, let those lobbyists get a Radio Shack card and go and buy something and leave TV Marti unfunded and save that money.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Carolina [Mr. FUNDERBURK].

Mr. FUNDERBURK. Mr. Chairman, when I was a Fulbright student in Communist Romania staying with a Romanian family, I remember how important to them was Radio Free Europe and the Voice of America. It was the only way they could get the truth unfiltered and know what was going on in the outside world, as well as inside their country.

As U.S. Ambassador to that harsh Communist country, I saw even more how indispensable was an American broadcast voice. It made all the difference in Eastern Europe and Russia.

If we want to assist in the demise of Fidel Castro and his Cuban Communist regime and assist in the establishment of a free democratic government in post-Castro Cuba, TV Marti is needed now more than ever. I want history to record that when the Cuban people seeking freedom needed a voice and a news lifeline, at least in this small way we did not fail them.

Mr. Speaker, I have seen Communists up close. They do not respond to offers of friendship or well-meaning gestures of good will. They have nothing but contempt for those in Congress, the media, and academia who turn a blind eye to their crimes. I have seen Ceausescu, Li Peng, and many other Communist leaders.

Castro is a cold-blooded killer. He is a mass murderer. He knows only one language, force. While he lives, he is a threat, not only to the people of his island, but to the people of southern Florida. That is why we must give the people of Cuba every tool that we can to help them throw Castro into the Caribbean. That is why he must beat back attempts to cut the Cuban people off from TV Marti. TV Marti is the Cuban people's link to freedom.

Mr. Chairman, we must defeat the Skaggs amendment, and we must support the Smith amendment. Let us defeat this ill-timed amendment of the gentleman from Colorado [Mr. SKAGGS] and send Castro into the oblivion he so richly deserves. Do the right thing for freedom.

Mr. Chairman, there is no stronger advocate of eliminating layer after layer of the foreign policy bureaucracy than this Member. Despite that I will always argue that you cannot put a price on freedom.

Mr. SMITH of New Jersey. Mr. Chairman, I yield the balance of my time, 3 minutes, to my good friend and colleague, the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, I thank my friend for yielding.

Mr. Chairman, a week ago this Congress answered the imprisonment of an American citizen in China with Radio Free Asia. Today we celebrate the end of the cold war by recognizing the role of Radio Free Europe, knowing that more than any tank, as much as any plane, or the bravery of any soldier, the truth has always been America's most effective weapon.

Now the question before this Congress is, is the Congress that for all of these years supported Radio Free Europe, the very same individuals that voted for Radio Free Asia, now to abandon the truth in the fight against dictatorship in Cuba? That, my friends, is the question.

But it is not a new question. Last year the gentleman from Colorado [Mr. SKAGGS] came to this Congress with the same question on the same bill. It was argued then that there was no news, except USIA did a study and 70 percent of the broadcasting is news. It was argued then that it would not reach the Cuban people, except USIA says that it reaches most of the Cuban people. It was argued then that it was not effective or in the national interest, except that USIA said that is technically sound, it contains essential information, it is in the interests of the United States Government, that it sustains the Cuban people's right to hear and see the news.

Mr. Chairman, we did not have this debate last year, because the opponents and the proponents agreed for an independent study on the value of Television Marti. And you have it. It works, it is effective, it is the truth.

I cannot imagine the despair this Congress would cause to thousands of Cubans who last year took to the streets of Havana to demonstrate for their freedom, to the hundreds who are in political prisons, to those who risk their lives every day, organizing, planning, hoping, praying for freedom, to give Fidel Castro this gift.

Mr. Chairman, there is nothing more in the great traditions of this country than to believe that our most effective tool is a discussion of ideas, the promotion of our form of government, the announcement of the truth. Television Marti is in that tradition.

It is not that it cannot be better. This same study by the Clinton administration which endorsed the programming and its effectiveness also found ways to save money, and we are doing that; spending less, spending more effectively, but all the time letting the people of Cuba know that the truth, America's greatest weapon, is still their ally. I urge support of the Smith substitute.

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

Mr. Chairman, I appreciate the beautiful rhetoric of my friend from New Jersey. Unfortunately, the gentleman grossly mischaracterizes the report of the Advisory Committee on Broadcasting to Cuba, and particularly as it dealt with TV Marti. Let me just quote, as opposed to characterizing, what the advisory committee found, which is about 179 degrees different than the characterization of the gentleman from New Jersey [Mr. TORRICELLI].

''The panel is able to state categorically that at present, TV Marti's broadcasts are not consistently received by a substantial number of Cubans. Whatever TV Marti's shortcomings, they are negligible compared to its inability to reach its intended audience.''

Mr. Chairman, most of the argument we have heard in the last few minutes appeals to our sense of history about Radio Free Europe and our present determination with regard to Radio Free Asia, which, unfortunately, misses the point.

This is TV. Signal strength, ability to penetrate, to reach an audience, is wholly different. I am not attacking Radio Marti, which in fact does get to its audience and, with some reforms, can serve a useful purpose. This is TV Marti. It is not seen.

This has nothing to do with your views about Fidel Castro. It has everything to do with your views about whether we should continue to throw away U.S. taxpayer money on a program that does not work.

My colleague mentioned, and it is very appropriate to mention, that there are other avenues in the TV realm that do reach Cuba: CNN, HBO,

and other media get through. They are not jammed, and they are effective alternatives to the state-controlled TV in Cuba. TV Marti is not.

Unfortunately, it cannot be fixed. We should be under no illusion that somehow fiddling with the dials, going to UHF, or some other gimmickry, is going to solve the problem. In fact, it is really beside the points that have been made tonight, which are all about symbolism and nothing about practicality. Unfortunately, we cannot afford to indulge ourselves in this symbolism at this time.

Mr. Chairman, we should also realize that even if the signal got through, it only gets through at wee hours of the morning, when virtually no one is up to watch in any case.

This is a colossal boondoggle; it is a waste of money; it does not serve the national interest. The advisory committee found, without any equivocation, that this is a failed effort, and my conclusion is, we should not continue it.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH] to the amendment offered by the gentleman from Colorado [Mr. SKAGGS].

POINT OF ORDER

Mr. SKAGGS. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SKAGGS. Mr. Chairman, I believe this was characterized as a substitute.

The CHAIRMAN. It is an amendment.

The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH] to the amendment offered by the gentleman from Colorado [Mr. SKAGGS].

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

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House today, further proceedings on the amendment offered by the gentleman from New Jersey [Mr. SMITH], will be postponed.

□ 2100

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. SKAGGS. Mr. Chairman, I do not know that we have faced this particular parliamentary situation before in which proceedings have been suspended on an amendment to an amendment, and we have not yet gotten to the underlying amendment. I would reserve at this time, if I may, therefore, the right to a recorded vote on the underlying amendment. I will not otherwise have an opportunity to ask for a vote in the House.

The CHAIRMAN. The Chair would put the question on the underlying amendment to the committee after action on the amendment to the amendment was completed at a later point.

Mr. SKAGGS. I thank the Chair for the clarification.

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

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

Mr. LAHOOD. Mr. Chairman, I rise to engage the distinguished chairman of the appropriations subcommittee on a colloquy.

Mr. Chairman, in your subcommittee report under title V, page 124, there is report language about the future of some SBA offices around the country. The report recommends to the SBA, and I quote, ''not to close my district or branch offices at this time.''

Mr. Chairman, I would like to know if this pertains to the branch office in Springfield, IL, which is in my district and shared by the gentleman from southern Illinois.

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

Mr. LAHOOD. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the language does pertain to the Springfield, IL office.

Mr. LAHOOD. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I am appreciative of your efforts to behalf of the small business men and women in central Illinois. Mr. Chairman, as you are aware, the Springfield office is the only SBA office in Illinois outside of the city of Chicago. While I support the SBA's efforts to restructure, that effort should not be at the expense of those in rural Illinois. In addition, Mr. Chairman, several States with offices had less lending activity than the Springfield office, but were kept open. In closing, I want to thank the gentleman from Kentucky for his assistance, and I look forward to working with him in the future on this issue.

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

Mr. LAHOOD. I yield to the gentleman from Illinois.

Mr. POSHARD. Mr. Chairman, I want to rise in support of the efforts of my friend, the gentleman from Illinois [Mr. LAHOOD], and to thank the gentleman from Kentucky [Mr. ROGERS], and the ranking member, the gentleman from West Virginia [Mr. MOLLOHAN], for protecting excellent branch offices of the Small Business Administration such as the Springfield, IL office from closing until appropriate consultation with the Congress has been achieved.

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

Mr. LAHOOD. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I am happy to join my colleague from the city of Springfield, IL. I believe this is a valuable addition to the economy of southern and central Illinois to have this office remain open.

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

I wish to engage the distinguished chairman of the Commerce, Justice and State Subcommittee in a colloquy regarding the State Department Strategic Management Initiative or the SMI.

Mr. Chairman, on July 13, 1995, the Secretary of State sent to Congress his SMI narrative as part of the overall effort by the administration to consolidate and reduce departmental operations both at home and overseas. Part of the SMI is a proposal to close 19 overseas posts, including the United States consular office in Matamoros, Tamaulipas, Mexico.

It is my understanding that the members of the Subcommittee on Commerce, Justice and State will carefully consider this targeted closure.

This particular consulate is strategically located on the United States-Mexico border and will play an increasing role in the implementation of the North American Free Trade Agreement.

The office is also the only slated overseas post that directly affects a major U.S. city and a port of entry.

The office also helps United States businesses with information regarding the markets for their products in Mexico, works with law enforcement officials on both sides of the border and helps United States citizens who are traveling, living and conducting business in Mexico.

Again, it is my understanding that the subcommittee may appeal the SMI, specifically the potential closure of the U.S. consultant Matamoros office. Is this correct?

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

Mr. ORTIZ. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman is correct. the subcommittee intends to exercise its full-review prerogative concerning the State Department's SMI proposal.

Mr. ORTIZ. Mr. Chairman, I look forward to working with the gentleman on this issue.

Mr. WATTS of Oklahoma. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the distinguished gentleman from Kentucky regarding the Legal Services Corporation and its funding for Native Americans.

Mr. Chairman, as you are well aware, the LSC is restructured so that there are only two budget lines, one for administration and oversight, $13 million, and the second for basic field programs of $265 million.

Absent from the Legal Services Corporation appropriations is a separate line for native American program funding now used to fund the 34 Indian legal services programs nationwide. Regrettably, over the years the LSC has drifted away from the original congressional intent to provide needed essential legal services to low income Americans.

I commend the chairman and the committee for remedying the misguided activities of a few LSC grantees that have instead promoted their own social and political agendas instead of helping our Nation's citizens with basic legal services.

With that said, I would like to clarify the intention of the chairman and the committee on whether the basic field funding line will be available to use to fund grants to competitive bidders to provide legal services to native American people. In my State of Oklahoma, which is home to more federally recognized tribes than any other State in this Nation, the one LSC recipient providing legal services to the Indian population attempts to serve the Indian people from the more than 39 tribes and urban Indian people throughout the State, with the total client eligible population of about 150,000, with a staff of four attorneys.

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

Mr. WATTS of Oklahoma. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Oklahoma for yielding to me. I thank the distinguished chairman of the subcommittee, the gentleman from Kentucky, for this colloquy.

The gentleman from Oklahoma is quite correct when he talks about basic legal services. Also, we should note a basic legal responsibility. Because of our treaties with sovereign Indian nations and the trust relationship that this Federal Government enjoys with those nations, we have sacred treaty obligations to our native American citizens. This is why I am gratified to join the gentleman from Oklahoma and the distinguished subcommittee chairman to assure native Americans that basic legal services will be available in the days ahead.

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

Mr. WATTS of Oklahoma. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I want to thank the gentleman from Oklahoma [Mr. WATTS] and the gentleman from Arizona [Mr. HAYWORTH] for bringing their concerns to the attention of the subcommittee and to the chairman.

Let me assure the Members that it is not only the intention, but the expectation, of the committee that Native Americans receive legal services with funding provided through the competitive bidding process for basic field programs. Basic field funding will be available for grants to competitive bidders to provide legal services to Native Americans. I will be pleased to work with the gentlemen as we proceed to conference on the bill to further clarify the committee's expectation. I thank the gentleman for bringing the matter to our attention.

Mrs. MORELLA. Mr. Chairman, the Legal Services Corporation is important to assisting vulnerable people in our society. Women and children are among the vulnerable who without assistance often find themselves in abusive situations that they cannot control. The impact of these situations is significant and may result in homelessness and the loss of necessary financial resources for food, maintenance, and health care.

The destabilizing effect can be illustrated by situations occurring across the country and in my own State of Maryland, where the Legal Aid Bureau, Inc., has 13 offices geographically located to help eligible clients. In 1994, more than 36,000 cases were opened to assist families, many of which were headed by women. More than 21,000 of the clients served were females—including children.

In May, a maternal grandmother caring for her 4½-year-old grandson since birth called Legal Aid after the boy's father assaulted her, snatched the boy naked from the bathtub, and fled her house for several hours. He did this in retaliation for the grandmother's refusal to grant him food, money, and sexual favors to allow her to continue to care for her grandson. This incident occurred after he had stalked and harassed her. Legal Aid Bureau attorneys went to court for her and got a protective order, and they will seek an emergency custody order this week.

An asthmatic mother who recently had surgery for cancer was locked out of her home by her husband, while he attempted to remove furniture and other household items. When she insisted on being let into her home, he became physically abusive, and cut the cord on the air conditioner which she needed to help her breathe. She was in dire straits. Legal Services helped her to get a protective order which included financial support during the time of the order, and it restrained her husband from contact and allowed her to remain in her home.

In another case, an abused woman living on the eastern shore of Maryland was wrongfully accused by her husband of abuse to gain an advantage in a parental custody dispute. He snatched the child and claimed that he was protecting the child. Legal Services helped to establish that he was really the abuser and was successful in defending against his petition for a protective order. She was granted temporary custody, and he was enjoined from abusing her.

In my congressional district in Montgomery County, as a result of domestic violence and in fear for her safety and that of her five children, a woman left her husband of 15 years. He had been the primary support for the family. She was able on her own to obtain housing, although it was neither decent nor safe; still, because of her financial situation, she was threatened with eviction. Legal Services helped her to get section 8 housing and the family was able to relocate to decent housing with adequate space. This stabilized the family during a very disruptive and unsettling time.

Millions of children are the victims of abuse from their parents and others who are responsible for their care. This abuse goes on somewhere in the country every minute of the day. Legal Services in Maryland represents children who are neglected or abused. Such neglect or abuse ranges from a child being left alone by a parent, or not being provided a nutritional meal, to physical or sexual abuse that results in severe injury and, all too often, death. Legal Services has helped the infant that has been abandoned at birth, the child who is left unattended, the child who is beaten, burned by cigarette butts because he wouldn't stop crying, or scalded by hot water to teach him a lesson.

These children are vulnerable, and without the protection of the law, they would be endangered and lost. Legal Services advocacy on behalf of children assures that they will not be the subject of abuse, and helps to secure services for children such as housing support, health care, food, educational programs, and necessary counseling. The work of Legal Services on behalf of families and children touches at the heart of what we value in this country—decent housing, adequate health care, food, and a safe environment. Because of the importance of safety in our society, Legal Services programs have supported legislation to prevent abuse and to protect the abused.

In Maryland, the Legal Services Program, on behalf of clients, supported a change in the Domestic Violence Act which greatly improved the protections for abused persons.

The new law was enacted in 1992, and expanded protection from abuse to include members of the household, including stepchildren and others who resided in the home for at least 90 days. The law was strengthened by allowing the court to grant protections such as financial maintenance, custody, and child support from 30 days to up to 200 days, and by allowing the court to order financial maintenance, custody and child support during the time of the order.

In 1994, the Legal Services Program in Maryland opened 8,219 domestic cases, represented 13,000 cases involving children who were neglected or abused, and opened 3,466 cases to assist people with housing problems. With limited Federal funding, many people have been helped to assure access to justice by our poorest citizens.

In general, the States are not allocating funds for civil legal services for the poor citizens. Without this federally funded program, the most vulnerable members of our society will not have the ability to get inside the court room door to seek judicial protection of their rights.

The CHAIRMAN. Are there other amendments to title VI?

AMENDMENT OFFERED BY MR. KLUG

Mr. KLUG. 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. KLUG: On page 102, after line 20, insert before the short title the following new section:

''SEC. . None of the funds made available in title II for the National Oceanic and Atmospheric Administration under the heading 'Fleet Modernization, Shipbuilding and Conversion' may be used to implement sections 603, 604, and 605 of Public Law 102–567.''.

Mr. KLUG. Mr. Chairman, this amendment, sponsored by myself and the gentleman from Florida [Mr. FOLEY], simply completes the business that this House started earlier today. As you may remember, there was an amendment sponsored earlier today by the chairman and by the gentleman from West Virginia which struck $12 of

the $20 million included in the appropriation bill for the modernization of the NOAA fleet.

This will now essentially bar NOAA from spending the other $8 million on modernizing its fleet and instead simply says if it needs additional fleet services, it should use it on contracting out. This amendment will once and for all terminate NOAA's ill-conceived $1.9 billion fleet modernization effort and force NOAA out of owning and operating its own vessels in favor of private and nonprofit ships and data gathering.

Over half of the fleet modernization account is currently used to repair NOAA vessels. If we stay on course, it will cost us twice that amount simply to keep the fleet up and running.

Since the fleet will cost nearly $2 billion to replace, we have to find a better way.

H.R. 1815, the NOAA authorization bill passed last month by the Committee on Science, repeals NOAA's fleet modernization authority. It does not authorize any funding for the NOAA fleet modernization account. Private firms are more than capable of supplying NOAA with the data they need for mapping and charting. In fact, an association of 57 research institutions that operate or utilize the 27 ships of the U.S. academic research fleet is much better prepared to operate a fleet than NOAA. NOAA's operating costs are at a minimum 25 percent higher.

This amendment, I should point out, is supported by both the Interior Committee and the Committee on Science.

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

Mr. KLUG. I yield to the gentleman from Florida.

Mr. FOLEY. Mr. Chairman, I rise with the gentleman from Wisconsin [Mr. KLUG] to privatize the NOAA fleet.

The U.S. Government through NOAA owns a number of research and mapping watercraft. These boats are falling apart. Currently in this bill NOAA gets $8 million to fix the boats in this bill. This $8 million would be the first drop in the bucket in spending money. I say let us privatize the fleet. Let us get the Government out of owning these watercraft; that is, let the private sector do it and save millions of dollars for the American taxpayer.

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

Mr. KLUG. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG].

The amendment was agreed to.

Mrs. MEYERS of Kansas. Mr. Chairman, I ask unanimous consent to offer an amendment to title V.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Kansas?

Mr. DEFAZIO. Reserving the right to object, Mr. Chairman, I would like to know what time is anticipated on this amendment?

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

Mr. DEFAZIO. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I will be seeking a limitation on time at the appropriate time of 20 minutes.

Mr. DEFAZIO. Mr. Chairman, continuing my reservation of objection, I yield to the gentlewoman from Kansas [Mrs. MEYERS] to explain the amendment.

Mrs. MEYERS of Kansas. Mr. Chairman, this amendment would replace funds for the Office of Advocacy. We will be as brief as we possibly can.

Mr. DEFAZIO. Mr. Chairman, I object.

The CHAIRMAN. Does the gentleman object to returning to title V, or does the gentleman object to the 20-minute time allocation?

Mr. DEFAZIO. Mr. Chairman, if it can be done in 10 minutes, I would not object.

The CHAIRMAN. The gentleman objects to the 20-minute time allocation.

Is there objection to the request of the gentlewoman from Kansas [Mrs. MEYERS] to offer an amendment to title V?

There was no objection.

AMENDMENT OFFERED BY MRS. MEYERS OF KANSAS

Mrs. MEYERS of Kansas. 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 Mrs. MEYERS of Kansas: Page 97, line 8, strike ''$217,947,000'' and insert ''$222,325,000''.

Page 98, line 6, strike ''97,000,000'' and insert ''$92,622,000''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, and that the time be equally divided between the gentlewoman from Kansas [Mrs. MEYERS] and the gentleman from New York [Mr. FORBES].

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

There was no objection.

The CHAIRMAN. The gentlewoman from Kansas [Mrs. MEYERS] will be recognized for 5 minutes, and the gentleman from New York [Mr. FORBES] will be recognized for 5 minutes.

The Chair recognizes the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I yield myself such time as I may consume.

The SBA has taken a reduction of 42 percent. We intend to authorize a reduction of 42 percent and in this bill we have taken a reduction of 36 percent. We intend to authorize a reduction of the Office of Advocacy of about a third in our authorization. However, in the committee, the Office of Advocacy was zeroed out.

Let me make very clear, Mr. Chairman, that all of the small business groups are strongly supportive of the Office of Advocacy.

When I first became chairman, a number of the small business groups said to me, the two most important things in the SBA were the loan programs and the Office of Advocacy. They could get along without other things, but not the loan programs and the Office of Advocacy.

This was stated on behalf of NFIB, U.S. Chamber of Commerce, National Small Business United, Small Business Legislative Council, the National Association for the Self-Employed, and the Small Business Council of America. They all strongly support the Office of Advocacy, and they support this amendment.

Some Members may not be familiar, Mr. Chairman, with what the Office of Advocacy does, but it is the advocate among other agencies of Government on behalf of small business, and it has performed extremely well. It is an independent office, appointed by the President, confirmed by the Senate so that it has the clout to go toe to toe with all other agencies.

It has testified before Congress approximately 200 times and about 25 percent of that time it was either in opposition to administration policy or in the absence of administration policy on an issue.

□ 2115

It is also the linchpin, it is absolutely the central position for enforcing the Regulatory Flexibility Act. This is an act which we just strengthened in the Contract With America. There has been some concern expressed about lobbying activities. However, an Inspector General's report, after investigating this matter at my request and at the request of the gentleman from New York [Mr. FORBES] has said that lobbying did not take place.

I am very rushed. I want to state strongly that this is a key vote by NFIB, that all the small business groups supported it; that if Members voted for the Regulatory Flexibility Act in the Contract With America, it is absolutely counter to that if Members do not support the Office of Advocacy. I would ask for Members' votes for the Meyers amendment.

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

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

Mr. Chairman, this is a new day in Washington. We are supposed to be picking programs that work and discarding programs that do not work. Twenty years ago the special interest groups got together and said, ''You know what? Not only do we want to be at the table, we want to be inside the Federal building. We want to have our own Federal staff, paid for by the taxpayers. We want an office paid for by the taxpayers.''

Carol Browner represents the environmental interests at ERA. Bruce

Babbitt represents the Interior's interests at Interior. Robert Reich represents labor, not the AFL–CIO. The Sierra Club does not have an office at EPA. I would suggest, first and foremost, that Phil Leder at the SBA represents the interests of small businesses.

Mr. Chairman, let me say this. We have reduced the SBA budget, with the good wisdom of the subcommittee and the full committee, by $337 million over last year. Now is the time to pick the programs that work. Do we want to help small businesses that need access to capital, or do we want to fund studies that go to special interest groups and consultants inside the Beltway? Do we want to help women business owners get a start, or do we want to fund a 10-, 11-, and 12-year-old statistic-gathering operation?

I would suggest to this committee and to the full House that we want to help small businesses. If Members care about Main Street businesses, they will want them to be able to have access to capital. How do we do that? We make sure that we defeat the Meyers amendment, and that we preserve the chairman's bill here that provides for the women business ownership program, it allows for prequalifying women business owners, it allows for the smallest of businesses, under $100,000, to get loans. If the Meyers amendment is approved, Members will be taking money away from small businesses to fund studies done by a so-called ''Office of Advocacy'' that is an advocacy office in name only.

Mr. Chairman, I would just suggest to the Members, here is a book of some of their studies. Let me ask the Members, do they think the Main Street businesses in their hometown would benefit from the ''small business involvement in societal causes and empirical investigation of social responsibility, self-interest perspectives''? Is that a study you think they would benefit from? Those are the kinds of studies that come out of the Office of Advocacy. In the last 20 years, they have received upwards of $80 million, $80 million.

My distinguished friend, the gentlewoman from Kansas, is wrong. We would no sooner stand in the well of this House and ask to fund an office for the AFL–CIO or the Sierra Club or any other special interest. Let us put the interest of the Main Street merchants, the mom and pop businesses, first.

Mr. Chairman, I would suggest if this office is supposed to be fighting regulations, how come in the last year alone, when there was proposed 68,000 new regulations, that the Office of Advocacy only saw fit to object to 30? Since January of this year, they have only objected to 12.

I would suggest, Mr. Chairman, that try as they might, this is an office that could not fulfill the mission originally given to it. It could not be such a small operation and go against Cabinet-level departments. If we really care about regulatory flexibility and paperwork reduction, we will put that operation in a legal counsel office, where it can be better administered. The Office of Advocacy has a 20-year history of failing in that mission. With all due respect to my colleagues at the NFIB, and I was head of the Small Business Administration for 4 years in New York, and here in Washington at the Office of Legislative Affairs, and I can tell the Members I saw firsthand.

Do we want to fund programs that actually teach businesses how to get over problems, give them the technical assistance? Do we want to fund them and allow them to grow their businesses? If we do, we will, in due respect, defeat the Meyers amendment. It is wrongheaded. If we want to help studies, we want to fund studies. If Members want to fund statistics that are 10 years old, then go that way. If we care about Main Street businesses and the businesses across this country, in all due respect, we will not allow the Office of Women Business Ownership to be cut 50 percent, we will not allow the small business development centers, each one in each one of our districts to lose $4 million and all of a sudden, after we have cut $333 million over last year, come up with $4.4 million, take it out of loan-making and give it back to the consultants inside the Beltway.

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

The CHAIRMAN. The gentleman from New York [Mr. FORBES] has 10 seconds remaining, and the gentlewoman from Kansas [Mrs. MEYERS] has 1½ minutes remaining.

Mrs. MEYERS of Kansas. Mr. Chairman, I yield the remainder of my time to the gentleman from New York [Mr. LAFALCE], the ranking member of the Committee on Small Business.

The CHAIRMAN. The gentleman from New York [Mr. LAFALCE] is recognized for 1½ minutes.

Mr. LAFALCE. Mr. Chairman, it was my understanding before we came here that this was the Meyers-LaFalce amendment. That still is my understanding, although it has not been characterized in that manner, because this is a bipartisan approach we are taking to preserving the office that we think is the most important office for the small business community of America.

However, it is not just we who believe that. The gentleman from New York [Mr. FORBES], who was a regional administrator, in addition to the chief lobbyist for the SBA while he was there, head of congressional relations, knows a lot about and developed a certain amount of antagonism, I think, toward the office. However, we recently had a White House Conference on Small Business. In the White House Conference on Small Business, thousands of individuals across America made a special point of coming in with a very high-ranking recommendation. That high-ranking recommendation was, at all cost, preserve the Office of Advocacy.

The Contract With America, in the regulatory flexibility bill, provided the chief counsel with time to comment on proposed rules before they were even published. That is a new authority and confirms the advocates' authority to appear amicus curiae in Federal court. That was approved on March 1 of this year by a vote of 414 to 15.

Mrs. MEYERS of Kansas. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. TORKILDSEN].

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

Mr. TORKILDSEN. Mr. Chairman, I rise in strong support of the bi-partisan amendment sponsored by my good friend and colleague, the distinguished chair of the Small Business Committee, Mrs. MEYERS, and the ranking minority member, Mr. LAFALCE, to restore this important position.

As chairman of the Small Business Subcommittee on Government Programs, I have worked closely with Mrs. MEYERS in our top-to-bottom review of the Small Business Administration.

As a part of that review, we held an extensive hearing focusing specifically on the Office of Advocacy and deemed it an important advocate for small businesses. In any bureaucracy, a well run advocate's office can be the difference between regulation written in reality, or imagination.

Reputable small business organizations such as NFIB, the U.S. Chamber of Commerce, National Small Business United, and the National Association of the Self-Employed all support our effort to retain funding for the Office of Advocacy.

In fact, the recently concluded White House Conference on Small Business went so far as to make our effort to strengthen the Office of Advocacy one of the Conference's top priorities. Clearly, the White House Conference delegates from every Congressional district in the Country are all aware of the importance of the Office of Advocacy to small business.

These delegates were chosen by ourselves, or elected by their fellow small business owners, because of their experience and knowledge of the problems facing small business everywhere.

I have heard the claims that the Office makes SBA ''a weak two-headed agency,'' or that the Office is a political tool for the White House. These charges are inconsistent with the Office of Advocacy I have come to know as chairman of the Government Programs Subcommittee.

The Office of Advocacy I know is rebuilding, into an agency which champions small business interests throughout the regulatory process. The Office of Advocacy is a strong, independent agency which is not afraid to take-on other agencies while working to promote small business interests. The Office of Advocacy has independently testified before Congress nearly 200 times voicing the concerns of American small business.

Without the voice of the Office of Advocacy, small business interests and concerns could be gagged during the regulatory review process. Don't reverse the good work we did on Reg Flex; don't kill the dog while you're trying to get rid of the fleas.

I ask my colleagues on both sides of the aisle to join our effort to save the Office of Advocacy.

Mrs. MEYERS of Kansas. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. BARTLETT].

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

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

Mr. Chairman, I rise today in strong support of the Meyers-LaFalce amendment which restores funding for the ABA's Office of Advocacy.

The Chief Counsel for Advocacy plays an important role by presenting and fighting for the views of the small business community. The Chief Counsel has a very different role than other administrators in the SBA; he is the independent voice within the agency that represents the interests of small business. The advocate may not necessarily represent the President's Administration position or that of the SBA, however, the SBA and other Federal agencies are required to fully cooperate with the Chief Counsel.

While I personally may not agree with some of the position's taken by the Chief Counsel, I believe it is important to maintain the office which is the watchdog for small businesses. By passing the Regulatory Flexibility Act, which was contained in the Contract With America, the Chief Counsel will now have the authority to protect small businesses from overzealous regulators.

The Office of Advocacy plays a crucial role as the independent voice of small business. Here is an example in which the Chief Counsel's position was different from the administration's: January 20, 1995—the Chief Counsel supported 100 percent deductibility of health insurance premiums for small business, while the President supported only a 25 percent deduction.

In addition, the Office of Advocacy has submitted more than a thousand comments to regulatory agencies to insure that the interests of small business were considered during the rulemaking process. Each time a comment is filed with an executive branch agency, the Chief Counsel, in effect, takes a position independent of the administration.

The Chief Counsel's advocacy has resulted in major cost savings for small business. For example: Enhanced poultry inspection—the USDA withdrew this proposed rule consistent with comments filed by the Chief Counsel on October 11, 1994. According to industry estimates, this withdrawal saved the poultry processing industry at least $450 million in up front costs, and at least $185 million in annual recurring costs.

I urge my colleagues to join me in standing up for small businesses by supporting the Meyers-LaFalce amendment.

Mrs. MEYERS of Kansas. Mr. Chairman, I yield such time as he may consume to the gentleman from Maine [Mr. LONGLEY].

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

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

Mrs. MEYERS of Kansas. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. Mr. Chairman, I rise in strong support of the Meyers-LaFalce amendment.

Mr. Chairman, to be honest, I do not understand why anyone would want to get rid of SBA's Office of Advocacy.

I have been on the Small Business Committee for 12 years and I have never heard of any serious opposition within the small business community to the Office of Advocacy.

Just the opposite. The Office of Advocacy has consistently enjoyed strong support over the years from small business. Advocacy plays a very important role in representing the views and interests of America's small business before Federal departments and agencies.

The recent White House Conference on Small Business recommended—and I quote—''permanent maintenance of the 'independent role' of the U.S. Small Business Office of Advocacy.''

The NFIB supports the Meyers amendment to restore partial funding to the Office of Advocacy. The Chamber of Commerce also supports the Meyers amendment. In fact, all of the major organizations representing small business support the Meyers amendment.

I thought that this Congress was going to give greater weight to the views of small business. I thought there was an emerging bipartisan consensus to make sure that the voice of small business is heard in the regulatory process.

By overwhelming margins we passed improvements to the Paperwork Reduction Act and the Regulatory Flexibility Act.

In fact, this House voted to expand the responsibilities of the Office of Advocacy. H.R. 926 allows the Chief Counsel for Advocacy explicit authority to appear in federal court to review agency rulemaking.

Why on earth would we want to sabotage these reforms without ever giving them a chance to work?

Nobody is suggesting that the Office of Advocacy should be exempt from budget cuts. The Meyers amendment would cut about $1.8 million from last year's budget. That's pretty much in line with the 36 percent cut in the SBA's budget overall.

But i strongly urge my colleagues to heed the recommendation of the White House Conference and preserve an independent voice for small business in the regulatory process.

I urge you to support the SBA's Office of Advocacy and vote for the Meyers amendment.

Mr. LAFALCE. Mr. Chairman, I yield such times as she may consume to the gentlewoman from Arkansas [Mrs. LINCOLN].

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

Mrs. LINCOLN. Mr. Chairman, I rise in strong support of the Meyers-LaFalce amendment.

Mr. Chairman, I rise today in strong support of the Meyers-LaFalce amendment which would restore funding to the Small Business Administration's Office of Advocacy. Small business is vital to the economic health of the First District of Arkansas and the nation as a whole. Many times in my district I have been approached by small business owners telling me how they are being oppressed by overregulation. We have made a lot of progress in this Congress to correct excessive regulatory burdens and that is why I find it so hard to believe that this bill eliminates all of the funding to the Office of Advocacy. Many small businesses can't afford to have an advocate in Washington, so this office often serves as their one protection from overbearing bureaucracy. I am an adamant supporter of balancing the budget, but cutting out the entire Office of Advocacy is neither intelligent nor equitable to our small businesses. The Meyers-LaFalce amendment is both budget conscience and fair, cutting funds for the Office of Advocacy by 30 percent from the administration request while maintaining a barrier of protection for our small businesses. Thousands of small business leaders from across the country recently expressed their strong support for the office at the White House Conference on Small Business. These leaders recommended to the President that he should ensure permanent maintenance of the independent role of this office. Many leading business organizations have lent their support to the Meyers-LaFalce amendment, including the National Federation of Independent Businesses, the U.S. Chamber of Commerce and the Small Business Legislative Council. I firmly believe that the only prudent decision for this Congress is to support equitable, intelligent treatment of the SBA's Office of Advocacy. I urge my colleagues to support the Meyers-LaFalce amendment.

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

(Mr. PETERSON of Florida asked and was given permission to revise and extend his remarks.)

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

As a member of the Small Business Committee, I have always valued the Office of Advocacy's candor in their testimony on executive agency compliance.

The role of advocacy is to be the inside watchdog for Small Business. In this role, the office has consistently spoken up against agency attempts to unduly burden small businesses.

It is important to note that this role is within the administration. I know the principal opponents of the office may criticize the office's lack of independence. But I believe it has done its job effectively in constantly interjecting the small business perspective.

Of course there will still be regulations which small businesses oppose, but we cannot hope to solve these problem by silencing their only effective voice within the administration.

At the White House Conference on Small Business, small businessmen and women from across the country affirmed their support for this office.

One proponent of eliminating the office cites the NFIB, The U.S. Chamber of Commerce, and other interest groups as the truly independent voices of small business. Looking past the partisan nature of some of these groups, I find it ironic that all of them in fact have stated their strong support for the Office of Advocacy and their opposition to its elimination.

At a time when we have finally taken steps to provide the Regulatory Flexibility Act with

much-needed judicial review, we must not eliminate the very office charged with its enforcement.

I applaud Chairwoman MEYERS and Congressman LAFALCE for their bipartisan leadership on this issue and join them in strong support of the amendment.

Mr. LAFALCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island [Mr. REED].

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

Mr. REED. Mr. Chairman, I rise in strong support of the Meyers-LaFalce amendment to restore funding for the Office of Advocacy at the Small Business Administration.

The Office of Advocacy successfully served as an independent voice for small business in testifying before Congress and in representing the small business sector before Federal departments and agencies.

The Office of Advocacy has been one of the parts of the SBA that has consistently received strong small business support over the years. Indeed, the delegates to the recent White House Conference on Small Business affirmed their support for the Office of Advocacy, the U.S. Chamber of Commerce, the National Federation of Independent Business, and other small business advocacy groups wholeheartedly endorse the Office of Advocacy and support this amendment.

Efforts to make the SBA more effective and efficient should continue to be explored, as they should be in programs throughout our Government. But to eliminate the Office of Advocacy makes no sense.

I urge my colleagues to reject this proposal and to support the Meyers/LaFalce amendment.

Mrs. MEYERS of Kansas. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. SKELTON].

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

Mr. SKELTON. Mr. Chairman, I strongly favor the Meyers-LaFalce amendment.

Mr. Chairman, I rise on behalf of small busies owners from Missouri and across the country in strong support of the Meyers/LaFalce amendment to restore funding for the Small Business Administration's Office of Advocacy.

Mr. Chairman, as a member of the Small Business Committee, I ask that Members of this body allow me to make the following observations regarding this bipartisan amendment before us.

Both the chairman and the ranking member of the Small Business Committee, the same members chosen by this body to represent the views of small businesses, stand before you today in complete agreement that the Office of Advocacy continues to provide an invaluable service to small business owners and should be maintained.

Recently, thousands of small business owners from across the country convened in Washington for the White House Conference on Small Business. Participants bestowed praise upon the Office of Advocacy for its role in independently representing small businesses before Congress and other Federal agencies. Further, they recommended that the Office of Advocacy be permanently maintained as an independent entity.

Advocates of the small business community such as the Small Business Legislative Council, the Association for the Self-Employed, the U.S. Chamber of Commerce, and the National Federation of Independent Business [NFIB], have voiced their concerns about losing a unique liaison to the executive, legislative and judicial branches of government. Because the Office of Advocacy serves as an independent voice within the administration, they are better equipped to provide a clear and thoughtful assessment of the concerns before small business owners. Make no mistake; small business owners support the Office of Advocacy.

Mr. Chairman, let me give an example of the positive contributions this office has made in regard to legislation effecting small business. In response to proposed legislation regarding the Clean Air Act, the Office of Advocacy objected to requiring more than half a million farmers to perform hazard assessments for ammonia fertilizers. As a result, The 1990 Clean Air Act amendments exempted farmers from this provision for a savings in excess of $1 billion.

Examples such as this illustrate why members of this body, as well as Members of the Senate, have adopted provisions in pending legislation to increase the authority and responsibility of the Office of Advocacy. In other words, Congress wants the chief counsel to do more.

As a member of this committee, I urge you to stand with small business owners from your district and across the country by supporting efforts to restore funding for the Office of Advocacy in the Small Business Administration.

Mr. LAFALCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. POSHARD].

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

Mr. POSHARD. Mr. Chairman, I rise in strong support to the Meyers-LaFalce amendment.

Mrs. MEYERS of Kansas. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS], and I would like to thank the gentleman from New York [Mr. FORBES] for not objecting.

The CHAIRMAN. The gentleman from New York [Mr. FORBES] has 10 seconds remaining.

Mr. FORBES. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I would just say with the balance of my 10 seconds that if Members care about small business, they will defeat this amendment. I would just quote Hillel, the rabbi from the first century who said, ''If not now, when? If not us, who?''

Mr. LUTHER. Mr. Chairman, I wish to support the Meyers/LaFalce amendment to restore funding for the SBA's Office of Advocacy.

I have been, and continue to, be a strong advocate of efforts to balance the Federal budget. However, the Office of Advocacy does not have to be eliminated to accomplish this goal. The appropriations process is about setting priorities, and in my view, eliminating the Office of Advocacy in order to fund other activities of the SBA, represents misplaced priorities.

The Office of Advocacy serves as an important voice for small businesses on regulatory and policy issues, serving as the eyes and ears for small business throughout the Federal Government. Optimally, all agencies of the Federal Government would be sufficiently sensitive and responsive to the interests of small business, and if that were the case today, there would be no need for the Office of Advocacy. Unfortunately, however, that is not the case, and the small business community in this country needs the Office of Advocacy to intervene on their behalf and on behalf of their grassroots advocacy organizations to protect small business' interest.

The bill before us cuts funding for the Small Business Administration by 36 percent from last year's funding in order to reduce our Federal deficit. The Meyer/LaFalce amendment adds no additional spending to the bill, it simply shifts funds from other activities within the SBA to fund this important activity. I urge your support.

Mr. LIGHTFOOT. Mr. Chairman, let me just say a few brief words in support of the Meyers amendment.

I have been contacted by a number of constituents in support of this office. What's interesting is that these are constituents who would normally be asking me to keep government off their back.

I understand the concerns expressed by the subcommittee. Clearly we do not want to fund an office which would not truly represent the interests of small business—particularly on issues such as health care.

But the folks who do have the interests of small business at heart—the House Small Business Committee and the National Federation of Independent Business both support the Meyers amendment.

I commend Mr. FORBES for raising some important points with regard to the Office of Advocacy.

But I think and the Small Business Committee thinks and NFIB thinks the office should continue.

I hope everyone will support the Meyers amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from Kansas [Mrs. MEYERS].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentlewoman from Kansas [Mrs. MEYERS] will be postponed.

AMENDMENT NUMBER 37 OFFERED BY MR. SERRANO

Mr. SERRANO. 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. SERRANO: Page 102, after line 20, insert the following:

SEC. 609. None of the funds made available in this Act may be used for the Advisory

Board for Cuba Broad casting under section 5 of the Radio Broadcasting to Cuba Act.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, and that the time be equally divided between the gentleman from New York [Mr. SERRANO] and the gentleman from Florida [Mr. DIAZ-BALART].

Mr. Chairman, I would point out that this, I think, is the last amendment of the evening.

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

Mr. MENENDEZ. Reserving the right to object, Mr. Chairman, since I was reprimanded the last time for not being here to object, I would ask if through my objection I could ask the gentleman from Florida [Mr. DIAZ-BALART] whether he has any time available.

Mr. DIAZ-BALART. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I would tell the gentleman, I do, Mr. Chairman.

Mr. MENENDEZ. Mr. Chairman, I withdraw my reservation of objection.

Mr. SKAGGS. Reserving the right to object, Mr. Chairman, I just want to inuquire of the gentleman from Florida whether he intends to offer any amendments to this amendment or whether we are going to deal with this one straight up.

Mr. DIAZ-BALART. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. Mr. Chairman, I would tell the gentleman, I have no amendments.

Mr. SKAGGS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. SERRANO] will be recognized for 5 minutes, and the gentleman from Florida [Mr. DIAZ-BALART] will be recognized for 5 minutes.

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

Mr. SKELTON. Mr. Chairman, I compliment the gentleman on his amendment. Let me point out that the participants in the White House conference to which the gentleman referred urged that this small business advocacy office be maintained as an independent agency.

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

Mr. Chairman, let me briefly say at the outset that I am troubled by the fact that when prior agreements are reached on time for amendments, depending on how late the session goes, we tend to change those agreements and that is why we have a limited time now.

Mr. Chairman, my amendment says that no funds can be used to pay for the activities of the advisory board for the Cuba broadcasting, under the Cuba Radio Act. What happens is that recently, reports have come out in an investigation, a Federal investigation by the IG that indicates that the chairman of the board of the Advisory Board of Radio Marti is misusing his position as chairman of this board; is in fact writing policies that are not within his direction to do so; that he has in fact influenced the way Radio Marti conducts its business; that he has influenced Radio Marti broadcasts to Cuba, and what kinds of things Radio Marti says. The IG report also denounces the fact that this gentleman determined who gets hired and who gets fired; that if you disagree with his desire to run his personal agenda, and someday return to Cuba as President of the island under his exiled government, that he then fires you. It is, in fact, a complaint by a person who was under fire, an employee of Radio Marti, that caused the IG investigation which denounces this action.

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Now, if you have been close to this issue for years, and I have and others in this body have even longer than I, you know that this is no secret, that the worst kept secret in this country is the fact this gentleman, this chairman of this board, runs this program, in other words, the worst kept secret in America is that this station has become the electronic personal toy of this individual, who feels that he can control all kinds of political matters by this station. In fact, he is chairman of Radio Marti's advisory board and is only supposed to provide general advice to the White House about Radio and TV Marti.

He has influenced both management of Radio Marti and news coverage. The Office of Inspector General of USIA has issued an interim report documenting examples of inappropriate influence by the chairman. There have been personal abuses and personnel abuses.

A close associate was hired and promoted. Radio station employees who protested the influence were retaliated against. That is all in the report.

In January, Radio Marti broadcast, at his request, statements that the administration was near agreement on immigration when, in fact, the administration was trying to work out other agreements.

During the recent months, 280 stories in favor of a bill that the chairman supports tightening the embargo were aired on Radio Marti, while only 70 stories against the embargo were aired.

Incidentally, my stories against the embargo were never aired, and I am a Member of Congress. So you can imagine how serious this stuff gets.

The complaints traditionally are that this agency is being run not to service the needs of the United States, but to serve the needs of this one individual.

You are going to hear from opponents of this amendment that this is a witch-hunt against a great American. Fine. You are going to hear from opponents saying they want to investigate the people who investigated to make sure that they were fair in their investigation. You are going to hear how this report was leaked and is unofficial.

Well the fact of life is most of what is in this report, even when it is official, will stay the same, and it will say that we should not be using taxpayers' dollars to allow someone to run a nearly, if not fully, corrupt operation, which is the advisory board and his influence on it.

Those are not the statements of the gentleman from Colorado [Mr. SKAGGS] or myself or other people throughout the years. There is finally, as reported by the Washington Post and the New York Times, the statement in a report that says this is horrible, this should not take place, this is improper. USIA probes activist's role at Radio Marti; anti-Castro activist is being probed: Cuban American has meddled in Radio Marti, officials say. This should not take place.

What I am asking today is we are not attacking Radio Marti, but Radio Marti does not need an advisory board which is being run this way.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is interesting, we heard prior speakers on the amendment on TV Marti say, ''Oh, no, we like Radio Marti,'' and now we just heard a bunch of some minutes' criticism, systematic criticism of Radio Marti, Radio Marti; they just want to get rid of an advisory board that costs the taxpayers about $100,000-something a year. Of course, though, we just heard that is something that even though I think at the end we heard their support for Radio Marti, we just heard a bunch of time and criticism of Radio Marti, not TV Marti, Radio Marti.

Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong opposition to the amendment offered by Mr. SERRANO to eliminate the President's Advisory Board for Cuba Broadcasting [PAB].

Mr. Chairman, the Advisory Board for Cuba Broadcasting is important in assuring the continued efficient operation of Radio and TV Marti: two essential tools in our battle to eliminate the Castro tyranny in Cuba.

The board seeks to make these two overseas broadcast services more efficient by eliminating redundant duties within their operations and its management.

Moreover, the members of the board offer important expert advice on unique issues inside Cuba, in order to assure that accurate and independent news is reaching the island.

The Board is critical in assuring that Radio and TV Marti continue to offer the people of Cuba the facts instead of the fantasy and fiction which Castro's propaganda promote inside the island.

Both broadcast services have been successful in achieving this purpose by undermining Castro's propaganda. Radio and TV Marti provide the Cuban people with accurate, up-to-date information that they would otherwise be denied by Castro's information embargo.

Mr. Chairman, Fidel Castro and his regime proceed to set aside all critics and continue their repression of the Cuban people. The Department of State's Human Rights Report described the regime as ''* * * sharply restricting basic political and civil rights, including the right of citizens to change their government; the freedoms of speech, press, association, assembly and movement; as well as the right to privacy and various workers rights.''

Amnesty International's recently released international human rights reports echoed the view of the State Department: ''Members of unofficial political, human rights and trade union groups continued to face imprisonment, short term detention, and frequent harassment.''

Unfortunately, Mr. Chairman, many of those who suffer from the evil actions described above are journalists who dare to challenge the state line which Castro and his information ministers publicly release.

This amendment, Mr. Chairman, goes further than simply abolishing this board. It is part of a concerted effort by some to change the path of United States policy toward Cuba.

Do not pacify Castro by moving United States policy toward reconciliation with the Cuban tyrant. To that end, they attack those persons and institutions which work toward the elimination of Castro and his totalitarian regime.

To them, I remind them of the millions of Cubans who continue living without freedoms.

Cubans like Rev. Orson Vila Santoyo who remains in prison after being arrested and sentenced to almost 2 years in jail for allowing religious services in his home. Cubans like Lt. Col. Nilvio Labrada, a former high ranking official of the Interior Ministry in Cuba who was recently sent to a psychiatric hospital for expressing publicly his views against Castro.

Or the thousands of political prisoners who continue to dwell in Castro's prisons and the dissidents who suffer daily the harassment and persecution of the Castro regime.

These are the Cubans we should be striving to aid in their struggle—not Castro.

This amendment would play into the hands who would rather flirt with the Cuban dictator rather than stand firm against his repression.

The PAB is an institution designed to make Radio and TV Marti work and operate effectively.

I urge my colleagues to break Castro's information embargo by supporting the PAB and rejecting this misguided amendment.

Mr. DIAZ-BALART. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. MENENDEZ].

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

Mr. MENENDEZ. Mr. Chairman, here we go again. If you followed this issue for some time, you concluded, as I have, that some Members simply have a fixation with doing everything they can to eliminate everything with Cuba broadcasting, and I think there is only one person who has greater desire of eliminating this service, and that is Fidel Castro himself.

Let me tell you what our colleagues to not hear in this debate. You do not hear a good-faith attempt to fix something and make it better. you have not heard one suggestion in that regard, just simply eliminate, eliminate, eliminate. The fact of the matter is I think we should have an investigation as to how the inspector general's not report, because it is not a report, because I called the inspector general. I said, ''Where is this report?'' And she said, ''It is not a report. I have it to some Members. I gave them the work product to date, but it is not a report.'' Imagine coming to the floor and painting it that way.

We should be defeating this. This is not in the best interests. We should have the opportunity to focus the board, that focuses on these moneys that we are spending, and we should ensure that we do not permit what is said in a newspaper that is not, in fact, truthful, because in fact, we do not have a final report, and we should have an investigation as to how that report was released and how it got to the press.

It is inconceivable to me to come to the floor and use that type of information which is incomplete and which does not serve the best interests of this institution.

Mr. Chairman, here we go again. If you have followed this issue for years you may have concluded as I have that some Members simply have a fixation with eliminating TV Marti. Only the brutal dictator, Fidel Castro may have a stronger fixation with eliminating this service.

Let me tell my colleagues what we do not see in the debate on TV Marti. We do not see a good faith attempt to fix something and make it better. I have not heard one—not one—suggestion that the service be improved from any of the Members cosponsoring this amendment.

Instead, what we see is a big attempt to do Fidel Castro's dirty work for him. Castro is desperately afraid of TV Marti because it broadcasts the truth to the Cuban people, which he denies them every day. He is so afraid of that TV signal that he spends millions of dollars, 15 to 20 fixed jammers, mobile land jammers, 40 full-time soldiers, and even helicopters he can scarcely afford, to jam its beam. Money he could use to feed a hungry people, he uses to deny them the truth.

We have the technology to get TV Marti to penetrate the dictator's airwaves. That is what we ought to focus on here. The Report of the Advisory Panel on Radio TV Marti has spoken clearly on this issue. More than 100 experts and individuals with relevant expertise were interviewed. The panel and its staff reviewed several thousand pages of written material. And here is what it said:

> The time has come to convert TV Marti from VHF to UHF transmission. The effort to probe this new approach will require approximately one year and one million dollars. But savings elsewhere during the year will more than offset this investment.

Let me add that money was already obligated. Just last week, the House voted nearly unanimously to require the USIA to begin a new Radio Free Asia service to Communist China. Today, we simply ask you to continue an already existing TV broadcast to Communist Cuba.

Presidents Reagan, Bush, and Clinton have spoken clearly about the need to support their vital broadcasting services to Cuba of Radio and TV Marti. In a letter President Clinton stated:

> By strongly supporting Radio and TV Marti I want to send a clear signal to those everywhere who struggle against tyranny. Radio and TV Marti make genuine contributions to the cause of human rights and democracy in the hemisphere. Both help promote short and long term U.S. foreign policy goals.

As I suggested earlier, we have been through this exercise before. Those of us with a strong interest in this issue agreed two years ago to a compromise which established an Advisory Panel on Radio and TV Marti. The members of the panel were agreeable to all involved, including the Members offering this amendment. The Panel was asked to assess and report on the ''purposes, policies, and practices of Radio and TV broadcasting to Cuba.''

In March 1994, out came the verdict, and it was clear: now more than ever we must maintain intact the services of both Radio and TV Marti.

These are but some of the more important conclusions of the report:

First, an overwhelming number of Cubans clearly consider Radio Marti to be the most authoritative source of news and information in Cuba'' (this is from a USIA in-country assessment on Cuba broadcasting; see Appendix I of the report).

Second, Cuban Government officials and elites regularly listen to Radio Marti and tune in to TV Marti.

Third, TV Marti can be an instrumental means for the United States to communicate with the Cuban people during a transition in Cuba.

Fourth, South Florida will be immediately affected by change in Cuba and so eventually will other locations in the U.S. State Department contingency plans envision a major role for Radio and TV Marti during a transition. Moreover, eivdence suggests that in times of severe crisis, people turn first to TV.

Fifth, were TV Marti terminated, it would be very expensive and take several months to initiate a new TV service during the transition. So, this amendment is not the cost-cutter its proponents claim.

Sixth, America has never responded to a recipient country's jamming of U.S. Government broadcasts by giving in to a dictators' wishes that those broadcasting services be terminated. But that is precisely what this amendment would have us do. America should not

succumb for the first time in history in the case of Cuba. Radio Free Europe, Radio Liberty, and Radio Marti all overcame jamming; so should and can TV Marti.

Mr. DIAZ-BALART. Mr. Chairman, I yield the remainder of my time to the gentleman from New Jersey [Mr. TORRICELLI].

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

My colleagues, it is first important to establish what this amendment is not about. The amendment would eliminate $180,000 in spending for the board of Marti. But, in truth, it has nothing to do with money. You see, the Federal Government has hundreds of boards for all kinds of different radio stations and operations. None of their money would be affected. Just this one. it affects Cuban Americans and broadcast into Cuba. It is not about money, it is about ideology, anything to undermine the fact that this radio station for these people is getting into Cuba to tell the truth.

You have been told that there is an I.G. report that is critical of the board. Let me tell you what you were not told, that Mr. Duffy, head of USIA, has called its release unauthorized, inappropriate. He has called for an ethics probe, said it does not reflect a genuine analysis of the situation. Indeed the President has had his own ethics board involved. It is potentially a criminal release of a one-sided analysis done for purely partisan and ideological purposes.

Mr. Chairman, this Congress has debated this issue year in and year out, and last year we called a truce. We asked that the USIA do a nonpartisan, objective analysis, and they did. They found this radio station effective, important for the United States Government interests, representing the views of this country, helpful in the process of getting the truth to the Cuba people.

They could not win on the merits. The study did not have what they wanted as a conclusion. So now, one way or another, there is an attempt to undermine Radio Marti.

This station is important for the foreign policy of this country. Reject this amendment. Keep the board and the radio station in place.

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

Mr. SKAGGS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. SERRANO] that would eliminate this corrupted and unnecessary board.

It is becoming increasingly clear that the outside board appointed to advise USIA on broadcasting to Cuba has been used as the tool for some elements of the Cuban-American community to exert undue and even improper political influence over the content of USIA news programs. On this point, please read the following article from the New York Times:

[From the New York Times, July 23, 1995]

CUBAN-AMERICA HAS MEDDLED IN RADIO MARTÍ, OFFICIALS SAY

(By Steven Greenhouse)

A Federal investigation into Radio Martí—a Government-financed station that broadcasts to Cuba—has found that the Cuban-American leader Jorge Mas Canosa improperly interfered with its operations, slanting its news coverage and influencing personnel decisions, officials familiar with the report said.

The report, prepared by the Inspector General of the United States Information Agency, details how Mr. Mas has systematically interfered in Radio Martí's day-to-day operations and concludes that the radio station has improperly retaliated against employees who protested such manipulation, the officials said.

Administration officials said Mr. Mas, as chairman of Radio Martí's advisory board, is supposed to provide general advice to the White House about Radio Martí and Television Martí, which are Federally financed networks broadcasting to Cuba, but he is not supposed to meddle in personnel decisions or day-to-day operations.

The Inspector General began preparing the report months ago after a senior Radio Martí news analyst complained that the network's management was seeking to dismiss him after he protested that the station's news director was trying to censor his analysis and was broadcasting biased news coverage.

Mr. Mas broke with the Clinton Administration in May after its decision to return Cuban boat people, but Administration officials insist that the Inspector General's report is in no way a response to that rupture.

In recent months, State Department officials and Joseph Duffey, director of the United States Information Agency, which is the parent organization of the networks, have accused Radio Martí of inaccurate reporting and of advancing Mr. Mas's political agenda while attacking Administration policy.

For example, Joseph Sullivan, chief of the United States Interests Section in Havana, sent a classified cable to the State Department in May complaining that Radio Martí's news coverage repeatedly attacked President Clinton's new immigration policy toward Cuba while trumpeting Mr. Mas's opposition to it.

Mr. Mas's defenders say the report, which was described by The Washington Post yesterday, is an effort by his enemies to pillory Mr. Mas, who as chairman of the Cuban American National Foundation is widely viewed as the nation's most powerful Cuban American.

''This is all part of a very long-standing campaign of political harassment of the office of Cuba Broadcasting,'' the agency that oversees Radio Marti and Television Marti, said Jose Cardenas, director of the Washington office of the Cuban American National Foundation. ''Jorge Mas has many political enemies in this town who may have latched onto to this device to take a chunk out of his hide.''

Mr. Cardenas said Mr. Mas was not available for interviews because he was traveling.

Marian Bennett, the Inspector General, refused to comment on the report's details, except to confirm that her office was investigating allegations of mismanagement, fraud and abuse at Radio Marti and Television Marti. She said she expected the report to be released in several weeks although an interim copy of the report was shown to several members of Congress.

Representative David Skaggs, a Colorado Democrat who saw the interim report, refused to discuss its details, but suggested that it heavily criticized Mr. Mas.

''Radio Marti has been subject to the manipulation and corruption by Jorge Mas Canosa,'' Mr. Skaggs said in an interview. ''He has had an undue and unlawful effect on an agency of the United States for serving his political ends.''

Officials said the State Department and the Information Agency were particularly upset in January when Radio Marti—at Mr. Mas's instigation—broadcast that the Administration was near an agreement to allow Cuban refugees being detained in Panama and at Guantánamo Bay into the United States. The officials said Mr. Mas knew that this was not true but arranged the broadcast to put pressure on the Administration to admit the refugees.

As evidence of Radio Marti's bias in favor of Mr. Mas's views, J. Richard Planas, the senior research analyst who Radio Marti sought to dismiss, said a study he prepared showed that Radio Marti broadcast 280 stories in favor of a bill to tighten the embargo against Cuba and only 70 stories against the bill, which Mr. Mas strongly backed.

In an interview Jay Mailin, a former news director at Radio Marti, said Mr. Mas had used the station to beam as much news as possible about him to further what are widely seen as his ambitions to be president in a post-Castro Cuba.

Two Radio Marti employees said in interviews that Agustine Alles, who had been the station's news director until he was transferred to Miami last month, often interrupted daily news meetings to take calls from Mr. Mas and then returned to report Mr. Mas's preferences in daily coverage.

''Alles thought his job was to make sure that the station reported on Mas 10, 20, 30 times a day,'' said Mr. Mallin, who said he was forced out as news director after criticizing the station's overall director. ''Alles spoke on the phone continuously to Jorge Mas.''

Mr. SKAGGS. So, while I support USIA's efforts to provide vital, unbiased news, I am convinced that it makes no sense to continue throwing good money into the unnecessary operation of the Advisory Board for Radio Marti.

Especially as we are reducing spending for important programs that benefit people in the United States, we need to stop wasteful foreign-affairs spending that does not advance our foreign policy and that uses tax dollars to subsidize political activities here at home. Vote for Mr. SERRANO's amendment.

We already have a USIA Board which supervises all international broadcasting and is perfectly capable of providing advice regarding Radio Marti, as well. A separate board for Cuban broadcasting is duplicative, which is bad enough. But it has also become the platform from which Mas Canosa as chairman has consistently exerted improper influence on station personnel and on the content of station broadcasting. He forced distorted news coverage by Radio Marti during critical periods earlier this year in which immigration policy was at an extremely delicate point, effectively trying to subvert official U.S. Government policy. He has, in short, corrupted the advisory board and the operations of Radio Marti. He is in a shameless conflict of interest given his other life as president of a special interest Cuban-American political organization. The best medicine is to rid USIA of the advisory board and, in the process, make good riddance of Mas Canosa.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SERRANO].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from New York [Mr. SERRANO] will be postponed.

AMENDMENT OFFERED BY MRS. MEYERS OF KANSAS

Mr. FORBES. Mr. Chairman, I ask unanimous consent to withdraw my demand for a recorded vote on the Meyers amendment.

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

Mr. WICKER. Mr. Chairman, reserving the right to object, how did the Chair announce that vote on the voice vote?

The CHAIRMAN. The ayes had it.

Mr. WICKER. That the ayes had it?

The CHAIRMAN. On the Meyers amendment, yes.

Mr. WICKER. Mr. Chairman, I withdraw my reservation of objection reluctantly.

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

Mr. LAFALCE. Mr. Chairman, reserving the right to object, what was the request that was made again?

Mr. FORBES. I requested unanimous consent to withdraw my request for a recorded vote.

Mr. LAFALCE. Further reserving the right to object, if this is an issue that will be settled, but if there is going to be an attempt made in conference or something or some other time in the future, I think that at some point in time there will not be.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

So, the amendment was agreed to.

The CHAIRMAN. Are there further amendments?

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

I shall not take the full 5 minutes, because I think we have completed the amending process.

But let me quickly do two things: First, we would like to note a correction in the report on page 31 under INS construction, $5 million has been provided for the INS detention center in the western region of New York instead of the northeast region, as currently stated in the report.

Finally, Mr. Chairman, let me say a word of thanks for those who participated in this debate today. It has been a long day. We have done well. We have disposed of a lot of amendments. We have a good bill.

We urge its adoption.

Let me thank the members of the staff who have worked so long and hard on this bill, and you see them and you have watched them work today. We want to thank them. We want to thank the members of the subcommittee, especially my ranking member, the gentleman from West Virginia [Mr. MOLLOHAN], who has been a real soldier on this bill.

We urge its adoption.

Let me thank the members of the staff who have worked so long and hard on this bill, and you see them and you have watched them work today. We want to thank them. We want to thank the members of the subcommittee, especially my ranking member, the gentleman from West Virginia [Mr. MOLLOHAN], who has been a real soldier on this bill.

We urge its adoption. We thank the Members for their help.

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

Mr. Chairman, I will not take 5 minutes.

I want to echo the sentiments of our chairman. We appreciate the hard work of all the members of the committee and the patience of the Members here today.

We urge passage of the bill upon disposition of the amendment.

We want particularly to thank the efforts of the chairman who has worked long and hard here today, and we appreciate the indulgence of all Members.

The CHAIRMAN. The Clerk will complete the reading of the bill.

The Clerk read as follows:

This Act may be cited as the ''Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996''.

□ 2145

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of today, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 5, offered by Mr. MOLLOHAN of West Virginia; an unprinted amendment, offered by Mr. ENGEL of New York; an unprinted amendment, offered by Mr. SMITH of New Jersey to the Skaggs amendment; the underlying amendment, offered by Mr. SKAGGS of Colorado and amendment No. 37, offered by Mr. SERRANO of New York.

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

AMENDMENT NO. 5 OFFERED BY MR. MOLLOHAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] on which further proceedings were postponed, and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

This will be a 17-minute vote. Pursuant to the order of the House of today, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each additional amendment on which the Chair has postponed further proceedings.

The vote was taken by electronic device and there were—ayes 204, noes 223, not voting 7, as follows:

[Roll No. 580]

AYES—204

Abercrombie	Green	Olver
Ackerman	Gutierrez	Ortiz
Baesler	Hall (TX)	Orton
Baldacci	Hamilton	Owens
Becerra	Harman	Pastor
Beilenson	Hastings (FL)	Payne (NJ)
Bentsen	Hayes	Payne (VA)
Berman	Hefner	Pelosi
Bevill	Hilliard	Peterson (FL)
Bishop	Hinchey	Peterson (MN)
Boehlert	Hoke	Pickett
Bonior	Holden	Pomeroy
Borski	Houghton	Poshard
Boucher	Hoyer	Quinn
Brewster	Jackson-Lee	Rahall
Browder	Jacobs	Rangel
Brown (CA)	Jefferson	Reed
Brown (FL)	Johnson (SD)	Richardson
Brown (OH)	Johnson, E. B.	Rivers
Bryant (TX)	Johnston	Roemer
Cardin	Kanjorski	Rose
Chapman	Kaptur	Roybal-Allard
Clay	Kelly	Rush
Clayton	Kennedy (MA)	Sabo
Clement	Kennedy (RI)	Sanders
Clyburn	Kennelly	Sawyer
Coleman	Kildee	Schiff
Collins (IL)	Kleczka	Schroeder
Conyers	Klink	Schumer
Costello	LaFalce	Scott
Coyne	Lantos	Serrano
Cramer	LaTourette	Sisisky
Danner	Levin	Skaggs
de la Garza	Lewis (GA)	Skelton
DeFazio	Lincoln	Slaughter
DeLauro	Lipinski	Spratt
Dellums	Lofgren	Stark
Deutsch	Lowey	Stenholm
Dicks	Luther	Stokes
Dixon	Maloney	Studds
Doggett	Manton	Stupak
Dooley	Markey	Tanner
Doyle	Martinez	Tauzin
Durbin	Mascara	Taylor (MS)
Edwards	Matsui	Tejeda
Ehlers	McCarthy	Thompson
Engel	McDade	Thornton
Eshoo	McDermott	Thurman
Evans	McHale	Torres
Farr	McKinney	Torricelli
Fattah	McNulty	Towns
Fazio	Meehan	Traficant
Fields (LA)	Meek	Tucker
Filner	Menendez	Velazquez
Flake	Mfume	Vento
Foglietta	Miller (CA)	Visclosky
Ford	Mineta	Volkmer
Frank (MA)	Minge	Ward
Frost	Mink	Waters
Furse	Mollohan	Watt (NC)
Gejdenson	Montgomery	Waxman
Gephardt	Moran	Williams
Geren	Morella	Wilson
Gibbons	Murtha	Wise
Gilchrest	Nadler	Woolsey
Gilman	Neal	Wyden
Gonzalez	Oberstar	Wynn
Gordon	Obey	Yates

NOES—223

Allard	Barrett (NE)	Boehner
Andrews	Barrett (WI)	Bonilla
Archer	Bartlett	Bono
Armey	Barton	Brownback
Bachus	Bass	Bryant (TN)
Baker (CA)	Bereuter	Bunn
Baker (LA)	Bilbray	Bunning
Ballenger	Bilirakis	Burr
Barcia	Bliley	Burton
Barr	Blute	Buyer

Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pallone
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Bateman
Chenoweth
Collins (MI)
Dingell
Hall (OH)
Moakley
Reynolds

□ 2204

Mr. EWING and Mr. COOLEY changed their vote from ''aye'' to ''no.''

Messrs. BEVILL, GILMAN, and DOOLEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENGEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. ENGEL] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 12, as follows:

[Roll No. 581]

AYES—188

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Boehlert
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clinger
Clyburn
Collins (IL)
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Engel
English
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Forbes
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Gonzalez
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Horn
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Murtha
Nadler
Neal
Olver
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sanders
Schroeder
Schumer
Scott
Serrano
Sisisky
Skelton
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Upton
Vento
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Williams
Wise
Woolsey
Wyden
Yates

NOES—234

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Dickey
Dixon
Doolittle
Dornan
Dreier
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kennedy (MA)
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mfume
Miller (FL)
Molinari
Moorhead
Moran
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Roth
Royce
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skaggs
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Traficant
Velazquez
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—12

Baesler
Bateman
Boehner
Burton
Chenoweth
Collins (MI)
Dingell
Hall (OH)
Hunter
Linder
Moakley
Reynolds

□ 2210

The Clerk announced the following pair:

On this vote:

Mr. Dingell for, with Mr. Hunter against.

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

so the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO THE AMENDMENT OFFERED BY MR. SKAGGS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey [Mr. SMITH] to the amendment offered by the gentleman from Colorado [Mr. SKAGGS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 285, noes 139, not voting 10, as follows:

[Roll No. 582]

AYES—285

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doolittle
Dornan
Doyle
Dreier
Dunn
Durbin
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gekas
Gephardt
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Torricelli
Traficant
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—139

Abercrombie
Baesler
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bishop
Bonior
Borski
Boucher
Brown (CA)
Bryant (TX)
Chapman
Clay
Clayton
Clement
Clyburn
Collins (IL)
Conyers
Costello
Coyne
Danner
de la Garza
DeFazio
DeLauro
Dellums
Doggett
Dooley
Duncan
Edwards
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Ganske
Gejdenson
Gibbons
Gilchrest
Gonzalez
Gordon
Hamilton
Harman
Hefner
Hilliard
Hinchey
Holden
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennelly
Kleczka
Klink
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
McCarthy
McDermott
McHale
McKinney
McNulty
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Payne (NJ)
Pelosi
Poshard
Rangel
Reed
Regula
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Shuster
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Thompson
Thurman
Torres
Towns
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Wynn
Yates

NOT VOTING—10

Bateman
Chenoweth
Collins (MI)
Dingell
Hall (OH)
LaFalce
Matsui
Moakley
Peterson (FL)
Reynolds

□ 2217

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PETERSON of Florida. Mr. Chairman, on rollcall vote 582 I was unavoidably detained. Had I been here, I would have cast an ''aye'' vote.

Mr. SKAGGS. Mr. Chairman, I move to strike the last word. Mr. Chairman, so that Members will not be confused, I do not intend to ask for a recorded vote now on the Skaggs amendment as amended. We would proceed with the Serrano amendment.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. Mr. Chairman, since there is not a rollcall vote on the Skaggs amendment, is the next vote the Serrano amendment, which would be number 5 in the normal order?

The CHAIRMAN. To be perfectly clear, the next vote is on the Skaggs amendment, as amended. It is our hope it will be approved by voice. Once that is approved by voice, the next vote under the pending business will be the Serrano vote.

AMENDMENT OFFERED BY MR. SKAGGS, AS AMENDED

The CHAIRMAN. The pending business is on the amendment offered by the gentleman from Colorado [Mr. SKAGGS], as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 37 OFFERED BY MR. SERRANO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. SERRANO] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 277, not voting 7, as follows:

[Roll No. 583]

AYES—150

Abercrombie
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Bryant (TX)
Clay
Clayton
Clement
Clyburn
Collins (IL)
Conyers
Cooley
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Dixon
Doggett
Dooley
Durbin
Edwards
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Ganske
Gejdenson
Gilchrest
Gonzalez
Gordon
Harman
Hayes
Hefner
Hilliard
Hinchey
Hoekstra
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennelly
Kolbe
LaFalce
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Matsui
McDermott
McHale
McKinney
McNulty
Mfume
Miller (CA)
Mineta
Mink
Montgomery
Moran
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Poshard
Rangel
Reed
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Skaggs
Slaughter
Smith (MI)
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Thurman
Torres
Towns
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Wynn
Yates

NOES—277

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Paxon
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Traficant
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Bateman
Chenoweth
Collins (MI)
Dingell
Hall (OH)
Moakley
Reynolds

□ 2226

Mrs. CUBIN and Mr. SPRATT changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. MARTINI. Mr. Chairman, I rise today in defense of an organization that rises in defense of the poor and underprivileged of our country every day. The Legal Services Corporation was created under a Republican President and had at the outset very laudable goals: helping to give a sense of inclusion in the legal process and respect for the rule of law to the least wealthy of our society.

Perhaps there have been abuses of this program in the past. As with any government program, those activities considered by some to be abusive can be and have been addressed. But eliminating this important program would be a quintessential case of using a meat cleaver where a scalpel is desperately needed and much more appropriate.

At the core of this program is still the belief that even the least influential members of a society should have a voice in the legal proceedings that determine the way in which that society is ordered. The members of the Appropriations Committee have tried to return us to this commitment, and that commitment is what we as a body must continue to guarantee our least fortunate.

LSC, just like every program, must be reevaluated and prepared to share in the effort to balance the budget. But it has been reexamined and it will share in the effort to balance the budget: further cuts could render this program very inadequate.

I urge my colleagues to refrain from swinging the budget ax down on the LSC. Legal services for the poor is something no democracy can go without.

Mr. ABERCROMBIE. Mr. Chairman, I rise today to voice my serious concern regarding the decision to eliminate funding for the East-West Center in H.R. 2076, the Commerce, Justice, State and the Judiciary Appropriations Act for Fiscal Year 1996.

For those of my colleagues not familiar with the East-West Center it is a national education institution administered by a public, nonprofit educational corporation under a grant from the United States Information Agency. Established by the Mutual Security Act of 1960 (Public Law 86–472) the East-West Center promotes better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative programs of research, study, and training.

The friendly relationships that exist today between the United States and the countries of Asia and the Pacific can be attributed in many ways to the East-West Center's work. More than 20 countries in the Pacific region, including Japan, Korea, Taiwan, Fiji, Indonesia, Papua New Guinea and even Bangladesh and Pakistan acknowledge the value of the East-West Center's programs by their cash contributions. The East-West Center was one of the early institutions involved in the Asia Pacific Economic Cooperation [APEC] process.

Congress and governmental agencies, such as the Department of State, Department of Energy, and the Agency for International Development [AID], utilize the Center for advice and information. In fact, the Clinton administration acknowledged the value of the East-West Center by including it in their fiscal year 1996 budget request.

Given the continued rise of Asia as the fastest growing economic region in the world, and the critical role of Asia in our economic future, it is more important than ever that we continue to support the East-West Center.

Ms. PELOSI. Mr. Chairman, I rise today in the support of the substitute amendment offered by Mr. ROGERS and Mr. MOLLOHAN to H.R. 2076, the Commerce, Justice, State Appropriations bill for fiscal year 1996.

This amendment will restore funding for several important programs under the jurisdiction of the National Oceanic and Atmospheric Administration [NOAA], including the Coastal Zone Management Act and the National Marine Fisheries Service thereby allowing marine research and preservation efforts on our Nation's coastlines to continue. The hazards plaguing our coastal waters have multiplied at an alarming rate as the coastal population has grown. Since 1950, the coastal population has grown over 80 percent.

In addition to their environmental significance, America's coastal resources support many key industries. For example, coastal resources sustain a national travel and tourism economy that generates billions of dollars annually.

Our coasts also provide habitat and spawning areas for 70 percent of the Nation's commercial and recreational fisheries. America's marine sanctuaries and coastal resources also provide much-needed sites for recreation, education, inspiration, and personal exploration.

Mr. Chairman, I also rise to offer my support for the amendment offered by Mr. FARR. This important amendment provides funding for the marine sanctuaries around our coastline.

The Gulf of the Farallones National Marine Sanctuary, located off the coast of San Francisco, is an excellent example of the successes achieved by the Sanctuary program. Since its designation in 1981, the Farallones Sanctuary has participated in various community partnerships ranging from the creation of a volunteer shoreline monitoring program to the development of a marine learning center in San Francisco.

The Sanctuary combines a spectrum of marine habitats with a tremendous diversity of marine life. Giant kelp, dungeness crab, the endangered Blue Whale, elephant seals, and the largest concentration of breeding seabirds in the continental United States are just several of the marine species found in the Sanctuary. The Farallones Sanctuary also contains highly productive commercial fisheries, shipping lanes, and private mariculture operations.

Mr. Chairman, without these amendments, the successful partnerships that NOAA has forged between communities, industries, and universities to protect the Nation's pristine marine environments through research, education and management would be difficult, if not impossible, to continue.

We are a coastal nation, predominantly surrounded by water. The health of our Nation depends on how we protect these waters and their living treasures.

Miss COLLINS of Michigan. Mr. Chairman, I rise to strongly oppose any cuts in funding for the Legal Services Corporation, a move that would effectively shut millions of Americans out of the justice system.

For almost 30 years, federally funded Legal Services programs have promoted confidence

by low-income Americans in our system of laws. These Americans, like all of us, need to believe there is a real system in place to resolve disputes ranging from consumer fraud and housing issues, to domestic relations problems.

Mr. Speaker, I am particularly concerned about the effect such cuts would have on many of the people who live in my district in Detroit, who rely on the pro bono assistance provided by the Legal Services Corporation. Without some kind of legal aid, the Nation's poorest citizens, including many of my own constituents, would have no recourse against unscrupulous merchants, no help in arranging adoptions or enforcing child support orders—in short, no access to the American legal system.

Families facing unjust evictions, disabled Americans who have to fight bureaucracy, women whose lives are threatened daily by domestic violence—these are the victims if the Legal Services Corporation loses funding. Helping such people is the essence of democracy.

My Republican colleagues who want to do away with a Federal tradition of funding legal services for our Nation's poorest citizens would be wise to remember the words of one of their own former Presidents, who in successfully promoting the 1974 bill to fund Legal Services, said the program should ''become a permanent and vital part of the American system of justice.''

I urge my colleagues to think twice before they do away with one of the few remaining resources that protects the rights of the poor.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in opposition to H.R. 2076, the fiscal year 1996 Commerce-Justice-State appropriations bill.

One of the most disturbing provisions of H.R. 2076 is the huge cuts for the Legal Services Corporation [LSC] and the restrictions placed on LSC grantees. Since LSC was created in 1975 with President Nixon's support, the LSC has successfully provided assistance to millions of Americans who would otherwise be unable to afford legal representation. If only Americans who can pay for a lawyer have the chance to be legally represented, then the term justice has no meaning to a large portion of America. Clearly, in a nation like ours, it is vital that the justice system is open to all Americans, not just those who can afford it.

Already, LSC turns away 43 percent of eligible clients because its resources are so limited. The cuts in H.R. 2076 will reduce their ability to serve poor Americans even further. I am also concerned about H.R. 2076's impact on the National Clearinghouse for Legal Services. The clearinghouse, which is in my congressional district, provides much-needed resources and training to legal service agencies across the country and to lawyers working pro bono to provide legal assistance to poor Americans. In addition, the clearinghouse publishes the Clearinghouse Review of Poverty Law which provides updated analyses of legal developments in poverty law.

Also, I want to voice my concern about H.R. 2076's lack of funding for the Violence Against Women Act and the Community Oriented Policing Services Program [COPS]. The Violence Against Women Act and COPS program are intended to fill gaps in our anticrime efforts. Without funding, however, these important efforts will be completely undermined. Just last year, Congress passed the Violence Against Women Act with unanimous, bipartisan support. This year, we are effectively abolishing the act by not providing sufficient funding for it. That is clearly giving with one hand and taking it back with the other. I doubt most Americans support this type of backdoor reneging on such important anticrime laws.

Mr. Chairman, I intended to oppose H.R. 2076 and I urge my colleagues to do the same.

Mr. RICHARDSON. Mr. Chairman, I am most concerned about, and opposed to, the cuts to Indian legal service programs in H.R. 2076, the fiscal year 1996 Commerce, Justice, State, and Judiciary appropriations bill. In the bill, the Appropriations Committee has not only reduced funding of the Legal Services Corporation from $400 million to $278 million—a 30 percent reduction—but the committee also eliminated the separate line item for native American program funding, which last year provided $10 million in funding. These actions will undoubtedly end in the termination of many Indian legal services programs.

Why is this Congress again abandoning those who need our help the most? Across countless Indian reservations, Indian legal services are the only source of legal aid to the poor and lawyerless. When 51 percent of American Indians living on reservations live below the poverty line, when Indian children have the highest dropout rate of any minority group, when 20 percent of Indian homes lack toilets, and when reservation unemployment levels average 50 percent and run up to 80 percent, who else but Indian legal services attorneys can they turn to for legal assistance?

I hope that those who still feel that Congress should cut the funding for Indian legal services will at least read the well-written and researched editorial, which I have attached, that describes the destructive effects that these cuts will have on Indian country.

Presently there are 33 Indian legal services programs in existence. The $10 million in fiscal year 1995 funding made possible the work of approximately 150 attorneys, paralegals, and tribal court advocates serving clients on over 175 Indian reservations as well 220 Alaska Native villages. The work of these attorneys has helped tribes develop tribal courts and create programs for the prevention of domestic abuse and violence. In addition, legal services attorneys provide family counseling, child support enforcement, and help ensure the delivery of health care services to the poor, elderly, and disabled. In large Western Indian reservations, Indian legal services attorneys are often the only attorneys available in areas as large as the State of Connecticut. In Oklahoma, a staff of only 4 legal services attorneys is responsible for serving over 150,000 eligible people from 38 tribes. Cutting the funding for native American legal services will have a devastating effect on these and other Indian programs.

There is one more problem with this bill. The bill requires that Indian legal services programs compete for the remaining funding under a census-based formula—a scheme that will result in even further cuts to these programs which already are set to undergo drastic reductions. The current legal services line item funds Indian legal services programs at a level that is three to four times greater than the actual number of reservation-based individuals listed in the 1990 census. Past studies have justified the need for increased funding for Indian legal services by as much as seven times the numbers that a straight census-based formula would yield. Increased funding on a non-census basis helps overcome such factors as geographic remoteness, access to legal resources, and language and cultural barriers.

Census-based funding also ignores the unique relationship between the Federal government and the Federal Government's prior recognition that census-based funding is unworkable. Since the inception of the Legal Services Corporation in 1974, it has been conceded by both Democrats and Republicans that effective legal services for Indians cannot be provided strictly on census-based numbers because: One, many tribes are not large enough to justify the funding of even one lawyer; and two, actual operating costs for Indian legal services attorneys are much higher than for other legal services programs because of remoteness and the unavailability and high costs of goods and services on reservations.

It is unconscionable, and a violation of this country's trust responsibility to native American tribes, that this Congress would eliminate the Indian people's most reliable access to the American system of justice. For the past 30 years, Indian legal services have become an integral part of this Nation's promise of equal access to justice. This bill will literally result in the denial of justice to the native American people.

[From the Washington Post, Apr. 15, 1995]

LAWYERS DOING GOOD

(By Colman McCarthy)

In the current assaults on lawyers, among the undeserving of scorn is the small, nearly invisible band of attorneys whose clients are Native Americans. They toil for Indian Legal Services in such outposts as Window Rock, Ariz., and Penobscot, Maine, and serve poor people in tribes ranging from the well-known—Navajos; Sioux and Cheyenne—to the less known: Menominees of Wisconsin, Houmas of Louisiana and Shinnecocks of Long Island.

Some cutters in Congress—budget cutters, deal-cutters, corner-cutters—have announced that federal funding should stop for the Legal Services Corp., of which Indian Legal Services is a part.

From its origins in 1966 with the Office of Economic Opportunity, and its rebirth in 1974 as a federally supported independent corporation, Legal Services has had a client list of the indigent and habitually lawyerless. This year's budget is $415 million, which covers the work of 4,600 lawyers—starting salaries are as low as $22,000—in 320 programs.

The caseload involves civil law which, for the poor, is really underdog law. An estimated 70 percent of America's lawyers work for 10 percent of the population. For those who are billable, there is one lawyer per 300 people. For those who aren't, Legal Services supplies one lawyer for 6,000 to 7,000 people.

If the destructive plans of Rep. John Kasich, the Ohio Republican who chairs the House Budget Committee, and Sen. Phil Gramm, who fantasizes that he should be president, are fulfilled and Legal Services goes under, the severest losses will be felt by the 2 million tribal Americans who have only 150 lawyers and paralegals between them and despair. Eleven Indian Legal Services programs are operating with 22 smaller offices folded within state agencies. Their share of the corporation's $415 million is $10 million.

The practice of Indian Legal Services in Wisconsin is typical. The state has 11 tribes,

with three lawyers in an office located in Wausau. The senior attorney is James Botsford, who went into Indian law immediately after graduating from the University of North Dakota law School in 1984. What inspired him then is what drives him now: going to the office every day and knowing deep in his soul that if he weren't there serving his clients they wouldn't be served at all. How many Wall Street or K Street lawyers can say that?

''There aren't many attorneys in the north woods of Wisconsin,'' Botsford says. ''And precious few of those who are here have an interest, or even willingness to take Indian law cases. With all the poverty, remoteness and unique Indian law issues, we are able to provide legal help in only a small percentage of the cases that come up.''

Among other puzzlements, Botsford wonders why Republicans have it in for Legal Services: ''Much of our work in Wisconsin in consistent with the values that Republicans say they stand for—keeping families together, helping people to get off welfare, protecting families when there is violence in the home.''

Others also are at a loss to figure out why Republicans are picking on Legal Services. In the April 10 National Law Journal. Bruce Kauffman, a former justice of the Pennsylvania Supreme Court and now a senior partner in a Philadelphia law firm, identifies himself as ''a conservative Republican'' who has ''spent the better part of my life fighting for Republican candidates and causes.''

Kauffman confesses to having once swallowed whole the falsity that Legal Services lawyers were agitators pushing ''their social service agenda. Over time, however, I came to realize that the [program] acts very much like a law firm for the poor, helping individual clients grapple with personal problems that threaten to overwhelm them. Without these services, they have no recourse.''

In his article—titled ''A Conservative Plea to Save LSC''—Kauffman pledges—''I simply cannot stand by and watch the gutting of federal legal aid efforts on behalf of the poor.''

For Indian Legal Services lawywer, Judge Kauffman is a welcome ally. And a natural one, too. As the four attorneys serving 38 tribes out of the Oklahoma Indian Legal Services office, or the one lawyer in the Dakota Plains Legal Services or any other tribal lawyers could explain the program has always had bipartisan support—from Richard Nixon to Hillary Clinton.

All the more perplexing that Kasich, Gramm and other enemies of Legal Services are out to destroy what so many others have praised. Are they that our of touch?

Mrs. MORELLA. Mr. Chairman, I had intended to offer an amendment to restore funding in the bill for the State Justice Institute. Since filing the amendment, I have realized that a number of Members are not familiar with the work of the State Justice Institute, thereby leading me to conclude that now is not an opportune time to debate SJI funding. I will not offer the amendment.

But I want to let my colleagues know that there is a clear Federal interest in supporting programs like SJI, which promotes a just, effective, and innovative system of State courts. State courts have been the beneficiaries of more than 800 projects improving the quality of the justice they deliver, and the Federal judiciary has worked closely with SJI to improve the working relationship between the State and Federal courts.

Federal assistance to State courts is as appropriate as Federal assistance to State law enforcement, prosecution, and corrections agencies. By helping the State courts to deliver justice more efficiently and effectively, SJI promotes their greater use by litigants, thereby reducing the number of cases filed in Federal court. Continued funding for SJI would provide the Administration and Congress with the opportunity to improve the State courts' response to important issues, such as family violence, the rights of children, drug abuse, and crime.

As a Member of Congress who has been active on the issue of domestic violence, I can attest to SJI's many contributions in improving the State courts' response to family violence. For example, the State Justice Institute is the entity responsible for implementing my legislation, approved by Congress in 1992, to develop training programs for judges and other court personnel about domestic violence, especially its impact on children, and to review child custody decisions where evidence of spousal abuse has been presented.

The Judicial Training Act addresses problems that many battered women have when they step into the courtrooms in this country to fight for custody of their children or to fight for equal justice in criminal cases. The response of our judicial system to domestic violence has been one of ignorance, negligence, and indifference, often with tragic consequences. The State Justice Institute has moved expeditiously to implement this act, and it has provided important assistance in improving the State courts' response to family violence.

Federal policies can have serious consequences for the State courts and often impose substantial responsibilities on the State courts. The State justice Institute has provided important Federal assistance to help the State judiciaries cope with federally-imposed burdens, such as the Child Support Enforcement Act of 1984, the Family Support Act of 1986, and the Adoption Assistance and Child Welfare Act of 1980. These Federal programs should be accompanied by Federal assistance for State courts to meet these increased demands. The State Justice Institute has filled this important role.

Mrs. MINK of Hawaii. Mr. Chairman, I rise today to express my profound regret and disappointment that the Republican Majority has eliminated all funds for the East-West Center in the Commerce, Justice, State Appropriations Bill. This short-sighted decision, simply for the sake of reaching a zero deficit in 7 years, will have serious consequences on the United States' ability to function as an economic and military power in the Pacific.

The elimination of all Federal funds signifies the end of the East-West Center. The Center was established by the Congress 35 years ago to foster mutual understanding and cooperation among the governments and peoples of the Asian-Pacific region. In the past 35 years it has become one of the most highly respected institutions in the world for its expertise in Asian-Pacific issues and for its work in promoting international cooperation throughout the region. The friendly relationship the United States enjoys with many countries in the Asian-Pacific region can be attributed to the Center's work over the past 35 years.

Over 53,000 Americans, Asians and Pacific Islanders from over 60 nations and territories have participated in the East-West Center's educational, research and conference programs. Research conducted by the Center has provided a wealth of information on issues ranging from peace and military conflict, nuclear proliferation, implications of rapid economic growth, future of energy supply, population control, and social and cultural changes in the region.

The Center has achieved it greatest success through its educational programs for undergraduate and graduate students. The Center has had annual enrollment in recent years between 200–300 students. These students have gone on to become ambassadors, scholars, statesmen and business leaders who now have tremendous influence in the policy decisions of their respective countries (including the United States). They all carry with them the knowledge and experience gained at the East-West Center which in turn has helped the United States foster relationships with Asian and Pacific countries and promote U.S. interests in this region.

Not many people know that the East-West Center was in fact the brain-child of the great visionary Lyndon B. Johnson. It was his foresight and recognition of the increasing significance of the Pacific Region and the United States role in that future of this region. The United States is as much a part of the Asian-Pacific region as any other country. With States and territories bordering and within the Pacific region, the U.S. has just as much to win or lose in the economic and political future of this region.

The significance of the East-West Center in the United States' future in this region cannot be underestimated. It is inconceivable to me that this Congress which 35 years ago understood the importance of Lyndon Johnson's vision for American participation in the Asian-Pacific region would now act to close down one of our greatest resources for information on and cooperation with the countries of the Asian-Pacific Region.

Mr. Chairman, Johnson's clarion call to prepare the United States for a time when the Asian-Pacific countries would be among the most profitable and powerful in the world is even more relevent today than it was 35 years ago. The challenges facing this region and their implications for the U.S. have only increased in recent years. The danger of nuclear proliferation, ethnic and religious conflict, rapid economic growth, human rights issues in this region continue to fill the pages of the newspapers on a daily basis. We cannot afford to lose the East-West Center during these critical times.

I strongly oppose the elimination of all federal funding for the East-West Center. It is a short-sighted effort to reduce federal costs which in the long-term will only result in greater costs to our nation, not only in financial terms, but also in terms of our economic and political future in the Asian-Pacific region.

Mr. PACKARD. Mr. Chairman, as the House considers the 1996 Commerce, Justice, State, and the Judiciary Appropriations Act, I would like to remind Members of the Appropriations Committee's decision to prohibit any groups that receive Federal funds from engaging in any political advocacy efforts. This important decision marks another step toward ensuring that tax dollars go where they're really needed and not toward political causes the taxpayer may not support.

When deciding upon funding for the Legal Services Corporation we should apply the same reasoning. Democrats may try and portray the Corporation as simply a non-partisan body which provides legal access to the poor.

This may have been the intention of its founders, but sadly, today, nothing could be further from the truth. Instead the Legal Services Corporation is more focused on advancing grand social causes than helping the poor with ordinary legal problems. It has become an unaccountable lobbying group, and as such it is not a worthy recipient of Federal funds, especially in our time of fiscal restraint.

There are numerous examples of Legal Services Corporation abuses of taxpayer's money. For instance, LSC money was used to produce a brochure explaining how welfare recipients who get a large cash windfall, such as lottery prize or insurance settlement, can keep the windfall and stay on welfare. In addition, the LSC works to limit the ability of housing authorities to evict drug dealers from public housing projects. LSC lawyers file suits to block these evictions, thereby putting the law-abiding tenants at risk. The LSC is not committed to the poor, it is only committed to promoting its own radical liberal agenda.

It is time that we send a strong message to lawyers all over the country who have manipulated the LSC to serve themselves and their political crusades. The party is over! You can no longer ride free at the expense of the American taxpayer. The Republican majority in this Congress has declared its intention to stamp out such fraudulent abuses of taxpayer's money. Reducing funding for the Legal Services Corporation is the next step toward this goal.

Mr. MARTINI. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from West Virginia, which would eliminate $30 million earmarked for reimbursements to States for the costs of incarcerating criminal aliens.

In the United States there are over 50,000 prisoners in State and Federal facilities who are not American citizens. The incarceration of criminal aliens costs taxpayers' between $15,000 and $30,000 per inmate annually.

Last year, American citizens spent between $800 million and $1½ billion feeding, clothing, and housing illegal aliens.

It is a grave injustice to hold New Jersey and other State residents accountable for the Federal Government's failure in it's inability to control its national borders.

The House took steps to remedy this problem when it passed the Violent Criminals Incarceration Act earlier this year. A provision in the bill, authored by my good friend from California [Mr. GALLEGLY], authorizes $650 million per year for reimbursements to States for incurring this burden.

The bill before us today sets aside $500 million for such reimbursements to States, and this proposed amendment would reduce that amount by $30 million.

Mr. Chairman, the message from the American people is clear. Illegal immigration has taken a toll on this country. Illegal aliens who commit crimes and end up exacting not only personal costs to the people they hurt but also economic costs to those same people in the form of their tax dollars footing the bill for incarceration.

Mr. Chairman, I ask my colleagues to oppose this amendment.

Mr. GEJDENSON. Mr. Chairman, I rise in opposition to this bill. The drastic cuts made by the Appropriations Committee threaten our efforts to combat violent crime, to protect our ocean and coastal environments and to remain competitive in the global marketplace.

In 1994, the Congress passed the most comprehensive measure to fight violent crime in our Nation's history. The crime bill represents a balance between punishment and prevention which directs resources to the state and local level where the majority of crime fighting occurs. It will put 100,000 new police on the streets in neighborhoods nationwide and ensure that they are engaged in community policing. Community policing is an innovative approach to law enforcement which is widely credited by police, citizens and community leaders with substantially reducing criminal activity and improving relations between our police and citizens. The law provides funding for prisons, closes the revolving door which allows violent, repeat offenders out on to the street time and time again, and directs substantial resources to combating illegal immigration.

Finally, and very importantly, the crime bill provides billions of dollars for a wide range of locally designed and implemented efforts to prevent crime before it occurs. Prevention programs target young people before they become involved in crime and given them alternatives, including educational, vocational and recreational opportunities. Prevention programs also make good fiscal sense because programs can serve an entire community for what it costs to send a single person to prison for a year.

Early in this Congress, my Republican colleagues brought forth a series of bills which destroy the balance in the crime bill. As my colleagues know, these bills have literally been sitting in the other body for months. Perhaps out of frustration the Appropriations Committee is now attempting to carry out these policy changes by reordering spending in accordance with several of these bills. This is a blatant example of legislating in an appropriations bill. This action shows that some of my Republican colleagues are willing to use appropriations bills to effect changes that they are unable to enact into law through the normal process. This policy is disturbing in and of itself, but is more alarming because neither the bill nor the report provides guidance on what to do if the House-passed bills are not enacted into law by the start of the fiscal year. If the bills cited in H.R. 2076 do not become law, will funds to combat violent crime be allocated under the crime bill or will funding be cut off completely? These questions must be answered before the House moves forward.

The bill eliminates the COPS program, drug courts, crime prevention block grants, and assistance for rural law enforcement.

The COPS program has already put more than 20,000 police on the streets across the country, including two dozen in eastern Connecticut. The Justice Department has developed an application process which is straightforward and user-friendly. The program is supported by nearly every major police organization, including the Fraternal Order of Police, National Association of Police Organizations, and the International Brotherhood of Police Officers, as well as the U.S. Conference of Mayors. It boggles my mind that the committee would eliminate drug courts when drug-related crimes are clogging our criminal justice system. In addition, the bill eliminates prevention block grants and makes prevention an afterthought in the new Local Law Enforcement Block Grant Program. This change is completely counterproductive and will result in additional spending in the future.

Finally, the bill provides $100 million less than requested to support programs under the Violence Against Women Act. Domestic violence and spouse abuse are serious crimes which we have failed to adequately address in this country. The crime bill focused on this issue by toughening penalties and providing financial support for counseling, education and other programs designed to increase arrest rates and prosecutions of violators. Instead of following through on our commitment to millions of women across the country, the committee dramatically underfunds these efforts. These cuts will have real world implications for countless women who will continue to be abused, injured and killed because the Republican-led Congress failed to provide the resources necessary to combat domestic violence on all fronts. It is disturbing to me that the committee was able to allocate $300 million, $200 million more than requested, to offset the costs of incarcerating aliens while it slashed support for efforts to combat domestic violence. While women in every State in the Nation would benefit by funding violence against women programs at the level requested, only a handful of States will benefit from the alien incarceration provision. I urge my colleagues to consider this inequity when deciding how to vote.

Much to the credit of Chairman ROGERS and Ranking Member MOLLOHAN, H.R. 2076 does not abolish the Commerce Department. However, it makes deep cuts in agencies and programs which are vital to assessing our environment, protecting our coastal communities, and ensuring that our fisheries and other marine resources continue to support economic activity into the next century. In addition, the bill deals a blow to efforts to promote tourism by eliminating the U.S. Travel and Tourism Administration [USTTA]. Moreover, by eliminating initiatives such as the Advanced Technology Program [ATP], this bill jeopardizes efforts by U.S. companies to develop high-technology products which are absolutely essential for maintaining our position in the global economy in the next century.

As a representative of a coastal district and State, I am especially opposed to cuts in the National Oceanic and Atmospheric Administration [NOAA]. The bill slashes funding for NOAA by nearly $200 million below the current fiscal year and more than $350 million below the administration's request. Cuts of this magnitude will deal a serious blow to scientific research designed to assess global climate change, fisheries and coastal habitats. It is ironic that while many of my Republican colleagues are dramatically reducing support for scientific research they are demanding that decisions affecting our environment be based on sound science.

The cuts in NOAA have many implications for one half of our Nation's population which lives along our coasts. The bill reduces grants to states under the Coastal Zone Management Act [CZMA] by $9.5 million below this fiscal year. Currently, 29 of 35 coastal States have approved management plans and receive Federal support to assist in the implementation of those plans. It is important to note that States must match Federal support on a dollar-to-dollar basis. Five other States are in the process of developing plans. By slashing support by nearly $10 million, the bill jeopardizes efforts

to finalize the remaining plans and undermines activities in the other States to successfully protect marine environments. In addition, the committee eliminates all funding—$5 million—to support State efforts to reduce coastal nonpoint source pollution. This cut is especially egregious when one considers that nonpoint source pollution is responsible for at least 50 percent of our remaining water pollution problems. These cuts mean that 29 States from Maine to California and Pennsylvania to Florida will receive $15 million less to address these important issues. My State of Connecticut will see support slashed by $444,000—a 37 percent reduction. This cut will adversely impact our efforts to safeguard our most important natural resource—Long Island Sound. These cuts are merely one example of the real world implications of H.R. 2076.

In another blow to important scientific research, the bill eliminates the National Undersea Research Program [NURP]. As the only national program specializing in research in our oceans and Great Lakes, NURP supports scientists involved in a wide range of research efforts relating to fisheries, marine habitat, and environmental technology development. This research is central to the mission of NOAA. In addition, NURP researchers are among a very small group of scientists who specialize in the use of manned and unmanned submersibles and mixed gas diving. Underwater robots and manned submarines allow scientists to conduct important experiments and observations which are impossible using surface-based techniques. This research is highly technical and requires years of experience to master. The National Undersea Research Program provides invaluable assistance to NOAA in carrying out its core mission to ensure the health of our marine environment and the sustainability of its resources. Eliminating NURP further undermines the ability of NOAA to provide the scientific data necessary to ensure that every American can enjoy the benefits of our coastal resources.

Finally, the bill deals a devastating blow to the National Marine Fisheries Service [NMFS] by cutting its budget by $84.5 million below the administration's request. This cut is a direct assault on thousands of communities nationwide which rely on fishing for their economic survival. This cut is especially damaging for fishermen in New England. As my colleagues may know, commercial fishing in the northeast has been sharply reduced as stocks of cod, haddock and flounder have collapsed. Overfishing and habitat destruction are largely to blame for restrictions which have closed areas of Georges Bank and forced fishermen to idle their boats for days at a time. Unfortunately, many other parts of the country face similar disasters as an increasing number of stocks are being overfished or harvested to the maximum sustainable level.

In order for fishing to become viable again in my part of the country, the NMFS must have the resources to accurately assess the current status of stocks, to develop and implement rebuilding plans, and to monitor the effects of these plans to determine when stocks have recovered. The cuts contained in this bill will not allow NMFS to effectively carry out these duties. For example, the bill cuts data collection and analysis, conservation and management operations, and State and industry assistance programs well below the administration's request and the fiscal 1995 level. This is just another example of the counterproductive cuts in this bill which will make it even more difficult to address pressing national problems. Moreover, these cuts could rob the economy of nearly $3 billion which NMFS estimates will be generated when fish stocks are recovered. Rather than gutting fishery conservation and development efforts, we should be investing in these areas so that we can enjoy the economic benefits in the future and avoid the mistakes of the past.

I urge my colleagues to support an amendment to be offered by Mr. MOLLOHAN which will restore funding for CZMA grants, the NMFS and the National Marine Sanctuary program. This amendment will restore CZMA funding to the fiscal 1995 level and will provide badly needed funds to the NMFS to carry out vital fishery assessment, monitoring and rebuilding efforts. While these programs are vitally important to coastal communities, fishing, tourism, and other economic activities dependent on a healthy marine environment generate billions of dollars for the national economy. With that in mind, I urge my colleagues to support this important amendment.

Mr. Chairman, H.R. 2076 provides funding for some of our most vital Federal programs. Among governmental functions, law enforcement is one of the most significant. Unfortunately, this bill dramatically alters the balance of the crime bill and undermines our efforts to combat violent crime. It breaks our commitment to the American people to put 100,000 new police on the streets. The changes in title I of the bill, especially the allocation of funds in accordance with certain bills which are not law, are among the most blatant examples of legislating in an appropriations bill this member has ever seen. Furthermore, by sharply reducing funding for the Commerce Department, this bill threatens our economy at home and our competitive position in the global marketplace. Finally, the cuts in NOAA programs will be devastating to coastal communities which rely on a healthy and productive marine environment for their economic survival. I urge my colleagues to reject this measure.

Mr. FAZIO of California. Mr. Chairman, I rise in support of Ms. NORTON's amendment, which would strike the language in this bill that prohibits the use of funds for abortions in the Federal prison system, unless the life of the mother would be endangered or in the case of rape.

The antiabortion provision in this bill is just another attack on the most vulnerable, accessible women in our society—those who are dependent upon the Federal Government for their health care.

Abortion has been a legal procedure in this country for over 20 years. It is a legal health care option for American women. But, because the Federal Government controls her health care, this bill would deny a woman in a Federal prison the right to make up her own mind as to whether or not she chooses to terminate her pregnancy. She could only choose to have an abortion if she could afford to pay for it herself.

A woman in prison has the right to decide to carry her pregnancy to term or to terminate it. It should be her decision. And, whatever that decision is, she should not be denied her constitutional right to receive necessary medical care. I urge my colleagues to support Ms. NORTON's amendment.

Mr. KLECZKA. Mr. Chairman, I rise in opposition to the Commerce, Justice, State and the Judiciary appropriation bill.

I have particular difficulties with language the Appropriations Committee chose to include in its report. This language directs the Small Business Administration to delay implementing its reorganization plan ''until the Congress has completed action on legislative changes to the SBA's mission.'' In addition, the report states that any changes should take place within a consultative process involving the authorizing and appropriating committees.

Mr. Chairman, I believe that this an unwise instruction for several reasons. First, while the House will likely consider an SBA reorganization plan this fall, the Senate has made more limited progress. Therefore, it is questionable whether reorganization legislation will be completed during this session of Congress. Moreover, it is even less predictable whether the president would sign the resulting bill. In my judgment, it is not sensible to delay the SBA's reasonable consolidation and the associated taxpayer savings for such an uncertain and possibly lengthy amount of time.

Second, I believe this language represents another example of the attitude that Washington knows best. The Republicans are clearly violating their often-repeated pledge to allow local groups to make decisions about what is best for them. The SBA formulated its plan through close communication with and input from branch and district offices, local and State governments, and other interested parties. However, the committee majority is prepared to override these local decisions and impose its own direction.

This leads me to a third important point. I am extremely concerned that the excessive consultation demanded by the committee will expose this reorganization to political pressures. The SBA reorganization closes and consolidates a range of offices in many districts and States. This consultation may provide an irresistible opportunity for Members to maintain offices in their districts or move them back into their States.

Finally, the report language states, ''Changes in SBA's programs and responsibilities should be the primary factor in determining the need to maintain individual offices in the field structure as well as at SBA headquarters.'' In my view, this is an important factor, but not the only one. The needs of individual communities and the level of SBA involvement there should be equally critical in deciding which offices to maintain or close. SBA branches should be located near the people and businesses who need and use SBA services.

Mr. Chairman, I find this report language on the SBA reorganization ill-considered and politically motivated. Let's not use the SBA as a political football. I urge my colleagues to support removal of this language in conference.

Mr. VENTO. Mr. Chairman, I rise today in opposition to H.R. 2076, the Commerce, Justice and State Appropriations Act for fiscal year 1996.

Last September the Violent Crime Control and Law Enforcement Act of 1994 was signed into law by President Clinton. This law pledged to put 100,000 new police officers on the streets, representing a 20-percent increase in this Nation's police force. Since its enactment, over 20,000 new police officers have already been hired. In my State of Minnesota,

some 200 new officers are on the streets protecting the citizens of my State as we speak. The COPS Program is working, and it is beyond comprehension why this committee wants to destroy a program that the people and the police of this country want and need.

This bill attempts to strip the 5 year $30 billion crime trust fund established under the 1994 crime law and use it for general block grants. These funds, by law, were to be used for law enforcement, crime prevention, domestic violence prevention and prisons. Instead my Republican colleagues would rather put the money in block grants that have no guarantee one cent will be spent to hire more officers or fund a prevention program. In fact, this bill intends to fund a block grant program policy that has not even been considered by the Senate, much less the president, rather than an enacted law and to defund a up and running program cops on the beat that is working.

The COPS Program has put thousands of officers on the beat in our neighborhoods and communities to work with and protect the people. If my Republican friends truly believe in empowering local citizens, they should be supporting this well targeted program, not gutting it. The COPS Grant Program has been accessible, understandable and efficient since its inception. But do not take my statement alone, just ask the Fraternal Order of Police, National Association of Police Organizations, International Brotherhood of Police Officers, International Union of Police Associations, Police Executive Research Forum, National Organization of Black Law Enforcement Executives, National Troopers Coalition, Police Foundation, National Sheriffs Association, Federal Law Enforcement Officers Association, National Black Police Association, Major Cities Chiefs, and the U.S. Conference of Mayors, all of whom support the COPS Program.

The Republican majority apparently has forgotten history in which block grants were used for exotic equipment and far flung spending, not tangible benefits. Furthermore they reduce the local match therefore placing more burden on Federal dollars and spending as opposed to the cooperative nature of the COPS Program.

I strongly urge my colleagues to defeat this bill and continue on our goal of 100,000 more officers on the streets protecting the people.

Certainly the partisan antics are playing a role in this instance. The Republicans are determined to deny President Clinton his goal of achieving and fully implementing the COPS Program. The COPS Program is a good program a Clinton Program that should be maintained, let it work today and tomorrow, it is helping our communities.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GUNDERSON, 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. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution 198, he reported the bill back to the House with sundry amendments adopted by the Committee on the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. LAFALCE. Mr. Speaker, I demand a separate vote on the so-called Meyers amendment restoring moneys to the Office of Advocacy.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate recorded vote has been demanded.

The Clerk read as follows:

Amendment: Page 97, line 8, strike ''$217,947,000'' and insert ''$222,325,000''.

Page 98, line 6, strike ''$97,000,000'' and insert ''$92,622,000''.

The CHAIRMAN. The question is on the amendment.

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

RECORDED VOTE

Mr. LAFALCE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

Mr. LAFALCE. Mr. Speaker, I ask unanimous consent that this be a 5-minute vote.

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

There was no objection.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 368, noes 57, not voting 9, as follows:

[Roll No. 584]

AYES—368

Abercrombie
Ackerman
Allard
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chambliss
Chapman
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (IL)
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Dornan
Doyle
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Richardson
Riggs
Rivers
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Volkmer
Vucanovich
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—57

Andrews
Archer
Armey
Baker (CA)
Barr
Barton
Burton
Chabot
Collins (GA)
Combest
DeFazio
DeLay
Doolittle
Dreier
Fields (TX)
Foley
Forbes
Gekas
Graham
Gutknecht
Hancock
Hansen
Hastings (WA)
Hunter
Inglis
Istook
Kasich
King
Kolbe
Livingston

Miller (FL)
Molinari
Moran
Myers
Neumann
Paxon
Pombo
Regula
Rogers
Roth
Royce
Sanders
Sanford
Scarborough
Seastrand
Shadegg
Shays
Solomon
Taylor (NC)
Thomas
Thornberry
Visclosky
Waldholtz
Walker
Whitfield
Wicker
Wilson

NOT VOTING—9

Bateman
Chenoweth
Collins (MI)
Dingell
Hall (OH)
Moakley
Reynolds
Rose
Waxman

□ 2238

Mr. ARMEY and Mr. FOLEY changed their vote from ''aye'' to ''no.''

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). 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.

The SPEAKER pro tempore. The question is passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 272, nays 151, not voting 11, as follows:

[Roll No. 585]

YEAS—272

Abercrombie
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cox
Cramer
Crane
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gilchrest
Gilman
Goodlatte
Goodling
Goss
Green
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pombo
Porter
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sabo
Salmon
Sawyer
Saxton
Schiff
Schumer
Seastrand
Shadegg
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Spence
Stenholm
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—151

Ackerman
Allard
Andrews
Baldacci
Barrett (WI)
Becerra
Beilenson
Berman
Bishop
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Cooley
Costello
Coyne
Crapo
de la Garza
DeFazio
DeLauro
Dellums
Doggett
Dooley
Duncan
Durbin
Engel
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gonzalez
Gordon
Graham
Gutierrez
Hancock
Hastings (FL)
Hefley
Hilliard
Hinchey
Holden
Inglis
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mfume
Miller (CA)
Mineta
Mink
Myers
Nadler
Neal
Obey
Olver
Owens
Pastor
Payne (NJ)
Pickett
Pomeroy
Portman
Poshard
Rahall
Rangel
Reed
Richardson
Roemer
Roybal-Allard
Rush
Sanders
Sanford
Scarborough
Schaefer
Schroeder
Scott
Sensenbrenner
Serrano
Sisisky
Slaughter
Solomon
Souder
Spratt
Stark
Stearns
Stockman
Stokes
Studds
Stump
Stupak
Tanner
Tejeda
Thompson
Torres
Towns
Tucker
Velazquez
Volkmer
Waters
Watt (NC)
Williams
Woolsey
Wyden
Wynn
Yates

NOT VOTING—11

Bateman
Chenoweth
Collins (MI)
Dingell
Gekas
Hall (OH)
Moakley
Reynolds
Rose
Smith (WA)
Waxman

□ 2254

Mr. SERRANO and Mr. WYDEN changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 359

Mr. FOLEY. Mr. Speaker, I ask unanimous consent to withdraw my name as cosponsor of H.R. 359.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 85

Mr. QUINN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Florida [Mrs. THURMAN] be removed as a cosponsor of H. Con. Res. 85.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1854, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1996

Mr. PACKARD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1854) making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none, and without objection, appoints the following conferees: Messrs. PACKARD, YOUNG of Florida, TAYLOR of North Carolina, MILLER of Florida, WICKER, LIVINGSTON, FAZIO, THORNTON, DIXON, and OBEY.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1444

Mr. TORRES. Mr. Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 1444.

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

There was no objection.

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

FRENCH NUCLEAR TESTINGS

Mr. FALEOMAVAEGA. Mr. Speaker, I want to share with my colleagues this

morning a most serious problem now confronted by the 22 nations and territories of the Pacific Region—the Government of France plans to explode 8 more nuclear bombs in about 8 weeks, each 10 times more powerful than the atomic bomb dropped on the city of Hiroshima, Japan.

Mr. Speaker, the millions of men, women, and children who live in the Pacific are sick and tired of this region being used as a testing ground for nuclear explosions. And it makes me sad to see the President of France, charging like a bulldozer—totally disregarding the environmental concerns of the millions of people living in the Pacific—and I ask the American people and my colleagues to send a strong message to the French Government by not buying French goods and products as a symbolic gesture to get President Chirac off his high horse, and stop this madness by canceling the nuclear explosions—and prove to the world what real leadership is all about. I know the people of the Pacific will be grateful.

Mr. Speaker, 70 percent of the people of France do not want their government to conduct nuclear explosions in French Polynesia. The countries of the Pacific, Asia, and Europe don't support it.

What madness, Mr. Speaker. What madness.

[From the Washington Post, July 12, 1995]

WHY NOT ATOM TESTS IN FRANCE

France's unwise decision to resume nuclear testing was an invitation to the kind of protests and denunciations being generated by Greenpeace's skillful demonstration of political theater. But even before Greenpeace set sail for the test site, several Pacific countries had vehemently objected to France's intention of carrying out the explosions at a Pacific atoll. The most cutting comment came from Japan's prime minister, Tomiichi Murayama. At a recent meeting in Cannes the newly installed president of France, Jacques Chirac, confidently explained to him that the tests will be entirely safe. If they are so safe, Mr. Murayama replied, why doesn't Mr. Chirac hold them in France?

The dangers of these tests to France are, in fact, substantial. The chances of physical damage and the release of radioactivity to the atmosphere are very low. But the symbolism of a European country holding its tests on the other side of the earth, in a vestige of its former colonial empire, is proving immensely damaging to France's standing among its friends in Asia.

France says that it needs to carry out the tests to ensure the reliability of its nuclear weapons. Those weapons, like most of the American nuclear armory, were developed to counter a threat from a power that has collapsed. The great threat now, to France and the rest of the world, is the possibility of nuclear bombs in the hands of reckless and aggressive governments elsewhere. North Korea, Iraq and Iran head the list of possibilities. The tests will strengthen France's international prestige, in the view of many French politicians, by reminding others that it possesses these weapons. But in less stable and non-democratic countries, there are many dictators, juntas and nationalist fanatics who similarly aspire to improve their countries' standing in the world.

The international effort to discourage the spread of nuclear weapons is a fragile enterprise, depending mainly on trust and goodwill. But over the past half-century, the effort has been remarkably and unexpectedly successful. It depends on a bargain in which the nuclear powers agree to move toward nuclear disarmament at some indefinite point in the future, and in the meantime to avoid flaunting these portentous weapons or to use them merely for displays of one-upmanship. That's the understanding that France is now undermining. The harassment by Greenpeace is the least of the costs that these misguided tests will exact.

[From the Washington Post, July 11, 1995]

FRANCE TO CONTINUE NUCLEAR COUNTDOWN

(By Christopher Burns)

PARIS, July 10.—France insisted today that it will go ahead with nuclear-weapons tests in the South Pacific following its seizure of an environmental protest ship in the area and despite protests from demonstrators and governments around the world.

French commandos used tear gas Sunday to board and take commend of the Rainbow Warrior II, flagship of the environmental protection organization Greenpeace—an action the group called ''an outrage against peaceful protest and world opinion.''

The timing of the boarding—which took place in French waters near Mururoa atoll, site of the planned nuclear tests—was especially sensitive because it was just 10 years ago that French agents blew up the original Rainbow Warrior in New Zealand, killing one person aboard.

Today, as French warships escorted the 180-foot vessel away from Mururoa, two Greenpeace members using a motorized dinghy evaded French patrols and scaled a drilling rig at the test site to protest the eight planned nuclear blasts, but security forces removed them within 20 minutes. The rig is used to bore test shafts into the ocean bed below the atoll.

Meanwhile, in London, Bonn, Hong Kong and other cities, anti-nuclear protesters carried effigies of French President Jacques Chirac, chained themselves to the gates of French diplomatic compounds or held rallies to express their anger over the tests, scheduled to begin in September. In Washington, Greenpeace activists chained themselves to the gates of the French ambassador's residence, unfurled banners and shouted slogans denouncing the tests.

But French officials shrugged off the outcry, declaring that its seizure of the Greenpeace ship was justified. ''Faced with operations that violate the law, we do what is needed to ensure that the law is respected, and we will continue to do so,'' Prime Minister Alain Juppe said.

In Aukland, Greenpeace's New Zealand campaign director said the Rainbow Warrior II had planned to protest by sailing peacefully into the 12-mile exclusion zone around the atoll. But the French high commissioner in French Polynesia, Paul Ronciere, justifying seizure of the vessel, said the crew wanted to ''run the ship aground on a reef or on a beach'' to stymie French test plans.

Juppe added in his statement that France will take whatever measures are needed to ensure that its territorial waters are respected. He said Chirac's pledge to conduct the tests as a means of maintaining France's nuclear capability would be carried out ''because it is in the higher interest of the country.'' France says that when the tests are completed it will be ready to sign a multinational test ban treaty now being negotiated.

French leftists and environmentalists criticized Chirac's new conservative government over the tests, although there were no major protests in Paris. Indeed, the French public seems tacitly to support the government's nuclear policies.

But France came under increasing criticism today from many of its allies, most of whom have opposed the tests.

In Washington, State Department spokesman Nicholas Burns said: ''As we stated previously, we regret very much the French decision to resume nuclear testing, and we continue to urge all nuclear power's including France, to join in a global moratorium as we work to complete the comprehensive test ban treaty at the earliest possible time.''

Australia, a major critic of the tests, has signaled that it will seek Japanese support in pressuring Paris to call them off. On the seizure of the Rainbow Warrior II, Deputy Prime Minister Kim Beazley called the French action ''a disproportionate response,'' as assessment echoed by New Zealand Prime Minister Jim Bolger, who said the French had gone ''over the top.''

Chirac is scheduled to meet German Chancellor Helmut Kohl in Strasbourg, France, on Tuesday and officials in Bonn said the chancellor would bring up the issue of the tests ''and their effect on public debate in Germany.'' A recent poll showed that 95 percent of Germans oppose the tests.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

□ 2300

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

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

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

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

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

[Mr. EHRLICH 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 Tennessee [Mr. FORD] is recognized for 5 minutes.

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

INTRODUCTION OF THE TERM LIMITS ACT OF 1995

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

Mr. HOEKSTRA. Mr. Speaker, today we have the opportunity to explain to my colleagues some legislation that we introduced earlier today. It builds on legislation which we introduced in the last Congress. It is called the Hoekstra-Hutchinson Voice on Term Limits. It is the Term Limits Act of 1995.

What this legislation does, it provides for a nonbinding national advisory referendum on congressional term limits during the November 1996 general election. As this legislation moves through the House and the Senate, this legislation would provide the first time in the history of this country where the American people would actually have the opportunity to advise Congress on a particular issue.

As the Members of this body are well aware, we had a vote earlier this year on term limits. While we did win a majority, we did not receive the necessary number of votes to move this legislation through the House and to the Senate and move it to the American people and to the States for its confirmation as an amendment to the Constitution.

What we are proposing with this legislation is enhancing the process and allowing the American people the opportunity to influence this Congress.

The process would work in this way: During the spring, summer, and early fall of 1996, we would envision a national debate on the pros and cons of term limits. Then in November of 1996, on every ballot across this country, there would be a very simple question: Should Congress approve a constitutional amendment to limit the number of terms that a Member of the United States House of Representatives and the United States Senate can serve in their office? Yes or no?

As the results from this national referendum would be tabulated and reported, the next Congress would come back in January of 1997. A commitment has been made that as Republicans would still maintain the majority in the House, that the first piece of legislation that we would consider would be another vote on term limits. So we would see an opportunity to have a national debate, a national referendum, and then a vote on term limits.

Really, what we are talking about is what I think this institution needs, is we need more direct input from the American people advising and influencing and providing an opportunity to set the agenda here in Washington. It is an experimental process. It is an experimental process providing an opportunity to enable the American people to set the agenda, help set the agenda in Washington and more clearly advise this House on the type of direction that we should take.

This piece of legislation is part of a broader package of bills that I introduced today which also includes the opportunity for Members or for citizens to recall Members of the House and of the Senate, providing for the inclusion of ''none of the above'' on ballots around the country, and also providing legislation to provide binding initiative and referendum.

The bill that I am talking about today, the National Voice on Term Limits, is only an advisory referendum. It is an experiment in improving democracy, and I am excited to begin this process and to move this legislation through the House of Representatives.

MEDICARE: A CONTRACT WITH OUR SENIOR CITIZENS

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

Mr. PALLONE. Mr. Speaker, 30 years ago a contract with our senior citizens was created when the Medicare program was enacted, and now the Republican Congress is proposing to end Medicare as we know it and balance the budget, I am afraid, on the backs of senior citizens.

Mr. Speaker, the Republican Party was against Medicare when it was enacted in 1965, and now that Republicans have regained control of Congress, one of the first things that they want to do is take $270 billion out of the program and for senior citizens to foot the bill for a balanced budget. While I believe in a balanced budget, I feel the Republican approach is incorrect, wrong and draconian.

Medicare has had a lot of success since it was established. Poverty rates for senior citizens have declined dramatically. Medicare has given seniors universal health coverage and protected them from depleting their hard-earned resources. Without Medicare, many seniors would be forced to choose between health care, food, and shelter.

Mr. Speaker, I want to read an excerpt from testimony submitted to Congress during the Medicare debate from a concerned citizen in 1963. It is from the CONGRESSIONAL RECORD: ''My mother is now 85 years old, and since she has been hospitalized before, the insurance company cancelled out her policy, and now I am paying the bill. Her sole income is a social security check for $40 a month. I hope my children will not have the same choice to make to either pay the bills or put dad on relief.'' That is from the RECORD on November 21, 1963.

Mr. Speaker, the problem is that the Republicans have not discussed the specific details of how they plan to change Medicare, because they are afraid to tell seniors what will happen with this $270 billion in Medicare cuts.

One plan, though, that the Republicans are floating is a voucher plan, which basically limits the health care coverage of senior citizens. This voucher plan would basically give seniors substandard health care unless they have a lot of money and can afford their own health coverage. Essentially, a senior will be told that once he has used up the voucher, that he will have to pay for health care insurance out of his own pocket, and I am afraid, Mr. Speaker, the Republicans do not realize that most seniors are on a fixed income and simply will not be able to afford the extra cost that will be entailed under this proposed voucher program.

There are other Republican plans that have been discussed that will either force senior citizens into HMO's or the managed care systems that are like HMO's, and essentially what that does is to tell the seniors which doctors they can and they cannot see.

I have talked to a lot of senior citizens over the last few months about some of these alternate plans that Republicans have come up with, and most of the senior citizens I represent are very happy with their doctors and do not want to be told which doctors that are going to serve them. They are very afraid of the fact they will not be able to choose their own doctor.

Nobody really knows exactly what the Republicans are going to do, because they have not put specific proposals forward.

But their proposed Medicare cuts are so large, I am convinced it is only going to hurt senior citizens. I am afraid the Republicans will end Medicare as we know it, without telling the American public the true story of what these $270 billion in cuts are ultimately going to mean to them.

Some estimates figure that seniors will have an additional $1,000 per month of our-of-pocket costs to maintain the same health coverage that they are currently receiving, and if health costs rise faster than the growth in Medicare to seniors, then seniors are either going to get less services or pay more money. It is that simple.

Mr. Speaker, finally, during the last few nights, I have heard Republicans state that they are really concerned about saving Medicare and that is why they are putting forth these cuts in the program and the changes that we are hearing about. But I would maintain that if Republicans are truly concerned about saving Medicare and reforming it, then they should not be approaching it in the backward way that they are approaching it. Republicans are starting with $270 billion in cuts, the largest amount of cuts in the history of the Medicare program. Then, after they make these cuts, they want to gut Medicare to achieve the cost savings.

The American public should not be fooled by these Republican plans. Senior citizens should watch closely over the next few months to see what the Republicans do to the existing Medicare program, and the Republicans should not be allowed to break Medicare's contract with America's seniors.

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

[Mr. CHRYSLER 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 gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

[Mrs. SCHROEDER addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

PRESERVING AND PROTECTING SOCIAL SECURITY AND MEDICARE

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

Mr. FOX of Pennsylvania. Mr. Speaker, I rise for two purposes tonight, first, in response to the last gentleman who spoke.

I think it is important the House note that it was the Republican Congress that led the way to roll back the unfair 1993 tax on senior citizens' Social Security, and it is the same Republican-held Congress that has also called for increases in income eligibility for senior citizens who now are capped at $11,380 a year. Under the Republican legislation, they will be able to make up to $30,000 a year without deductions from Social Security.

We will work in a bipartisan fashion to make sure we preserve and protect Social Security and Medicare. What we will do with Medicare is to make sure, through our preservation task force, to come up with options to make sure we eliminate the fraud, abuse, and waste which exists in the system. That is the core of the problem.

□ 2310

I also rise tonight, Mr. Speaker, to pay tribute to a Norristown community leader from my district, Frances Joyner, someone who gave so much for her community. She died at the age of 53, and this has certainly shortened the life of someone who was a great American, a great community volunteer.

Mr. Speaker, she contributed much in her time, much more so than you might expect for someone of such young years. She was an outstanding employee at the Norristown State hospital, an active employee at the U.S. Post Office. But more important than her regular job was what she did in her community.

She was active in her church, she was active in civic organizations, and she helped start many youth programs in her community in Pennsylvania. She was a member of the board of directors and treasurer of the Norristown Jaycettes, and she was active with the Montgomery County Junior Miss Pageant. She was the founder of the Miss Essence of Ebony Pageant.

She was on the board of directors of the YMCA. She was director of the Foster Parents of the Children's Aid Society. She was a member of the Montgomery County Opportunities Industrialization Center as a director, a judge of elections for Norristown's Eighth Ward. She received the award of the Chapel Four Chaplains at Temple University in Philadelphia, PA. She was a member of Ebenezer A.U.M.P. Church for more than 40 years.

She was a Sunday school teacher, and one of the organizers of the Junior Missionaries. She was a Past Matron of the Eastern Star, and the list goes on, Mr. Speaker.

What she was for us, Frances Ella ''Sissy'' Joyner was a leader of the church, a leader of the community, an inspirational humanitarian, a role model for her community. She loved children and worked to help the community become better, and I hope that those who will read and hear about Frances Ella Joyner will in fact be inspired by her life's work so that they reach out to the community and show the kind of volunteer spirit that has made America so great.

WELCOMING PRESIDENT KIM YONG-SAM OF KOREA

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

Mr. KIM. Mr. Speaker, as the only Korean-American in Congress, I was proud and honored today to listen to Korean President Kim Yong-Sam address a special joint session of the Congress. His insightful remarks underscored the very historic and close relationship between Korea and the United States. They were certainly well received by the Congress.

President Kim's visit and address to Congress are particularly meaningful and timely considering the fact that tomorrow Presidents Kim and Clinton will dedicate the Korean War Memorial on the Mall of Washington, DC.

This memorial reminds us that the friendship between the United States and Korea is bonded in the blood and sacrifice of each nation. It reminds us of our common quest for liberty and our shared acknowledgment that freedom is not free. While there are short-term differences that may occur between the United States and Korea from time to time, these minor disagreements can never crack the solid, long-term alliance between us. Just ask those Koreans and Americans who are immortalized by the memorial.

As President Kim pointed out in his speech, Korea's economic and democratic achievements are impressive, especially considering they have been made under the constant threat of war from the north. I am proud that the United States has unselfishly encouraged and supported Korea's advancement and this cooperation does warrant special recognition. Thus, as we reflect on today's joint session, tomorrow's dedication of the Korean War Memorial and all the other events associated with this week's state visit by President Kim, I think we all will agree that both the United States and Korea are truly fortunate to have each other as allies and partners.

GOP MEDICARE PLANS THREATEN WOMEN'S HEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS. Mr. Speaker, in keeping with the Republican's back-to-the-future approach to legislating, the GOP Medicare-gutting plan will do nothing less than turn the table of progress on women's health in the United States and jeopardize the lives of millions of elderly women in order to foolishly subsidize massive tax cuts for corporate fat cats and rich folks. Sounds a lot like a return to the tired old, worn out, smoke-and-mirrors, trickle down, voodoo economics of a former time—and we all know how well that wreaked havoc on our Federal budget.

What in the world makes our Republican colleagues believe that a $270 billion cut to the Medicare program is good medicine for our Nation's seniors, particularly our elderly women. Today one-quarter of all women over age 65 live at or near the poverty line. With the GOP cuts estimated to increase out-of-pocket health care expenses $3,500 annually by the year 2002, these women will be forced to choose between essential health care services and daily food and shelter.

These Gingrich cuts will also disproportionately affect minority women who have lower retirement income, little health care coverage beyond Medicare, and greater risk of acute and chronic illness than white women, and are twice as likely to end up in poverty than their white counterparts.

Is this the contract the Newt Republicans have with their mothers and grandmothers—a promise to gut, slash, and burn the vital health care support that these women have come to trust and rely upon in their golden years? Unfortunately, it is.

Important preventive services, such as biannual mammograms for women over 65 are endangered under the Gingrich Republican budget axe, despite the fact that older women are six times more likely than younger women to develop breast cancer and eventually die from this tragic disease. Additionally, home health care beneficiaries, two-thirds of whom are women, stand to pay a new sick tax with a proposed 20-percent increase in copayments for home care services.

The facts seem pretty clear to me. American women, who live longer than men, contract disabling diseases such as arthritis and osteoporosis to a greater extent than men, and are far less likely than men to have sufficient retirement income or other economic means, will be devastated by the Republican's cruel, short-sighted, and needless attack on Medicare as a means to get tax breaks to the privileged few. Why the GOP is pushing such an agenda remains a frightening mystery to me and my constituents.

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.]

WASTE IN THE DEPARTMENT OF ENERGY

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

MEDICARE TRUST FUND SUMMARY

Mr. HOKE. Mr. Speaker, I was not going to speak about Medicare tonight, but I will speak very briefly, and then there is something else that I really want to bring to your attention.

Mr. Speaker, the one thing that I would urge that Americans would do is to get a copy of the summary, the 14-page summary that has been prepared by the trustees of the Medicare trust fund, that is the Medicare and the Social Security and the disability trust funds, get a copy of that. It is a 14-page summary of the annual report of the trustees.

Now, there are a lot of people that do not want the American public to see that. Most of them happen to be on the other side of the aisle. Because frankly, when you read this 14-page summary, it takes about 15 minutes, very clearly written, very simply written, after you read this summary, then finally, it dawns on you and you say, my goodness gracious, we really have a problem here.

These trustees lay it out in black and white, it is very clear, it is not partisan. It is not political, it has not been politicized, it is not subjected to demagoguery, it is very straightforward, it is clear.

Mr. Speaker, you will see that this is a problem that every single responsible legislator in this country has got to address.We have to deal with it at this level. If we do not, the fund will be bankrupt and Medicare will be in complete chaos.

So I just urge you, Mr. Speaker, to let the American public know that if they call their representative at (202) 225–3121, (202) 225–3121, ask for this 14-page summary of the annual report of the trustees, you representative will send it to you and it will lay out in very clear language exactly what the challenges are to the Medicare trust fund. It gives some very specific recommendations with respect to the need for legislative intervention, so that this thing will get fixed.

That is not what I want to talk about this evening, but I did feel that it is just important to bring that to the Speaker's attention.

Mr. Speaker, what I want to talk about, I want to know, is anybody watching what is going on at the Department of Energy? The Secretary of Energy is sending 50 people to South Africa next week, 3 weeks in advance of the Secretary going to South Africa. That is just the advance team. Fifty people are going to be there 3 weeks ahead of her, I guess to make sure that the beds are turned down properly, I do not know. But this is a tremendous embarrassment to this administration, it is a tremendous embarrassment to the President, and it is time that somebody started to blow the whistle.

The Secretary will herself then follow to go to South Africa with 70 people at extraordinary expense to the taxpayer, and not only that, but with a level and a degree of arrogance that we have not seen in this administration with respect to at least this kind of bizarre appetite for travel. In fact, I saw tonight, and I will bring it tomorrow night, because I think everybody would be interested to see this, the graphic of a T-shirt that the Secretary is having produced, and it says, Hazel O'Leary World Tour, 1994–95.'' It looks like it is a wonderful color graphic, all at taxpayer expense, thank you very much, of the places that the Secretary has gone around the globe: China, India, Sweden, Egypt, now South Africa, all at taxpayer expense.

Mr. Speaker, here is the real problem. What is the most important charge of the Department of Energy? It is to safeguard, to conserve, to maintain, and to make sure there will be no accidents with respect to our nuclear arsenal. That is the primary reason that the Department of Energy was created in the first place, because we did not want the Department of Defense to be in charge. That was probably bad policy then. But nonetheless, that was the raison d'etre of the Department of Energy. This money is being taken out of those accounts and being put into the travel account.

Now, Mr. Speaker, it is time that the President look at this very, very carefully. It is time that we blew the whistle on this profligate travel, and it is time that we simply ended it. Because not only is it a wasteful use of the taxpayers' money, but it is taking money away from the much more important responsibilities that the Department of Energy does have at this point.

Mr. Speaker, I know that the gentleman from New York is going to have a very special special order on the Korean war memorial.

SENIORS AT RISK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, this Sunday, we celebrate the 30th anniversary of the creation of Medicare. On this date in 1965, President Johnson, with former President Truman by his side, signed into law a historic piece of legislation that would dramatically improve the lives of America's seniors and their families.

Look how far America's seniors have come in the latter part of this century. In 1955, only 46 percent of our Nation's elderly had health insurance coverage. By 1994, 97 percent of our seniors were covered. Medicare has made the difference.

In 1965, one in three senior citizens lived in poverty, many having squandered their life savings on costly medical care. Today, only 1 in 10 senior citizens live in poverty. Medicare has made the difference.

For the last 30 years, Medicare has made a difference for millions. It is one Government program that has worked so well that people don't even think of it as a Government program at all. In fact, last year, when Democrats tried to pass health care reform, seniors called and wrote to say: ''We don't care what you do, just don't get government involved with Medicare.''

Yes, Social Security and Medicare are Government programs. They are Government programs that work. Social Security and Medicare are the twin pillars of Democratic reform—one from the New Deal and the other from the Great Society. For decades these two programs have worked in tandem to ensure that our seniors are secure in their retirement.

That's what this debate is all about: security. Making sure that our seniors are secure. But, Republican plans to privatize the Medicare system will remove the security we promised our seniors 30 years ago.

Just ask your self: will higher medical bills make seniors more secure? Will lower levels of benefits make seniors more secure? Will losing their choice of doctor make seniors more secure?

Will seniors be more secure when their copayments go from $46 to more than $100? Will seniors be more secure when they are asked to pay $1,000 more?

The answer to all these questions is ''no.'' But, GOP opposition to the Medicare program should come as no surprise. Just look at the record.

Thirty years ago, 93 percent of Republicans in this body voted against Medicare and instead supported a plan to privatize the system. Today, Republicans are closing in on a 30-year goal—to end the program they never wanted in the first place.

In 1995, Republicans say they are cutting Medicare in order to save Medicare. They would like America to believe that they are simply pruning the Medicare plant so that it may grow healthy again. But, in reality, they are pulling Medicare out by its roots and using it as fertilizer for their favorite crop: tax cuts for the wealthy.

This plan uses $270 billion of cuts to finance a $245 billion tax cut for the wealthy.

Now, I believe that the solvency of the Medicare trust fund needs to be dealt with, but it needs to be dealt with in the context of health care reform. Medicare is growing at the rate

it is, because it needs to keep pace with rising medical costs. The way to get a handle on rising medical costs is to reform our entire health care system, not to punish seniors by ''slowing the rate of growth'' of Medicare.

Slowing the rate of growth is popular Washington-speak these days. Slowing the rate of growth means that the Government would only cover seniors' health care costs up to a certain amount. After that, seniors would be left to make up the difference out of their own pockets. Higher costs and lower level of services that's what slowing the rate of growth of Medicare would mean for America's seniors.

Thirty years ago, the U.S. Government made a pact with America's seniors. We said: ''If you pay into this trust fund all of your working life, we will take care of you, when you can work no longer.'' Seniors have kept up their end of the bargain, but now Republicans in Congress want to walk away from the deal. Medicare is the real contract with America. Congress has no right to break that sacred pact.

□ 2320

THE KOREAN WAR MEMORIAL UNVEILING

The SPEAKER pro tempore (Mr. KIM). Under the Speaker's announced policy of May 12, 1995, the gentleman from New York [Mr. SOLOMON] is recognized for one-half of the time remaining before midnight as the designee of the majority leader.

GENERAL LEAVE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order tonight.

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

There was no objection.

Mr. SOLOMON. Mr. Speaker, let me call attention to the Members that the acting Speaker in the chair is a United States citizen, and he is a native of Korea, and we are very proud of him, and this is the subject of this special order this evening, the country of Korea, the brave Korean people.

Mr. Speaker, this year marks the 50th anniversary of the end of WWII, a devastating war that brought an end to the inhumane expansionist regimes of Germany and Japan.

And tomorrow July 27 marks the 42d anniversary of the end of another war—the forgotten war of Korea.

Well, Mr. Speaker, finally after all these years the Korean war—the war that stopped the spread of deadly atheistic communism dead in its tracks—will no longer be a forgotten war—because tomorrow we will unveil one of the finest memorials ever dedicated to young men and women who lost their lives in service to this great country of ours.

Mr. Speaker, the Korean war was the first battlefield test of our resolve against communism.

And make no mistake about it—we won that war.

We stopped the spread of deadly, atheistic communism dead in its tracks.

Up until then, communism had appeared invincible.

It had gobbled up half of Europe and seemed everywhere on the march.

Mr. Speaker, it's about time to rewrite all those textbooks that say the Korean war ended in a draw.

Our show of toughness in Korea—for the first time—showed the Communists that we were not going to let them expand their empire throughout the world.

Mr. Speaker, the United States showed them we were willing to pay the price, and a terrible price it was with over 54,000 dead, and 103,000 wounded, 7,000 taken prisoner of war, and 8,000-plus still listed as missing in action, all that in just 3 short years, and so I would suggest, my colleagues, that the Berlin Wall may have fallen in 1989, but the first cracks appeared in 1953, far away in a place called Korea.

And yes, Korea was the most brutal war in our history.

A lot of it was fought in 30-below winters by outnumbered American troops—many of them green and untried—because America was not militarily prepared.

The communists nearly drove our troops off the Korean Peninsula, but they were halted at the Pusan perimeter, and 5 days later allied forces launched the last great amphibious landing in history at Inchon.

The U.S. Army and Marines drove them all the way back to the Yalu River.

And the war was almost over, until the Chinese communists came swarming across the border, outnumbering allied forces by more than 10 to 1, trapping thousands of American Marines behind enemy lines.

And thus began one of the bravest battles ever fought by American troops anywhere in the world.

The full weight of the veteran 100,000-man communist Chinese Army came crushing down on a sorely outnumbered 7th, 5th, and 1st Marine Regiments.

One of these 21-year-old Marines was my high school pal Lance Corporal Stephen Olmstead, who 30 years later would attain the rank of lieutenant general, recanted many times how the Chinese attacked during the night in temperatures approaching 30 degrees below zero, cutting the main supply routes, and isolating the Marines into four close perimeters.

Although the vastly outnumbered marines held their ground, the situation was grave.

And on 1 December 1950, General O.P. Smith ordered a breakout from the reservoir, which he termed an ''attack in a different direction.''

Supported by the 1st Marine Aircraft Wing, which flew nearly 4,000 sorties during the entire operation, the 1st Marine Division blasted its way through seven Chinese divisions to reach safety at Hungnam by 12 December—eleven days and nights in blinding snow—over near impassable, frozen, mountainous terrain.

Mr. Speaker, the Chosin Reservoir campaign cost the marines over 4,400 battle casualties, including killed and wounded, and uncounted cases of frostbite and pneumonia, but the Chinese forces had suffered a catastrophic 25,000 dead.

Yes, the 1st Marine Division fought its way out of that trap at Chosin Reservoir, bringing their wounded with them, and writing one of the most glorious chapters in Marine Corps history.

And as General Olmstead told me:

> It was in a spirit of prayerful thanksgiving that Americans read about the column of grimy, parka-clad marines who came out of the mountains of Northeast Korea on 11 December 1950.
>
> They had come out fighting; they were numbingly cold and bone weary.
>
> They had brought out with them their wounded, most of their dead, and most of their equipment. They were the chosen few.

Mr. Speaker, during the Korean war, I spent my time with the 2nd Marine Division and never saw combat with those brave Marines at Chosin Reservoir, but those acts of heroism personify the history of our beloved corps.

Mr. Speaker, tomorrow at 3 p.m., and we are going to roll votes from 2 to 4 so Members of Congress can attend tomorrow at 3 p.m., along with veterans from all branches of our military, we will gather at the first unveiling of the Korean War Memorial in remembrance of those who served in a war called Korea that is no longer forgotten.

□ 2330

Mr. Speaker, I yield to someone I am very proud of. He is a brand new Member of this Congress. I came here 17 years ago, but now, 17 years later, joining me is another former Marine, and he happened to go through boot camp, Parris Island with me, 17 years ago. Never in this world I thought there would be another one here in Congress, but there is, and his name is FRED HEINEMAN from Raleigh, NC.

Corporal, would you like to get up and say a few words?

Mr. HEINEMAN. Thank you, JERRY.

Mr. Speaker, ''First to Fight'' has always been a proud tradition of the U.S. Marine Corps. As we pause during this week of commemoration and reflection to recall the early, critical weeks of the Korean War, I am proud to recall the outstanding performance of our Marine Corps in taking the fight to the enemy and recapturing the South Korean capital city of Seoul.

After the successful amphibious assault on Inchon in mid-September 1950, the 1st Marine Division maintained their unremitting pressure on the North Koreans, forcing them into a contest for the South Korean capital.

While the 1st Marines attacked the western suburb of Youngdungpo, the 5th Marines swung to the northeast, captured Kimpo airfield and crossed the Han River in amphibian tractors. Joined by the 1st Marines on the right flank, the 5th Marines then drove south into Seoul with the recently arrived 7th Marines on the left. Seoul was recaptured after another week of bitter street fighting. Marines methodically eliminated pockets of stubborn enemy resistance, tanks clashed in the streets, and entire neighborhoods were demolished in the intense conflict.

The 1st Marine Division, having taken Seoul, re-embarked for the opposite coast of Korea to interdict elements of the retreating North Korean People's Army. Before the Marines could land at the eastern port city of Wonsan, however, Communist forces had evacuated the area. From Wonsan, the 1st Marine Division fanned out south and west, engaging the retreating North Koreans in a series of sharp fights, and then headed north towards the Chosin Reservoir.

Yes, the gentleman from New York so capably gave a profile of the early stages of the Korean war, and he did reveal to this Congress that 44 years ago he and I shared an experience in South Carolina, a place called Parris Island, serving in the same platoon, Platoon 168, from February 16, 1951, to April 6, 1951. And I am just as proud to have served with him then as I am to serve with him in this body today. I am proud to have been a Marine. I am proud to have been, and I am proud to be today, a Member of this Congress.

Thank you, Mr. Chairman.

Mr. SOLOMON. FRED, thank you, and thank you for being here in the Congress standing up for America once again.

Mr. Speaker, let me yield to another freshman Member. He is an outstanding Member, he replaced a very close friend of mine in this body, and his name is WES COOLEY from Alfalfa, OR. He is a veteran of the U.S. Air Force and a veteran of the Korean war.

WES, it is good to have you with us.

Mr. COOLEY. Mr. Speaker, I always think of Korea, when I say that, is that I had a hard time for many, many years, because we used to call this a police action, if you remember. That was the term used many, many years after we served in this conflict.

This police action, performed by the United Nations, stopped communism, but it cost a lot of American lives. As the previous speaker has spoken, we lost over 54,000 young Americans in three years of combat. Compare that to 10 years in Vietnam when we only lost 58,000, 4,000 more. This was one of the most bloody conflicts that America has ever participated in, other than the Civil War.

It was a foreign war, and I am glad to see we are being recognized as a war now. It has been 42 years since the end of this conflict, and tomorrow we are going to celebrate a memorial to those 54,000 heroes that died in Korea.

This is a living memorial, as people will see when they come to Washington to see the Korean Memorial. It is not a tombstone, it is a memorial, and I am very proud to be here in Congress and to participate in tomorrow's ceremonies in announcing an opening of the Korean Memorial.

Thank you very much.

Mr. SOLOMON. WES, we sure thank you.

Mr. Speaker, on the other side of the aisle is another very good friend of ours, a second termer. He is PAUL MCHALE from Bethlehem, PA, another good Marine who has a total of 23 years active and reserve duty.

PAUL, it is good to have you with us this evening.

Mr. MCHALE. Thank you very much, JERRY. Mr. Speaker, I would like to read something that I read many years ago for the first time. It touched me deeply then and I hope it affects you today.

COMMISKEY, HENRY A., SR.

Rank and Organization: First Lieutenant (then 2d Lt.), U.S. Marine Corps, Company C, 1st Battalion, 1st Marines, 1st Marine Division (Rein). *Place and date:* Near Yongdungp'o, Korea, 20 September 1950, *Entered service at:* Hattiesburg, Miss. *Birth:* 10 January 1927, Hattiesburg, Miss. *Citation:* For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call to duty while serving as a platoon leader in Company C, in action against enemy aggressor forces. Directed to attack hostile forces well dug in on Hill 85, 1st Lt. Commiskey, spearheaded the assault, charging up the steep slopes on the run. Coolly disregarding the heavy enemy machinegun and small-arms fire, he plunged on well forward of the rest of his platoon and was the first man to reach the crest of the objective. Armed only with a pistol, he jumped into a hostile machinegun emplacement occupied by 5 enemy troops and quickly disposed of 4 of the soldiers with his automatic pistol. Grappling with the fifth, 1st Lt. Commiskey knocked him to the ground and held him until he could obtain a weapon from another member of his platoon and killed the last of the enemy gun-crew. Continuing his bold assault, he moved to the next emplacement, killed 2 more of the enemy and then led his platoon toward the rear nose of the hill to rout the remainder of the hostile troops and destroy them as they fled from their position. His valiant leadership and courageous fighting spirit served to inspire the men of his company to heroic endeavor in seizing the objective and reflect the highest credit upon 1st Lt. Commiskey and the U.S. Naval Service.

Mr. Speaker, I quoted that Medal of Honor citation for two reasons. First of all, it demonstrates dramatically the courage and tenacity with which our Marines fought in Korea during the early days of that war. I quoted it also for a more personal reason: 22 years after the Medal of Honor was earned, Henry A. Commiskey, Jr., was commissioned with me at Quantico, VA, served with me at Quantico and later in Okinawa with the 2nd Battalion, 4th Marines, and 19 years after that, Henry A. Commiskey Jr., the son of this brave man, served with me in the Gulf war. Skeeter, I hope you are listening.

Mr. Speaker, as we continue this week to commemorate and to honor the service of our 5.7 million Korean War veterans, it is well to reflect upon some of the key campaigns in and operations of the bitter conflict. My good friend and fellow Marine, JERRY, spoke to you a few moments ago of the Chosin Reservoir. I would like to speak of a history of the Punchbowl.

In late April, 1951, communist forces launched a massive counterattack which left a gaping hole in the United Nations lines. Elements of the 1st Marine Division were flung into action and were soon joined by the British Commonwealth 27th brigade. The enemy was contained after 5 days of hard fighting and finally the front lines stabilized.

In mid-May, 1951, the Chinese opened the second phase of their spring offensive and made brief gains into the U.N. lines. Valiant fighting by Marine and Army units helped to stabilize the situation and by the end of the month, the enemy offensive had run out of steam. The 1st Marine Division, located at Hwachon Reservoir, occupied the ridge line overlooking a deep circular valley, aptly nicknamed the Punchbowl. Truce negotiations now began and U.N. forces settled down into a defensive position. The communists, however, were simply buying time to rebuild their forces.

In September 1951, hostilities resumed in earnest and the Marines found themselves back on the attack in the mountainous Punchbowl area. Soon thereafter U.N. forces halted offensive operations in the hope that renewed negotiations would bring an end to the fighting.

By early 1952, the Marines had moved to the western Korean front, where they assumed a defensive posture that would continue until the close of the war.

As negotiations dragged on, the 1st Marine Division protected and consolidated U.N. gains by conducting patrol operations and engaging in several tough trench warfare actions in western Korea.

□ 2340

In mid-August 1952, there was hard fighting at the Bunker Hill outpost, and in October there was a fight for the ''Hook.'' In the spring of 1953, Marines engaged enemy forces in particularly bitter clashes for possession of outposts with names such as ''Reno,'' ''Vegas,'' and ''Carson City'' in the so-called ''Nevada Cities'' campaign.

An armistice ending the fighting across all fronts in Korea was finally argued out at Panmunjom, and went into effect at 2200, 27 July 1953. After the cease-fire, Marines were called upon to assume a defensive posture along the Demilitarized Zone should any further hostilities occur. They remained in Korea until 1955 when the 1st Marine Division returned to Camp Pendleton, California.

Mr. Speaker, as we have learned this week, and most eloquently from the gentleman from New York JERRY SOLOMON, a few minutes ago, there was an extraordinary price that was paid in stemming the tide of aggression in Korea. The Marine Corps, a service that is beloved by all Americans and particularly by those who speak to you this evening, lost over 4,500 of our finest men killed in action, and over 26,000 United States Marines were wounded. The American people had ample cause to be proud of their Marine Corps in this war, as in so many others, as they advanced the cause of freedom in the Republic of Korea.

Mr. SOLOMON. Well, PAUL, thank you very, very much for those eloquent remarks.

Mr. Speaker, let me now yield to our last speaker this evening, which would be my good friend, another freshman Member of this body that we can be so proud of, the gentleman from Abington, Pennsylvania, JON FOX, a veteran of the U.S. Air Force.

The SPEAKER pro tempore (Mr. KIM). If the gentleman would suspend, the Chair wants to make one statement. There being no present designee of the minority leader, the gentleman from New York [Mr. SOLOMON] may continue for the balance of the time remaining before midnight.

Mr. SOLOMON. Thank you, Mr. Speaker, and I yield to the gentleman from Pennsylvania, JON FOX.

Mr. FOX. Thank you, Mr. Speaker.

Mr. Speaker, all Members of Congress, from both Houses and both sides of the aisle join together tonight in salute to our proud Veterans of the Korean war.

I want to give special thanks to the patriots who have spoken before me and given much more than I have, people like JERRY SOLOMON, FRED HEINEMAN, WES COOLEY, and PAUL MCHALE. These gentlemen have given much to our country, along with the other veterans who have done so much, and I hope that those who hear about the Korean Memorial that will be unveiled tomorrow will be an inspiration to those who wish to serve this country and have served this country to continue making sure that this country will remain vigilant to any aggression against the United States.

The Korean war, Mr. Speaker, was the first multinational military action in the history of the United Nations. It helped stop the spread of communism aggression in the Pacific Rim and contributed, Mr. Speaker, to the eventual demise of communism in Europe.

On June 25, 1950, the North Korean Army, which was organized and equipped by the Soviet Union, lunged across the 38th Parallel, the demarcation line established between North and South Korea at the end of World War II, and attacked South Korea.

President Truman responded immediately by committing U.S. forces to the defense of South Korea. Simultaneously, the United Nations Security Council called upon member nations to do the same, and a multinational force consisting of 22 nations formed to face the crisis.

The North Korean Offensive drove defenders to the southeast corner of the Korean Peninsula. There, the Pusan perimeter was established and, reinforced by American divisions, held despite bitter battles.

The outstanding work and the service of the Marine Corps as outlined by the prior speakers is well documented and it is a shining example for all to follow. The heroic defense was made possible by a brilliantly conceived amphibious landing at Inchon which enveloped the overextended North Korean army and recaptured the capital city of Seoul. Approximately 1,500,000 U.S. military personnel served in Korea out of a Total Korean war-era U.S. Worldwide military force of more than 5.7 million. More than 54,000 U.S. military service personnel died around the world during the Korean war era. The Republic of Korea lost more than 225,000 men in combat during that time. Some 22 nations supplied personnel for the U.N. force in Korea.

Mr. Speaker, the Korean War Veterans Memorial in the Nation's capital pays tribute to all those who served in the Korean war and the American spirit of service to one's country. It honors the patriotism, Mr. Speaker, of millions of brave men and women throughout the history of the United States who have responded to the call of duty, and it expresses the Nation's gratitude to those willing to make extreme sacrifices to the cause of freedom.

Tomorrow at 3 p.m. at the Korean memorial the wreath laying ceremony will take place in salute of our Korean war Veterans, and as JERRY SOLOMON said, the forgotten war and the forgotten Veterans will no longer be forgotten because of a grateful Nation. We will salute the veterans tomorrow and salute them every day forward. I thank these Marines who allowed me to join with them tonight, because a grateful Congress is very appreciative and will forever remember your contributions.

Mr. SOLOMON. JON, thank you very, very much for those very, very fine words, and we will see you at the Korean war memorial tomorrow at 3 p.m.

Mr. Speaker, let me yield one more time to our very good friend from Bethlehem, Pennsylvania, PAUL MCHALE.

Mr. MCHALE. JERRY, I thank you very much.

Mr. Speaker, in closing my remarks, I would like to quote from an extremely well written newspaper article written by Joe Wheelan of the Associated Press as it appeared yesterday in the Washington Times. It supplements and complements the remarks made earlier by my good friend and colleague JERRY SOLOMON in describing the ferocious combat that took place at the Chosin Reservoir. It, I think, captures the spirit of the courage of those brave Marines.

Quoting from Joe Wheelan:

The Chosin Reservoir. Frozen Chosin. Where the 1st Marine Division fought for 14 days in 30-below-zero temperatures against 120,000 Chinese.

The 16,000 Marines and 4,000 Army, British Royal Marines and South Korean troops broke out of the deadly Chinese trap between Nov. 27 and Dec. 11, 1950. They killed more than 40,000 Chinese while losing nearly 1,700 dead and 5,000 wounded.

Few battles have been waged under worse conditions. A one-lane dirt road through icy mountains was the only link to seaports 78 miles away. The brittle cold froze blood from wounds before it coagulated and turned guns, tanks, jeeps and food into blocks of ice. Stiffened corpses were stacked like cordwood.

''There were so many Chinese we used their frozen bodies for barricades, like sandbags,'' said Win Scott, who was a Marine private and now heads the Chosin Few veterans organization from Waynesville, N.C.

The 4,800-member association has expanded awareness of the largely forgotten battle. Chosin Few members will join other Korean War veterans for the dedication of the memorial, across the Reflecting Pool from the Vietnam Veterans Memorial.

The monument is a tribute to the 54,246 Americans killed in Korea in the 1950–53 war.

At Chosin, more medals were awarded than for any modern battle—17 Medals of Honor and 70 Navy Crosses.

Mr. Speaker, not long ago I had an opportunity to spend some time with the former commandant of the Marine Corps PX Kelly, an extraordinary Marine and a very brave man. In late 1983, shortly after the BLT headquarters was blown up in Beirut, then commandant PX Kelly visited a badly wounded and blinded Marine in a German hospital. As the commandant of the Marine Corps approached the side of the wounded Marine, and the Marine was informed that it was indeed the commandant approaching, he attempted to come to the position of attention. Overcome, appropriately, with emotion, that commandant of the Marine Corps uttered a phrase that will live in Marine Corps history, ''Oh Lord, where do we find men such as these?''

Since November 10, 1775, our Nation has found it in the United States Marine Corps.

Mr. SOLOMON. PAUL, again, thank you. Thank you so much for participating in this special order along with FRED HEINEMAN, WES COOLEY, and JON FOX, and let me just say that you mentioned the former commandant PX Kelly, and we are going to have the privilege of having him up in the Adirondack Mountains with me during the August break. Maybe I should not say this on the floor of this Congress, but he was one hell of a Marine.

Let me just close, Mr. Speaker, because we are running out of time, and because we were limited tonight because of the late session, and under House rules we cannot go beyond a certain time. That is why I asked general leave that Members have 5 legislative days to revise and extend their remarks and for those that could not participate because of the lack of time here this evening. Let me just emphasize one more time, and, PAUL, you brought it out so vividly, but during

the Vietnam war, which lasted more than a decade. The losses during the Vietnam War, which are still vivid in many Americans' minds but many cannot remember that far back to the Korean War 42 years ago, the very fact that the losses sustained in the Korean War during just three short years were almost identical to those of the Vietnam War over a period that took three and four times longer.

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That is just how ferocious it was and just how difficult it was for our young men and women serving in Korea at that time.

So let me just call attention one more time to say that tomorrow the Speaker has agreed not to have votes on the floor of this Congress between the hours of 2 and 4. We will have a bus leaving for Members of Congress to join several hundred thousand veterans and their families and their friends who will be at this finest of memorials to the Korean War, which will once and for all set to rest the forgotten war attitude of so many people. It no longer will be forgotten, thanks to that wonderful memorial.

I just invite everybody to go see it. It is so inspiring.

Mr. Speaker, with that, I thank everyone for participating in this special order.

Mr. BILIRAKIS. Mr. Speaker, war in Korea lasted 3 years. Yet, for most Americans, the Korean war remains a hazy event at best, lost between the magnitude of World War II and the upheaval of Vietnam. For many Americans, the conflict is best known because of the popular movie and television series "M*A*S*H."

The Korean war erupted on June 25, 1950, when 135,000 North Korea troops, spearheaded by 200 Russian-built tanks and planes, poured across the 38th parallel, crushing South Korean defenses. Three days later, President Truman ordered United States forces to defend South Korea.

Prompted by the action of the United States, the United Nations condemned the act of aggression. For the first time in its history, the United Nations created a United Nations Command, with the United States as its acting executive agent, to repel the attack of communist North Korea. In addition to the United States and South Korea, 20 other nations provided military contingents which served under the United Nations banner.

The fighting raged on for more than 3 years. Yet, the war received little attention back home. Active hostilities ended with an armistice on July 27, 1953.

During the war, 54,000 Americans died, including more than 34,000 on the battlefield. In addition, more than 103,000 Americans were wounded and some 8,000 are still missing or unaccounted for.

Despite their courage and sacrifice, the soldiers returning from Korea were not met with a hero's welcome. Instead, Korean veterans just blended back into the mainstream of American society. Their entitlement to national recognition is as valid today as ever. The time has come for the soldiers who stopped communist aggression in Northeast Asia to receive their proper place in history.

More than 5.7 million American servicemen and women were involved—directly or indirectly—in the Korean war. As a Korean era veteran, I am pleased that the Korean War Memorial is being dedicated on Thursday, July 27, 1995—the 42d anniversary of the armistice ending the war.

I believe it is fitting that we pay special tribute to the men and women who served during the Korean war. When the time came for courage and sacrifice, their generation stepped forward to serve their country. They left a peaceful civilian life for an uncertain future in uniform; they gave up the comforts of home for the horrors of the battlefield.

Regrettably, the 54,000 Americans who died in the cold of Korea fighting communism didn't live to see the fruits of their sacrifice, not only for Americans, but for hundreds of millions in Poland, Czechoslovakia, Hungary—even in the Republics of the former Soviet Union.

If only these heroes could be with us today to see the changes that have swept the globe because of what they did. The Berlin all has been reduced to a chunk of concrete on display at the Ronald Reagan Library in California and Leningrad once again is St. Petersburg. Incredibly, if they could travel to Moscow, they would be amazed to see more people standing in line to get a hamburger at McDonald's than used to visit Lenin's tomb.

Throughout history, America's veterans have served and served well. They saw democracy challenged and they defended it. They say civilization threatened and they rescued it. They say our rights endangered and they sought to restore them.

America can never fully repay these veterans, and we will never be able to express our feelings to our fallen soldiers. But we must never forget how blessed we are in the modern world to live in a free society, nor forget the sacrifices of our friends, relatives, neighbors and countrymen who served us all when duty called.

IN MEMORY OF GEORGE ROMNEY

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

Mr. CHRYSLER. Mr. Speaker, I am here at this late hour to pay my respects to George Romney, the former Governor of the State of Michigan.

George Romney served the citizens of Michigan for many years and will be sorely missed by us all.

Katie and I consider ourselves friends of the Romney family, having worked many years with them on political and civic issues.

George Romney's personal philosophy has always been to be bold. That is the philosophy by which he lived and the philosophy by which he governed the State of Michigan. I think that is the philosophy that would fit well with the 104th Congress, and he told me to use it when I came here.

I remember when he used to climb fences to get into union halls to get in to talk to working men and women when he ran for Governor, and we should all remember the example George Romney set in his life as a public servant and as a great person after his time in office. His life should serve as an inspiration to us all as we continue to go about the work of the people of this country.

Me deepest sympathies go out to his wife, Lenore, and his entire family.

While George will be missed, we would do well to remember the shining example he was and still should remain, and at this moment when we adjourn this Congress tonight, a moment of silence in his honor would probably, I think, be appropriate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHENOWETH (at the request of Mr. ARMEY) 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. MCHALE) to revise and extend his remarks and include extraneous material:)

Mr. TOWNS, for 5 minutes, today.

Mr. FORD, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

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

Mr. EHRLICH, for 5 minutes, today.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. CHRYSLER, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. HOKE, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(Mr. BARR, on the Gilman amendment on H.R. 2076, in the Committee of the Whole today.)

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

Mr. OBERSTAR.

Mr. RANGEL.

Mr. HAMILTON.

Mr. FALEOMAVAEGA.

Mrs. COLLINS of Illinois, in two instances.

Mr. HALL of Ohio.

Mr. FAZIO of California.

Mr. MFUME.

Mr. ACKERMAN.

Mr. TORRES, in two instances.

Ms. WOOLSEY.

Mr. KILDEE.

Mr. TORRICELLI.

Mr. TRAFICANT.

Mr. MARKEY.
Mr. BONIOR, in two instances.
Mr. OWENS.
Ms. PELOSI.
(The following Members (at the request of Mr. HOEKSTRA) and to include extraneous matter:)
Mr. FIELDS of Texas.
Mr. KINGSTON.
Mr. PORTMAN.
Mr. SMITH of New Jersey.
Mr. PACKARD.
Mr. CAMP.
Mr. GILLMOR.
Mr. LIGHTFOOT.
Mr. KIM.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Thursday, July 27, 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:

[Omitted from the Record of July 25, 1995]

1245. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred at the Sacramento Air Logistics Center in Sacramento, CA, and in the headquarters of the Air Force Materiel Command at Wright-Patterson Air Force Base, OH, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1246. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for the transfer of defense services and technical data sold commercially to the United Kingdom (Transmittal No. DTC–45–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1247. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of export license for the transfer of defense articles and services sold commercially to the Peoples Republic of China (Transmittal No. DTC–28–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1248. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense articles and services sold commercially to Canada (Transmittal No. DTC–52–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1249. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense articles or services sold commercially to Russia (Transmittal No. DTC–51–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1250. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for the production of major military equipment with the Republic of Korea (Transmittal No. DTC 49–95), pursuant to 22 U.S.C. 2776(c) and (d); to the Committee on International Relations.

1251. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of export license Agreement for the transfer of defense services and technical data sold commercially to Germany and the United Kingdom (Transmittal No. DTC–46–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1252. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense articles or defense services sold commercially to the Arab Republic of Egypt (Transmittal No. DTC–46–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1253. A letter from the Secretary of Commerce, transmitting the annual report on the fishermen's contingency fund, pursuant to 43 U.S.C. 1846(a); to the Committee on Resources.

[Submitted July 26, 1995]

1254. A letter from the Secretary of Health and Human Services, transmitting the ninth report to Congress on health personnel in the United States, pursuant to 42 U.S.C. 295h–2(c); to the Committee on Commerce.

1255. A letter from the Secretary of Health and Human Services, transmitting the Department's annual report on the Public Housing Primary Care [PHPC] Program, which describes the utilization and cost of health care services provided to the residents of public housing in calendar years 1992 and 1993, pursuant to section 340A of the Public Health Service Act; to the Committee on Commerce.

1256. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–108, ''Augustana Lutheran Church Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1257. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–110, ''Washington Ethical Society Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233 (c)(1); to the Committee on Government Reform and Oversight.

1258. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–111, ''Chevrah Tifereth Israel Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1259. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–107, ''Probate Reform Act of 1994 Amendment Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1260. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–112, ''Northwest Settlement House Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1261. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-113, ''Church of the Ascension and Saint Agnes Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1262. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–114, ''Prospect Hill Cemetery Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1263. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–115, ''Arena Tax Payment and Use Amendment Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1264. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–109, ''Community United Methodist Church Equitable Real Property Tax Relief Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1265. A letter from the Chair, Board of Directors, Office of Compliance, transmitting notification that the Board of Directors has approved the appointment of Dennis P. Duffy to serve as General Counsel of the Office of Compliance, pursuant to section 302(c)(1) of title III of the Congressional Accountability Act of 1995; to the Committee on House Oversight.

1266. A letter from the Assistant Secretary of Legislative Affairs, Department of State, transmitting notification of the Department's intent to obligate funds for additional program proposals for purposes of nonproliferation and disarmament fund [NDF] activities, pursuant to 22 U.S.C. 5858; jointly, to the Committees on Appropriations and International Relations.

1267. A letter from the Secretary of Health and Human Services, transmitting notification that the Department of Health and Human Services is allotting emergency funds made available under section 2602(e) of the Low-Income Home Energy Assistance Act of 1981 to the following States: Connecticut, Illinois, Indiana, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, and Wisconsin, pursuant to section 2604(g) of the Low-Income Home Energy Assistance Act of 1981; jointly, to the Committees on Commerce and Economic and Educational Opportunities.

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. ROBERTS: Committee on Agriculture, H.R. 1103. A bill entitled, ''Amendments to the Perishable Agricultural Commodities Act, 1930''; with amendments (Rept. 104–207). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HOEKSTRA:

H.R. 2114. A bill to permit voters to vote for ''None of the Above'' in elections for Federal office and to require an additional election if ''None of the Above'' receives the most votes; to the Committee on House Oversight.

By Mr. HOEKSTRA (for himself, Mrs. FOWLER, Mr. HILLEARY, Mr. SANFORD, Mr. TATE, Mr. UPTON, Mr. HUTCHINSON, and Mr. HANCOCK):

H.R. 2115. A bill to establish a national advisory referendum on limiting the terms of

Members of Congress at the general election of 1996; to the Committee on House Oversight.

By Mr. HOEKSTRA:

H.R. 2116. A bill to establish a national advisory referendum on a flat income tax rate, and requiring a national vote to raise taxes at the general election of 1996; to the Committee on House Oversight.

H.R. 2117. A bill to provide that the voters of the United States be given the right, through advisory voter initiative, to propose the enactment and repeal of Federal laws in a national election; to the Committee on House Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN:

H.R. 2118. A bill to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts paid for public school bus service; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 2119. A bill to amend the Federal Election Campaign Act of 1971 to require certain disclosure and reports relating to polling by telephone or electronic device; to the Committee on House Oversight.

By Mr. SERRANO (for himself, Mr. GUTIERREZ, and Ms. ROYBAL-ALLARD):

H.R. 2120. A bill to authorize appropriations for improvements in the naturalization process; to the Committee on the Judiciary.

By Mr. SHAW (for himself, Mr. MATSUI, Mr. CRANE, Mr. THOMAS, Mrs. JOHNSON of Connecticut, Mr. ZIMMER, Mr. PORTMAN, Mr. STARK, Mr. JACOBS, Mr. LEVIN, Mr. CARDIN, and Ms. DUNN of Washington):

H.R. 2121. A bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts; to the Committee on Ways and Means.

By Mrs. VUCANOVICH (for herself, and Mr. DOOLITTLE):

H.R. 2122. A bill to designate the Lake Tahoe Basin National Forest in the States of California and Nevada to be administered by the Secretary of Agriculture, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, 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. HOEKSTRA:

H.J. Res. 103. Joint resolution proposing an amendment to the Constitution of the United States to give citizens of the United States the right to enact and repeal laws by voting on legislation in a national election; to the Committee on the Judiciary.

H.J. Res. 104. Joint resolution proposing an amendment to the Constitution of the United States to give citizens of the United States the right to propose amendments to the Constitution by an initiative process; to the Committee on the Judiciary.

H.J. Res. 105. Joint resolution proposing an amendment to the Constitution of the United States to give citizens of the United States the right to recall elected officials; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

[Omitted from the Record of July 25, 1995]

143. The SPEAKER presented a memorial of the Senate of the State of New York, relative to supporting ratification of the U.N. Convention on the Elimination of All Forms of Discrimination Against Women; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. OLVER, Mr. PALLONE, Mr. HALL of Texas, Mr. BURR, and Mr. HAYWORTH.

H.R. 103: Mr. BROWN of California and Mr. FORBES.

H.R. 109: Mr. WATTS of Oklahoma.

H.R. 123: Mr. CAMP, Mr. GALLEGLY, and Mr. NUSSLE.

H.R. 127: Mr. PALLONE, Mrs. KENNELLY, and Mr. MCCOLLUM.

H.R. 303: Mr. CUNNINGHAM.

H.R. 359: Mr. NEAL of Massachusetts.

H.R. 407: Mr. BROWN of Ohio.

H.R. 470: Mr. WALSH and Mr. RANGEL.

H.R. 491: Mr. HUTCHINSON, Mr. CREMEANS, Mr. KIM, and Mr. CALVERT.

H.R. 752: Mrs. MEEK of Florida, Mr. COX, Mr. CONDIT, Mr. HUNTER, Mr. BARTLETT of Maryland, Mr. UPTON, Mr. EHLERS, Mr. GALLEGLY, Mr. WOLF, Mr. WILLIAMS, Mr. KIM, Mr. FLANAGAN, Mr. GILMAN, Mr. LIVINGSTON, Mr. LATHAM, Mr. HOKE, Mr. BONILLA, Ms. DANNER, Mr. WAMP, Ms. PRYCE, Mr. ROBERTS, Mr. MICA, Mr. SPENCE, Mr. BOEHLERT, Mr. OXLEY, Mr. ZELIFF, Mr. ALLARD, Mr. MCINTOSH, Mr. JONES, Mr. GOODLING, Mr. MCINNIS, Mr. PAYNE of Virginia, Mr. ISTOOK, Mr. HORN, Mr. MYERS of Indiana, Mr. ROGERS, and Mr. BILIRAKIS.

H.R. 833: Mr. PASTOR,

H.R. 863: Mr. LIPINSKI, Mr. BISHOP, and Mr. PASTOR.

H.R. 892: Mr. THORNTON and Mr. PACKARD.

H.R. 922: Mr. GEJDENSON and Ms. RIVERS.

H.R. 941: Ms. LOFGREN, Ms. MOLINARI, and Ms. PELOSI.

H.R. 945: Mr. LOBIONDO and Mr. CRAMER.

H.R. 952: Mrs. MORELLA, Mr. TANNER, and Mr. HUTCHINSON.

H.R. 969: Ms. NORTON.

H.R. 972: Mr. PETERSON of Florida.

H.R. 995: Mr. HYDE.

H.R. 1006: Mr. WARD.

H.R. 1020: Mr. STOCKMAN, Mr. WALSH, Mr. RAMSTAD, Mr. JOHNSON of South Dakota, Mr. DAVIS, Mr. STENHOLM, Mr. BROWNBACK, Mr. PARKER, Mr. FLAKE, and Mr. SCOTT.

H.R. 1076: Mr. ENGLISH of Pennsylvania.

H.R. 1083: Mr. CRAPO.

H.R. 1138: Mr. DICKS.

H.R. 1161: Mr. KOLBE, Mr. PORTER, and Mr. LIVINGSTON.

H.R. 1210: Mr. NADLER.

H.R. 1221: Mr. DURBIN, Mr. MCDERMOTT, Mr. REYNOLDS, Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. RANGEL, Mr. DELLUMS, Mr. MILLER of California, Ms. NORTON, Mr. FATTAH, Mr. HINCHEY, and Mr. MORAN.

H.R. 1223: Mr. LEWIS of California.

H.R. 1289: Mr. HAYWORTH.

H.R. 1339: Mr. STUPAK.

H.R. 1442: Mr. ENGEL.

H.R. 1460: Mr. ZIMMER and Mr. CALVERT.

H.R. 1496: Mr. SCHAEFER and Mr. RANGEL.

H.R. 1527: Mr. LEWIS of California, Mr. HAYWORTH, and Mr. COOLEY.

H.R. 1649: Mr. TEJEDA, Mr. GUTIERREZ, Mr. SCOTT, Mr. BEILENSON, Ms. MCKINNEY, and Mr. EVANS.

H.R. 1691: Mr. LEACH, Mr. MCCOLLUM, Mrs. ROUKEMA, Mr. BEREUTER, Mr. CASTLE, Mr. WELLER, Mr. HAYWORTH, Mr. BONO, Mr. NEY, Mr. EHRLICH, Mr. CREMEANS, Mr. FOX, Mr. HEINEMAN, Mr. LOBIONDO, Mr. WATTS of Oklahoma, Mrs. KELLY, Mr. MATSUI, Mr. CRAMER, Mr. FATTAH, Ms. NORTON, Mrs. MYRICK, Mr. ENGLISH of Pennsylvania, Mr. SPRATT, Ms. FURSE, Mr. BISHOP, Ms. LOFGREN, Mr. BROWN of California, Mr. FILNER, Mr. PARKER, Mr. CUNNINGHAM, Mrs. MEEK of Florida, Mr. HUTCHINSON, Mr. QUINN, Mr. BLUTE, Mr. BOEHLERT, Mr. TORKILDSEN, Mr. GOSS, Mrs. MORELLA, Mr. GILCHREST, Mr. GILMAN, Mr. MCKEON, Mr. MINETA, Mr. WALKER, and Mr. SHAYS.

H.R. 1801: Mr. STEARNS.

H.R. 1846: Mr. TOWNS.

H.R. 1885: Mr. SKELTON and Mr. HASTERT.

H.R. 1955: Mr. MARKEY, Mrs. CLAYTON, and Mr. FATTAH.

H.R. 1970: Mrs. LOWEY, Mr. SERRANO, Mrs. THURMAN, Mrs. MALONEY, Mr. GUTIERREZ, Mr. RUSH, and Ms. MCKINNEY.

H.R. 2019: Mr. BILBRAY.

H.R. 2063: Mr. OXLEY and Mrs. MYRICK.

H.R. 2104: Mr. JACOBS.

H.J. Res. 16: Mr. TAYLOR of Mississippi, Mr. QUILLEN, and Mr. CHAPMAN.

H.J. Res. 89: Mr. MCCOLLUM.

H. Con. Res. 78: Mr. MANTON, Ms. MCKINNEY, and Mr. BERMAN.

H. Res 181: Mr. MCNULTY and Mr. LEACH.

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. 359: Mr. WELDON of Florida.

H.R. 1442: Mr. TORRES.

H. Con. Res. 85: Mrs. THURMAN.

PETITIONS, ETC.

Under clause 1 of rule XXII,

[Omitted from the Record of July 25, 1995]

31. The SPEAKER presented a petition of the city of Worcester, MA, relative to endorsing an amendment to the Constitution to prohibit the physical desecration of the American flag; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2076

OFFERED BY: MR. GOODLING

AMENDMENT NO. 57: Page 102, after line 20, insert the following:

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the federal official having authority to obligate or expend such funds (1) that the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national, and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

H.R. 2076

OFFERED BY: MR. ZIMMER

AMENDMENT NO. 58: Page 102, after line 20, insert the following new section:

SEC. . None of the funds made available in this Act shall be used to provide the following amenties or personal comforts in the federal prison system—

(A)(i) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(ii) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

(iii) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(iv) possession of in-cell coffee pots, hot plates, or heating elements;

(v) the use or possession of any electric or electronic musical instrument.

H.R. 2099

OFFERED BY: MR. BARRETT OF WISCONSIN

AMENDMENT NO. 27: Page 87, after line 25, insert the following new section:

SEC. 519. None of the funds appropriated in title II of this Act may be used for any activity (including any infrastructure improvement), or to guarantee any loan for any activity, that is intended, or likely, to facilitate the relocation or expansion of any industrial or commercial plant, facility, or operation, from one area to another area, if the relocation or expansion will result in a loss of employment in the area from which the relocation or expansion occurs.

H.R. 2099

OFFERED BY: MR. BILBRAY

AMENDMENT NO. 28: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . No part of the funds appropriated in this act shall be used for the development or analysis of any information when it is made known to the Federal official having authority to obligate or expend such funds that such information is intended or designed to influence in any manner any member of a State or local legislature, to favor or oppose, by vote or otherwise, any legislation or appropriation by a State or local legislature, whether before or after the introduction of any measure proposing such legislation or appropriation.

H.R. 2099

OFFERED BY: MR. BORSKI

AMENDMENT NO. 29: Page 60, line 17, strike ''; *Provided further,*'' and all that follows before the period on line 21.

H.R. 2099

OFFERED BY: MR. BORSKI

AMENDMENT NO. 30: Page 63, lines 12 and 13, strike '': *Provided further,*'' and all that follows before the period on line 16.

H.R. 2099

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 31: Page 59, line 23, before ''to remain available'' insert ''(increased by $440,000,000)''.

Page 64, line 16, after ''$320,000,000'' insert (reduced by $186,450,000)''.

H.R. 2099

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 32: Page 59, line 23, strike ''$1,003,400,000'' and insert ''$1,443,400,000''.

Page 64, line 16, strike ''$320,000,000'' and insert ''$133,550,000''.

H.R. 2099

OFFERED BY MR. BROWN OF OHIO

AMENDMENT NO. 33: Page 87, after line 25, insert:

SEC. 519. The amounts otherwise provided by this Act are revised by reducing the amount made available to the Federal Emergency Management Agency to carry out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq) by $186,450,000 and increasing the amount made available for the Hazardous Substance Superfund by $440,000,000.

H.R. 2099

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 34: Page 8, line 9, strike ''$16,713,521,000'' and insert ''$16,725,521,000''.

Page 79, line 23, strike ''$22,930,000'' and insert ''$6,000,000''.

H.R. 2099

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 35: Page 8, line 9, insert before the ''plus'' the following: ''(increased by ''$12,000,000),''.

Page 79, line 23, insert before the colon the following: ''(reduced by $16,930,000)''.

H.R. 2099

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 36: Page 79, line 23, strike ''$22,930,000'' and insert ''$6,000,000''.

H.R. 2099

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 37: Page 79, line 23, insert before the colon the following: ''(reduced by $16,930,000)''.

H.R. 2099

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 38: Page 59, line 23, before ''to remain available'' insert ''(increased by $440,000,000)''.

Page 64, line 16, after ''$320,000,000'' insert (reduced by $186,450,000)''.

H.R. 2099

OFFERED BY: MR. DINGELL

AMENDMENT NO. 39: Page 59, line 23, strike ''$1,003,400,000'' and insert ''$1,443,400,000''.

Page 64, line 16, strike ''$320,000,000'' and insert ''$133,550,000''.

H.R. 2099

OFFERED BY: MR. DINGELL

AMENDMENT NO. 40: Page 87, after line 25, insert:

SEC. 519. The amounts otherwise provided by this Act are revised by reducing the amount made available to the Federal Emergency Management Agency to carry out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq) by $186,450,000 and increasing the amount made available for the Hazardous Substance Superfund by $440,000,000.

H.R. 2099

OFFERED BY: MR. FIELDS OF LOUISIANA

AMENDMENT NO. 41: Page 50, strike line 16 and all that follows through page 51, line 2, and insert the following:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service in carrying out the programs, activities, and initiatives under the National and Community Service Act of 1990 (Public Law 103–82), $817,476,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $2,000,000.

Page 71, line 5, after the dollar amount, insert the following: ''(reduced by $819,476,000)''.

H.R. 2099

OFFERED BY: MR. FRANK OF MASSACHUSETTS

AMENDMENT NO. 42: Page 20, line 25, strike ''$10,182,359,000'' and insert ''$10,560,359,000''.

Page 37, strike ''(a)''in line 23 and all that follows through page 38, line 19.

Page 70, line 13, strike ''$5,449,600,000'' and insert ''$5,212,100,000''.

Page 71, line 5, strike ''$5,588,000,000'' and inset ''$5,233,000,000''.

Page 72, line 1, strike ''$2,618,200,000'' and insert ''$2,533,200,000''.

H.R. 2099

OFFERED BY: MR. GANSKE

AMENDMENT NO. 43: Page 70, lines 13 through 19, strike ''$5,449,600,000'' and all that follows through ''obligation until September 30, 1997'' and insert in lieu thereof ''$3,630,600,000 to remain available until September 30, 1997''.

H.R. 2099

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 44: Page 30 line 15 strike ''951,988,000'' and insert ''839,183,000''.

H.R. 2099

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 45: Page 28, line 3, strike ''$576,000,000'' and insert ''$601,000,000''.

Page 64, line 16, strike ''$320,000,000'' and insert ''$295,000,000''.

H.R. 2099

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 46: Page 60, line 21, insert the following after ''reauthorized.''

; ''*Provided further,* That with respect to funding appropriated under this heading, the Environmental Protection Agency should increase the allocation of such funds for emergency clean-up of hazardous sites in residential communities.''

H.R. 2099

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 47: Page 20, line 25, strike ''$10,041,589,000'' and insert ''$10,361,589,000''.

Page 64, line 16, strike ''$320,000,000'' and insert ''$0''.

Page 39, after line 17, insert the following new subsection:

(c) EXEMPTION OF ELDERLY AND DISABLED FAMILIES FROM RENT INCREASES.—Subsections (a) and (b) of this section shall not apply with respect to any elderly family or disabled family (as such terms are defined in section 3(b) of such Act) who, on October 1, 1995, is receiving rental assistance under section 8 of the United States Housing Act of 1937 or is occupying a dwelling unit assisted under such section.

H.R. 2099

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 48: Page 50, after line 5, insert the following new item:

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

For grants, loans, and technical assistance to qualifying community development leaders, and administrative expenses of the Fund, $104,000,000, to remain available until expended.

H.R. 2099

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 49: At page 87 of the bill, after line 25, insert after the last section the following new section:

SEC. 59. None of the funds appropriated in this Act may be used to extend the requirements under Section 313 of the Emergency Planning and Community Right-to-Know Act (42 U.S.C. §11023) to owners and operators of facilities that are in Standard Industrial Classification Codes other than 20 through 39.

H.R. 2099

OFFERED BY: MR. OBEY

AMENDMENT NO. 50: Page 8, line 9, after the dollar amount, insert the following: ''(increased by $230,000, 000)''.

Page 16, strike lines 12 through 21.

Page 20, line 25, after the dollar amount insert the following: ''(increased by $400,000,000)''.

Page 21, line 15, after the dollar amount insert the following: ''(increased by $200,000,000)''.

Page 22, line 15, after the dollar amount insert the following: ''(increased by $200,000,000)''.

Page 70, line 13, after the dollar amount insert the following: ''(reduced by $1,600,000,000)''.

Page 71, line 5, after the dollar amount insert the following: ''(increased by $400,000,000)''.

H.R. 2099

OFFERED BY: MR. OBEY

AMENDMENT NO. 51: Page 8, line 9, after the dollar amount, insert the following: ''(increased by $400,000,000)''.

Page 20, line 25, after the dollar amount insert the following: ''(increased by $400,000,000)''.

Page 21, line 15, after the dollar amount insert the following: ''(increased by $200,000,000)''.

Page 22, line 15, after the dollar amount insert the following: ''(increased by $200,000,000)''.

Page 70, line 13, after the dollar amount insert the following: ''(reduced by $1,600,000,000)''.

Page 71, line 5, after the dollar amount insert the following: ''(increased by $400,000,000)''.

H.R. 2099

OFFERED BY: MR. PALLONE

AMENDMENT NO. 52: Page 54, beginning in line 1, strike ''*Provided further,* That'' and all that follows through ''as amended:'' in line 6.

Page 54, line 17, strike ''four'' and insert ''three''.

H.R. 2099

OFFERED BY: MR. PALLONE

AMENDMENT NO. 53: Page 56, line 17, strike '': *Provided*'' and all that follows to the colon on page 57, line 18.

H.R. 2099

OFFERED BY: MR. PALLONE

AMENDMENT NO. 54: Page 58, line 22, strike '': *Provided further,*'' and all that follows to the period on page 59, line 3.

H.R. 2099

OFFERED BY: MR. REED

AMENDMENT NO. 55: Page 58, line 21, strike the colon and all that follows down to the period in line 3 on page 59.

H.R. 2099

OFFERED BY: MR. REED

AMENDMENT NO. 56: Page 58, strike line 22 and all that follows down through line 3 on page 59 and insert: ''*Provided further,* That none of the funds appropriated under this heading may be used to assess a civil or administrative penalty action for any violation of Federal law when it is made known to the official to whom funds are appropriated that such violation was discovered through a voluntary audit and disclosed to a State agency under a State immunity law and corrected in a timely and appropriate manner.''.

H.R. 2099

OFFERED BY: MR. ROEMER

AMENDMENT NO. 57: Page 70, lines 13 through 19, strike ''$5,449,600,000'' and all that follows through ''obligation under September 30, 1997'' and insert in lieu thereof ''$3,849,600,000, to remain available until September 30, 1997''.

H.R. 2099

OFFERED BY: MR. SANDERS

AMENDMENT NO. 58: Page 16, line 12 through the matter following line 21, strike section 107.

Page 70, line 13, strike ''$5,449,600,000'' and insert in lieu thereof ''$5,356,557,000''.

Page 72, line 1, strike ''$2,618,200,000'' and insert in lieu thereof ''$2,554,587,000''.

Page 78, line 17, strike ''$127,310,000'' and insert in lieu thereof ''$123,966,000''.

Page 79, line 23, strike ''$22,930,000'' and insert in lieu thereof ''$12,930,000''.

H.R. 2099

OFFERED BY: MR. SANDERS

AMENDMENT NO. 59: Page 16, line 12 through the matter following line 21, strike section 107.

Page 70, line 13, after the dollar amount insert the following: ''(reduced by $93,043,000)''.

Page 72, line 1, after the dollar amount insert the following: ''(reduced by $63,613,000)''.

Page 78 line 17, after the dollar amount insert the following: ''(reduced by $3,344,000)''.

Page 79, line 23, after the dollar amount insert the following: ''(reduced by $10,000,000)''.

H.R. 2099

OFFERED BY: MR. SANDERS

AMENDMENT NO. 60: Page 51, line 7, strike ''$9,000,000'' and insert in lieu thereof ''$9,429,000''.

Page 72, line 1, strike ''$2,618,200,000'' and insert in lieu thereof ''$2,617,771,000''.

H.R. 2099

OFFERED BY: MR. SANDERS

AMENDMENT NO. 61: Page 51, line 7, after the dollar amount insert the following: ''(increased by $429,000)''.

Page 72, line 1, after the dollar amount insert the following: ''(decreased by $429,000)''.

H.R. 2099

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 62: Page 54, beginning on line 6, strike ''*Provided further,* That none of the funds appropriated under this heading may be used to implement or enforce section 404 of the Federal Water Pollution Control Act, as amended:''

H.R. 2099

OFFERED BY: MR. STOKES

AMENDMENT NO. 63: page 22, after ''Secretary:'' on line 14, insert

''*Provided further,* That if authorizing legislation is not enacted into law by December 31, 1995, the amount provided for voucher assistance may be reallocated by the Secretary to public housing modernization, drug elimination grants, and section 8 incremental rental assistance:''

H.R. 2099

OFFERED BY: MR. STOKES

AMENDMENT NO. 64: page 30, after ''1988,'' on line 6, insert

''and for the fair housing initiatives program as authorized by the Housing and Community Development Act of 1987,''

H.R. 2099

OFFERED BY: MR. STOKES

AMENDMENT NO. 65: Page 41, strike line 1 through ''(2)'' on line 5.

Page 45, strike line 22 through page 46, line 7.

H.R. 2099

OFFERED BY: MR. STOKES

AMENDMENT NO. 66: Page 53, line 18, strike '': *Provided*'' and all that follows through ''appropriate'' on page 55, line 9.

Page 55, line 19, strike ''*Provided*'' and all that follows through ''concerns'' on page 59, line 3.

H.R. 2099

OFFERED BY: MR. STOKES

AMENDMENT NO. 67: Page 55, line 19, strike '': *Provided*'' and all that follows through ''apply'' on page 56, line 3.

H.R. 2099

OFFERED BY: MR. TORRICELLI

AMENDMENT NO. 68: Page 87, after line 25, insert the following new section:

SEC. . None of the funds provided in this Act may be obligated or expended to make a payment or grant to a State home under subchapter V of chapter 17 of title 38, United States Code, when it is made known to the Federal official having authority to obligate or expend such funds—

(1) that the State home (or other State entity acting on behalf of the State home) has after August 1, 1995, entered into a contract for, or otherwise arranged for, the performance by individuals who are not employees of the State of any function at that home relating, directly or indirectly, to the provision of medical care for, or affecting the quality of life of, patients at that State home; and

(2) that the performance of that function at that home by individuals who are not employees of the State will have an adverse effect on the quality of medical care for, or the quality of life of, patients at that home.

H.R. 2099

OFFERED BY: MR. VENTO

AMENDMENT NO. 69: Page 28, line 3, after the dollar amount insert the following ''(increased by $184,000,000)''.

Page 64, line 16, before the last comma insert ''(reduced by $235,000,000)''.

Page 66, line 15, after the dollar amount insert the following ''(increased by $30,000,000)''.

H.R. 2099

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 70: At the end of the bill, add the following new title:

TITLE VI—ADDITIONAL PROVISIONS

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECT

(INCLUDING TRANSFER OF FUNDS)

For construction of a medical facility in Brevard County, Florida, to be derived by transfer from the amount provided in title III of this Act under the heading ''Federal Emergency Management Agency-Disaster Relief'', $154,700,000.