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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. ENSIGN].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 14, 1995.

I hereby designate the Honorable JOHN E. ENSIGN 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:

Your blessings, O God, are new every morning; Your favor looks over us and gives us peace; Your benediction speaks the words of forgiveness and new life and Your everlasting arms give support and strength. Through illness and health, through hope and tears, through joy and sorrow, and in all the moments of each day, we are grateful, O God, for Your gifts of faith and hope and love. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mr. ENSIGN). 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 gentleman from Arkansas [Mr. DICKEY] come forward and lead the House in the Pledge of Allegiance.

Mr. DICKEY 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes per side.

UNR WOLF PACK WILL POUNCE ON THE TOLEDO ROCKETS

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

Mrs. VUCANOVICH. Mr. Speaker, I rise today to discuss an issue of vital importance, the Las Vegas Bowl. Tonight at 9 p.m., the Big West Conference champions, the University of Nevada-Reno Wolf Pack, will take on the University of Toledo Rockets. The Washington Times said today the Las Vegas Bowl will showcase some unnoticed talent.

Disregard what my distinguished colleague, the gentlewoman from Ohio [Ms. KAPTUR], says about the teams' previous meeting, never mind that they beat us 49 to 35. The statistics that we have to concentrate on are:

No. 1, UNR has the No. 1 passing attack in the Nation, not Toledo; No. 2, UNR is the No. 1 in total offense in the Nation, not Toledo; No. 3, UNR has a quarterback that became the first player to lead the Nation in total offense in consecutive seasons. Toledo does not. Alex Van Dyke and Toledo's Wasean Tait are a pair of overachievers on teams that have been largely overlooked this year despite some very impressive statistics. UNR played in the inaugural Las Vegas Bowl in 1992; Toledo has never played in a Las Vegas Bowl.

I will match the gentlewoman from Ohio, Ms. KAPTUR's, glass bowl bet with a University of Nevada-Reno sweatshirt. The bottom line is: Tonight, the UNR Wolf Pack will pounce on the Toledo Rockets. Go Wolf Pack.

ROCKETS' TRAJECTORY TAKES THEM TO THE LAS VEGAS BOWL

(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 evening the undefeated University of Toledo Rockets will take to the field in the Las Vegas Bowl and once again display their awesome offensive prowess as they defeat the University of Nevada Wolf Pack—for the second time this year. It's an uncommon event to have a rematch in post-season college football, but tonight Toledo and Nevada will reprise their September contest—a game in which the Rockets beat the turnover-prone Wolf Pact 49 to 35.

This is the Rockets' sixth bowl appearance. They have prevailed in all—with five solid wins and one forfeit. Now I'm sure the Wolf Pack has no intention of forfeiting, but the Rockets will prevail again nonetheless.

As is the custom in the House, I offer my friend from Reno and colleague on the Appropriations Committee, BARBARA VUCANOVICH, a congenial wager that Toledo's irrepressible Rockets will defeat Nevada tonight. So, as Toledo is known as the glass capital of the world, I will risk a set of Libbey Glass wine glasses and Ohio Catawba nonalcoholic Sparkling Grape Juice to fill them on my conviction that Toledo's Rockets will blast off from Las Vegas victorious.

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PENS, DISAPPEARING INK, AND SHARPENED PENCILS

(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, I will withstand the temptation to talk about football because I did that most of my professional life. Instead I would simply offer the following observations:

It is my sincere and solid hope that President Clinton did not take the pen Lyndon Johnson used to sign the Tonkin Gulf resolution with him to Paris to sign the treaty. Of course last week President Clinton took LBJ's Medicare pen to discover it was out of ink, and about a month ago President Clinton, amidst great fanfare, signed a public law, a budget agreement agreeing to get to a balanced budget in 7 years using honest numbers, but I suppose the President believes he used disappearing ink in signing that agreement.

Mr. Speaker, the President should take out a sharpened pencil and, with his budgeteers, work toward an honest balanced budget within 7 years. That is our mission. The American people will settle for no less.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 325. An act to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone non-attainment areas designated as severe, and for other purposes.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 116. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 1060.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1136. An act to control and prevent commercial counterfeiting, and for other purposes;

S. 1331. An act to adjust and make uniform the dollar amounts used in title 18 to distinguish between grades of offenses, and for other purposes;

S. 1465. An act to extend au pair programs;

S.J. Res. 43. Joint resolution expressing the sense of Congress regarding Wei Jingsheng; Gedhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China; and

S. Con. Res. 36. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 1060.

REPUBLICANS FILLING THEIR CHRISTMAS STOCKINGS WITH MORE GOODIES

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

Mr. VENTO. Mr. Speaker, today's paper reports that the Republican leadership has again dropped the ball in terms of trying to limit Members of Congress' outside income. We know this past year there have been great scandals about the book deal with the Speaker, and in the past, this problem is nothing new, because it occurred with past Speakers and with other Members of the House and Senate. But now, after the Committee on Standards of Official Conduct and the embarrassment that this body has gone through this past year, the report is that the Committee on Standards of Official Conduct that has passed a proposal to limit outside earned income from book deals is going to be rejected. It is going to be put off so that the leadership, the Republican leadership in this House and across this country, can continue to fill their Christmas stockings with more goodies, not just this year in December, but throughout the next year. Happy New Year to the book deals—business as usual.

It is time to properly limit the outside earned income and the book deals and get back to the work we were elected to do, not writing political fiction about our glory days in the 104th Congress.

The 104th Congress should be about—delivering on a balanced budget that is both balanced fiscally and balanced fairly for the people of this country we represent, not to take away from the Medicare recipients and the Medicaid recipients and the less fortunate to provide and give tax breaks to our rich friends. Congress ought to get on with the task that we are elected to do to finish up the work that is 2 and 3 months past due, and get home so we can be with our families and friends and serve our constituents, not make bad history for political trash novels—with fat incomes for the congressional sponsors holiday stocking and a lump of coal for the taxpayers.

WITHOUT A REPUBLICAN MAJORITY WOULD BILL CLINTON BE NEGOTIATING A BALANCED BUDGET?

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

Mr. BALLENGER. Mr. Speaker, this morning our national debt stands at 4 trillion, 988 billion, 438 million, 854 thousand, 514 dollars and 79 cents.

All this year, Republicans have devoted tremendous effort and energy to doing something about this debt. We have passionately advocated balancing the budget and doing the right thing for America. Everybody in America knows that balancing the budget is sane and responsible. The debt that previous Congresses have saddled on our Nation is a form of bondage. And our children and our grandchildren will pay for our failed governmental experiments.

And what has been the response from the President? Last week, he vetoed the first balanced budget in a generation. And today, he is at least negotiating a balanced budget with the Congress. But does anyone here believe that if there were no Republican majority that Bill Clinton would be negotiating a balanced budget? The answer is clearly, ''no.''

Mr. Speaker, let us end the excuses and balance our budget.

REPUBLICANS MANUFACTURING ANOTHER CRISIS

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

Mr. GENE GREEN of Texas. Mr. Speaker, the stage is set for another Government shutdown tomorrow night. That means that citizens will not be able to apply for Social Security or veterans' benefits.

We find ourselves in this situation because the congressional Republicans have not sent a continuing resolution to the President. They are manufacturing another crisis because the President will not cut Medicare and education the way the Republicans want him to.

This poster was given to me by a constituent of mine, a small businessman in the Houston Heights area of Houston, that he is worried about what is happening up here, and obviously he is a fan of the Speaker when he says the rich get richer, we see the end of a great Nation in Godnewtzilla. What he is worried about is we are seeing the destruction of our country by cutting most seniors and the education for our children, and yet he wants to make sure that he can earn his living as a small business person in Houston.

Mr. Speaker, this crisis is contrived, and it is taking place because the Republican leadership has not been able to get their own appropriation bills to the President.

WHY WE HAVE TO BALANCE THE BUDGET

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

Mr. KINGSTON. Mr. Speaker, as my colleagues know, balancing the budget is not about Republicans or Democrats. It is not about partisan victory. It is not about a victory of one group over another group. It is about setting priorities. It is saying that we care more about the future and worry about our children's future than just getting reelected. Balancing the budget is not just about economics, and it is not just

about accounting. It is about the fact that we live in a great country, we live in the greatest country the world has ever seen, and yet we can live in an even greater one if we live within our means.

There are a lot of economic reasons to balance the budget, but what would it mean to the person back home? Mr. Speaker, experts have said, including Alan Greenspan, that living within our means under a balanced budget could mean a drop in the interest rates, perhaps as much as 2 percent, and, if the interest rates drop 2 percent, the average homeowner could have a lower mortgage. If a family has a 30-year mortgage on a $75,000 house, then over the lifetime of the loan that family will save and pocket $37,000.

That is why we need to balance the budget, Mr. Speaker, and I hope that the Democrats and Republicans will all step forward, put partisanship aside, and do the right thing.

WORK OUT OUR DIFFERENCES

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

Mr. PALLONE. Mr. Speaker, tomorrow is the deadline for the continuing resolution, and once again it appears the Speaker, NEWT GINGRICH, is prepared to shut down the Government because of the disagreements over the budget.

I have said before, and I will say it again, we may have differences between Democrats and Republicans on the budget, but the negotiations should continue and the Government should not shut down because the Speaker cannot come to an agreement.

Already the President has said that he wants to continue the Government operations for at least another week, if not beyond. The Senate leadership on the Republican side has also agreed to that. Speaker GINGRICH once again says ''no'' because of his own ideology.

We should work out our differences on the budget. I think right now there is no question that the American people feel that Medicare and Medicaid must be preserved and the Republican leadership in the House must come up with a budget proposal that protects Medicare and Medicaid, protects our environmental protection, our education programs. They have not done so. The President has agreed even to the 7-year balanced budget that the Republicans have proposed, but now it is up to Speaker GINGRICH and the Republicans in the House to come up with a program that agrees with the priorities of the American people.

LOWER TAXES AND SPENDING RESTRAINT

(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 liberal Democrats love to chant over and over that ''heartless'' Republicans are ''slashing'' Government to give tax breaks to their friends. False. But it is true that in some areas of Government, like foreign aid, we are cutting. In other areas, like Medicaid and Medicare, we are increasing spending.

And it is also true that we advocate tax cuts. Remember, higher taxes means more spending in Washington. I am proud that Republicans are going to give a $500 tax credit to children and to working families. The money that Americans make belongs to them; it does not belong to the Government. And let me say this about lower taxes: We need lower taxes to help grow the economy. It is essential to balancing the budget that we have strong economic growth. This time lower taxes will be coupled with spending restraints in Washington.

Mr. Speaker, let us end the excuses and let American families keep more of what they earn.

□ 1015

DEMOCRATS STAND FOR MEDICARE, REPUBLICANS STAND FOR MEDIOCRE HEALTH CARE

(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, I hope our colleagues focus on this chart, which says ''Medicare.'' It is one little word, but I think it says more about the differences between Democrats and Republicans than any other word. Mr. Speaker, Democrats care very much about Medicare, and Republicans want to take the care out of Medicare. They want to slash Medicare by $270 billion to give a tax break for their wealthy friends.

Mr. Speaker, Republicans would like to take the ''care'' out of Medicare. By their budget they are taking the ''care'' out of Medicare. I hope we look at this. When they take the care out of Medicare, this is what happens to health care in this country. It becomes mediocre care. Democrats stand for Medicare. Republicans stand for mediocre health care for our seniors, mediocre care so our seniors cannot get the care they need; mediocre care so people go without health care; mediocre care so senior citizens have to suffer, all to give a tax break for the rich. For shame.

THE DEMOCRATS SHOULD GET THE FACTS

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

Mr. GOSS. Mr. Speaker, I would love to respond to the gentleman who has just addressed us and tell him that we have a standing offer: It is $1 million if he can find those cuts. We are still waiting. The challenge has been out there.

It is not working. The people in this country no longer are being deceived. The polls show that. I have been to town meetings. I find that people are angry that Democrats are trying to mislead them, that the Clinton administration is trying to mislead them. People do not like to be scared unnecessarily. I think that is a very good thing that they do not.

I would suggest that the gentleman might want to talk to our new colleague, Tom Campbell, when he arrives here and find out just exactly what is going on out there in America, because people know the truth. We are providing for Medicare. We are increasing Medicare. We are going from $4,700 per capita to over $7,100 per capita in our budget. President Clinton's budget does not balance. CBO says it one more time, it does not balance. We will stand behind our challenge. Get some facts.

OUR COUNTRY AND OUR TROOPS DESERVE CONGRESSIONAL SUPPORT

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

Mr. EDWARDS. Mr. Speaker, yesterday Members of this House, Republicans and Democrats alike, cast votes of conscience on our mission to Bosnia. Some Members endorsed the mission, some expressed serious concerns, and some opposed it altogether. That is the way democracy should work. But there can be no excuse, there can be no justification, there can be no rationalization for prohibiting this House last night, which the gentleman from California [Mr. BAKER], did, from having a unanimous vote in support of our troops that are already in Bosnia.

Let me read the resolution the gentleman from California [Mr. BAKER], and his colleagues who supported him killed last night on this floor:

Resolved: That the House of Representatives unequivocally supports the men and women of the United States Armed Forces who are carrying out their mission in support of peace in Bosnia and Herzegovina with professional excellence, dedicated patriotism, and exemplary bravery.

For anyone to stop this simple resolution is at best a lapse in judgment and, at worst, mindless partisanship. Our country and our troops deserve better than that.

A CONTINUING RESOLUTION ON A BIRTHDAY

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

Mr. DICKEY. Mr. Speaker, today is a very important day. It is my birthday. I am either 56 or 65. I cannot remember which. But I want you to know I am a little concerned about something. It is 10:20. I have gotten a call from my daughter, Laura, and my son, Ted, and

one other person from Maryland, but I have gotten no gifts. I know that time has been rushed and we have been doing a lot of things.

What I am going to propose today is that we have sort of like a continuing resolution so my birthday can extend from the 14th through the 21st, to give you all a chance to give me a gift. I do not want this to be a partisan affair. We should be bipartisan in this effort in every way. I do not want you to worry about the gift ban either, or about the fact that I missed your birthday and did not give you a gift. If you all start the charity, then I can respond. I want to thank you for this opportunity. Please keep me in your minds and your thoughts.

REPUBLICAN PARTISANSHIP WILL WRECK THE REPUBLIC

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

Mr. PETERSON of Florida. Mr. Speaker, I want to talk about two subjects this morning. First, I am outraged over the Speaker's and the chairman of the Committee on Rules' declaration that they intend to gridlock action on the Ethics Committee recommendation to close the Gingrich loophole to prevent misuse of congressional offices for personal gain. This is a serious attempt to muzzle the Ethics Committee, and it must be stopped.

The second, I am also outraged, grossly disappointed, that last night this House could not put politics aside and send a clear message to our troops that they have our unequivocal support, our troops in Bosnia, and recognize their sacrifices in the service of our country. That is very, very sad. This kind of partisanship will ultimately wreck this Republic.

SAVINGS WILL PRESERVE THE AMERICAN DREAM

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

Mr. METCALF. Mr. Speaker, new estimates from CBO project an additional $135 billion in revenue over the next 7 years. That is very good news, but those estimates are based mostly on gains resulting from optimism all around this Nation regarding our movement toward a balanced budget.

Now the bad news. As soon as the word was made public, old politics reared its ugly head: ''Spend that money, spend that money.'' That is the old way. The problem, if we start spending this new, imaginary money, confidence in a balanced budget will drop and the money will not be there. The lesson: Do not spend that imaginary money. If we do our job, the money will be a bonus to our children by lowering the debt. We must beat back the old politics, save that money, and protect the American dream for our children.

POLLS SHOW AMERICANS RESPOND TO THE PRESIDENT'S RESPONSIBLE LEADERSHIP

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

Mr. RICHARDSON. Mr. Speaker, everyone is talking about signals and messages, but here are some facts and results from the latest New York Times CBS poll:

> President Clinton has emerged from the Federal budget standoff with his highest public ratings in nearly 2 years, while House Republicans have lost much of the goodwill they enjoyed after their sweep of Congress last year.

Today President Clinton signed an American-led peace plan on Bosnia in Paris. Under his leadership, American-led peace initiatives in Northern Ireland and the Middle East are flourishing. Somehow, the other side does not want to give him credit for these achievements, but the American people are. The other side wants to shut the Government down, but the President and Senator DOLE want to achieve a balanced budget.

Mr. Speaker, the American people are responding to responsible Government, and not to politics.

THE PRESIDENT SHOULD JOIN REPUBLICANS IN BALANCING THE BUDGET

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

Mr. CHABOT. Mr. Speaker, 25 days ago, President Clinton promised in writing to sign a balanced budget agreement by the end of this year. It is now December 14. How much longer do the American people have to wait? Last week, the President vetoed the Balanced Budget Act of 1995. Last week, the President said ''no'' to a brighter future for our children and for our grandchildren.

I would like to read something that this same President said back in March 1994, and how he said it: ''Why, then, are we confronted with an opposition party that just stands up and says ''No, no, no, no, no, no, no, no?'' Mr. Speaker, it is time for the President to ask himself that same question: Why is he saying no, no, no, no, no, no, no, to balancing the budget? Come on, Mr. President. Join us in balancing the budget now.

OUR SPENDING MUST REFLECT BETTER PRIORITIES FOR AMERICA

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

Mr. WATT of North Carolina. Mr. Speaker, sometimes we complicate things so much here and we lose perspective, that when we are talking about a budget, it is about setting priorities. It is just like our budgets at home. What we spend our money on reflects our values and our priorities.

As we proceed with these negotiations that are going on, I hope we will keep that in mind and reject the priorities that were set out in the budget reconciliation bill that the House and Senate passed and the President vetoed. Those priorities are mean-spirited: more expensive, less accessible, and lower quality health care; less commitment to education; higher taxes for working people; less nutrition; less immunization, less protection, and more poverty for children; less safe drinking water, more air pollution, more exposure to toxic waste; higher State and local taxes; less taxes for the rich at the expense of the poor. We ought to reject those priorities and set some better priorities for our country.

REPUBLICAN TAX CUTS GO TO WORKING AMERICANS

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

Mr. KNOLLENBERG. Mr. Speaker, contrary to what the gentleman just said and contrary to what we have been hearing from the Democratic side, the tax cuts, all those billions of dollars, $245 billion, are not for the wealthiest Americans. In fact, 89 percent, almost 90 percent, of the $500 per child tax credit, that is the largest tax cut in our budget, goes to families making less than $75,000 a year. Over the next 7 years, this pro-family credit will increase the take-home pay of the average American by $7,000. I do not know about your district, but $7,000 is a fair amount of money in mine. In Washington that may not sound like much money, but to the working parents of families who have children, they need that. That is a lot to them. It may help them on their mortgage payments, it may help them save for a college education. They can spend it as they will. It is their money in the first place. It should not have been taken from their pocket.

Mr. Speaker, we must put Uncle Sam on a diet and balance the budget, but we must allow working families to keep more of what they earn.

One other point. Balancing the budget and cutting taxes are not mutually exclusive. The Federal Government spends too much money, not because it taxes too little.

THE SPEAKER'S BALANCED BUDGET PLAN SHOULD INCLUDE VETERANS

(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, in last month's continuing resolution agreement, the gentleman from Georgia [Mr. GINGRICH] and President Clinton committed to a balanced budget that ''must provide adequate funding for veterans,'' but NEWT GINGRICH's current budget plan hurts veterans. That budget cuts health coverage for veterans, it increases costs for prescription drugs for veterans, it hikes costs for veterans' home loans, and it even cuts some pension benefits for veterans. That budget provides $400 million less than what the veterans' health system needs in fiscal year 1996 to provide current quality health care for veterans. Many of NEWT GINGRICH's own Republican Members objected to this cut until they had their arms twisted by their leaders. NEWT GINGRICH should live up to his commitment to a balanced budget that gives veterans what they deserve.

PRIVATE PROPERTY IMPACTS OF H.R. 1020

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

Mr. ENSIGN. Mr. Speaker, I rise again to express my strong opposition to H.R. 1020, the Nuclear Waste Policy Act of 1995. My colleagues have heard many, many reasons why H.R. 1020 is not a good bill. I have discussed at length how H.R. 1020 would preempt States rights, slash environmental standards, bust the budget agreement by $4.2 billion, and today I will tell my colleagues how it endangers the rights of private property owners.

H.R. 1020 proposes that thousands of shipments of high level nuclear waste be shipped from the 109 reactors around the country, across 43 States to Nevada. As written, there is no language in H.R. 1020 to protect private property rights. I know that and many of my colleagues and I are strong supporters of private property rights. As this nuclear waste travels across our local communities, there is no protection for private property owners if their property is devalued. A recent case was decided in Santa Fe, NM, that accurately describes the reality of this situation. The New Mexico State Supreme Court ruled that Mr. John Komis, of Santa Fe, NM, be awarded more than $884,000 for damages resulting from devaluation of his land due to the transportation of radioactive waste past his property. Your constituents, whether in Wichita, KS; Medford, OK; or Charleston, WV, or anywhere along the transportation routes, could suffer from this very same experience.

I intend to offer an amendment to H.R. 1020 to ensure that private property owners be compensated for any property devaluation. While this single amendment could in no way ever correct all the drastic problems with the legislation, it does provide a mechanism to protect the innocent property owners from erroneous Government action. I urge my colleagues to protect their constituents and support my amendment.

THE SPEAKER SHOULD SUPPORT A BUDGET WHICH REFLECTS AMERICA'S PRIORITIES, NOT HIS OWN

(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, last month, the gentleman from Georgia [Mr. GINGRICH] shut down the Government because he did not like his seat on Air Force One. But now he is at it again, and while the President and the Republican leaders of the other body work together to negotiate a budget deal, Speaker GINGRICH can only offer obstruction. Why is the Speaker determined to shut down the Government again?

□ 1030

Was he invited to breakfast at the White House and got only one piece of toast and President Clinton got two? Who knows. What we do know is that the Speaker is using the threat of a Government shutdown to force his budget priorities on the American people.

My colleagues on the other side have said that the polls show that the American people know what is going on. In fact, they do know what the Republicans are doing here, and they do not like it. They oppose a budget that cuts Medicare, education, environmental protection to finance a tax cut for the wealthiest Americans.

So, Mr. GINGRICH, quit playing games. Give the American people an early Christmas present, a budget which reflects America's priorities, the priorities of the people of this country, not yours.

LINGANORE LANCERS ARE NO. 1

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

Mr. BARTLETT of Maryland. Mr. Speaker, there is life outside the Congress.

I rise today to recognize the achievements of Linganore High School—the Lancers—and its three 1995 State championships. This fall, the Linganore girls cross-country team and team member Kristen Ritter won the State Division 2–A team and individual State championships.

Most recently, Linganore's football team won its third State championship in Division 2–A.

It last won the championship in 1991.

The Lancers' first State football championship was earned in Division 3–A in 1989. I am very proud that a member of my staff, Jeff Jones, started as the middle-linebacker on that first championship team.

First year Linganore head football coach Bill McIntosh deserves a lot of credit for nurturing these fine young men into a winning team.

The 1995 State championships were a great and difficult goal.

The Lancers set their sights on achieving that goal. Then they went out and made it happen—three times so far this year.

May the example of the 1995 Maryland State Champion Linganore High School girls cross-country team, Kristen Ritter, and the football team inspire those of us in Congress to achieve our goal of a balanced budget in 7 years.

ETHICS COMMITTEE NAILS DOWN BOOK ADVANCE LOOPHOLE

(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, I think every Member of this body 1 years ago felt embarrassment when we learned that the incoming Speaker, NEWT GINGRICH, was about to pocket $4.5 million under an extraordinarily book deal that would have richly benefited him and the individual seeking to pay him, an individual with substantial stake in the legislation to come before this Congress.

The Committee on Standards of Official Conduct, in a bipartisan, unanimous vote, has voted to make certain that never again will we have a Speaker, NEWT GINGRICH, or a Republican or a Democrat ever again try and cash in in this fashion by nailing down the book advance loophole.

I was shocked to learn in this morning's papers, Speaker GINGRICH is trying to delay indefinitely this measure from coming up for a vote in the House, and other Members of the Republican leadership are on board in trying to delay us or stop us from having a vote on this good Government reform.

Think again, Mr. Speaker. Think again, Republican leaders. The Committee on Standards of Official Conduct has spoken and we will have a vote, either under your auspices or under a discharge petition.

ETHICS COMMITTEE'S REFORM STALLED

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

Mr. OBEY. Mr. Speaker, the Committee on Standards of Official Conduct has unanimously voted to close the loophole on outside income limitations for Members of Congress from book royalties. Now the Speaker and the majority leader and the Committee on Rules chair all inform us that there will be a stall in that reform. I think that is a very sad day.

I wrote the code of ethics under which 18 Members of this House have

been disciplined, and at that time, at the request of people of the highest integrity, we made an exception for book royalties because we wanted to make room for legitimate exchange of ideas, and we had in mind books by people such as Mo Udall, Dick Bolling, and John Anderson. But we never dreamed that that exception would be used by any Member to cash in big on his public fame.

The Speaker's book deal has done such incredible damage to the public confidence in this House by making it appear that all of us are money grubbers, that that rule must be changed to eliminate it, and it must be changed now.

NO BUDGET, NO CONGRESSIONAL PAY

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

Mr. DURBIN. Mr. Speaker, when the Republicans failed to pass the necessary appropriations bills, they precipitated a crisis last month which led to the longest Government shutdown in our Nation's history. The Government shutdown cost American taxpayers $100 million a day because Mr. GINGRICH and the Republican leaders failed to pass a spending bill to keep the Government open. That sort of tragedy should not be repeated, and yet, tomorrow, it may be.

We now have another threat from the Republican leadership to close down the Government again, this time to send home some 300,000 Federal employees and once again leave the American taxpayers holding the bag.

Mr. GINGRICH insists that closing down the Government and sending home these employees is a matter of principle. Let me suggest something to the Speaker. It is a matter of principle if your paycheck is on the line, not if the paychecks of 300,000 Federal employees are on the line.

Mr. GINGRICH, you can put your paycheck on the line by supporting my bill: No budget, no pay. If Congress fails to keep the Government open, Congress does not get paid.

Mr. GINGRICH has killed this bill five times. We have to push forward to make sure that Congress does the responsible thing.

STATES NEED BETTER CONTROL OVER MEDICAID

(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, this is what a prominent Governor has to say about reforming Medicaid: ''If the Federal Government would just release us from its bureaucracy and nonsense, we'd make these programs better for those they serve, and we'd do it for less money.''

Any guesses on who said this? It was Massachusetts Governor Bill Weld in a Wall Street Journal article from Monday.

Here's quote from another well-known Governor: ''Medicaid mandates have put great stress on State budgets and undermined the States' ability to properly fund education and other important services.''

Any guesses on this one? Well, this quote is from a document coauthored by Governor Bill Clinton in 1989.

As Governor, Bill Clinton warned that Medicaid mandates were too burdensome and in need of more State-level control.

Now, as President, Mr. Clinton has the opportunity to take care of that problem, but he has changed his position, and he has vetoed a bill that would have accomplished that.

Mr. Speaker, I urge the President to join us in giving the States better control over our Medicaid system.

WELFARE REFORM MUST NOT PUNISH CHILDREN

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

Ms. WOOLSEY. Mr. Speaker, we have heard a great deal of inside-the-beltway talk during the welfare reform debate about family caps, block grants, and maintenance of effort.

But I tell you, my friends, we have not heard much about the children. Let me lay out the facts plain and clear.

By shredding the safety net—by ending for the first time in 60 years the Federal guarantee of assistance for poor children—The Gingrich welfare bill will push at least 1.2 million more children into poverty, 1.2 million more children into poverty.

The bill tells children: If you're poor, don't get sick; don't get hungry; don't get cold because we don't think you're important. And, we don't want to guarantee that you have health care; food, and general assistance.

Mr. Speaker, welfare reform is not supposed to be about punishing poor children.

It should be about improving their lives by giving their parents the education, job training, and child care needed to get a job and get off welfare permanently.

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

Mr. GOSS. 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: Committee on Agriculture, Committee on Government Reform and Oversight, Committee on International Relations, Committee on the Judiciary, Committee on National Security, Committee on Resources, and the Committee on Transportation and Infrastructure.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore. (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from Florida [Mr. GOSS]?

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. BRYANT of Texas. Mr. Speaker, I rise to announce to the House that under rule IX, I plan to offer a privileged resolution and ask for its consideration to be scheduled within 2 days, as are required by the rules, as follows:

Whereas, on November 29, 1995, the House of Representatives considered S. 1060, a bill which had been passed by the Senate on July 25, 1995 to provide for the disclosure of lobbying activities to influence the Federal Government and for other purposes;

Whereas, on such date the House passed the bill without amount, the effect of which was an identical lobbying reform bill passed by both the House and the Senate;

Whereas, as of December 14, 1995, the bill passed by both Chambers has not been enrolled by the Senate and presented to the President in violation of constitutional requirements to so present;

Whereas, an unreasonable delay in the presentation of an enrolled bill to the President affects the integrity of the proceedings of the House of Representatives: Therefore, be it

Resolved, That the Speaker of the House of Representatives shall appoint a committee of two Members of the House, one from each major party, to determine whether there has been unreasonable delay in transmitting the enrolled bill, S. 1060, to the President, and such committee shall promptly inform the Senate of the concern of the House of Representatives over the delay in the bill's presentation to the President.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within 2 legislative days of its being properly noticed. The Chair will announce the Speaker's designation at a later time. In the meantime, a form of the resolution proffered by the gentleman from Texas will appear in the RECORD at this point.

The Chair is not making a determination as to whether the resolution constitutes a question of privilege. That determination will be made at the time designated by the Speaker for consideration of the resolution.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FRANK of Massachusetts. Mr. Speaker, my question would be as to the point you just made, as to whether or not this would be recognized as a legitimate question of privilege, would the fact that a virtually identical resolution under identical circumstances offered by then-minority whip GINGRICH in 1991, that that was ruled to be a question of privilege, would that be relevant to this decision?

The SPEAKER pro tempore. The Chair will consider that at the time that the resolution is offered.

ENFORCING THE PUBLIC DEBT LIMIT AND PROTECTING SOCIAL SECURITY TRUST FUND AND OTHER FEDERAL TRUST FUNDS

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 293 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 293

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2621) to enforce the public debt limit and to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Massachusetts [Mr. MOAKLEY], the ranking member of the Committee on Rules and the former chairman, and my good friend and distinguished Member of this body, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. GOSS. Mr. Speaker, House Resolution 293 provides for the consideration of H.R. 2621, a common sense measure designed to ensure that the promise made by this Government to the people who depend on Social Security and similar trust funds will be kept. We have repeatedly promised Americans that the money they pay into Government trust funds is being kept in trust for them, safe from being raided for short term fiscal and political emergencies. And the majority party in Congress intends to keep that promise even if the Clinton administration doesn't. This bill is necessary now because the Clinton administration—particularly the Treasury Secretary—has violated that trust in recent weeks by dipping into these reserve accounts in order to extend the Nation's credit and wiggle out of a commitment to put this Nation on a 7-year glide path toward a balanced budget. The new congressional majority has told the administration that we will not grant an extension of our national debt—which now stands at nearly $5 trillion—until we have in place a plan to balance the budget. It would be irresponsible and immoral of us to keep writing uncovered checks from our children's accounts without such a plan in place. But fulfilling this commitment means making sure the administration can't stretch the rules and raid the trust funds to keep the red ink flowing. And so, on November 14 of this year, the House passed H.R. 2621 under suspension of the rules. Although the bill received a majority of the votes that day—247 ayes to 179 nays—it fell short of gaining the necessary two-thirds needed to pass under suspension. That's why the Rules Committee was asked to grant this rule. As is customary for legislation stemming from the Ways and Means Committee, House Resolution 293 is a closed rule. However, since the time that the House first considered this bill, the Treasury Secretary has in fact borrowed from the trust funds. This rule therefore incorporates an amendment offered by the chairman of the Ways and Means Committee, Mr. ARCHER, to restore those trust funds to their full value. This amendment will be adopted upon passage of the rule. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means. In addition, the rule provides for one motion to recommit.

Mr. Speaker, during our Rules Committee hearing on this bill last week, the ranking member of the Ways and Means Committee, Mr. GIBBONS, suggested that passing H.R. 2621 is a waste of time since the President is surely going to veto it. I am extremely puzzled and, frankly, quite dismayed to hear that this President would veto a measure designed to ensure the solvency and integrity of the Government trust funds, including the Social Security trust fund. Is President Clinton really in favor of raiding the Social Security trust fund? If in fact the President has made this ill-advised decision, I hope he will reconsider. If he doesn't, I hope America is listening. Those trust funds are based upon the trust of the people who have paid into them in good faith. They expect us to ensure that their money is being held safely by the Federal Government. Those funds are not designed to bail out the overspending of the Clinton administration nor are they to assist this administration in its effort to avoid agreeing to a balanced budget in 7 years. I know the President has previously said that preserving Social Security is a priority for his administration. He can live up to that rhetoric by joining us in this effort to enforce the public debt ceiling while protecting the trust funds.

Mr. GOSS. Mr. Speaker, I include the following material for the RECORD.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of December 7, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	56	65
Modified Closed [3]	49	47	20	23
Closed [4]	9	9	10	12
Total	104	100	86	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of December 7, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of December 7, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95)
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

□ 1045

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

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

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

Mr. MOAKLEY. Mr. Speaker, this bill is an outrage. It is dangerous, it is irresponsible, it plays politics with the American people, and is wrong.

I am opposed to this bill.

I am opposed to this closed rule, and I urge my colleagues to defeat the previous question.

Mr. Speaker, there is one reason why this country is about to default on its loans for the first time in history—because my Republican colleagues will not pass a clean debt limit extension. Plain and simple.

Now I wish we did not have to raise the debt limit—but I also recognize that it is something we must do.

If this horrible bill passes, our payments to our creditors will stop immediately and it will be much harder for the United States to borrow money in the future. We will have to pay extremely high interest rates and the American taxpayers will pay for it.

This bill will force this country to default on its loans and that will hurt a lot of people.

People with pension plans will be hurt; people will adjustable rates mortgages will be hurt; people with payroll

deduction plans will be hurt; and people who served in the military will be hurt.

Mr. Speaker, this debt limit extension should be above politics—it is a very serious issue and has no place whatsoever being used as a political football.

Mr. Speaker, I urge my colleagues to defeat the previous question to provide for short-term increase in the Federal debt of $85 billion. Secretary Rubin requested this amount in a letter to Speaker GINGRICH on October 27 of this year and we should grant it.

There is no reason for my Republican colleagues to play these games. All we need to do to prevent default is pass a simple debt ceiling bill. It is not that hard. Congress has done it 33 times between 1980 and 1995.

But, instead of acting responsibly and passing a simple debt ceiling increase, my Republican colleagues are offering a bill that takes away the Treasury Department's ability to deal with the debt ceiling crisis. All for the sake of politics.

My Republican colleagues are using the debt ceiling bill as a way to play politics with other budget issues. It holds the American people and the credit of this country hostage and it is wrong.

Mr. Speaker, this bill is dangerous, this closed rule is unfair, and I urge my colleagues to defeat the previous question.

The fiscal integrity of the United States is much too important to be sacrificed on the altar of partisanship.

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

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R.
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments preprinted before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 0f rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title..	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491 H. Con. Res. 109	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res.	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A.

*Contract Bills, 67% restrictive; 33% open. **All legislation, 55% restrictive; 45% open. ***Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. ****Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding me the time. I just took this time because I think it is important to correct the record.

Mr. Speaker, this bill does not protect the trust funds. We do not protect the trust funds by causing fiscal chaos for this Nation. If we want to ensure that our Social Security recipients receive their Social Security checks, we do not jeopardize the payment on our debt of this Nation.

If this bill were to pass, it would cause an immediate default on the national debt. I do not think anybody wants to see that happen. Why are we not passing a clean debt extension? It has already been passed a couple of times by this House.

This is not anything new. This debt limit has already been approved and voted on by just about every Republican in this House. But they are playing games with the ability of people to receive their Social Security checks.

I urge my colleagues to defeat the previous question so that we can get a clean debt extension that will really protect our Social Security recipients.

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

Mr. Speaker, as I announced earlier, if the previous question is defeated, I will offer an amendment to the rule that includes a substitute for the debt management repeal bill offered by the Republicans.

My substitute is a clean, short-term debt extension of $85 billion. This amount will allow the orderly conduct of the Nation's financial affairs until January 19. After that date, the debt ceiling will revert to the current level.

The extension will allow additional time for continued budget discussions between the administration and Congress. I ask that the amendment to the rule be printed in the RECORD at this point.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of the proposed amendment is as follows:

AMENDMENT MODIFYING THE TEXT OF H.R. 2621, TO PROTECT FEDERAL TRUST FUNDS (CONSIDERED AS ADOPTED BY THE ADOPTION ON THE RULE)

Strike section 2 of the bill and insert the following:

SEC. 2. CONFORMING AMENDMENT.

(a) IN GENERAL.—Subsections (j), (k), and (l) of section 8348 of title 5, United States Code, and subsections (g) and (h) of section 8438 of such title are hereby repealed.

(b) RETENTION OF AUTHORITY TO RESTORE TRUST FUNDS WITH RESPECT TO ACTIONS TAKEN BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—The repeals made by subsection (a) shall not apply to the restoration requirements imposed on the Secretary of the Treasury (or the Executive Director referred to in section 8438(g)(5) of title 5, United States Code) with respect to amounts attributable to actions taken under subsection (j)(1) or (k) of section 8348, or section 8438(g)(1), of such title before the date of the enactment of this Act.

(2) RESTORATION REQUIREMENTS.—For purposes of paragraph (1), the term ''restoration requirements'' means the requirements imposed by—

(A) paragraphs (2), (3), and (4) of subsection (j), and subsection (l)(1), of section 8348 of such title, and

(B) paragraphs (2), (3), (4), and (5) of subsection (g), and subsection (h)(1), of section 8438 of such title.

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

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume. All I would simply say is that despite the very important comments of the gentleman from Maryland, I would disagree. That the most important threat to our children and our Nation and our people on Social Security is in fact that the national debt has gotten so far out of control that the credit of our country indeed is in question. I would suggest that the right vote is to get responsible now. This is not a question of politics. This is a question of the well-being of our people.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 183, not voting 26, as follows:

[Roll No. 859]

YEAS—223

Allard	Baker (LA)	Bartlett
Archer	Ballenger	Barton
Bachus	Barr	Bass
Baker (CA)	Barrett (NE)	Bateman

Bereuter
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

NAYS—183

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—26

Armey
Bilbray
Boehlert
Brown (FL)
Clay
Crane
DeFazio
Dixon
Emerson
Ford
Gephardt
Geren
Harman
Largent
McInnis
McKinney
Mfume
Nethercutt
Pombo
Rose
Scarborough
Sisisky
Smith (NJ)
Stockman
Tucker
Young (AK)

Mrs. SMITH of Washington and Mr. ZELIFF changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

□ 1115

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore (Mr. INGLIS of South Carolina) announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MOAKLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 228, noes 184, not voting 20, as follows:

[Roll No. 860]

AYES—228

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

NOES—184

Abercrombie
Ackerman
Andrews
Baesler
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal

Oberstar	Roybal-Allard	Thompson
Obey	Rush	Thornton
Olver	Sabo	Thurman
Ortiz	Sanders	Torres
Orton	Sawyer	Torricelli
Owens	Schroeder	Towns
Pallone	Schumer	Velazquez
Pastor	Scott	Vento
Payne (NJ)	Serrano	Visclosky
Payne (VA)	Sisisky	Volkmer
Pelosi	Skaggs	Ward
Peterson (FL)	Skelton	Waters
Peterson (MN)	Slaughter	Watt (NC)
Pickett	Spratt	Waxman
Pomeroy	Stark	Williams
Poshard	Stenholm	Wilson
Rahall	Stokes	Wise
Rangel	Studds	Woolsey
Reed	Stupak	Wyden
Richardson	Tanner	Wynn
Rivers	Taylor (MS)	Yates
Roemer	Tejeda	

NOT VOTING—20

Baldacci	Ford	Pombo
Barr	Geren	Rose
Bishop	Harman	Smith (NJ)
Clay	Jacobs	Stockman
Crane	McInnis	Tucker
Dixon	McKinney	Young (AK)
Emerson	Mfume	

□ 1135

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider is laid on the table.

FIRING INAPPROPRIATE AT CHRISTMASTIME

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

Mr. MORAN. Mr. Speaker, I would like to make an inquiry of the Speaker or anyone knowledgeable of the issue to clarify it, because there is a good deal of concern on the part of Members on both sides of the aisle over the status of 11 people who served all of the Members of this body in a nonpartisan way, and who, we understand, have been fired without advance notice just before Christmastime.

I do not think it is a partisan issue, but it is something that affects all of us, because these are people who are responsible for the tallying, for the enrollment of bills, for checking the accuracy of the bills; and the only common bond we can find among those people that have been peremptorily fired is that they had accumulated a substantial amount of compensatory time.

Since this body will have to abide by all of the private sector laws as of January 1, we would be responsible for compensating these people for the compensatory time they built up for working late hours when we are still in session.

Mr. Speaker, if that is the common bond that caused their firing, then I think it would be helpful for all of us to understand, because this affects the ability of all of the Members of this body to carry out their functions and to make sure that no mistakes are made in the wording of the bills, and that the tally of the votes, and so on is accurate.

Mr. Speaker, I also think that it reflects on all of the Members of this body if we fire our own employees just before Christmastime for a reason that does not seem consistent with the values—the family values and the integrity—of this House.

Mr. Speaker, I see the gentleman from California [Mr. THOMAS] has risen, the chairman of the Committee on House Oversight, and perhaps he would respond.

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

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

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

Mr. Speaker, I would just say that perhaps these kinds of discussions on the floor, without having all of the facts in front of us, are probably not as useful as they should be, and that I believe the gentleman ought to avail himself of all of the facts prior to making some rather strong statements.

Of course, as the gentleman knows, given the dismissal policy around here, these individuals will be with us through the Christmas season.

As a matter of fact, they will be with us through the beginning month of the year, and probably beyond that because simply, around here when you talk about removing people who, in the review of the needs, are no longer necessary, to make a statement that they are not going to be here through the Christmas session is simply not factually correct; and I would very much like to invite the gentleman to sit down and take a look at all of the facts surrounding the circumstances.

I would have been more than willing to do that had the gentleman approached me, without taking the time of the House to make some statements.

I think the gentleman will find, after he looks at the facts, that he was perhaps a bit extreme. I thank the gentleman for yielding.

Mr. MORAN. Mr. Speaker, reclaiming my time, that was the purpose for making it an inquiry rather than a speech: to determine why it occurred. I hope we can get some further light on the issue. I think it is a serious one.

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 293, I call up the bill (H.R. 2621) to enforce the public debt limit and to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations, and ask for its immediate consideration.

The Clerk read the title of the bill.

H.R. 2621

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

SECTION 1. APPLICABILITY OF PUBLIC DEBT LIMIT TO FEDERAL TRUST FUNDS AND OTHER FEDERAL ACCOUNTS.

(a) PROTECTION OF FEDERAL FUNDS.—Notwithstanding any other provision of law—

(1) no officer or employee of the United States may—

(A) delay the deposit of any amount into (or delay the credit of any amount to) any Federal fund or otherwise vary from the normal terms, procedures, or timing for making such deposits or credits, or

(B) refrain from the investment in public debt obligations of amounts in any Federal fund,

if a purpose of such action or inaction is to not increase the amount of outstanding public debt obligations, and

(2) no officer or employee of the United States may disinvest amounts in any Federal fund which are invested in public debt obligations if a purpose of the disinvestment is to reduce the amount of outstanding public debt obligations.

(b) PROTECTION OF BENEFITS AND EXPENDITURES FOR ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding subsection (a), during any period for which cash benefits or administrative expenses would not otherwise be payable from a covered benefits fund by reason of an inability to issue further public debt obligations because of the applicable public debt limit, public debt obligations held by such covered benefits fund shall be sold or redeemed only for the purpose of making payment of such benefits or administrative expenses and only to the extent cash assets of the covered benefits fund are not available from month to month for making payment of such benefits or administrative expenses.

(2) ISSUANCE OF CORRESPONDING DEBT.—For purposes of undertaking the sale or redemption of public debt obligations held by a covered benefits fund pursuant to paragraph (1), the Secretary of the Treasury may issue corresponding public debt obligations to the public, in order to obtain the cash necessary for payment of benefits or administrative expenses from such covered benefits fund, notwithstanding the public debt limit.

(3) ADVANCE NOTICE OF SALE OR REDEMPTION.—Not less than 3 days prior to the date on which, be reason of the public debt limit, the Secretary of the Treasury expects to undertake a sale or redemption authorized under paragraph (1), the Secretary of the Treasury shall report to each House of the Congress and to the Comptroller General of the United States regarding the expected sale or redemption. Upon receipt of such report, the Comptroller General shall review the extent of compliance with subsection (a) and paragraphs (1) and (2) of this subsection and shall issue such findings and recommendations to each House of the Congress as the Comptroller General considers necessary and appropriate.

(c) PUBLIC DEBT OBLIGATION.—For purposes of this section, the term ''public debt obligation'' means any obligation subject to the public debt limit established under section 3101 of title 31, United States Code.

(d) FEDERAL FUND.—For purposes of this section, the term ''Federal fund'' means any Federal trust fund or Government account established pursuant to Federal law to which the Secretary of the Treasury has issued or is expressly authorized by law directly to issue obligations under chapter 31 of title 31, United States Code, in respect of public money, money otherwise required to be deposited in the Treasury, or amounts appropriate.

(e) COVERED BENEFITS FUND.—For purposes of subsection (b), the term ''covered benefits fund'' means any Federal fund from which cash benefits are payable by law in the form of retirement benefits, separation payments, life or disability insurance benefits, or dependent's or survivor's benefits, including (but not limited to) the following:

(1) the Federal Old-Age and Survivors Insurance Trust Fund;

(2) the Federal Disability Insurance Trust Fund;

(3) the Civil Service Retirement and Disability Fund;

(4) the Government Securities Investment Fund;

(5) the Department of Defense Military Retirement Fund;

(6) the Unemployment Trust Fund;

(7) each of the railroad retirement funds and accounts;

(8) the Department of Defense Education Benefits Fund and the Post-Vietnam Era Veterans Education Fund; and

(9) the Black Lung Disability Trust Fund.

SEC. 2. CONFORMING AMENDMENT.

(a) IN GENERAL.—Subsections (j), (k), and (l) of section 8348 of title 5, United States Code, and subsections (g) and (h) of section 8438 of such title are hereby repealed.

(b) RETENTION OF AUTHORITY TO RESTORE TRUST FUNDS WITH RESPECT TO ACTIONS TAKEN BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—The repeals made by subsection (a) shall not apply to the restoration requirements imposed on the Secretary of the Treasury (or the Executive Director referred to in section 8438(g)(5) of title 5, United States Code) with respect to amounts attributable to actions taken under subsection (j)(1) or (k) of section 8348, or section 8438(g)(1), of such title before the date of the enactment of this Act.

(2) RESTORATION REQUIREMENTS.—For purposes of paragraph (1), the term ''restoration requirements'' means the requirements imposed by—

(A) paragraphs (2), (3), and (4) of subsection (j), and subsection (l)(1), of section 8348 of such title, and

(B) paragraphs (2), (3), (4), and (5) of subsection (g), and subsection (h)(1), of section 8438 of such title.

The SPEAKER pro tempore. Pursuant to House Resolution 293, the amendments printed in the House report, 104–388, are adopted.

The text of H.R. 2621, as amended, is as follows:

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes, and the gentleman from Florida [Mr. GIBBONS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARCHER].

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 2621.

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

There was no objection.

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

Mr. Speaker, today the House is again debating H.R. 2621, a bill to enforce the public debt limit and to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations.

As everyone will recall, we have already sent to the President two debt limit extensions, a long-term extension as part of the Balanced Budget Act, which he vetoed, and a short-term extension which he vetoed on November 13. Accompanying the short-term limit were the trust fund protections which are embodied in the bill that we are now considering.

As a result of the President's veto of the debt limit, the administration took some extraordinary steps to avoid the legal debt limit that, to me, are very disturbing. On November 15, the Treasury gained access to $61.5 billion from the Civil Service Retirement trust fund and the G fund in the thrift savings account.

Recent public statements indicate that the Treasury can go through the end of January and perhaps into the first week of February before facing further debt constraints. However, it is not clear what move Treasury will next take to create further borrowing authority.

H.R. 2621 would prevent the kind of steps that the Treasury has been undertaking. Quite simply, the bill requires Federal trust funds and similar accounts to be fully invested in Government securities. Surplus income cannot be held in cash to avoid hitting the debt limit.

Furthermore, funds cannot be disinvested unless it is done to pay authorized benefits. During a debt limit period, Social Security benefits and other benefits to individuals financed through the redeposition of U.S. securities would be paid.

Mr. Speaker, the amendment that was incorporated in the rule updates the legislation for the events that have occurred in the last few weeks. It would restore the Civil Service trust fund and G fund to their proper financial levels for actions taken by the Secretary of the Treasury to date. This would be a one-time-only restoration, and Treasury's current authority to use this as a loophole around the debt limit would be repealed.

Mr. Speaker, when the President vetoed the short-term debt limit, he cited as one of his reasons the limitations it placed on Treasury's statutory power to manage the debt, but this argument between the two branches of Government is not about debt management. The power to borrow money on the credit of the United States is clearly a constitutional function of the U.S. Congress; whether this debate should be about controlling the level and growth of the debt burden on our children, and it is about balancing the budget.

□ 1145

It is also about controlling the runaway growth of Federal spending and the tax burden placed on working people in this country.

On November 15, the Treasury used a Federal pension law intended to protect retiree benefits to seriously weaken the constitutional authority of the Congress of the United States. Even though it has not shown up on the official books to date, when the trust funds are automatically restored—and, Mr. Speaker, there is a legal obligation to restore these funds—the Nation will be $61 billion further in debt, without the Congress, the constitutional authority as the voice of the people, having acted upon it. This legal obligation to restore the disinvestment of these trust funds in fact is extra debt and effectively pierces the debt ceiling.

The U.S. Government cannot continue to act like a spendthrift, that having reached its limit on its credit card, goes out and simply gets another credit card. Already we have handed our children the bill of $187,000 in their lifetimes just to pay the interest on the existing debt, and now the Secretary has incurred an additional liability already of $61 billion. That is why we must pass this law, using our constitutional authority to protect these children and the generations to come.

But the young are not the only ones who should have an interest in this legislation. The Social Security trust funds, as I mentioned before, are not legally protected from this kind of a manipulation already done to the other pension trust fund. The 43 million recipients who paid their taxes and rely on those benefits expect us to stand behind their investments.

The administration says it will not use Social Security trust funds in the debt limit game, and we know that they have not yet touched the Social Security fund. But, make no doubt about it, this bill is the only way to legally protect Social Security from being raided during this or any future debt suspension period.

Mr. Speaker, this bill is both necessary and responsible. It takes back the Congress' constitutional right to determine the level of debt on the people of this country, it protects our senior citizens' trust funds and benefits, and it closes the loophole the administration has used to increase the debt that every American must carry.

I urge my colleagues to adopt this legislation.

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

Mr. GIBBONS. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, in most of America this is a happy time of the year in which we are wishing each other good wishes, and I think we genuinely feel that.

But in the 30-something years I have been here in Congress. I have noticed there is a propensity at this time of the year as Congress begins to close down for a little recess that it develops into the silly time.

I know this is not the idea of the gentleman from Texas [Mr. ARCHER]. The leadership over there forced him to this, in the most mismanaged session that I have ever seen in my congressional career.

We have wasted more time this year on silly things that have never gone anyplace but have made a lot of fancy headlines for a brief day or so. But this continues on.

No President in his right mind would ever sign this bill. Whether he be Democrat, Republican, Independent, or who done it, he would never sign this bill.

I think it would behoove my Republican friends to realize that power changes around this place, and maybe

sometime in the future they may face a situation where they are in the White House and we are in control here in the Congress, and we get cantankerous like they have done on this debt ceiling thing and they have got no room to maneuver for the good of the country.

I have never met anybody who really in their right mind wants to shut the Government down. I am not talking about just shutting down the Grand Canyon or the Washington Monument. I am talking about not paying the military, not paying the Social Security benefits.

That is what could happen if this silly bill became law. None of the bills would be able to be paid. There would be financial chaos in the United States and in the world if we do not have the maneuver room that we have now got under the law.

So this bill will never get out of the Senate, it will never become law, and we are wasting an hour here today because if we did not waste an hour doing this, we would do something else silly around this place. That is the only reason.

So, Mr. Speaker, the Social Security fund is safe. It has already been invaded twice to pay benefits. If we cut it off and do not allow them to invade it, and that is what this would do, to pay benefits, we are going to have checks bouncing just like that all over the United States, immediately.

Everybody's check would bounce. The Government could not do a single thing. It could not pay the police, it could not pay the FBI, it could not pay the prison guards, it could not pay the FAA, the air traffic controllers. It just could not do anything.

Now, none of you want to do that and I do not know why you go through this silly drill. It is never going to become law, and maybe you ought to get around to managing the time so that we could do something useful for the American public.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. COLLINS], a member of the Committee on Ways and Means.

Mr. COLLINS of Georgia. I thank the gentleman for yieldng me the time.

Mr. Speaker, I have said a number of times from this well and also in the Third District of Georgia that the greatest challenge to this Congress is the deficit, and the greatest threat to this Nation is the national debt, and the best and the most important responsibility of this Congress is balancing the budget.

What we are doing here today is trying to prevent and stop the delay of balancing the budget. The process of using trust funds rather than disburse them into the accounts that they should be in is simply a way to balance-budget dodge, and that is it in a nutshell. It is wrong. Those funds are deducted from employee checks, they are matched by taxpayers' money, and they should be deposited in the trust funds. Those dollars do not belong to the Federal Government or the Treasury any longer. Once they come out of a person's payroll check, they should go to the place of responsibility and that is the trust funds.

We in the private sector, those of us who are in business and employ people, have to do the same thing. When we have funds that we deduct from an employee's check, we have so many banking days that we have to make a deposit at the bank and those funds go into the Treasury and then supposedly into trust funds. The same thing should be required of the Treasury and the Federal Government. The Federal Government, the Treasury, should be required, also, to make those deposits within a short period of time and not use them to circumvent the process of balancing the people's books.

Passage of this legislation will not completely stop the balanced-budget dodging, but it will sure help. It will sure help to protect those dollars that are deducted from the employees of this Government and from those who work for many other employers and have Social Security funds deducted from their paychecks. It is important that we pass this legislation.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Speaker, I rise in strong opposition to this bill. While it pretends to protect our various Federal trust funds, in fact, by forcing a default on our national debt the bill virtually ensures that our Social Security beneficiaries and our civil service retirees will not be paid on time.

This bill repeals the debt management tools given to the Secretary of the Treasury in 1986 and 1987. These tools were used by Secretary Rubin on November 15 to avoid a default. The bill also requires the Secretary to immediately invest all cash balances and incoming receipts for all trust funds, even if the debt limit would be exceeded in doing so. This will force our Nation into default in a matter of days.

While the bill makes a pretense of protecting our trust fund beneficiaries, in reality it would have exactly the opposite result. Millions of citizens entitled to various kinds of payments would not be able to receive what they are owed. Military personnel, including our troops in Bosnia and around the world, would not get paid, nor would their support supplies be paid for. Medicare and Medicaid recipients, food stamp recipients, and holders of Government securities, many of whom absolutely rely on the timely delivery of their checks to survive, would be left waiting.

In addition to these short-term impacts, forcing our Nation into default would have serious long-term financial implications. Investors will demand a risk premium to purchase future Government debt, and disruption of normal borrowing procedures will result in delay costs, resulting in higher interest rates which will cost taxpayers billions of extra dollars annually. Virtually all interest rates are keyed to Treasury rates. If they go up, so will mortgage rates, and rates on consumer loans and personal loans and student loans.

This bill is irresponsible and it is unwise. We should defeat it. We should pass a clean temporary extension bill, as we have done at similar times in the past and we should get on with the important business of balancing the budget in a bipartisan manner.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. ENGLISH], a member of the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, today we are going to attempt again to protect Social Security and other Federal trust funds during the budget negotiations by putting up a vote, hopefully a successful one, on this debt limit bill.

For senior citizens in America, this is an absolutely key vote and one which everyone should watch. I listened to the comments of my friend and distinguished colleague from Florida. Let me suggest to him that no President in his right mind would veto this bill. This bill is timely. Because in the wake of the President's veto of prior debt limit legislation, the administration took some extraordinary and disturbing steps to circumvent the legal debt limit.

As our chairman noted, on November 15, Treasury tapped into $61.5 billion from the civil service retirement trust fund and the G Fund in the Thrift Savings Program. This raises chilling questions about where Treasury will look next to create further borrowing authority.

Let us be clear on this. The President does not want to erect fire walls around these trust funds because he needs the assets in these accounts to get around the debt ceiling and resist serious budget negotiations.

Mr. Speaker, H.R. 2621 provides essential protections for Social Security and other trust funds now being raided by the Treasury to avoid the statutory debt limit. It restores public confidence in these retirement systems. This bill is both necessary and responsible. It reasserts Congress's constitutional right to determine the debt, it protects senior citizens' trust funds and benefits, and it closes the loophole that this administration has used to siphon retirement assets in its possession.

This is not about cash management, Mr. Speaker. It is about the integrity of Social Security and the federal retirement system and keeping faith with those who depend on them.

Mr. GIBBONS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, in one sense I hesitate to speak on this because this is such a ludicrous proposition. I do not know why you are pursuing it. At a time when we should be

talking responsibly, negotiating responsibly on a bipartisan basis, you are playing games.

Why are you doing it? So far you have not fooled anybody. Not a soul. You started this in Ways and Means.

The Social Security trust funds are not being raided. You know that. It is just a falsehood. In your sentence you cleverly say raiding Social Security and other trust funds, or raiding other trust funds and Social Security. Social Security has not been touched.

□ 1200

Mr. Speaker, the GAO said in a letter of December 12 our review of Treasury records show that between November 1, 1995, and December 8, 1995, Treasury followed its normal investment and redemption policies throughout transactions affecting the Social Security trust funds.

So why are our colleagues doing this? If the Treasury had not used its approach of a few weeks ago, then Social Security recipients would have been affected, and everybody else. Our colleagues were saved from responsibility for default by the action of the Treasury Department, and now they are trying to shift blame to it.

This bill is what risks immediate default and financial chaos, so look. Maybe our colleagues are all going to vote kind of like robots for this. Maybe, like robots, they are going to come and vote for this, but I have to think that it is someplace in their mind, or other place, that they know this is an unwise move.

As my colleagues know, it is time to stop this kind of antic. Hopefully we are on the eve of some serious negotiations. Everybody has announced they are going to start tomorrow in a more serious vein, and here, 24 hours before that, our colleagues bring up this charade. They know it is wrong, they know it is not going to go anywhere. They are trying to gain a few political points at the last minute.

Mr. Speaker, Americans are losing faith in their political antics. They have been losing credibility because of devices and tactics like this.

It is time for serious bipartisan negotiations in the budget and the end of tactics like this.

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

Mr. Speaker, I would say to my friend from Michigan that one of the previous administrations back in 1985 did indeed borrow from the Social Security trust fund and was most severely criticized by the Democrat Party for having done so.

Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS. Mr. Speaker, I thank the gentleman from Florida [Mr. SHAW] for yielding me the time, and, Mr. Speaker, this is serious business, and, as the gentleman from Florida said, this is the second time that we have attempted to protect the trust fund. The first time was back on August 1, 1986, and I would like to read an excerpt of a Senator's speech when we were trying to accomplish the same thing then that we are trying to do with this legislation. By the way, that Senator was AL GORE, and here is what he said about legislation almost identical to this legislation:

> Like the Social Security trust fund, the Civil Service Retirement and Disability Fund is a dedicated—dedicated let me stress—trust fund, and, as such, its assets may only be used to provide benefits to civil service retirees. The fund stands as a strong symbol of assurance that Federal employees' retirement benefits will be paid when they are due. While employees may not fully understand the arcane interactions of Federal financing, they do recognize when money they have contributed toward the financing of their retirement has been used in ways other than those intended or promised. It was right for them to take offense last year when the civil service fund was first tapped to keep the Nation solvent during the 1986 debt ceiling crises.

Is this silly? Was it silly when it again happened this year when Secretary of the Treasury Robert Rubin reached into the civil service retirement fund and took out Treasury securities bearing interest of almost $40 billion and substituted them for an IOU? Was it silly when he took the entire proceeds, $21.5 billion of the G fund, and did not reinvest them? I do not think so. In fact, Mr. Speaker, Senator GORE's statement 10 years ago remains the best, and let me close with a further quote by Senator GORE. Ten years later this statement remains the best explanation of why we need this bill, and I quote:

> To insure the trust fund assets are used only for the purpose of the trust fund, not for general government obligations.

As Senator GORE stated, it was right for Federal employees to take offense when the civil service retirement fund is used for political purposes. It is time for us to protect the trust fund and restore congressional control over the Federal debt.

PARLIAMENTARY INQUIRIES

Mr. ABERCROMBIE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. ABERCROMBIE. Mr. Speaker, I have been informed in the past by the Parliamentarian that it was forbidden under rules of the House to quote directly from a Member of the other body, or to refer to a Member of the other body, or to quote on this floor from speeches or pronouncements made by a Member of the other body.

Mr. Speaker, I did not bring it up during the gentleman's recitation because I think he did it in good faith, but that was what I was instructed by the Parliamentarian, and I would like to know if that is, in fact, the case.

The SPEAKER pro tempore. (Mr. INGLIS of South Carolina). Members are permitted to quote former Members of the other body.

Mr. ABERCROMBIE. So, further parliamentary inquiry:

Then one may not quote anyone who is currently in office either by name or in terms of what they may have said or done?

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

Mr. ABERCROMBIE. I certainly would be glad to, but I am making an inquiry of the Chair.

Mr. BACHUS. As I said, then former Senator AL GORE. I did not refer to the fact that he is now the Vice President of the United States, although I do not think that would be inappropriate, but I think that the Speaker and other Members of this body understand that.

Ms. PELOSI. Mr. Speaker, if the gentleman would yield, I have a parliamentary inquiry of the Chair.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. PELOSI. Is the Vice President not the President of the Senate?

The SPEAKER pro tempore. Quoting the Vice President, who is the President of the Senate, in his capacity as a former Member of the Senate is not necessarily out of order.

Ms. PELOSI. So let us get this straight.

A Member of this body; because we are all going to have to abide by this rule, so I want to make sure I understand it; we can quote a Member of the Senate as long as he is not a Member of the Senate any longer. Being President of the Senate, one is not a Member of the Senate?

The SPEAKER pro tempore. The Chair will clarify for the gentlewoman from California [Ms. PELOSI] the situation as to quotations of current Members of the Senate by reading clause 1 of rule XIV which permits:

> . . . quotations from Senate proceedings on a measure then under debate in the House and which are relevant to the making of legislative history establishing the meaning of that measure but may not include characterizations of Senate action or inaction, other references to individual Members of the Senate, or other quotations from Senate proceedings.

So that is in pertinent part.

Ms. PELOSI. So the Chair's clarification addresses the substance of remarks. I thought the clarification that the Chair gave previously addressed who made the remarks, and that was a former Member of the Senate. The debt ceiling issue is a matter of discussion in the Senate of the United States. The Vice President is an ex officio Member. Not to be argumentative about it, but I think it should be clear how Members proceed in this debate because it is an issue that is discussed in the Senate, the Vice President is an ex officio Member of the Senate, so even though the gentleman was quoting from when he used to be a Member from Tennessee, on an issue then, that issue is recurring now.

Mr. ABERCROMBIE. Mr. Speaker, I yield with this proviso, the Chair understand why I am asking the question.

I have been forbidden to quote a Member of the other body with respect to legislation that is pending before us.

Mr. BACHUS. Let me draw the distinction, and I am not arguing over my colleague's ability to do that or not.

I quoted a former Member. At that time, I said former Senator AL GORE. I quoted from his speech on August 1, 1986. I pointed out that it was an amendment which accomplishes the same thing that this legislation would do, and, if I can read my——

Mr. ABERCROMBIE. I understand the motivation and am reclaiming my time, Mr. Speaker.

The SPEAKER pro tempore. If the gentlemen will suspend, the Chair would just advise Members that quotations of former Members of the Senate now serving as Vice President in their capacity as Senators are in order as long as they are not disparaging of that former Member of the other body.

The Chair has responded to the inquiry of the gentleman from Hawaii [Mr. ABERCROMBIE] and the inquiry of the gentlewoman from California [Ms. PELOSI], and believes the matter is concluded.

Mr. ABERCROMBIE. Yes, it is, Mr. Speaker.

Mr. GIBBONS. Mr. Speaker, now that we have gotten that important decision made, I yield such time as he may consume to the gentleman from New York [Mr. FLAKE].

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

Mr. FLAKE. Mr. Speaker, I rise in opposition to H.R. 2621 and to ask both parties to get together and start acting responsibly. Let us move on in the best interests of our constituents and move this process to the next level.

Mr. Speaker, I will take this opportunity to express my opposition to H.R. 2621, and to state my disbelief that Congress is still locked in a political budget battle, and has taken measures to politicize the issue of extending the debt limit. Today, by attacking the integrity of Secretary Rubin, and voting on H.R. 2621, it seems that the majority wishes to hold the President hostage to its budget goals.

I say that the majority seeks to hold the administration hostage, in that the clear effort today is to force the country to default on its obligations—for the first time in history. Let me remind my colleagues and the American public that if this bill were enacted, the Treasury would be prevented from raising funds, to meet daily U.S. obligations. Moreover, according to OMB, if the bill becomes law, we will default within days, if not hours.

In a charade of protectionism, where the majority claims to protect the beneficiaries of various trust funds, the majority today will precipitate default and orchestrate its own chorus of financial crisis.

By handcuffing the Secretary, and reducing the number of tools lawfully at his disposal, the Republican charade will be exposed as follows: Millions of citizens entitled to various payments would not receive what they are owed. This would include: Medicare and Medicaid recipients; food stamp recipients; people entitled to Social Security; military and civilian employees; and Government suppliers of goods and services.

I am sure that we will hear vigorous debate on both sides this morning, and we will explore the Secretary's efforts to keep Congress informed of his actions to avoid default. But in closing, and as a Member who voted for the coalition budget, I urge my democratic colleagues to fully accept the fact we will adopt a balanced budget with reduced spending in programs that we cherish. Conversely, I urge my Republican colleagues to ease up on the radical and extreme tactics that only cause the administration to become more rigid in its position.

We are acting irresponsibly, and blackmailing our own constituents.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, I rise in strong opposition to this bill for a number of reasons; one, because it is superfluous. If, in fact, we do not know already, we should know that under current law the Social Security trust fund is protected, it is an entitlement, and when we had this debate once before on November 15, the President came out and made a very definitive statement that he would not and would not at all take funds from the trust fund in this situation.

But another reason I am against this, Mr. Speaker, is this is dangerous-type activity. It is one thing if we are going to disagree about how long to take to balance the budget, 7 or 8 years, or we are going to say something should be a block grant or it should be an entitlement, but we should not be fooling around with the debt ceiling. It is irresponsible. The country has never defaulted and should, in fact, never default, and what Mr. Rubin has done under law and what he is being asked now not to do is something that one of our former Treasurers, a good Treasurer who had great financial expertise as well as understanding of the body politic, Mr. Baker who asked for this legislation so, in fact, that there was an impasse over the debt ceiling, he would have legislation to not go into default, and this is exactly what Mr. Rubin did a few weeks ago. Now, if we have this legislation pass and Mr. Rubin had to pay the $61 billion that has been drawn down from these trust funds, it would, in fact, automatically put us in default, and this is something we should not be taking in this fashion on this floor today.

As the gentleman from Florida [Mr. GIBBONS] said, this bill will probably not become law. There are saner minds in the Senate, and they will not act upon this. But what I worry about is that there is more and more people in this body on this side of the House that are willing, responsible people, to put forth this kind of legislation thinking that somebody else will save them, that it will not go to the Senate, the President will veto it. We should not be having the world financial markets look at us and see us having a bill of this type on the floor, fooling around literally with default. Default is unacceptable, it should not happen, this bill should not pass, and we should go back to the business of government. People want Government to do their business. This is not what we should be doing.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. SMITH], who chairs the Task Force on the Debt Limit.

□ 1215

Mr. SMITH of Michigan. Mr. Speaker, I am taking the liberty to come to this microphone, if the gentlewoman from Connecticut would dialog with me. I am taking the liberty to come to this side of the aisle, because I would hope after the current, if you call it, fiasco is done with, and we come to a time period after we have settled this dispute and hopefully come to a conclusion on balancing the budget, how much control do we want to retain, regain for Congress? How much control over the authority given in title I of the Constitution, that says we have control over spending and borrowing, do we want to have a majority in Congress be able to control?

To react to a statement that the gentlewoman from Connecticut made, there is nothing in law that protects the Social Security trust fund from the same kind of disinvestment that was enacted on the civil service retirement trust fund on November 15. There are no changes in law between when disinvestment occurred in 1986, when a different administration disinvested the Social Security trust fund in 1986 and used that as flexibility to play with the debt ceiling, than occurs today. So we have a commitment by the Secretary that he does not intend to go into the Social Security trust fund for disinvestment. I will take him at his word, but eventually we must control the ability to not only control spending but to control how large this debt is going to be.

Mr. Speaker, the debt of this country was increased $61 billion in one afternoon, if you compare that $61 billion to the fact that it took this country the first 160 years of its existence to mount this kind of a $60 billion debt, and then we expanded the debt load of this country another $60 billion.

There is no default that is going to occur under this bill. There are provisions in the rule that specifically relate that what actions have taken place so far will not be under the subject of this law.

Mr. GIBBONS. Mr. Speaker, I yield 30 seconds to the gentlewoman from Connecticut.

Mrs. KENNELLY. Mr. Speaker, I would say to the gentleman from Michigan [Mr. SMITH], I have read his ''Dear Colleagues'' and they are very well thought out. A, we should have if you want, new legislation, and not be doing this in this way at this time. Also, as the gentleman knows and has

said in your ''Dear Colleagues'', the Secretary of the Treasury is not authorized and therefore cannot do this. The gentleman knows that.

The other thing, your last statement, what you said up to the last point was true, but what is not true is this legislation does in fact, if carried out, making the Treasury pay back the $61 billion, would result in $61 billion above the debt limit and would result in default.

Mr. SMITH of Michigan. If the gentlewoman would yield, she should just read the rule, please.

Mr. GIBBONS. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, it is with a certain degree of sadness that I rise and associate myself with the remarks of the gentleman from Michigan [Mr. LEVIN], who spoke. There are two ways, frankly, that the government can be shut down, which seems to be the objective, frankly, of the Republican leadership in this House. One, of course, is not to pass appropriation bills or a continuing resolution in lieu of appropriation bills. That was done some days ago, and we shut down for the longest time in history, for four days. It cost the American taxpayer between $650 million and $700 million.

The other way of shutting down the government, of course, is not to extend the debt limit. Every American ought to understand that the reason that we need to extend the debt limit is because we have already voted in previous Congresses, and indeed in this Congress, to spend money, more than we had coming in. Therefore, it is necessary to be responsible to borrow that money, but by law there is a limit. We periodically raise that limit. It really is, in my opinion, a non-issue, because the issue, really, is on spending. That is the debate we are having on the budget, the reconciliation bill.

I want to say, Mr. Speaker, on the specific assertion of some who rise and say we want to protect Federal employees on the disinvestment of the retirement funds, I do not pretend to be the only or the necessarily best advocate of Federal employees, but I frankly do not think there is anybody on this floor on either side of the aisle that cares more about Federal employees or fights for their interests more than I do. They are not at risk. The law protects them.

I have a letter, a notice from Alice Rivlin in response to my request, and she says, ''Congress' failure to send the President acceptable legislation to raise the Federal debt limit, which is one way to shut down the government, has forced Treasury Secretary Rubin to take extraordinary steps to avoid government default.'' I do not think anybody in this Congress intends default. She goes on to say, ''This action will in no away affect the benefits to which current and future retirees are entitled. The law requires currently that the Treasury Department automatically reimburse the trust funds for the full amount disinvested plus interest.''

Let us stop playing games. The American public does not appreciate it. We are all going to protect Social Security. This administration is committed to that. Social Security is not at risk. We all know that. Let us be responsible. Let us lift the debt limit. Let us pass a CR and get on with the business of America.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I thank my good friend, the gentleman from Florida, for yielding time to me.

Mr. Speaker, until the cows go home, that is how long the President and Secretary Rubin can run this place under our present situation, where they could use the term ''disinvest'' to borrow from these trust funds, not only Social Security and Medicare and Medicaid, Federal employees' thrift savings account, and others. So we do not want to do that. That is why we are passing this legislation.

Another expert knowledgeable with this system, Louis Crandall of Wrightson & Company has said, ''The creative accounting to which the President and Secretary Rubin could resort could get them through for a couple of years.''

That is why this legislation is being put before us today. We need to address this problem directly with a balanced budget, my colleagues have mentioned that, rather than hiding further debt by borrowing from the seniors and other U.S. citizens who have paid their hard-earned dollars into these trust funds.

We were not sent here to come up with creative accounting techniques, we were sent here to make the decisions that are best for the American people. A question I might pose for the people on that side of the aisle, as well as my side of the aisle: When Secretary Rubin disinvests, does that not add to the debt ceiling, which in a sense violates the law that we have for the debt ceiling? I think that is a question we should ask and have that side of the aisle explain to us if he disinvests, using the pension funds from the Federal employees, is he not in a sense putting up as collateral their pension funds and thereby borrowing against it, increasing the debt ceiling, even though Congress has not legislated to do that? I pose that question rhetorically.

Mr. Speaker, I urge the adoption of this bill. Then we will not have to listen to this side when we have a Republican President complain, and then this side will not have to complain when we have a Democrat President.

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

Mr. SCHUMER. Mr. Speaker, I have been in this Chamber about 15 years. I have rarely seen a bill that is more bush league. I think what this bill shows is that the other side is just not ready for prime time. The bottom line is a simple one. If you simply wanted to protect Social Security, you would limit the bill to Social Security. You do not. We all know that the Social Security trust fund will not be touched. We have had assurances to that effect, and no law specifically allows it to be touched.

What we are doing here is trying to play chicken in a very childish, school yard-like way. They say, ''let us tie Secretary Rubin's hands. Let us make default a little more likely. Then maybe, maybe, maybe this side will blink.'' You have been through it once before. We are not blinking, not to a bully-like tactic like this.

I have found it just utterly amazing how irresponsible and how hypocritical this proposal is in light of the fact that the Speaker, the gentleman from Georgia [Mr. GINGRICH], used to warn last week in solemn tones that the stock markets will crash if we do not pass this budget; but on the other hand, he allows to the floor a proposal like this which makes default more likely. What kind of shenanigans are they? One week, we must not default, default is a danger. This week, pass legislation that makes default more likely.

I think we are not getting straight answers. We are getting games. We are getting silliness. I would say that the attempts by my friend, the gentleman from Florida, to blame Secretary Rubin, blaming Secretary Rubin is like putting the hostage on trial for the crimes of the kidnappers. This whole thing is a puerile, childish attitude. It is sort of a group of people banging their fists on the table and saying, ''Do it my way or I am going to threaten you.'' We will not be threatened. Let us get on with the business of this country and solve the budget resolution.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, this bill is fraught with problems that we would only recognize if it were to be enacted. I trust it will never be enacted.

Let me explain some of the specific problems. There are two sections. One does seem moot because the White House and the Congress both agree we ought not to be using Social Security trust funds. It really is not an issue, except that if we do go into default, I do not see how we can pay benefits to Social Security retirees or to Federal Government retirees.

That goes to the fact that there is no way to give preferential status to Government debt instruments to be able to determine whether some relate to the Social Security trust fund, some relate to the Federal Government, Federal retirees trust fund, and some are general Government debt obligations. There is no system to do that, so to obey the law we would have to reject all Federal debt instruments as they become due.

The other section, the section that deals with the Federal retirement trust funds, is the biggest problem. I think it is important to bear in mind the context of this. This is legislation that was requested by the Reagan administration. It was signed into law by President Reagan because it was a prudent financial management instrument to ensure that we do not create chaos in the domestic and international financial markets. It is a way to manage the debt at a time of political crisis.

We have a time of political crisis, even though the other side has in fact voted twice now to increase the debt ceiling. That is not at issue, that we need to increase the debt ceiling. The problem is that they want it attached to a 7-year balanced budget and other changes in other laws that are really not directly related to the debt ceiling.

Mr. Speaker, if we were to pass this, we would immediately go into default. This $54 billion in Treasury bills that mature today, we would not be able to make good on those bills if this were law today. There is $58 billion on December 21 and $36 billion on the 28th of December. We cannot pass this. It would be the most irresponsible thing we could do to the people of this country, particularly those that own Treasury bills, Treasury notes, and Treasury bonds.

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

For the previous speaker, the gentleman from Virginia [Mr. MORAN], I would point to the section of the bill starting on page 2 entitled ''Protection of Benefits and Expenditures for Administrative Expenses,'' where it specifically provides that these expenditures will be taken care of and can be paid for: The Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Civil Service Retirement and Disability Fund, the Government Securities Investment Fund, the Department of Defense Military Retirement Fund, the Unemployment Trust Fund, each of the railroad retirement funds and accounts, the Department of Defense Education Benefit Fund, the Post-Vietnam Era Veterans Education Fund, and the Black Lung Disability Trust Fund.

□ 1230

Mr. SHAW. Mr. Speaker, I would, for the previous speaker from Virginia, [Mr. MORAN] point out the section of the bill starting on page 2.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER].

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

Mr. DREIER. Mr. Speaker, I thank my friend from Fort Lauderdale, FL [Mr. SHAW], for yielding me this time.

Mr. Speaker, the Congress shall have the power to borrow money on the credit of the United States. Those 16 words are article I, section 8, of the U.S. Constitution. So often around here we debate the interpretation of different provisions within the Constitution. Nothing could be clearer than that.

The congressionally established debt ceiling is at $4.9 trillion. Approximately a quarter of it is held in the form of nonmarketable government securities in Federal trust funds. The debt in these trust funds has always been counted under the statutory debt limit.

Now, Congress has given the Secretary of the Treasury authority to temporarily turn nonmarketable securities and the two Civil Service retirement funds into Federal IOU's during a short-term—and I underscore short-term—debt limit impasse. The borrowing authority formerly occupied by those securities can then be used to sell marketable securities.

Now, Secretary Rubin used this authority in mid-November to effectively raise the Federal debt limit by, as we all know, $61 billion. Now, the Secretary of the Treasury does not, does not have unlimited authority to tap trust funds. Past Treasury Secretaries have consistently held that this type of investment can be done only to the extent necessary to pay the benefits owed by those trust funds during the period when there is a debt limit impasse.

Secretary Rubin has already pushed the envelope by declaring an impasse of 1 year to generate $61 billion. That will provide borrowing authority through mid-February. The administration must come to a debt limit agreement with the Congress by then.

To go beyond mid-February, Mr. Speaker, the administration would have to actively divest trust funds beyond the level needed to pay benefits. There is no precedent, absolutely no precedent, for active divestment, and it is almost certainly illegal.

This action would essentially repeal the debt limit law, opening up $1.1 trillion of new borrowing without congressional authority, clearly violating article I, section 8. Should the administration be willing to take this type of legally questionable action, we in the Congress have the responsibility to respond.

This is a very balanced, fair measure that we have; I hope we can proceed with it. While the Treasury Secretary should have the flexibility needed to avoid a Federal default, pay interest to Federal bondholders, and pay benefits to retirees during a short-term debt ceiling impasse, he does not have the authority to nullify the power of Congress to control the borrowing of money and set the Federal debt limit.

While we hope that this is not the intent of the administration, if it is, Congress will respond accordingly, and that is why we are here.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes and 20 seconds to the gentleman from Texas [Mr. BENTSEN].

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

Mr. Speaker, I am going to come over and speak on this side of the aisle, because this is the side of the aisle, the party, the so-called party of sound money, the so-called party of the gold standard, of tight credit, the so-called party of Wall Street; and yet the legislation that this party has brought to the floor is totally irresponsible and totally out of line with where this party has been. It displays either willful political gamesmanship or willful ignorance on the part of its proponents. This bill will cause a default, a default that the markets will never forget.

Yesterday we had the general counsel of the Federal National Mortgage Association testifying on this issue, and the question was asked, if you had a default on a mortgage, would you buy that mortgage? The answer, no, because they would remember that default. If we default on Treasuries, people will stop buying Treasuries and interest rates will go up, and everybody will pay for it.

The Secretary of the Treasury testified yesterday, if this bill goes into effect and the debt ceiling is not raised, he will not be able to raise the funds to pay Social Security benefits. So the fact is that if we pass this bill, we will go into default and Social Security will not be protected; it will go into default too, as will Medicare, as will the Federal pensions, as will the military pensions. All of that will be in default; people will not get their checks for systems that they paid into.

This bill is inconsistent with the actions taken by a previous Republican Secretary of the Treasury, Jim Baker, and again, his general counsel testified to that fact yesterday. However, today, we are trying to evade the real issue at hand. Because my colleagues do not have the votes to pass their budget, they are going to try and throw the country into default.

The Speaker said not long ago that it would be OK if we went for a while in default. There would not be an impact, and that is just simply not the case. It would be a detrimental effect to homeowners, to mortgage owners.

Mr. Speaker, I am new to this House like the gentleman from Michigan [Mr. SMITH] is new to this House. When we first came here, one of the most important issues we had to deal with was the potential default of the Government of Mexico on Mexican treasury bonds. There are a number of Members in this House on both sides of the aisle who felt that the Mexican Government had put themselves in that position and we should not have anything to do with it.

Well, here we are today and we are about to do the same thing to the United States, and that is wrong. Shame on the party of Wall Street. Shame on the party of sound money.

Mr. SHAW. Mr. Speaker, I yield 15 seconds to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, I think it would behoove us to hopefully one of these days have more camaraderie in trying to reach solutions.

Mr. Speaker, I wish the gentleman would examine whatever research he might have undertaken to quote the Speaker as saying a default is okay for any period of time. That is not true.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker and my colleagues, the American people should know how bad our national indebtedness situation has grown. To satisfy the insatiable appetite for expanding our $5 trillion debt, this administration is now robbing Federal retirement trust funds. Oh, yes, we promise to pay back grandma and grandpa, but is it not sad in fact that we have sunk to a new low, stealing from our senior citizens' rainy day account?

As chairman of the House Subcommittee on Civil Service, let me tell you the irresponsible mess the new majority inherited. Thirty-five of our Federal pension funds have $1 trillion; it amounts to trillions of dollars in unfunded liabilities. In the private sector you would be arrested for running pension funds in this fashion.

The Federal Employees' Retirement trust fund that I oversee, this is just one of them, has an unfunded liability of $540 billion. Another $350 billion has already been raided from the current account. Now, Secretary Rubin tells us, he can cook the books and feed the debt until the end of January.

Today we must act responsibly. Today we must act to protect our dwindling retirement funds, and today we must begin to get our Nation's finances and these retirement accounts in order.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. NEAL], with great pleasure.

Mr. NEAL of Massachusetts. Mr. Speaker, let us call this what it really is. This is an effort to precipitate a crisis in this institution. This is an effort to coerce the President of the United States and the Secretary of the Treasury into doing something that is purely and simply bad public policy.

What do Bill Simon, William Miller, Paul Volkmer and Alan Greenspan all have in common? They have suggested that this is bad public policy. They are unified on that principle. The gentleman from Michigan [Mr. SMITH], however, is correct on one thing: What about some camaraderie in this House of Representatives?

I recall when Nick Brady was the Secretary of the Treasury and the S&L crisis was around us. This kind of legislation was not proposed by an overwhelmingly Democratic majority in this institution. We did not attempt to tie the hands of the Secretary. We worked together in a bipartisan manner to shape a reasonable solution to the S&L issue.

What is the answer today? Let us extort from the Secretary of the Treasury what we have not been able to do with numbers in this institution. This is fundamentally flawed public policy.

Mr. Speaker, let me move on to one other quick issue which is the steady erosion of congressional authority that this represents to manage the budget. That is the same group that believes we ought to do it through the line-item veto; we ought to turn that power over to the Executive. However, now, in this instance, we do not like short-term policy, so let us, under the circumstances, attempt to tie the hands of the Secretary of the Treasury, from Alexander Hamilton to Douglas Dillon, to Brady, to Bentsen and to Rubin.

This country has been well-served by the quality of people who have held that job. Secretary Rubin is on the right track in attempting to honor our obligations. That is the way that this country should be run, and we should not be moving down this road to poor public policy to solve a short-term political problem.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. FOLEY].

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

Mr. Speaker, this is about public responsibility. This is about Congress' responsibility to manage our debt. This card, my voting card that I insert in the machine as other Members do, runs up the national debt each time we do it. It borrows from our children, it borrows from our trust funds in order to make this government work, and we have done it year-in and year-out, excessively.

Our job as elected Members of Congress serving in this House is to bring fiscal sanity to this Nation, fiscal sanity to the operations of this government, much like every homeowner does, much like every businessperson does. Balancing a checkbook is something we all learn at a very early age. Maintaining adequate balances in our accounts is something we learn at a very early age. Only when you come to Congress do you forget that lesson and suggest it is okay to insert this card and plunge this Nation deeper and deeper into debt. Mr. Speaker, $5 trillion deep we are now.

H.R. 2621 provides a mechanism to bring us to reality, to focus on our Nation's problems, to bring fiscal restraint to this House, to protect the trust funds, and let me emphasize that word: Trust funds. In God we trust. Trust funds. What we are establishing is a mechanism to once again restore trust to the people's money.

Every Member of Congress has to realize that this card and the dollars we spend with this card are not our funds. We are entrusted to protect the funds of the American public.

So I disagree with my colleagues and I urge passage and adoption.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, let me thank my friend from Florida, Mr. GIBBONS, for yielding me this time.

Mr. Speaker, I am sure that the viewers who are listening and the people in the gallery that are listening are somewhat confused about what this is all about. You would believe it is about protecting Social Security trust funds if you listen to what the Republicans are saying.

Mr. Speaker, that is not what this is about. This is about putting additional leverage on the President in budget negotiations; it is about causing the default on our national debt. They claim it is not about causing default on our national debt, even though that is what this bill in fact does.

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If you are concerned about protecting the Social Security trust fund, in the motion to recommit we will have something to speak about that. But I daresay that my Republican friends will vote against the motion to recommit because this is not about protecting the Social Security trust fund. You do not protect the Social Security trust fund or any other trust fund by putting the national debt default at risk. That is not how you protect the payments to our Social Security beneficiaries. During fiscal chaos, those who rely on the trust funds are at more risk, not less at risk. That is when we tend to do things that we later regret.

So this is about trying to put additional leverage on the President and on the Congress on dealing with the deficit, and this should not be the vehicle to do it. You do not put the debt of the Nation at risk and default, particularly when this debt limit has already been approved by the Republican leadership and the Members by previous votes of this House. You have already agreed on this debt limit. You have already spent this money. Now you have the audacity to come forward to say that we should not pay the bills that we have already incurred under the bills you have already brought forward and the debt limit you have already approved.

Let us act responsibly, let us defeat this bill. That is the best way we can protect the trust funds of this Nation.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. SAXTON].

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

Mr. Speaker, I rise today in support of the Committee on Ways and Means' legislation to protect the integrity of the trust funds and the budget process.

I think it is very unfortunate that the administration's handling of the debt limit issue seems to be based more on partisan politics than on anything else. As two JEC reports released last month pointed out, in the period leading to the veto, the administration sought to create the false impression that a veto of the debt limit would cause a default. That is very unfortunate.

The first JEC report I released pointed out that the President had already had a deferral process and rescission powers under the Impoundment Act already in law. As reported by the Associated Press, on the other hand, while the administration was hyping an alleged cash flow crisis, it was sending several hundred Federal workers to Disney World for a series of lavish conferences. These were issues that could have been dealt with in many other ways.

The second JEC paper I released last month points out the whole default scare was a ruse concocted by the administration for partisan political purposes. The whole controversy was a carefully designed PR event.

One of the more disturbing aspects of this episode was the fact that the public warnings of default made by a variety of administration officials were based on false information. The administration knew there would be no default and that a variety of means were available to avoid it.

Mr. Speaker, I would just conclude by saying that the whole episode only reinforces public doubts about the integrity of Government officials.

Mr. Speaker, the two JEC reports an article that I have made reference to are as follows:

[From the Joint Economic Committee Staff Report, Nov. 7, 1995]

THE CLINTON ADMINISTRATION'S DEBT LIMIT CHARADE

In recent weeks Clinton Administration officials have offered a list of the disasters that would supposedly occur under the Republicans strategy on the debt limit. Treasury Secretary Rubin, White House chief of staff Panetta, and President Clinton himself have tried to portray the Republican position as irresponsible and ''extreme,'' as if a rapidly growing national debt about to exceed $4.9 trillion were responsible and moderate. Panetta has claimed the Republican position would ''let the country go to hell and basically default.'' However, a review of the record suggests that the increasingly strident Administration rhetoric is a distraction from real budget and debt management issues.

The fundamental issue is that the Administration opposes the Congressional policy to seriously curtail federal spending and debt growth, and would accept such a policy only under great pressure. According to CBO, the official budget submission of President Clinton did not greatly differ from the current services baseline, which would have permitted budget deficits to climb to $349 billion by 2002, with $2 trillion added to the national debt. Only after the Congressional budget process produced resolutions trimming over $1 trillion of federal spending and debt growth, did the President finally respond.

Guided by a new political consultant, President Clinton made a belated statement outlining a sketchy plan purporting to balance the budget over 10 years, but would in fact leave $200 billion deficits. This plan is difficult to view as a serious proposal, but appears to be an effort to deflect attention away from the official budget submission.

The Administration has been equally ineffective in addressing the approaching debt limit. This paper demonstrates that despite the Administration's purported concerns about the gravity of the Treasury's cash flow situation, available steps to delay reaching the debt limit and ease any interim problems have not been taken.

ADMINISTRATION FAILURE TO USE DEFERRAL AND RESCISSION TO COUNTER CASH CRUNCH

Under the Impoundment Control Act, as amended, Presidential deferrals are permitted ''to provide for contingencies'' or ''to achieve savings made possible by or through changes in requirements or greater efficiency of operations,'' for administrative as opposed to policy reasons. Dealing with this severe cash flow problem would appear to be one of the ''contingencies'' covered under these provisions. Deferral could be used for several distinct purposes: conservation of resources to delay reaching the debt limit; advance preparation of a plan to conserve cash becoming effective upon reaching the debt limit; and instrument of cash management for use after the debt limit was reached.

The Impoundment Control Act also provides for rescission, a procedure under which appropriated spending can be restrained by the President pending Congressional action. Under a Presidential rescission request, the President can freeze additional discretionary spending for 45 days without Congressional action; after this period expires Congress must approve the rescission or the funds are released. While the requirement for Congressional approval is somewhat restrictive in the longer run, rescission would be a way of conserving funds for at least 45 days. As in the case of deferral, rescission can be viewed as a tool to delay or manage cash flow problems resulting from reaching the debt limit.

Instead, the Administration has raised the specter of a financial crisis and blamed it on Congress, even though such an event would be triggered by a Presidential veto. The Administration's actions to date confirm its opposition to a policy of fiscal restraint, and it has failed to take the actions needed to manage possible consequences of a budget disagreement by deferring nonessential federal spending.

The Administration description of the consequences of reaching the debt limit is also distorted. The Administration has attempted to present the $4.9 trillion debt limit as a brick wall which the Federal Government will run into all at once, resulting in catastrophic consequences that must be averted at all costs. However, these Administration arguments could be taken more seriously in the context of a real effort to manage the debt situation. This cannot be done with press releases, but with concrete actions taken to address the cash flow position of the Treasury.

The real nature of the situation can be gauged by the extent to which the Administration has acted or planned to conserve cash by deferring or rescinding nonessential federal spending—but there has been no meaningful action to do so. A serious effort to defer some program spending until later in the fiscal year, or to rescind this spending, would at least cushion any cash flow problem, and if timed appropriately, might avoid it.

Clearly, the Administration's failure to conserve cash in the face of a major budget disagreement between two branches of government would not be an effective way to reduce cash flow problems. By failing to act the Clinton Administration seems to have deliberately attempted to maximize any problems that could result from a cash flow squeeze.

A sufficient portion of discretionary federal spending could be deferred or rescinded until later in fiscal 1996 to delay and alleviate contingencies arising from the impending debt limit. The later the Administration acts to defer or rescind spending, the more difficult it will be to manage the situation in the event of an impasse. However, it is obvious from the complete lack of action to date that the Administration is not as interested in managing the finances of the government as in using them for partisan political advantage. It is true that the size of the deferrals or rescissions would be large and administratively inconvenient, but it is equally true that these measures could mean that the debt limit would not be reached as soon, and that any remaining cash flow problems would be less serious than they would otherwise be.

The lack of any action or plans to slow federal spending to defer and alleviate a situation the Administration has sought to portray as a crisis raises questions about the credibility of the Administration's statements on the subject. Even if a late deferral or rescission could not entirely resolve a cash flow shortfall, it would at the very least make it less severe, and facilitate its successful resolution by other means. In addition, temporary disinvestment of one of the non-social security trust funds would provide yet another means of covering current obligations without dire consequences. The notion that reaching the debt limit means there is no alternative to immediate legal default is simply false, and can be viewed as an attempt to spread confusion and fear in support of the Administration's bargaining position in favor of higher deficit spending.

A review of the cash flow position of the Treasury on a monthly basis shows that November is typically a large deficit month. However, December is often nearly in balance, while January is actually a surplus month. Thus strong and decisive actions by President Clinton to defer or rescind spending could probably supply the needed funds to maintain essential federal programs for some time, and would make the situation much more manageable after the debt limit were reached. A Presidential deferral for administrative contingencies does not require Congressional action.

In summary, while deferral or recession can be viewed as a means to delay and minimize the possible effects of reaching the debt limit, it is also appropriate to view deferral and rescission as potential means of addressing cash flow issues after the debt limit is actually reached. Another option would be adoption of legislation authorizing the Administration to set priorities for managing the cash flow of the Treasury, as in H.R. 2098.

DEBT LIMIT CLASH WOULD BE CAUSED BY PRESIDENTIAL VETO

Administration officials have engaged in a series of noisy public relations events designed to create the impression that a veto of the debt limit would be the fault of Congress, and that the economic effects of this veto would be catastrophic. The Administration has sought to portray its role as little more than an innocent bystander. It is true, of course, that continued deficit spending has created a situation in which the $4.9 trillion statutory debt limit is about to be reached. However, it is not true that a Presidential veto would be the fault of Congress. At issue is a disagreement in policy which may result in a Presidential veto; the responsibility for a veto and its consequences must be borne by the executive branch.

The Administration has made clear its preference for higher deficit spending and debt accumulation, along with a larger increase in the debt limit. This underlines the fact that what is at issue is a fundamental change in policy away from deficit spending and rapid increases in the national debt.

CONCLUSION

While loudly invoking the coming disaster, the Clinton Administration has undertaken

no known steps to use the means completely under its own control to alleviate the situation. Instead of deferring or rescinding funds to conserve cash in the face of what it portrays as a crisis, the spending spigots have remained wide open for many weeks. If the situation is as dire as portrayed by the Administration, why has it completely failed to act? Moreover, if it later mismanages the debt situation in such a way as to create real problems, the major share of resulting problems will be the Administration's failure to address the cash flow crunch when it could have done so. After months of complaints, the Administration cannot pretend to be surprised if a fiscal impasse does indeed occur.

CHRISTOPHER FRENZE,
Chief Economist to the Vice Chairman.

[From the Joint Economic Committee Policy Analysis, Nov. 1995]

THE CLINTON ADMINISTRATION'S DEBT LIMIT CHARADE—PART II

After weeks of histrionic Administration warnings about how failure to raise the debt limit would bring default and catastrophic economic consequences. President Clinton chose to veto the temporary debt limit increase. Failure to raise the debt limit would not trigger default because the Administration had already identified the available means of managing the situation, despite its repeated public warnings to the contrary. The Clinton Administration position was thus revealed as a political attempt to mislead Congress and the public based on financial assumptions it knew to be false.

As veteran political correspondent Donald Lambro observed five days before the debt limit was reached, a House JEC staff report had already pointed out that the ''White House warnings of a default are a 'charade.' It concluded the president has plenty of authority to defer or slow down spending, or use cash assets such as pension fund reserves to meet debt payments.'' This report, the Clinton Administration's Debt Limit Charade, went on to point out that the Administration had fostered the situation by failing to defer or rescind unnecessary discretionary spending to alleviate the situation. The report also emphasized that the Administration's default ruse was a distraction from the central issue: Republican insistence on a balanced budget, as opposed to the Clinton Administration's preference for higher deficit spending and debt accumulation.

Early in November it became evident that the White House's public posture was stiffening as it prepared in advance for the President's veto of the debt limit increase. This even more aggressive attempt to heighten the crisis atmosphere was not a preparation for default, as it may have appeared to some at the time, but reflected the determination of Administration officials to maximize partisan political advantage from the fallout and confusion of the coming veto.

The events of the last few days have made it clear that the Clinton Administration had prepared in advance to veto the debt limit and Continuing Resolution (CR) as the first media event of the 1996 election campaign. As one Clinton Administration official stated on the front page of the New York Times, '''That's his re-election campaign,' an aide said. 'He's prepared to fight all winter on that line.'" This statement exposes the Clinton Administration strategy to foster and sharpen the confrontation over the veto of the debt limit and CR legislation to kick-off the President's re-election effort, and keep its opponents off balance. Initially the Administration had the upper hand because only it knew the exact timing and content of actions to be taken to evade the debt limit—after distracting public opinion for months with disinformation about default. Once the focus returned to the central issue of deficit spending, the Administration's position started to erode.

SECRETARY RUBIN'S RAID ON RETIREMENT FUNDS TRIGGERS ARMEY/SAXTON REQUEST

On November 15, 1995, Treasury Secretary Robert Rubin announced his plan to disinvest the ''G'' fund of the federal employee thrift plan, and the civil service retirement plan, in order to create room under the debt ceiling for issuance of new debt. This circumvention of the debt limit essentially evades a constraint rooted in Article I of the Constitution which states: ''The Congress shall have Power . . . To borrow Money on the credit of the United States.'' The Secretary's actions permitted the issuance of over $60 billion of additional debt, enough to finance monthly federal deficits through January. Since January is ordinarily a month in which the cash flow position of the treasury is in surplus, it may be February, a large deficit month, before any additional action would be necessary. In any event, while the propriety and even legality of this disinvestment activity is doubtful, the amount of available funds are sufficient to finance monthly deficits for an extended period of time.

In response, on November 17, House Majority Leader Dick Armey and JEC Vice-Chairman Jim Saxton sent Secretary Rubin a letter requesting information regarding when Treasury staff first examined the financing options presented by the retirement funds. Unfortunately, the inflammatory public statements about default by Secretary Rubin, White House Chief of Staff Leon Panetta, and other Clinton Administration figures had created the impression that there was a deliberate attempt to disrupt the financial markets to undermine Administration opponents. The documents requested of Rubin may help clarify whether there was a contradiction between what Clinton officials were publicly saying to Congress and the public, and what the Administration was privately planning to do.

The Administration documents received under this request suggest that plans for the disinvestment of the retirement funds have been underway for some time, and were not a last minute decision. In other words, the accessibility of the retirement funds had already been identified and shared with ''appropriate officials'' in the Executive branch well before prominent Administration officials claimed that a veto of the debt limit would lead to default. It is interesting to note that the critical document signed by Secretary Rubin triggering the disinvestment was typed without a date, which was only filled in by hand on the 15th of November.

THE CLINTON BUDGET

The entire controversy over the debt limit arises from the preference of the Clinton Administration for higher deficit spending and debt accumulation. This was made clear in the detailed budget submission made by President Clinton last February. Only after the Congress acted in producing balanced budget plans did Clinton attempt to cover himself by releasing a sketchy outline of what he called a 10 year balanced budget plan, but what in fact would have left $200 billion deficits. A review of the official budget submission clearly shows how unimportant high deficit spending is to the Clinton Administration.

The levels of deficit spending would hardly be affected under the official February Clinton budget submission. The Clinton budget recommended deficits growing to a level of $318 billion by 2002, with $2 trillion added to the national debt over the same period. The official February budget submission is a useful guide to what the Clinton Administration would regard as an appropriate level of deficit spending in the absence of a public relations problem created by Congressional actions to balance the budget. The upward trajectory of deficit spending under President Clinton's recommendation reflects the low priority this Administration has assigned to fiscal responsibility.

CONCLUSION

A review of the events leading up to the recent budget confrontation shows that the Clinton Administration carefully attempted to heighten the atmosphere of a default crisis, while privately laying a plan to evade the debt limit. The confrontation was a charade intended to provide a convenient platform for the President's re-election campaign. Public statements made after the fact by Administration officials only confirm this dismal conclusion.

CHRISTOPHER FRENZE,
Chief Economist to the Vice-Chairman.

[From the Economist, Nov. 18, 1995]

THE DEBT CEILING HUMBLED PROPHET

Doomsday is a grave event. One does not simply reschedule it, therefore, without a good explanation. On November 15th—the supposed day of reckoning for America's debt—Robert Rubin, America's treasury secretary, laboured mightily to provide one. He was being sincere all along, you see, when he talked of a possible calamitous default on the federal government's debts; when he implored Republicans in Congress to raise the $4.9 trillion debt ceiling by that date, or else. It was only by a minor miracle, Mr. Rubin explained, that his Treasury Department had been able, temporarily, to avert disaster. And if Congress did not relent, the dread day would still come, probably sometime in early January.

Financial markets reacted to the revised timing just as they had to the original one. They ignored it. Most bond traders know what Mr. Rubin and his Republican tormentors have known all along: that the Treasury is sitting on a pile of trust-fund assets that could enable it, if necessary, to hold out right through to the 1996 elections.

The federal government administers about 160 trust funds, with well over $1 trillion in assets, including the funds for Social Security and Medicare. Most of these are, strictly, off limits. The two exceptions are a pair of retirement funds for federal employees. In normal times, these two funds (like all the others) hold their assets in the form of special government bonds which, though they cannot be sold to the public, count officially as federal debt. By replacing these bonds with unofficial IOUs, the Treasury Department can magically free some room beneath the debt ceiling, allowing it to borrow more money from bond markets.

On November 15th, Mr. Rubin did exactly that. First, he drained all $21.5 billion from the so-called G-Fund, a voluntary pension plan for federal employees. He then authorized the Treasury to tap the Civil Service Retirement (CSR) fund, for a further $39.8 billion. These two actions freed up enough cash to make a $25 billion interest payment on the government's debts, and to cover its other debt operations for the rest of the year. After that, Mr. Rubin claims, a genuine cash crunch will occur. But since the CSR fund is still sitting on another $300 billion in assets, this seems an empty threat.

Even if Congress continues to play games with the debt ceiling, a default will occur only if someone successfully challenged Mr. Rubin's authority over the retirement funds. This is unlikely. For a start, few parties have an interest in doing battle. Republicans

would take the blame if they succeeded in triggering a default. And federal employees would be unaffected by the Treasury's shenanigans: by law, all their assets must be replaced, with interest, once the cash crunch has passed.

In any event, a legal challenge would be on shaky ground. In 1986, after a similar cash panic, Congress explicitly granted authority over the two funds to the treasury secretary to help him pay off debts. And although Mr. Rubin would have to issue a series of bizarre technical rulings to continue tapping the CSR fund, there does not appear to be any legal obstacle to his doing so.

So Americans need not worry that their government will default, or that it will be prevented from borrowing more. They do, however, face a fate that may be almost as horrible: someday, the mountain of debt might actually have to be repaid.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, those of our colleagues who are observing and those in the gallery must think they are in a fantasy world, and I really do think that we should not have been taking this time to deal with what obviously is expected by our Republican friends over here not to be passed, not to ever see the light of legislative day, and yet they got up and said, ''We are here to protect Social Security. This is a key vote. Everyone should watch. We should not borrow from our children.''

I have here a copy of the Republican budget. I can tell you exactly what is going to happen. When the crocodile tears were shed over here about the $5.2 trillion public debt, let me tell you what the Republican budget proposes for the year 2002, 7 years from now, $6.8 trillion in public debt. I will tell you what the debt increase is going to be. It is going to be $300 billion this year, and it is going to be another $185 billion in 2002.

So where do you get off today, trying to stand up here and talk about what you are taking from your children and protecting the Social Security fund? The Republican budget calls for looting the Social Security trust fund of $636 billion plus interest over the next 7 years in the illusion that they are balancing the budget.

You intend to take from the Social Security revenues in order to pay for your budget over the next 7 years. To come to this floor today and say you are trying to protect it where the debt limit is concerned is the height of illusion.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. I thank the gentleman for yielding me the time.

Mr. Speaker, I really am glad that this is not a serious vote that we are about to take. My colleagues ought to be clear on that. Neither the Republicans nor the Democrats, I guess, expect this bill to go anywhere.

It was on the suspension calendar on November 14 or November 15. They did not expect it to go anywhere then. The reason for that is that everybody knows that this is an absolutely utterly irresponsible piece of legislation.

The Secretary of Treasury yesterday appeared before a hearing, and I asked him pointblank, Mr. Secretary, what would have happened if this bill had passed on the suspension calendar on November 14 when it was originally voted on? Would the U.S. Government be in default today?

And he told me in no uncertain terms, told all the Republicans and the Democrats, if this bill had passed on November 14 when we first voted on it, the U.S. Government would be in default today and if it passes and becomes law today, the U.S. Government will be in default tomorrow.

So this is not about Social Security, it is not about budget, it is not about the President, it is not about our children. This is about the responsibility of our Nation for a debt.

We talk about personal responsibility. This is public responsibility we are talking about. We are talking about our children, we want to set an example for them to pay their debts. That is what we want to set an example for. And this bill simply sets a terrible, terrible example for our children.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to thank the gentleman for yielding me the time first of all. It shows what a gentleman he is, because he knows I am going to vote against his position. But I also told him that I was going to tell the truth about this proposal.

The truth of the matter is, and I just got off the phone with the Congressional Budget Office, that the Republican budget for 1996 will borrow over $100 billion from the trust funds to disguise the true nature of the debt for the Republican budget for next year, which has recently been revised but as recently as just a couple of weeks ago was $296 billion.

That is money we do not have. It is money that has to be borrowed. If we were not borrowing enough already, I will tell you how bad it is. In the 2 minutes that the gentleman has granted me to address this body, our Nation will spend $1 million on interest on the existing national debt. So that $296 billion is added on top of that.

So the so-called Balanced Budget Act, much ballyhooed in the ad in USA Today, is all a ruse. I am going to hit the Republican Party with a demand letter for the $1 million they promised to the first person who could disprove they had a balanced budget, because the Congressional Budget Office has just told us that the annual operating deficit first is over $180 billion of regular funds, and then they are going to disguise another $100 billion by borrowing from the trust fund.

The bill before us today is good policy. The problem is they have no intention of ever putting it into effect. That is a shame. It does not bode well for this body. It does not bode well for the people of the United States. But I hope that the people of the United States will insist that this is the type of behavior that should not continue and that stealing from the trust fund, which is what is going on, has to cease.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington [Mr. METCALF].

Mr. METCALF. Mr. Speaker, there has been a lot of talk about the debt limit. Of course, just to set the record straight, this is the permanent debt limit, the permanent debt limit that we raise every 2 or 3 years and have been for almost my whole lifetime.

They talk about default on the national debt and they worry about default. Those are phony scare tactics and everybody knows that. As the Secretary of the Treasury was saying those things, he was planning to loot the retirement funds which he is now doing every day, looting them because he knew that that would not happen.

I just want Members to think for a minute. What do the people in our districts think about this debt limit issue? How would they vote if they could vote here today? They still believe that there is some sanity left inside the beltway. They are not thrilled about the constant raising of the permanent debt limit and I do not think they would vote for any further increases.

I think we have to take a sound, careful look, think deeply on this issue and only when certain that we are on the track of a balanced budget, then we can carefully raise this debt limit, and if it is not for the last time, this Nation will probably not survive. If we can do it this time and only with a balanced budget in prospect, because this cannot go on forever.

This is the whole purpose of this tremendous effort to balance the budget. It is absolutely essential, and we will do it.

Mr. GIBBONS. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Florida is recognized for 55 seconds.

Mr. GIBBONS. Mr. Speaker, we have just wasted an hour around here. It has been kind of joyous on my part because if we had not been wasting time on this, we might have been doing something bad around here.

This is the most irresponsible piece of legislation I have ever seen. This is not like a couple of weeks ago when we closed down the Grand Canyon and the Washington Monument, laid off the nonessential people, whoever they may be.

This just closes the whole place down, irrespective, the troops in Bosnia, the people that are guarding the Federal prisons, the FBI, the IRS. A lot of people would like to close

them down. The whole place. You cannot honor any checks. No airplanes could fly. That is responsibility.

This has got to be the stupidest thing I have ever seen in all my years here on this congressional floor. There is no mileage in closing this government down. It is like taking a bunch of broken bottles and trying to juggle them. You are going to get cut every time you do it.

If you do not like what the Secretary of the Treasury is doing, the courts are still open. Go sue him. But do not come here to the floor. He is not doing anything wrong. If he is doing anything wrong, why do we need to change the law? You have got plenty of remedies. Ask the gentleman from Illinois [Mr. HUDE]. He can tell you.

Mr. SHAW. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 2½ minutes.

Mr. SHAW. Mr. Speaker, we have had a long debate, a period of 1 hour. We have had speaker after speaker from the Democrat side to come down to the floor and say what my friend from Florida just said about we would not be able to pay the troops in Bosnia.

We are not talking about closing down the taxing authority of this country. We are not talking about stopping the other revenue flows that are already in place coming into this country. We are simply talking about one simple truth that I think we as Members of this body are duty bound to protect. That is, the constitutional right which is reserved to this body and the Senate for expenditure of funds and for borrowing money.

□ 1300

What we are trying to do here is to close a loophole, a loophole that has not been the exclusive domain of the Democrat administration. Previous Republican administrations have sought out and used this loophole, but this loophole circumvents the rights of this Congress. I am not going to sit by idly and watch us default on our debt. That is not what this argument is about. This argument is about can the administration, do they have a loophole, and believe me. Constitutional scholars will debate this question, but this clears it up. They will not have the authority to circumvent the Constitution which very clearly provides that borrowing money and spending money is a prerogative of this Congress.

So, Mr. Speaker, I would ask all the Members to stand up for the rights of the Congress as set forth in the Constitution, close this loophole, vote ''yes'' on this most important bill.

Mrs. ROUKEMA. I must rise in strong opposition to H.R. 2621. I firmly believe that existing law already protects the trust funds covered by this legislation. In addition, there is clear evidence that this legislation would trigger a default on the U.S. Governments current debt obligations. Any suggestion that this type of action should be used in our ongoing budget negotiations is clearly ludicrous and grossly irresponsible.

In all my experience in Congress, I have no doubt that this body has never considered a more important piece of legislation than balancing our budget. However, I am deeply concerned about what I consider reckless talk, which may portend even more reckless action, on the debt ceiling.

On November 15, the New York Times reported that European Central Bankers are increasingly alarmed by the prospect of a U.S. default. According to the Times ''IBCA Ltd. of London, the leading European Credit-Rating agency, placed the United States on its rating watch listing for possible downgrading from its current AAA status.'' This action follows on the heels of a decision by standard and Poors to issue a highly unusual warning to our Government that the faith of investors, and I quote, ''has to some degree, been diminished'' by the threats of imminent default.

In a recent letter to Speaker GINGRICH, I reminded him that, as a student of the history of this great country, we have not defaulted on its financial obligations in 219 years in a manner which we seem to be heading toward. I submit that the full faith and credit of the United States must not be jeopardized. Default could set off a chain of economic events, at home and abroad, that would undermine the safety and soundness of the world's financial markets. It would be irresponsible and catastrophic for this Government to permit this.

Therefore, as Republicans dedicated to fiscal responsibility and protecting the economic future of our grandchildren, we must take the responsible action to increase the debt ceiling and not use the threat of default as a lever to force negotiations. What are we, a third world country?

This having been said, I do have some reservations about dipping into the civil service retirement and disability fund, Government Securities investment fund as well as the Federal Employees Retirement System, despite Treasury's assertions that, and I quote, ''the beneficiaries of—these funds—will suffer no adverse consequences whatsoever from these actions. There are appropriate questions to be asked today as well as one regarding the Social Security trust fund.

Although there is precedent to take these actions, especially during the Reagan administration, it is sad that Treasury is being forced to invoke such extraordinary remedies to honor the existing obligations of the United States Government. And I will tell you that these views are being voiced loud and clear by several economic experts that I truly respect and who have testified before the Financial Institutions Subcommittee, which I chair, particularly former Federal Reserve Chairman Paul Volcker, current Federal Reserve Chairman Alan Greenspan and Robert Hormats, the former Assistant Secretary of State for Economic Affairs in the Reagan administration and current vice chairman of Goldman Sachs.

Mr. SOLOMON. Mr. Speaker, I rise in strong support of H.R. 2621, the Trust Fund Protection Act and commend the chairman of the Ways and Means Committee for his and the committee's persistence in their patrolling of the financing schemes of this administration.

Let's be clear about what we are talking about. The United States ran up against the statutorily established debt limit in November—in layman's terms, we run out of money to borrow on our credit line. At the time the administration claimed that not giving this Congress more credit would result in a disastrous financial collapse in the markets.

As predicted by many of those private citizens who actually spend their day-to-day time in the business of monitoring the securities and bonds markets, the market did not respond negatively. In fact the bond market soared to record heights anticipating that the Federal Government would actually reach a balanced budget agreement for the first time in over 26 years.

By not increasing the debt limit, it was hoped by Members of both parties who strongly support balancing the budget, that this perceived dilemma would help to get the administration to the bargaining table.

This was not a game of Russian roulette or political gamesmanship as some have claimed. In fact, this was another demonstration of how strongly the new majority in this Congress holds its principled position of balancing the budget. We are morally obligated as well as politically obligated as the holders of the purse to bring about the goal of a balanced budget.

However, those in the Clinton administration continue their waffling over their position on the balanced budget. Indeed their inconsistency in action on this point is one of the reasons we are here today.

The day after the debt limit was reached and the Clinton administration ran out of money to spend on its pet projects, the Treasury Secretary defied all political and economic logic by dipping into the social security, military retirement, and civil service trust funds for a little more spending money. I am amazed that some Member on the other side of the aisle have actually come to the floor this morning claiming that there was nothing wrong with this practice. I strongly disagree and would contend that it amounts to parents dipping into their children's college tuition savings account to go to the movies over the weekend. Yes, their may be money available but no that money is going to have to be paid back with interest and yes that is an end-run around the debt limit.

This bill before us today would stop these end-run shenanigans. It would put the management of the Nation's securities back on top of the table, out in front so that everyone can see. It would outlaw this despicable attempt at defying the will of the branch of Government—Congress—tasked by the Founding Fathers with the responsibility for controlling the Nation's purse.

H.R. 2126 would prevent the Treasury Secretary from pulling money out of the Social Security Trust Funds, the civil service retirement fund, the military retirement fund, the unemployment trust fund, the railroad retirement fund, the black lung disability trust fund and the defense education and post Vietnam era veterans education trust fund. Each of these are targeted with tax dollars for specific purposes and should remain intact so that the Government can stand behind its obligations.

In closing, Mr. Speaker, I would only observe that from all the squawking and carrying on in Washington over the pains of balancing the budget some may get the impression that the Democrat party never heard all the squawking back home on main street America over the past 25 years with this Congress refused to balance the budget.

Well my friends, its time to put up or shut up and Republicans were the first one's to put up a balanced budget and the American people have put up with Democrat political, fiscal and immoral shenanigans with the people's money long enough.

Support the bill and balance the budget.

Mr. STARK. Mr. Speaker, if enacted, this bill would cause the immediate default of the United States.

Instead of protecting Social Security payments, it would delay January's benefit checks. January's Social Security checks could not be paid until enough tax revenues came in to pay all pervious unpaid Government checks which we defaulted on in December upon enactment of this bill. For the Nation's lower income seniors and disabled, January would be a cold and frightening month.

If we have immediate default, people who seek to cash their savings bonds will be told to wait. Families that have bought savings bonds—as we have begged them to do—to save for January college tuitions would be in limbo.

Why? Because the Republicans are insisting on a budget bill that includes massive tax breaks for the very upper income.

Retroactive capital gains breaks will provide billions to the very wealthiest in our society, while we create delays and uncertainty for those dependent on retirement checks.

The wealthiest 1 percent will get an average $90,000 in estate tax relief—while millions will be told that we can't cash their savings bonds on Social Security checks.

The top 1 percent of families, whose income averages $651,274, will receive $8,231 in tax breaks in the year 2002 under their tax bill—but the Republican majority will default on this winter's earned income tax credits.

Default would be a stain on this Nation's 220 year financial history. The Republican budget priorities—making the rich richer and the poor poorer—are a stain on our Nation's moral history.

Please defeat this terribly disruptive bill.

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

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Pursuant to House Resolution 293, the previous question is ordered on the bill as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GIBBONS

Mr. GIBBONS. I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GIBBONS. Yes, Mr. Speaker.

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

The Clerk read as follows:

Mr. GIBBONS moves to recommit the bill H.R. 2621 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. CONTINUATION OF REDEMPTION AND INVESTMENT POLICIES.

(a) SOCIAL SECURITY TRUST FUNDS.—The Secretary of the Treasury—

(1) may use the social security trust funds only for purposes of paying social security benefits as he did in December 1995 when he followed the normal redemption and investment policies used to pay social security benefits by redeeming—

(A) on December 1, 1995, $16.8 billion in securities to pay direct-deposit social security benefits, and

(B) on December 6 and 7, 1995, $9.4 billion to pay social security benefits paid by check, and

(2) shall continue the investment policies that he has followed since the debt ceiling crisis began in November 1995 by continuing to invest social security receipts in the social security trust funds following his normal procedures.

(b) CIVIL SERVICE RETIREMENT FUNDS.—As required by subsections (j), (k), and (l) of section 8348 of title 5, United States Code, and subsections (g) and (h) of section 8438 of such title, the Secretary of the Treasury may utilize the civil service retirement funds to avoid Government default in times of a forced debt ceiling crisis, and shall restore those funds fully, including interest, as required by those subsections.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida [Mr. GIBBONS] for 5 minutes in support of his motion to recommit.

Mr. GIBBONS. Mr. Speaker, I think everybody realizes we got a charade going on down here today, and this motion to recommit just says what should be done and what the current law is on this, and it pays tribute to the Secretary of the Treasury for having followed faithfully the laws that the Congress has provided for him in this debt management procedure that is going through with it. The Secretary of the Treasury is a very honest, responsible, and honorable man, and he has used the law, as we have provided for him to do, in the circumstances that he found himself in.

Mr. Speaker, this is just an attempt by the gentleman from Georgia [Mr. GINGRICH] and company, the Speaker and company, to force the President and the Congress to do something that they have not got the political authority to do: to make a bad deal.

Everybody knows that this balanced budget that we hear so much about is being balanced on the backs of the children of the United States, of the sick, of the poor, of the aged, and that is not the proper way to do it. We need to balance the budget, but we do not need to pick out the victims as our Republican friends have.

No amount of talk here, no amount of obfuscation on this floor, can disguise the fact that, while a balanced budget is desirable, the manner in which it is being balanced is just not the American way to do it. We have always been mindful of the needs of others, we have always realized that some people are not born in life as fortunate as others, and we have tried to compensate that and make sure that America is not only brave, and honest, and true, but is humane, and I regret that the Republican leadership has put this Congress in a position of trying to do something that it should not naturally do.

The President is not going to be blackmailed by this kind of shenanigans. No President in his right mind would ever sign this bill, it will probably never get out of the other body, and we have wasted another couple of hours here talking about it.

But who knows? We may have done something worse had we not been on this matter for so long.

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

Mr. SHAW. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from Florida [Mr. GIBBONS].

The SPEAKER pro tempore. The gentleman from Florida [Mr. SHAW] is recognized for 5 minutes.

Mr. SHAW. Mr. Speaker, a motion to recommit simply legitimizes what is going on now. Let me read for my colleagues a provision, and I, as a lawyer, have never read this in the law, anything that is drafted such as this. It says:

The Treasury shall continue the investment policy that he has followed since the debt-ceiling crisis began in November of 1995 by continuing to invest Social Security receipts in the Social Security trust fund following his normal procedures.

Now can my colleagues imagine trying to unravel that 15–20 years from now, about going back and seeing what one Secretary of the Treasury was doing. It personalizes the existing Treasurer into law. I have never seen that happen before.

Then I would say particularly to my friends from Maryland and from Virginia this is something they should look at very, very cautiously. We have continued to see, and these particular Members, as well as the Delegate from the District of Columbia, come to this floor and protect Federal employees. Federal employees should be offended by this motion to recommit because it simply says that the Federal retirement fund now becomes a piggy bank that the Treasurer can dip into as he sees fit.

Do not take my word for it. Read page 2 of the bill which says the civil service retirement fund, and it just goes a very short paragraph, and there is no way that these Members, or any of us that are concerned about Federal retirees, that we could possibly vote for this motion to recommit.

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

Mr. BACHUS. I thank the gentleman from Florida for yielding.

Mr. Speaker, this motion to recommit ought to take our colleagues' breath away. It is an incredible proposal. First of all, it attacks Social Security. While claiming to protect Social Security, it, in fact, condones the status quo which threatens Social Security.

Every day in America, Mr. Speaker, we pay Social Security, and it comes to the Treasury, not to the Social Security fund, and then the Secretary fund,

and then the Secretary of the Treasury forwards it on. He could conceivably keep it overnight, and then invest it in the Social Security fund. What if he is up against the cap? Could he keep it a few days or a week? Could he keep it a month to pay beneficiaries and not invest it? Could he underinvest it? In the 1980's the Secretary of the Treasury actually disinvested funds in the Social Security account, and he can legally do so again. This motion to recommit does not address those vulnerabilities.

Mr. Speaker, we are right now relying on President Clinton saying, ''I'm not going to disinvest or underinvest the Social Security fund. Trust me.'' Secretary Rubin says the same thing. Yesterday, before our committee he said in effect, ''You can count on the President. He's given you his word. He won't mess with the Social Security fund.'' In other words, ''You can trust the President. We won't go after Social Security.''

What do all these promises tell us? It tells us that we are relying on just that: promises. ''Trust me.'' We don't need to rely on promises. The American people don't need to rely on political promises to protect Social Security. Instead what we need is legislation which says, ''No, it is a trust fund. It ought to go into the fund, and it ought to stay in the fund, and the fund should be fully invested.'' That's what we need. Not promises and assurances but a legal requirement and that's what this legislation gives us. On the other hand, this motion to recommit gives us no legal safeguard, only assurance that the President and the secretary's current policies and promises to protect Social Security will be continued.

I cannot believe that my colleagues would present this motion to recommit as an attempt to protect Social Security, and ask that this legislation be recommitted to protect Social Security. What is even more astonishing is what they have actually put in writing in this motion to recommit. They actually have written in words in this motion to recommit that they are going to allow the Secretary of Treasury to continue his current policies. Policies which have led him to disinvest more than $39 billion of the Civil Service Retirement Fund. Policies which have allowed him not to reinvest the entire $21.5 billion voluntary pension fund. Policies which Wall Street Journal yesterday reported will allow him—and he actually proposes to—delay the payment of $14.5 billion in interest due the Civil Service Retirement Fund. Polices have allowed and will allow the Secretary of Treasury to substitute IOU's for interest-bearing treasury securities. That is incredible. Not only that, this motion to recommit actually puts the stamp of approval on all these activities. It says that the Secretary of Treasury can continue to use Civil Service Retirement funds to pay the obligations of government. It is right here in the motion to recommit. The motion actually has the courage to say that.

By inference, this motion to recommit says something else. While claiming to protect Social Security, not doing so, it also says in effect, that with the other trust funds. We are going at them full-speed. We are going to let the Secretary of Treasury ''have at them'' with no protection whatsoever for the other trust funds. We are going to let him continue to take money out of the Civil Service trust funds and substitute IOU's.

No protection for the other trust funds. Have at them, As for the Wall Street Journal article saying he is not going to pay interest due to the Civil Service Retirement fund at year-end, this motion to recommit says, ''Fine. That's okay. We are going to continue to let you keep not paying interest.'' I've heard reports that the Treasury has looked at the Postal fund as a source of addressing the debt ceiling. This motion to recommit says, ''Have at the Postal fund.'' How about the Bank Insurance fund? Are they looking at that fund? Little old ladies CD's down at the bank. They think they are federally insured. They trust there is a federal insurance backed up by a trust fund that will make any losses good. What do we say about the Bank Insurance fund if Treasury decides to go after it? This motion to recommit says, ''Go to it. Have at it.''

Mr. Speaker, this legislation says a trust fund is just that. The people that deposit their money in the fund trust you not to take it out. They make payments to that fund and they trust you to put it in. That's the ''trust.'' Second, it is a fund, not an IOU. A trust fund. This motion to recommit says this about the trust fund, ''No trust and no funds.'' And for all this underinvestment, raids, IOU's, accounting entries and gimmicks, keep on keeping on. This motion to recommit puts a big seal of approval on all this chicanery. Vote against this motion to recommit and for the underlying legislation. Vote for trust funds which have both trust and funds.

Mr. SHAW. Mr. Speaker, in closing I would say to all of my colleagues on both sides of the aisle let us not delegate our authority given to us by the Constitution to this administration or to future administrations. Vote no on the motion to recommit and yes on the bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, 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 question of passage.

The vote was taken by electronic device, and there were—yeas 190, nays 229, not voting 13, as follows:

[Roll No. 861]

YEAS—190

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—229

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss

Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—13

Boucher
Emerson
Hansen
Harman
McInnis
McKinney
Mfume
Owens
Ros-Lehtinen
Spence
Tucker
Waldholtz
Wilson

☐ 1329

Messrs. MANZULLO, CHRISTENSEN, and ROEMER changed their vote from ''yea'' to ''nay.''

Messrs. KLECZKA, VENTO, HALL of Texas, and LAFALCE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on passage of the bill.

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

RECORDED VOTE

Mr. GIBBONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 235, noes 103, answered ''present'' 77, not voting 17, as follows:

[Roll No. 862]

AYES—235

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—103

Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Brewster
Browder
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clement
Costello
Cramer
Danner
DeLauro
Deutsch
Dicks
Dingell
Dooley
Doyle
Durbin
Edwards
Eshoo
Ford
Frost
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Hall (OH)
Hamilton
Hefner
Hoyer
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Levin
Lincoln
Lowey
Luther
Maloney
Manton
Markey
Mascara
McCarthy
McHale
McNulty
Meehan
Minge
Mollohan
Moran
Murtha
Nadler
Neal
Obey
Olver
Orton
Pallone
Payne (VA)
Peterson (FL)
Pickett
Pomeroy
Poshard
Rahall
Reed
Rivers
Rose
Roukema
Sabo
Sawyer
Schumer
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stenholm
Studds
Stupak
Tanner
Thornton
Thurman
Torricelli
Vento
Visclosky
Volkmer
Wyden

ANSWERED ''PRESENT''—77

Abercrombie
Becerra
Bishop
Brown (CA)
Brown (FL)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
de la Garza
DeFazio
Dellums
Dixon
Engel
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Furse
Green
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Kennedy (RI)
Lantos
Lewis (GA)
Lofgren
Martinez
Matsui
McDermott
Meek
Menendez
Miller (CA)
Mink
Moakley
Ortiz
Owens
Pastor
Payne (NJ)
Pelosi
Rangel
Richardson
Roybal-Allard
Rush
Sanders
Schroeder
Scott
Serrano
Stark
Stokes
Tejeda
Thompson
Torres
Towns
Velazquez
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wynn
Yates

NOT VOTING—17

Boucher
Emerson
English
Fazio
Hansen
Harman
Lewis (CA)
Lipinski
McInnis
McKinney
Mfume
Oberstar
Ros-Lehtinen
Thomas
Tucker
Waldholtz
Wilson

☐ 1339

The Clerk announced the following pair: On this vote:

Mr. McInnis for, with Ms. Harman against.

Mr. FARR and Mr. COYNE changed their vote from ''no'' to ''present.''

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ENGLISH of Pennsylvania. Mr. Speaker, on rollcall No. 862, final passage of H.R. 2621, I was unavoidably detained. Had I been present, I would have voted ''aye.''

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks regarding H.R. 2621, which has just passed this House.

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

There was no objection.

SWEARING IN OF THE HONORABLE JESSE L. JACKSON, JR., OF ILLINOIS AS A MEMBER OF THE HOUSE

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the gentleman from the State of Illinois, Mr. Jesse L. Jackson, Jr., be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

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

There was no objection.

The SPEAKER. Will the Members of the Illinois delegation please escort the member-elect to the rostrum.

Mr. YATES. Mr. Speaker, as dean of the Illinois delegation, it is my honor, my very high honor and high privilege, to present to the Speaker and to the House of Representatives a newly elected Congressman from the State of Illinois. He has taken the seat that was previously held by Mr. Mel Reynolds.

The gentleman is eminently qualified to enter upon this position, Mr. Speaker. He holds a degree as a Baptist minister. He holds a degree as a practicing lawyer. He holds a degree as a Master of Business Administration. He has spoken the length and breadth of the country in public addresses. He has engaged in all kinds of political activities, which is to be expected when one realize the family which is his.

I know that the people of Chicago, the people of his district, are very proud to have him as their new Member of Congress from the city, and it is with that that I present him to you for swearing in, Mr. Speaker.

The SPEAKER. Let me say to my friend from Illinois that I know the father well and look forward very much to getting to know the son. We are delighted, I think all of us, to have you here.

Mr. JACKSON of Illinois appeared at the bar of the House and took the oath of office, as follows:

> Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God?

The SPEAKER. Congratulations, you are now a Member of the Congress of the United States.

I TOO HAVE A DREAM

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

Mr. JACKSON of Illinois. Mr. Speaker and distinguished Members of the House, I am honored to be a servant of this body.

I want to thank God, who has called our family to public service and blessed me with the ability and the will to serve. It is faith in God and the strength of my family that made this exalted position of service possible. The Rainbow Coalition gave me the opportunity to serve and grow. We must expand the Rainbow Spirit across the land. We must let a new generation arise. I want to thank and acknowledge my family—my wife Sandi, my parents, Rev. and Mrs. Jesse Jackson, my sister Santita, my brother Jonathan and his wife Marilyn, Yusef, and little Jackie, Grandma and Grandpa Brown, my grandmother Matilda Burns and Helen Jackson, who could not be present.

My ambition and my focus is clear. I want to do God's will, and I believe it to be His will that we lift the lot of suffering humanity. Where there are walls that divide, we must build bridges and bring peace to a war torn world, whether Bosnia or Nigeria.

I want to honor the citizens of the Second Congressional District of Illinois who entrusted me to represent them, to make the best case possible to improve the quality of life for all of them. For those who voted for me, and those who did not, for those who were too young to vote, and for those who've given up on the vote, because they no longer dream or believe, that change will come.

I promised the seniors of my district that I would fight to save their Medicare, and the youth of my district to save their scholarships. I promised to fight for affordable housing, to uplife the conditions of people in Altgeld Gardens, Ginger Ridge, Ford Heights, and the many communities across my district, where living conditions have not changed in two generations. They are not lazy, or welfare kings or queens, they want to work, but they need the opportunity to work.

Last, I want to be a public servant who is mostly known as a freedom fighter of character in the best tradition of Jesus The Christ, Martin Luther King, Jr., Nelson Mandela and my dad, Jesse Jackson, Sr. Our character is measured by how we treat the least of these. I will fight with all of my might for a public policy that will wipe out malnutrition and save the malnourished. A public policy of full employment, healthcare, housing, and an education safety net for all of the American people. I want to defend the defenseless. I want them to dream again and stop recycling nightmares. We must choose schools instead of jails for our future. Let the children dream. Let the seniors dream again. Let them hope. Let them believe. Revive their spirits. Let all of us hope.

I look forward to learning from you and to working with you. Together, we must make the American Dream possible for all of America's people. Thank you.

[The following portion was delivered in both English and Spanish.]

Mr. Speaker, in the time I have left, I would like to say that I share a dream, and I called it ''I Too Have a Dream:''

That the southside will look like the northside.

That Rainbow Beach will look like North Avenue Beach.

That the Dusable Museum will be funded like the Field Museum.

That southside and suburban children will receive funding like the northside for parks, zoos, restaurants and piers with ferris wheels.

That equal funding for education will be a reality in this generation.

That more county money will be used for preschool and afternoon school programs than incarceration programs.

It is my hope that I can look forward to working with Members of Congress, and working with each and every one of you. Together, we must make the American dream possible for all of Americans, for America's people.

Thank you, and God bless you all.

□ 1345

DEMOCRATIC CAUCUS WELCOMES JESSE JACKSON, JR.

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

Mr. GEPHARDT. Mr. Speaker, I rise this morning on behalf of the entire Democratic Caucus to welcome the newest Member of the United States House of Representatives, JESSE JACKSON, Jr., our colleague from the Second Congressional District of Illinois. At 30 years old, Mr. JACKSON will be one of the youngest Members of the 104th Congress. But what he lacks in age, he more than makes up in commitment to justice and opportunity for the people of Illinois, Chicago, and all Americans.

As field director for the National Rainbow Coalition, he has been on the front lines to fight for economic opportunity in America's cities and basic equality and justice everywhere. When he ran for Congress this year, he pledged to dedicate himself to the kind of issues that are at the heart of the Democratic Party and America. Protecting Medicare and Medicaid, raising the minimum wage, creating jobs, and fighting to heal the divisions that too often exist among races and between genders in our country.

I am proud to serve with JESSE JACKSON, Jr., and I know that he will do remarkable things for the people of his district, bringing all of the energy, enthusiasm, and dedication to bear on the problems we face.

So I say to the gentleman from Illinois, welcome to the people's House, and we all look forward to working with you as we together do the people's business.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1530, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. SOLOMON, from the Committee on rules, submitted a privileged report (Rept. No. 104–407) on the resolution (H. Res. 307) waiving points of order against the conference report to accompany the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WELCOME TO JESSE JACKSON, JR.

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

Mrs. COLLINS of Illinois. Mr. Speaker, I have known our new colleague for a very long period of time and have worked with his parents for an extremely long period of time. I have watched him grow up in a very disciplined, loving household, one that has been in the forefront of all of the issues. I have particularly watched him grow up in an environment where his very loving family has been one that has been led by a freedom fighter, his father, the Rev. Jesse Jackson, and who has been under the very loving care of his mother, Mrs. Jacqueline Jackson.

Clearly here is a young man who grew up sort of in the eye of a storm of liberation and a storm of good will that was trying to be brought for our country, and yet here is a young man who is an example of what can happen to young people.

Here is a young man who has never had a problem with drugs, a young man who has never had a problem with the law, a young man who has developed into a fine human being, one who has a great education, one who has been a person who wanted to learn and to grow. He epitomizes what America can do and what those of us who are concerned about the well-being of our young people can hope to expect.

Let me say this. It has already been discussed that he has a number of degrees, a Bachelor's degree from North Carolina A&T University. He has a Master's from the Chicago Theological Seminary. He has a law degree from the University of Illinois. Believe me, he got a mandate from the Second Congressional District of Illinois, and has won two elections in 2 weeks, and we salute him.

JACKSON USHERS IN NEW ERA OF LEADERSHIP

(Ms. WATERS asked and was given permission to address the House for 1 minute.)

Ms. WATERS. Mr. Speaker, I proudly stand and join with my colleagues in welcoming the newest Member to this House, JESSE JACKSON, Jr. I feel as if he, too, is my child. I feel as if he is my son. I feel that way because I guess I have known him, I have watched him grow up. I have worked very closely with his father and his mother. They are my friends.

When he first indicated that he would be running for this seat, I did everything that I could to encourage him, and I would like to thank all of my colleagues in this House who joined with us in a tremendous effort to raise money and to work in the district to ensure that JESSE JACKSON, Jr., could be with us being sworn in today.

I am so proud of him, because he represents everything that we want our children to be. I am so proud of him, because oftentime there are these negative images of young African-American men portrayed in the media. However, there are many young JESSE JACKSON, Jr.'s out there. A lot of people do not know about them. They do not understand that there are children who have come from nurturing families, with the kind of support that could lead them here to this House and to other things if but given the opportunity and the chance to do that.

And so JESSE JACKSON, Jr., stands here today as a symbol to all of those young people out there who believe that they can do it, that there can be support for them realizing their dreams.

I am proud that he is here. I look forward to the leadership that he is going to provide, not only in this House but throughout this Nation.

Let me just say this to my colleagues. JESSE JACKSON, Jr., will usher in a new generation of leadership in this country to deal with the problems that confront us all. So I want you to look at him today and look at him in a new and different way. I want you to understand what he symbolizes and what he is going to mean, not only to this House but to all of America.

I welcome you, JESSE JACKSON, Jr. I look forward to working with you, and let the message go forward to the young people out there, that they have got someone now who is going to reach out to them, bring them into these new possibilities and show America the way in which it should be going.

WELCOME TO JESSE JACKSON, JR.

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

Mr. FIELDS of Louisiana. Mr. Speaker, I rise to welcome to the House our newest Member and my long-time friend JESSE JACKSON, Jr. I first met JESSE during his father's 1984 presidential campaign. During that time JESSE and I had the opportunity to register people to vote together, rally together, encourage young people to stay in school together, and we always had the dream to serve in this House, the United States House of Representatives, together.

I will never forget the many trips we made to Washington as young college students, and we would pass the House, the Capitol, the United States Capitol, and look at each other and say, one day we will serve in the House of Representatives together and shape national public policy.

I recall the great words of Benjamin Mays when he said, ''The calamity of life is not failing to reach your dream. The calamity of life is having no dreams to reach for.''

JESSE JACKSON, Jr., is not only a dreamer but one who works night and day to accomplish his dreams. The people of the Second Congressional District of Chicago and young people all across this Nation should be very proud to have such a great public servant like my friend and now my new colleague JESSE JACKSON, Jr.

I welcome you, my friend, and together we will keep hope alive.

A GREAT DAY

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

Mr. RUSH. Mr. Speaker, I am very, very proud today. Today is indeed a great day for myself, for the people in the city of Chicago, the people of the Second Congressional District. Today is a day that is great for all of America.

□ 1400

We must take pause today, Mr. Speaker, to understand all that has gone on in regards to JESSE JACKSON, Jr., being sworn in as a Member of Congress. I am absolutely so proud, and I am so appreciative of the work of the Jackson family.

You see, Mr. Speaker, about 25–26 years ago I had to call upon Jesse Jackson, Sr. to save my very life. I called him when I was on the run, when police officers were out to kill me. Jesse Jackson did not hesitate to come to my assistance and to come to my aid.

I have seen JESSE JACKSON, Jr., from a toddler up until an adult, and I cannot think of any more qualities that God could have invested in a single individual than what he invested in JESSE JACKSON, Jr.

Mr. Speaker, this young man, as you saw a brief indication of today, has traveled the world, has been in the company of great individuals, individuals at the top of national governments, individuals who are, indeed, movers and shakers and history makers throughout the world. But the quality, the resounding quality that keeps coming forward in terms of JESSE JACKSON, Jr., is not arrogance, is not a higher-than-thou or greater-than-thou or holier-than-thou. The common characteristic that comes through in terms of JESSE JACKSON, Jr., is humility and

humbleness and willingness to work in behalf of those individuals in this society who have no one to fight and to work for them. He is, indeed, a great person already at the age of 30, a remarkable man, a history maker.

Simply because of the fact that he can walk with kings and yet and still he can also be very comfortable to walk and lead and participate and fight for the common man, Mr. Speaker, this House of Representatives will not be the same because we have a humble individual, an individual who knows greatness and knows that greatness evolves as a direct byproduct of working on behalf of common people.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. I ask for this time to inquire of the distinguished majority leader about the schedule for today, tomorrow, the weekend, and next week.

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I would like to preface my comments by adding my congratulations to those that have gone before me to the gentleman from Illinois. It is always a great thrill to be sworn in for the first time and to have your family here for the event.

Mr. Speaker, there will be no more legislative business today. I would like to take this opportunity to discuss the upcoming schedule for the remainder of the week.

Tomorrow, we plan to take up the conference report for H.R. 1530, the Department of Defense Authorization Act. There is also the possibility that the appropriations conference report for the District of Columbia will be ready for consideration tomorrow. We should know more about that possibly later today and will, of course, keep Members advised.

As Members know, it has been 25 days since the House passed our last CR. For over 3 weeks now we have been waiting for the President to become engaged in substantive discussions and present his alternative plan to reach a balanced budget in 7 years. Mr. Speaker, we are still waiting. We are eager to examine his alternative and to commence serious negotiations with the President at the table.

Mr. Speaker, if the President decides to get serious about these balanced budget negotiations, there may be a possibility of a short-term continuing resolution for the weekend. Obviously, we will know more about that this afternoon after negotiations with the administration today and tomorrow.

Mr. Speaker, I should note that I will be happy to engage in further discussions tomorrow regarding details of the schedule for next week.

I thank the gentleman for yielding.

Mr. BONIOR. I just say to my friend, the gentleman from Texas, I thank him for his patience in order for us to have this colloquy. I appreciate his patience, and I would also like to yield now to my friend, the gentlewoman from California [Ms. LOFGREN], who I think has a concern about the weekend.

Ms. LOFGREN. If I may inquire, I am a freshman Member of this body, and so perhaps this is the way things normally go, and I am certainly not opposed to working hard. But I, as do many parents in the Congress, have a little boy who believes in Santa Claus. I am wondering when I will get to take him to visit Santa Claus, and further, when all of the wonderful things that Santa Claus is going to bring him will actually arrive.

He did point out to me the other day that we did not work last Friday and we did not work this Monday, and we did not start working until late on Tuesday, and now it is 2 o'clock and we are knocking it off for the day.

My question is: Are we going to be working on Saturday to finish the appropriations bills not yet done? If not, why are we leaving now so that myself and the other parents might actually get their children to visit Santa Claus?

Mr. ARMEY. If the gentleman will yield further, let me just thank the gentlewoman for her observations.

It is a difficult time for all of us. I am amazed at how many Members have children and grandchildren that are dancing in the Nutcracker Suite this weekend all across this Nation, and it is a matter of enormous consequence to all of these families.

My governing principle, Mr. Speaker, is to schedule work when it is ready, to move it as quickly as we can. We had had other work scheduled for today. Unfortunately, the bill that might have been under consideration at this time was withdrawn for reasons that are of the committee's concerns.

The defense appropriations bill is obviously something we must move tomorrow, and can do so. If we have no work, that is, work that must be done on Saturday or Sunday, and I am sure the gentlewoman would agree with me, that should we approach an opportunity to complete the budget on Saturday or Sunday, I am sure she, as well as all the rest of the Members, would more prefer to stay here and do that and finish out the year.

But short of that work on the weekend, especially if it appears that we will be here working next week, it would be my intention, under whatever parliamentary arrangements are possible, for us to have no work on the floor on Saturday and Sunday, so that those Members who are not otherwise engaged, perhaps in a conference or perhaps in the budget negotiations, could indeed grab a couple of days with their families before we come back and commence work on Monday.

I wish I could be more specific and give Members a definitive answer right now. But I think I owe it to all of us to be certain that I have, in fact, explored every possibility of having that definitive work before us before I close the door on Saturday and Sunday and encourage people.

So for now, I would suggest to the gentlewoman and to all of my colleagues, if you have plans to try to go home for the weekend, that is something that is, indeed, as these things are, very important to you and your family, do not cancel those plans. As soon as I can say something definitive, I will.

Mr. BONIOR. We thank the majority leader for his understanding and his reading of what he sees possible this weekend. We appreciate his concern.

Can the gentleman from Texas give us an indication, if we leave for this weekend or tomorrow, when we will resume on Monday next?

Mr. ARMEY. If the gentleman will yield further, of course, again, if it is possible, that is to say, unless I am otherwise compelled by compelling work, I would try to enable the Members to have Saturday, Sunday, and, say, Monday until 5 free from any votes on the floor.

Obviously, we all need this time. It is precious. And I would try to make it as extended a period of time as possible and would change from Monday at 5 only if compelled by some work that I thought would justify the inconvenience to the families.

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

Mr. BONIOR. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Speaker, as the leader knows, this has been a very difficult year on the schedule and its impact upon families, on both sides of the aisle. And as we enter the holidays, Mr. Leader, I would hope that we would have some indication as to how late we are going to be going into the schedule next week. It is a very difficult time to get plane reservations to fly back home to our home districts and see families and spend time with families at the holiday.

Do you have some kind of indication as to how long into the next week we will be proceeding on the budget?

Mr. ARMEY. Again, let me make the observation, we are in very difficult, very serious, and extremely important negotiations with heartfelt differences between the Congress and the White House, and while I am confident that everybody is trying to do their very, very best, and have my own hopes that the week could be shorter instead of longer, I simply could not with any degree of reliability give any intimation to the Members other than to advise you to be prepared to stay for a long, hard work week throughout all of next week, with the hope that perhaps we could reach some agreement that would allow me to come on this floor and enjoy your appreciation with my bringing of the good news, and I would hope that would happen.

Mr. ROEMER. As the leader knows, I want a balanced budget. I have been

working hard for the last 11 months to achieve one, and certainly if we see progress, which I hope we see more of in the ensuing days, we are willing to work hard next week to achieve that final outcome in a bipartisan manner.

But as the leader knows, we also, if he could indicate to us, if that is going to be December 24 or 23, that is helpful for us as we make plans. It is also helpful for us in many ways as we try to plan out our work schedule and our family schedules.

Mr. ARMEY. If the gentleman will yield further, I appreciate the point the gentleman makes.

If I may, Mr. Speaker, what I see and what we see expressed here, we have 435 people here that share a commitment to their families and a commitment to the Nation through their work here, and we are all caught in a period of dire consequences and serious stress, trying to find a way, as the gentleman from California [Mr. DELLUMS] said so eloquently a few years back, to get home and love our children, and I can only say that insofar as I can do anything to accommodate the Members and their families while also accommodating to their sincere desire to complete the year's work in a responsible fashion, I will make that effort, and I will try to keep the Members as advised and as current as I can possibly do with any certainty at any time.

Mr. BONIOR. I thank the gentleman for that, Mr. Leader. I just have one final question.

Two days ago the Committee on Standards of Official Conduct conducted a rule change concerning the book royalty issue. It is a long-overdue reform. It was unanimously approved by the committee. The chairwoman has clearly indicated that the bill would be considered before the end of this session.

We are concerned by press reports we saw in the paper this morning indicating that the leadership on your side of the aisle may be blocking the committee's unanimous recommendation, and I guess my question to you this afternoon is will the Committee on Standards of Official Conduct recommendation for immediate action be honored by the Republican leadership? And can we see this bill within the next week?

Mr. ARMEY. I thank the gentleman for your inquiry.

As the gentleman knows, a bill has been drafted and has been submitted, assigned to the Committee on Rules. The Committee on Rules has the bill under consideration, and I cannot tell you with any degree of certainty what will be the dispatch of that bill by the committee, but I am confident that the Committee on Rules will act on this bill in full regard to its own fine traditions as a committee and the kind of consideration that such legislation takes, and I have to tell you I have had only a very, very brief discussion with the chairman of the Committee on Rules and a discussion in which he has assured me that the bill would get all the serious consideration in the due course of time that is appropriate within the traditions of this fine committee.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. So I guess the other question is, though, when will this be acted on? Because the hope had been, by this unanimous decision of the Committee on Standards of Official Conduct to move on this, that it would be done before we went home. And since we have all of this extra time and the budget has not been solved, is there anything blocking this from coming up right now?

Mr. ARMEY. If the gentleman will yield further, I will just say to the gentlewoman, the bill is in the committee of jurisdiction. The committee of jurisdiction has the jurisdiction. It is not at all unusual, I dare say, every individual Member who drops a bill in the hopper does so with the sincere hope that it will be acted on immediately. That rarely is the case, and there are procedures known best to the committee, and I do not think it is appropriate for me as a Member or as the majority leader to second-guess how a committee will exercise its jurisdiction.

I think we have committees, and each committee has its own manner of operating, and I do not think that it would be appropriate for me to speculate on the manner in which this committee nor any other committee would dispense with a bill.

□ 1415

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. INGLIS of South Carolina).

Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

WEI JINGSHENG'S SENTENCE

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

Mr. COX of California. Mr. Speaker, yesterday the People's Republic of China imposed a harsh new prison sentence on its most prominent human rights campaigner, Wei Jingsheng. Today the New York Times in translation has presented us with the reasons that the People's Republic of China has meted out this draconian sentence against its leading human rights activist. The charge, according to the People's Republic of China, was overthrowing the government, overthrowing the government, and what did this man who is nominated by many in this body for the Nobel Peace Prize do to cause the People's Republic of China to charge him, and convict him, and sentence him for overthrowing the government? Let me read from the Chinese Government statement about the conviction, quote:

> The court's investigation showed that Wei, in attempting to overthrow the government, developed a plan of action which included establishing an organization to raise funds to support democratic movement activities.

Well, that is true enough. Wei Jingsheng has long been an advocate for democracy in the People's Republic of China. He was a leader in the democracy wall movement which took its name from the wall near the city where democratic activists hung their pro-freedom manifestos. He served over 14 years in prison labor camps in China where, according to reliable reports, he was beaten and tortured. Now having been out of prison for only a few months, Mr. Speaker, he was charged and convicted again for promoting democracy.

Let me read further from the government's statement:

> He is responsible for purchasing newspapers, setting up a company in charge of organizing cultural activities.

All of these things got him a prison sentence, keep in mind, colleagues: Organizing nongovernmental painting exhibitions, performances, and publications.

Wei Jingsheng worked actively to implement the above plans, quoted the Chinese Government. He bought 12½ percent of the shares of an urban credit cooperative in Beijing to start setting up a democracy movement bank, and he wrote and set an introduction to projects for assistance to people in charge of an overseas organization and asked for hundreds of thousands of U.S. dollars to fund his activities. He also registered a company in Hong Kong and used the name of the company to prepare art exhibitions in Beijing so as to recruit people in organizations that would be sympathetic to him. Wei Jingsheng also secretly connected some people both in China and abroad to study struggle strategies, conspiring to unite the illegal organizations in China, by which they mean the illegal pro-democracy organizations in China, and act when the right moment comes. He also used illegal means—now I am again quoting from the People's Republic of China official statement of yesterday:

> "* * * and published a series of articles overseas to slander and attack the Chinese Government, the leadership of the Chinese Communist Party and the Socialist system, and to advocate the independence of Tibet, something that another Nobel laureate, another Nobel Peace Prize winner, is guilty of. He and the enemy forces overseas, among which we may number ourselves in this body, echo

each other and try to create publicity. Certainly that is worthy of a prison sentence, to overthrow the people's democratic dictatorship, sabotage the Socialist system, and separate the country.

Wei Jingsheng will be in jail for another 14 years, and the response from the Clinton administration has been deafening. One of our Democratic colleagues said yesterday, ''I think the administration policy is a dismal failure in every respect, and I think the sentence is a slap in the face.'' The New York Times notes today that the Clinton administration, while criticizing China, stopped conspicuously short of threatening specific retaliatory action.

Mr. Speaker, even our Assistant Secretary of State for Human Rights said only, ''We urge the Chinese authorities to show clemency.'' Clemency, colleagues, is due someone who is guilty. Wei Jingsheng is innocent, he is an innocent man wrongly charged, and this body, Democrats and Republicans alike, should band together in his support.

TREATING OUR FELLOW MEMBERS WITH RESPECT

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

Mr. ROEMER. Mr. Speaker, I rise today to talk very briefly about something that is concerning me very deeply, especially in light of some of the debate or lack of debate that took place in this Chamber last night on the Bosnian question.

President Bush referred to a growing mood on Capitol Hill as a climate of ugliness, and President Thomas Jefferson talked about, when he wrote the manual that we all read as new Members of Congress and try to refresh our memories about the rules of civility and comity in this body; we all read Thomas Jefferson's words, and he stated, and I quote:

> It is very material that order, decency and regularity be preserved in a dignified public body.

Mr. Speaker, I think that as the debate spirals downward at times and people resort to the temptation of name-calling, and finger-pointing, and fisticuffs rather than camaraderie, and civility, and community, that we not only hurt bipartisanship in this body now and in the future, but I think we tear at the fabric of what Americans deeply respect about this institution and what they want us to do today, and that is to work together to solve some of our problems in a bipartisan way on the budget, on making Congress work more efficiently and effectively, of downsizing Government, particularly committees and subcommittees here in this body, and that we can do it in a civil manner, being civil to one another.

My very first vote, Mr. Speaker, 4½ years ago as a new Member of Congress was on the Persian Gulf, and I was inducted into this body with such a deep sense of awe and respect not because George Washington's picture is in this body, not because In God We Trust is above the flag here in this Chamber, but because Members treat each other with respect, and although we had disagreement on the timing of going to war, everybody respected the differences in opinion, and everybody was a patriot.

Last night's debate did not include that kind of respect, and I want to conclude, Mr. Speaker, on a quote from Speaker Joe Cannon who once said:

> It is true we engage in fierce combat, we are often intense partisans, sometimes we are unfair, not infrequently unjust, brutal at times, and yet I venture to say, taken as a whole the House is sound at heart. Nowhere else will you find such a ready appreciation of merit and character. In few gatherings in equal size is there so little jealousy and envy.

I think the first part of that statement is very true, Mr. Speaker. We do have fierce partisanship at times, but we should always have the nature and character of civility which is reflected in our rules come to the foremost, be held at the highest respect and esteem for all Members, and that we continue to work in a bipartisan way for what is best for the American people.

□ 1415

FUNDING AMERICA'S DEFENSE PROGRAM

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

Mr. CUNNINGHAM. Mr. Speaker, I would like to associate myself with the remarks of my friend, the gentleman from Indiana [Mr. ROEMER]. I think he was right on the ball. I do not necessarily agree with the strategy or the tactics used by the House, and I probably would have supported the amendment offered by the gentleman from Indiana [Mr. HAMILTON] if it had—I did not fight to get that unanimous consent removed.

As I stated in my opening remarks last night, I thought all the Members across the board had good intentions in this thing. I would support that. I would also tell my friend that quite often when we sit on this side of the aisle, we feel that there is a lot of misinformation on Medicare, that there are no cuts and different things, and a different way to get to education, and it is difficult to come to those terms sometimes when you are getting slammed down on the ground all the time. I would work, and I know the gentleman does, and I know how he works, and I know that he himself would do that. The problem sometimes is with leadership. I would work with the gentleman.

Let me go to the issue that I want to talk about.

Mr. ROEMER. Mr. Speaker, if the gentleman will yield, I would say, as classmates and people who serve on the Committee on Economic and Educational Opportunities, you and I do work in a bipartisan way on many occasions, and I have a great amount of respect for you. When we had the Persian Gulf debate, and as a former war hero, you have added a great deal to the debate we have had on military matters.

I just have a deep, deep regret and a heavy heart when we have the kind of lack of civility that took place in the body last night on a unanimous-consent motion, on a resolution supporting not the mission—with which I disagree—in Bosnia, but the confidence in our troops and the support for our troops, which I wholly agree with. I would hope that we could have agreed to that unanimous consent last night.

Mr. CUNNINGHAM. I thank the gentleman.

Mr. Speaker, what I want to talk about a little today, and I do not have time to do it fully, and it is not on a partisan issue, is that many of us voted last night on our consciences, and feeling that we were doing the best thing for our troops overseas. My concern, as I stated, is not the votes last night, Mr. Speaker. My concern is what comes in the future, that we hear people say they want to support the troops, they want to make sure that they do not come back in body bags; that they come back.

There are legitimate issues on how much we should spend for defense and how much not. But remember when the President ran in his campaign, he said a $50 billion defense cut would put us into a hollow force, and then in his first tax bill would put us at a $177 billion defense deficit, would decrease defense.

Because of some of the different environments we go to in the world, with Haiti and Somalia, the different areas, and I am not going to go through the negative of those, but it has put us even further below what the requirements of defense are. GAO has said we are $200 billion below the bottoms-up review. The bottoms-up review was, remember, drafted by then-Secretary Les Aspin and the President to see what our needs would be to be able to fight two conflicts, and the minimum we would need to be able to do that. When you are $200 billion below that, then it tells you that you need to put some more dollars into national security for this country.

Some people on the debate tomorrow will say that there is more in this Defense authorization bill than the President asked for. This is true. But as I take a look, let me give you a couple of examples.

The F–15 Strike Eagle, the Air Force has not bought a single airplane in 3 years because of the budget. They are using the F–15 Strike Eagles in Bosnia today, out of Italy and other places. They are also using the F–16. The Navy

is using the F–18 CD, which is the latest model. The service life on those airplanes is coming due and there is no replacement for them.

In this budget that is coming up tomorrow, what we do is replace some of the life cycle in the aircraft that we have been using prior to that in Bosnia and Herzegovina. We take a look at something my friend has fought for, impact aid that we took out of the budget, and to be able to provide for that. He and I agreed we do not have as much as we would like in that.

I also look at Captain O'Grady. Captain O'Grady, when he was shot down over that portion of the world, told me personally, he said, ''DUKE, I did not have the training, the ACM time that we need,'' the air combat maneuvering.

I would ask my colleagues to take a look at what the needs are in defense. We need to support our kids. Support the bill tomorrow, and do what is right.

EXCHANGE OF SPECIAL ORDER TIME

Mr. DOGGETT. Mr. Speaker, I ask unanimous consent to substitute my name for that of the gentlewoman from the District of Columbia [Ms. NORTON] during special orders.

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

There was no objection.

THE HURRY-UP-AND-WAIT SCHEDULE OF CONGRESS, AND THE HANDLING OF ETHICS COMMITTEE ISSUES

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

Mr. DOGGETT. Mr. Speaker, those who saw the scheduling colloquy a few minutes ago absorbed another very peculiar development here in the House. You see, at 2 in the afternoon, at 3 o'clock perhaps, a little bit in the middle of the workday for most American families, the House quit for the day. We are now at a point in our debate where we can debate some of the issues, but the official proceedings, here in the middle of the workday the House concluded its proceedings.

This is at a time when we near a Government shutdown, two of the conference reports on appropriations bills have not even been presented to this House, and according to the scheduling colloquy, it appears that one of them, one of the two, is a possibility for tomorrow, on the shutdown day, and the other one we got no indication of whatsoever.

The even more peculiar thing about this hurry-up-and-wait schedule that exists here in the Congress was the portion of the scheduling colloquy that related to the subject of ethics. It was only about a week ago that not just any bill but a measure concerning a rule on book royalties was referred not by just a Democrat, or not just by a Republican, but by the unanimous vote of an equally divided committee, half Republicans and half Democrats, the House Ethics Committee asked for a unanimous rule, or asked for a rule unanimously, I might say, to be in effect by the end of this year concerning book royalties. It was sent over to the Committee on Rules.

Members will recall that they took this action in a letter dated December 6, upbraiding and reprimanding the Speaker, the gentleman from Georgia [Mr. GINGRICH] in regard to books and in regard to repeated ethical violations here in the House. After finding three clear violations of the rules of conduct of the House, they said in addition, with regard to the book ''To Renew America,'' the one published through Mr. Murdoch's company, they said that

> Concerning the publication of your book ''To Renew America,'' while the amount involved greatly exceeds the financial bounds of any book contract contemplated at the time the current rules were drafted, the committee strongly questions the appropriateness of what could be described as an attempt by you to capitalize on your office with reference to this book.

They go on to say that, at a minimum, what the Speaker has done creates the impression, and this is their words, this bipartisan committee, ''* * * of exploiting one's office for personal gain.'' They say the conduct was basically at such a level that to be sure no other Member of this House ever does this again, we need a rule on the books, the same kind of rule that would have been on the books had there been any real commitment to true ethical reform in this House on the first day back on January 4, 1995, because that is when it could have been adopted and when it should have been adopted.

But even after waiting almost a year, they say unanimously on a bipartisan basis, ''Such a perception'' regarding this book, and again I quote them, ''is especially troubling when it pertains to the office of the Speaker of the House, a constitutional office regarding the highest standards of ethical conduct, and so the committee has drafted an amendment to the House rules to treat income from book royalties as part of outside earned income subject to the annual limit of House rule 47. The committee will propose this resolution to take effect January 1, 1996.''

Mr. Speaker, when asked about that today, the majority leader said, ''I will not prejudge the committee process. Anybody can go file a bill. Maybe the Committee on Rules will get to it and maybe it will not.'' He knows full well from reading the morning papers that the chairman of the Committee on Rules has said, and I quote, that he is ''unalterably opposed to even the concept that you would want to limit book royalties''; that is to say, unalterably opposed to doing what a unanimous Ethics Committee recommended because of the scandal associated with the Speaker's book contract with Rupert Murdoch. So apparently we are going to approach this week, we are going to approach next week, we are going to approach the end of 1995, and have no real ethics reform.

Let me make it clear, Mr. Speaker, this is not the result of the action of one chair of one committee. The Speaker could bring this rule change to the floor right now. It need not wait until the sun sets, if it ever does here in Washington today. No, indeed. We could be moving forward on the issue of ethics, but in this House, whether it is lobby reform or gift ban or campaign finance reform, the slogan seems to be ''Just say no or just say Newt.'' They seem to mean the same thing.

PERMISSION FOR COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO FILE REPORT ON H.R. 2661, DISTRICT OF COLUMBIA FISCAL PROTECTION ACT OF 1995

Mr. TIAHRT. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform and Oversight have until midnight tonight, Thursday, December 14, to file a report on the bill, H.R. 2661.

It is my understanding that this request has been cleared with the minority leader's office.

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

There was no objection.

THE MATERIAL GIRL OF THE CLINTON ADMINISTRATION: SECRETARY OF ENERGY O'LEARY

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

Mr. TIAHRT. Mr. Speaker, I am understanding that the House has ceased its activities here. However, the rest of Congress is working in their offices, answering constituent relations and working on active legislation. If the gentleman cares to take the afternoon off, it is fine with me, but the rest of the House is working.

That is not what I want to talk about. I want to talk about the Clinton administration's material girl. Secretary O'Leary has leased, at taxpayers' expense, for overseas travel the same luxury jet that Madonna uses. Now Clinton's material girl has been overseas 16 times in the last 3 years. She has been out of the country 50 percent more days than Secretary of State Warren Christopher. Secretary of State Warren Christopher's responsibilities include foreign policy and foreign relations. When he gets off an airplane overseas, when you see his face and him stepping off an airplane, he is doing his job. But the material girl, the Secretary of the Department of Energy, is responsible for civilian nuclear waste, Department of Defense stockpile and safety, Department of Defense nuclear waste, the national energy labs,

all inside the United States, power marketing administrations, strategic oil reserves, all of which are within the United States of America, but the material girl's overseas trips are also expensive. They are as high as $720,000 each. Several of these trips have expenses that are unaccounted for, some as high as $150,000. One of these trips, the same luxury jet that Madonna uses, Secretary O'Leary took 51 staffers and 68 guests. It cost the taxpayers $560,000. There is only about $70,000 that is currently unaccounted for.

That is why the gentleman from Ohio [Mr. HOKE] and myself have requested the Government Accounting Office to do an audit, so we hope it will be done early next year. I think it is time that we stop this misuse of taxpayers' money and account for the expenses that we cannot account for at this point.

Mr. Speaker, this excessiveness, this mismanagement, this extravagance, is just the tip of the iceberg. It started off with GAO report that highlighted problems about management at the Department of Energy. They lacked focus, they had an admission a minute.

Then there was Vice President GORE's National Performance Review, who said within the Department of Energy the environmental management group was 40 percent inefficient and it was going to cost taxpayers $70 billion over the next 30 years if something is not done. Then we found out there were 529 public relations employees at the Department of Energy, one personal media consultant for the Secretary of Energy herself; and then there was the private investigative firm, which she paid $56,500 to find out who the unfavorable were in the press and in Congress. I was number four on the list. Then there was her personal friend that she hired at $95,166 year plus $12,000 living expenses for the department conflict resolution officer.

We have a lot of redundancy in Government, and we need to eliminate that out of the Department of Energy too. Two-thirds of the budget comes through the Department of Defense. There is duplication of effort within the labs. There is the nationalized oil fields at Elk Hills, CA. We have private companies that extract oil from the earth. There are the Power Marketing Administrations that also are duplicative of the private sector.

That is why I am leading the task force to eliminate the Department of Energy as a Cabinet-level agency, to remove the waste, consolidate the duplication, transfer to the private sector that which they do best, and eliminate the parts of Government that are unnecessary. Each time the material girl, Secretary O'Leary's mismanagement comes to the press, this effort gains support. It highlights the fact that something must be done.

This process of verifying has uncovered something else, though, that is probably worse than anything you have heard so far. That is that the material girl has transferred from the Department of the Interior $500,000 to the government of India to prepare the Taj Mahal for her arrival. Five hundred thousand dollars. What is so upsetting to me about this is that I can only think of the deficit we are running this year. I can only think of the budget we are dealing with. To spend $500,000 to prepare the Taj Mahal for her arrival is taking away from our children's future. It is borrowed money that they are going to have to pay back. It is wrong. It is time to stop this wasteful spending.

Mr. Speaker, it is time to eliminate the Department of Energy as a Cabinet-level agency. The only way we can do that is to continue with this effort and this legislation. It is needed to balance the budget and it will stop the unnecessary spending.

□ 1445

SOCIAL POLICIES SHOULD REFLECT LATEST BIOMEDICAL KNOWLEDGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Ms. SLAUGHTER] is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Speaker, I rise today to announce the introduction of H.R. 2748, a bill to prevent the potentially devastating consequences of discrimination based on genetic information. I ask my colleagues to join us in support of this critical legislation. Currently 26 of our colleagues have cosponsored the legislation.

As Chair of the Women's Health Task Force of the Congressional Caucus on Women's Issues, I closely followed reports earlier this year that increased funding for breast cancer research had resulted in the discovery of the BRCA1 gene-link to breast cancer. While the obvious benefits of the discovery include potential lifesaving early detection and intervention, the inherent dangers of access to genetic information are just becoming evident.

There is increasing concern that individuals will be denied access to health care and that employers might screen employees to eliminate those who could cause a rise in group premiums. The following actual cases document the cause for concern:

A 24-year-old healthy and insured woman is asked to sign a lifetime waiver exempting her from breast cancer coverage because of familial tendencies.

An insured, previously healthy man suffered a heart attack. After DNA-based testing revealed a hereditary form of high cholesterol, his insurance company refused to pay the hospital bills or cover future treatment for cardiovascular disease.

As our knowledge and understanding of the biomedical genesis of human health and disease increases, our social policies and ethical responsibilities need to be adjusted accordingly.

H.R. 2748, the Genetic Information Nondiscrimination in Health Insurance Act of 1995 contains four major provisions. It prohibits insurance providers from: First, denying or canceling health insurance coverage; or, second, varying the premiums, terms and conditions of health insurance coverage on the basis of genetic information; third, requesting or requiring an individual to disclose genetic information; and fourth, disclosing genetic information without the prior written consent of the individual.

The bill is uniquely focused, comprehensive, timely and includes effective enforcement mechanisms. It is focused on the issues of insurance discrimination and privacy as they relate to genetic information. It comprehensively covers all types of insurance providers including self-funded and ERISA plans. It is timely in that it tackles insurance discrimination and privacy issues related to genetic information before they become epidemic. It provides both State and Federal measures to ensure effective enforcement.

Grave concern about these issues and enthusiastic support for the bill has come from the American Cancer Society, the National Breast Cancer Coalition, and the Council for Responsible Genetics. The National Action Plan on Breast Cancer, the NIH–DOE Working Group on Ethical, Legal and Social Implications of Human Genome Research and the National Advisory Council for Human Genome Research have joined together to address the issue of genetic discrimination and health insurance. Their work has resulted in development of four policy recommendations. Those recommendations provide the foundation for Federal legislation to prevent discrimination on the basis of genetic information. This bill encompasses those recommendations.

This bill, which addresses the profound questions about who will have access to genetic information and how this information will be used by others, is critically important to the health and well-being of this Nation's women, men and children and our future generations.

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

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

NO FUNDS FOR THE TREASURY

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

Mr. BENTSEN. Mr. Speaker, earlier today the House debated H.R. 2621, a bill which would, in my opinion, force a default of the U.S. Treasury on U.S. debt and forestall payment, not only of principal and interest on U.S. debt for

the first time in our history, but also forestall payments on Social Security, Federal and military pensions. In fact, this bill was advertised as one which would protect Social Security and Federal and military pensions, but in fact, the end result would be causing a default and leaving the Treasury with no funds whatsoever to pay those payments to the beneficiaries who have paid into those systems.

During the debate, I referred to a speech which Speaker NEWT GINGRICH made before the Public Securities Association on September 21, 1995, just earlier this year. In this speech is where the Speaker plainly and clearly advocated defaulting on U.S. debt in order to force the President and the Nation to accept his budget and no other budget.

My assertion was called into question by my colleague and friend from Michigan, and therefore, I submit for the RECORD and ask unanimous consent to include the following article from the New York Times as printed on September 22, 1995 entitled ''Gingrich Threatens U.S. Default if Clinton Won't Bend on Budget.''

Mr. Speaker, let me quote a couple of excerpts from this article. The article starts out:

> House Speaker Newt Gingrich threatened today to send the United States into default on its debt for the first time in the Nation's history to force the Clinton administration to balance the budget on Republican terms.

The article goes on to say:

> Clearly, part of Mr. Gingrich's autumn end-game strategy is to force the White House to accept much of this agenda, many parts of which President Clinton has vowed to veto, by holding an increase in the Federal debt limit hostage. Without an increase in the Federal debt, the government will be unable to meet many of the payments due in November for Social Security, military pay, and interest on the Federal Government's $4.9 trillion debt.
>
> Such confrontational techniques have been used in the past, but it has been highly unusual for a high government official or high government leader to suggest, as Mr. Gingrich did today, that default on government payments was not beyond the pale.

Let me quote directly from the Speaker. As we would say, the Speaker speaks. ''I don't care what the price is,'' he said in his speech. ''I don't care if we have no executive offices and no bonds for 60 days, not this time.''

What that means, Mr. Speaker, is if we had a default and we had no bonds and we were not able to roll over the debt, that would mean that the Government would run out of money, and what that would mean is when Social Security checks need to be sent out, the Government would not have any money and the Government would not be able to take the Treasury securities, which Social Security invested in, and reinvest those into the market to raise capital. So in effect we would be high and dry; and unfortunately, the millions and millions of Americans who have paid into Social Security and count on that money to come every month would be high and dry, too.

Mr. Speaker, quite frankly, it is appalling, I believe, for this House to play with a time bomb such as the U.S. creditworthiness. We have a triple-A rating, and yet we have this revolutionary new Congress which believes it would be revolutionary to hold the country hostage and throw the Nation into default, to do away with our triple-A rating, to raise interest rates for all Americans, and to withhold the Social Security checks, the Medicare checks, the military checks, the pension checks to Americans who deserve those because they paid into them.

Let me remind my fellow colleagues of the House of the last revolutionary movement which decided to not stand up and pay its debts. It was the Bolshevik movement after the Russian Revolution in 1917, which refused to honor the Czar's bonds because, they said, ''We have a new leadership here and we are not going to honor those.'' Even today, people throughout the world hold those bonds and they are worthless. Even today, the Soviet Union, having broken the bounds of communism, has trouble entering the markets because of what happened back in 1917.

We do not want that to happen to the United States we do not want to see what happens to the United States, what we debated earlier this year with respect to Mexico. We are the greatest nation on the face of the Earth. We are the leader of the free world. We are the strongest economy in the world.

The U.S. Treasury bond is the gold standard for the world. All other interest rates are tied off of it, and yet the Speaker threatens a default and threatens to destroy the creditworthiness of the United States.

Mr. Speaker, I submit the following article for the RECORD, that was the Speaker's position, and I hope he will renounce it.

[From the New York Times, Sept. 22, 1995]

GINGRICH THREATENS U.S. DEFAULT IF CLINTON WON'T BEND ON BUDGET

(By David E. Sanger)

WASHINGTON.—House Speaker Newt Gingrich threatened today to send the United States into default on its debt for the first time in the nation's history, to force the Clinton Administration to balance the budget on Republican terms.

His comments, a more extreme version of the hardball stance frequently used in past budget showdowns, raised the specter that the looming standoff may begin to rattle financial markets around the world. Mr. Gingrich's remarks came in the middle of a day in which the dollar plunged as much as 5 percent against major currencies before recovering slightly, sending interest rates up sharply. [Page D13.] The Speaker's statement appeared to be one of several factors that added to the markets' unsettled condition.

More broadly, Mr. Gingrich's speech to the Public Securities Association, which represents traders in Government debt, underscored the growing agitation and sense of imminent collision in official Washington as both Democrats and Republicans move toward a confrontation that could shut the Government down this fall.

Throughout the capital, there was a sense that the current had quickened and the rumble of a great waterfall could be heard close ahead. Angry disputes broke out on wildly varying issues. Republicans threatened to block sending American ground troops to enforce the Bosnia peace plan, agreed to vast reductions in the protection for endangered species and Federal lands, and pushed ahead with plans for radical changes in Medicare and Medicaid. Democrats fumed and vowed to do what they could to slow the legislation's breakneck pace.

Clearly part of Mr. Gingrich's autumn end-game strategy is to force the White House to accept much of this agenda—many parts of which President Clinton has vowed to veto—by holding an increase in Federal debt limit hostage. Without an increase in the limit, the Government will be unable to meet many of the payments due in November for Social Security, military pay and interest on the Federal Government's $4.9 trillion in debt.

Such confrontational techniques have been used in the past. But is was highly unusual for a high Government leader to suggest, as Mr. Gingrich did today, that default on Government payments was not beyond the pale.

''I don't care what the price is,'' he said in his speech. ''I don't care if we have no executive offices and no bonds for 60 days—not this time.''

Without concessions from the White House across the board, he said, there will not be any increase in the debt ceiling. ''And we'll see how long they will last,'' he added.

Administration officials were still trying tonight to figure out how seriously to take Mr. Gingrich's comments. A few months ago, the Speaker was forced to back away from his off-the-cuff suggestions that the United States should recognize Taiwan as an independent country, a step that would lead to a breach with China.

But Congress has little direct influence over foreign policy. By contrast, its control of the Government's purse strings gave added force to Mr. Gingrich's remarks. Indeed, the Speaker's comments drew a quick and harshly worded response from Treasury Secretary Robert E. Rubin. ''The President won't be blackmailed by the use of the debt limit as a negotiating lever,'' he said in a telephone interview from Miami, where he was giving a speech tonight.

''It would be unprecedented and unwise for anyone in a position of authority to dismiss the consequences of default on the debt of the United States of America for the first time in our history,'' he added. ''Even the appearance of a risk of default can have adverse consequences, and a default itself would increase the cost of debt for the United States Government for many, many years to come. A sovereign country's credit-worthiness is a precious asset not be sacrificed under any circumstances.

Mr. Rubin said he did not expect the United States to default on any debt payment, a step that he has repeatedly called ''unthinkable.'' But even a serious threat of a disruption in payments can move the markets, and may send borrowing costs soaring for the United States.

The Treasury Department estimates that every increase of one percentage point in interest rates would swell the budget deficit by $4.9 billion this year. Republicans, however, argued that interest rates should decline if the ultimate outcome of the dispute between the parties is a big cut in spending.

Aside from all the Sturm und Drange in Washington, the debt limit debate has not yet had much effect, traders said. ''The markets have not yet focused on it,'' said David M. Jones, vice chairman of Aubrey G. Lanston & Company, which trades Government bonds. ''One of the risks is that foreign investors will not understand what is happening here. And if they get nervous, they will just flee until it all sorts out.''

The issue will take on added urgency in the first five days of November, when the Government must pay $50 billion in Social Security benefits, Medicare and pay for active-duty members of the military. On Nov. 15, about $25 billion of interest payments are due.

As Treasury officials concede, a number of financial tricks are available to keep the Government afloat even if the ceiling on debt is not raised. There are temporary debt limits, emergency ''cash management sales'' to keep money flowing in the coffers as short-term loans, and borrowing against other Government reserves. But all of the steps come with a cost, and none can go on for too long. Though the overall Government debt is $4.9 trillion, the Treasury sells about $2 trillion of debt securities every year because so much of the Government's borrowings are ''rolled over'' into new bonds.

The debt limit exists as an institution in Washington because the Constitution mandates that only Congress can authorize borrowings. Before World War I every bond issued by the United States required separate Congressional approval. Today, the raising of the debt ceiling essentially permits the Treasury Secretary to make the day-to-day decisions required to meet the Government's obligations.

40 YEARS OF TAX AND SPEND IS EXTREME

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

Mr. LEWIS of Kentucky. Mr. Speaker, we have been called many names, the majority has. We have been called revolutionaries, just a few minutes ago even Bolsheviks maybe, but the main term has been extreme, extreme and mean-spirited, the ''E'' word.

Mr. Clinton has used it, the gentleman from Missouri [Mr. GEPHARDT] has used it, the gentleman from Michigan [Mr. BONIOR] has used it. It seems like there is a concerted effort to use the ''extreme'' word to describe the mew majority.

Mr. Speaker, the new majority was elected by a majority of the people in this country. I do not consider them extreme; I think they saw something wrong with 40 years of one-party rule in this House. I think they saw something extreme about the spending over 40 years, and something extreme about the rising taxation that this one-party rule for 40 years had placed upon the American people.

What is extreme? What is extreme and mean-spirited about wanting a reasonable balanced budget within 7 years? What is extreme about wanting to reform welfare and end welfare as we know it? What is extreme about a plan to save Medicare from bankruptcy? What is extreme about wanting to reform Medicaid and allow the Governors, just like Governor Bill Clinton wanted, to see a change in Medicaid to save it and to make it more easily administered through the States. What is extreme about wanting to give tax cuts to families when the average family today is paying 40 percent of their income, and some approaching 50 percent, in local, State and Federal taxes? What is extreme about that?

Mr. Speaker, what is extreme about spending $2.5 trillion over the next 7 years, more than what we are spending now? How much more does the President want to spend?

What is extreme is a President that has said over and over again he wants a balanced budget, but he never can bring himself to do it. What is extreme is 40 years of tax-and-spend that has brought this Nation almost to bankruptcy with a $5 trillion debt. What is extreme is putting our children's future in jeopardy.

I have a 13-year-old daughter that, if we continue spending and spending and spending without ever balancing the budget, in the year 2012 every tax dollar will be consumed by entitlements and interest on the debt. What kind of future will she have? What kind of future will she have when she approaches my age in the year 2030? The deficit for 1 year will be over $4 trillion, just for 1 year.

□ 1500

We are talking about the future of this Nation. What is extreme about wanting to save the economic vialibity of this Nation?

It seems that our liberal friends, led by Mr. Clinton, are more concerned about next year than the years after.

Extreme, mean-spirited. I have parents that are both 78 years old. I want to preserve the future of Medicare for them. I am a mainstream American. I came from mainstream America. I was elected by mainstream Americans that saw something critically wrong coming out of this Federal Government.

There are a lot of 78-year-olds just like my parents back in the Second District of Kentucky that want to have Medicare in their future. But because of an extreme point of view from the other side they are willing to see it go bankrupt before they are willing to save it for the future.

INTERNATIONAL HUMAN RIGHTS WEEK

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

Mr. UNDERWOOD, Mr. Speaker, this week has been proclaimed by President Clinton as ''International Human rights Week'' to commemorate the adoption of the Universal Declaration of Human Rights.

The United States is a world leader in advancing the cause of human rights and is a signatory to two international treaties that guarantee these human rights, the U.N. Charter, and the International Covenant of Civil and Political Rights. Both of these treaties have been ratified by the U.S. Senate, and are therefore binding.

I call our Nation's attention to Article I of the U.N. Charter and Article I of the International Covenant on Civil and Political Rights—in both treaties, the right to self-determination of peoples is affirmed.

Self-determination for non-self governing peoples is the foundation from which other human rights are exercised. Guam is a non self-governing territory, and its status as a non self-governing territory whose people are entitled to exercise self-determination is specifically stated in the U.N. Charter. And we should note that Guam was placed on the United Nation's list of the non self-governing territories by the United States over 47 years ago.

Within this context, it should be of great concern to this Congress and to the President that the desires of the people of Guam to exercise their rights and to improve their political status have not been met with the same fervor and the same level of attention that the United States gives to other peoples' problems.

Every year it is always someone else or some other nation who needs to repair its record on human rights and self-determination. But what about Guam? What about our desires for political rights and for our exercise of self-determination by our indigenous people?

As President Clinton stated in his proclamation, ''Peoples throughout the world look to the United States for leadership on human rights.'' Yes. Mr. President, that is correct, and to this I would add that people in the non self-governing colonies of the United States look to you for leadership on human rights. We look to you to respond to Guam's desire to create a new commonwealth within the American political family. And we look to you to respond to our desire to exercise self-determination in deciding our political status.

We ask that the United States fulfill the commitments it made to the people of Guam and to the community of nations when it signed and ratified the U.N. Charter and the International Covenant on Civil and Political Rights and to be responsive to the inherent political commonsense of this Nation to extend full democracy everywhere.

So far, the Federal Government's reaction has been sincere pledges to respond to Guam. And, for a while there, the Clinton administration looked like it had the commitment to respond in a serious way to Guam's efforts. But now we are stuck in neutral because of what surely would look like a comedy of errors, albeit unintentional, on the part of the administration. We have now gone through three status negotiators in 1995 alone. We have been unable to negotiate because there is now no one to negotiate with.

Can you imagine this happening with the Bosnian peace talks? Why would United Nation and international commitments now be meaningless when applied to a United States colony?

I call on the administration today to heed its own words, to live up to the

international commitments and international standards of human rights that it has agreed to in the U.N. Charter.

We normally think of human rights violations as the violent denial of basic freedoms in many parts of the world. There is the denial of free expression and the incarceration of dissident voices. This is the violent abuse of human rights.

But there are other forms. In much the same way that the neglect of children is also a form of child abuse as is violent behavior, ignoring the political desires of a people for whom you have a responsibility qualifies as an abuse of human rights. The people of Guam have spoken through local referenda and they deserve serious and sustained attention to their political aspirations. To ignore these political aspirations is an abuse of human rights by neglect.

The Congress and the President as the representatives of the American people have consistently delivered the message throughout the world that good government can only begin when there is true consent of the governed. This is the core American creed. In the American territory of Guam, the vast majority of laws, the very political structure that the people live under are determined not by the people, but by a Congress in which they have no voting representation and by a President they have not elected.

Government through the consent of the governed is the most basic of all political rights and should remain the cornerstone of the structure of human rights. We should challenge ourselves to make sure that human rights are defended not just under the American flag when our troops are deployed in foreign lands, but that these human rights are also defended under the American flag when it flies over the non self-governing U.S. territories.

CELEBRATING COMMUNITY: THE OPENING OF THE NEW MARTIN LUTHER KING CENTER IN FREEPORT, IL

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

Mr. MANZULLO. Mr. Speaker, as we debate reaching the balanced budget by the year 2002 and what role the Federal Government should play in restoring hope to our children's future, one of the misguided arguments that some of my colleagues continue to banter in Congress and in the media is that the American people cannot trust anyone but the Federal Government to provide assistance and/or programs in the areas of need.

By what arrogance can this argument be made? To suggest that left to their own devices, the American people cannot provide for their families and neighbors? The notion that local communities and local governments cannot be trusted? Please. This country was built through the goodness of people helping people. From the earliest days of the original colonies, the people of this Nation have thrived off the common goodness of its neighbors, its communities.

If we are to believe that there is nothing trustworthy outside of the Federal behemoth bureaucracy, whom are we accusing of being untrustworthy? Which Governor? Which State legislature? Which county? Which city or school district? Which community can we not trust?

I believe men and women, parents, elected officials, churches and other community leaders are best able to achieve the longest lasting and most effective changes we need in our society. Day by day, neighborhood by neighborhood, child by child, family by family, America gets stronger.

President Coolidge once said: ''No person was ever honored for what he received. Honor has been the reward for what he gave.''

Let me tell you about what one community has done. On November 18 of this year, the city of Freeport in the 16th District of Illinois celebrated the achievements of hard effort and leadership when it opened the new Martin Luther King Jr. Community Campus, and this is a picture of that beautiful campus. This beautiful $3 million facility was built and paid for without any tax dollars or Federal grants. The facility was built with the commitment and dedication of the local community.

It started with a vision by the late Rev. Robert Huff to create a community center where area children and families could get whatever assistance they needed. Unfortunately, he passed away before he could witness the reality of his vision.

This beautiful new facility was made possible by the hard efforts and dedication of people like Jack Meyers, who led the fundraising campaign, and Ray Alvarez of Honeywell's Microswitch, who was instrumental in rallying community support for this construction.

The new MLK Campus in Freeport has not been erected only of mortar and bricks. It stands firmly on the convictions and hopes and dreams of the people dedicated to making Freeport a city committed to the future of their community, a future that is unified behind helping their neighbors locally.

The community campus has already provided many tangible results. It helped Wendy Mader realize her dream of becoming a licensed day care provider; Tameka Carter, who is reaching her dream of becoming a lawyer. And the Martin Luther King Campus helped Sharon Serna work through the single parent program to get off public aid, get an education, and become a registered nurse. Her dream was made possible by the local people who make the MLK Community Campus not only the envy but a model of what other communities in this country are accomplishing.

Again, the facility was built without one Federal dollar, built by the dedication and hard effort of the people of a small city in rural Illinois. Have any of their programs used Federal dollars? Yes, but the programs are designed and tailored by the local people for the local people.

Currently, Congress is working on major changes on how social services in this country are funded. The idea is that after 30 years of spending 40 cents out of every dollar on a huge Federal bureaucracy, we can be more efficient with our programs if we get the money back to the local people in the best manner possible.

If centers like the King Campus choose to apply for tax dollars, they should be able to get the most out of every tax dollar, not just 60 cents but 90 or 95 cents. That kind of efficiency cannot be accomplished through a huge Federal bureaucracy.

The campus is the perfect example of local control and local success.

I salute the efforts of everyone at the MLK Campus. I salute the people who have found a second chance or the special assistance they need through the center. And I want to salute the people of Freeport, who in their own way have proven that we do not need the Federal Government dictating policy to provide for their community.

What we need is the commitment and dedication of the people of the community who are willing to face a challenge and willing to meet the needs of the people they love so dearly and the people they serve so well.

KEEPING THE DISTRICT IN BUSINESS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, this is day one of the countdown to shutdown. I have been on the floor virtually every day since the last shutdown. But I speak not of the shutdown of the Federal Government. There was an unintended consequence. The city I represent was also shut down.

A shutdown of a complicated big city is nothing short of a catastrophe. If there is a continuing resolution, it will be marginally better, but imagine putting handcuffs and a straitjacket on a city at the same time and then saying, ''Run your city well on a weekend CR or a weeklong CR, and keep from overobligating, and make sure you spend enough money.''

I am here this afternoon to express my gratitude to the Committee on Government Reform and Oversight and to the DC Subcommittee.

Mr. Speaker, these two committees unanimously passed a bill to allow the District of Columbia to spend its own revenue instead of being shut down. I express my gratitude to the gentleman from Pennsylvania [Mr. CLINGER], the

chairman of the committee, and to the gentleman from Virginia [Mr. DAVIS], the chairman of the subcommittee. I will put an op-ed piece by Mr. DAVIS on this very subject into the RECORD at the conclusion of my remarks.

The op-ed piece is headlined, ''Why Shut Down the District?'' The gentleman from Virginia [Mr. DAVIS] marshals all the arguments for not doing so.

Why was there such bipartisanship on this bill? In the first place, it was a matter of sheer principle. The Members knew and saw that shutting down the District was not their intent. They did not mean to catch a whole city in this fight. Then of course the Members saw up close what happens when you shut down a city and the trash is not collected, and the city cannot go about its daily business, and the citizens suffer. It is not a pretty picture.

It is our money and only our own money that H.R. 2661 speaks to. The Federal payment would be left here at the discretion of the Congress.

What is happening in the District of Columbia as I speak? The district is preparing to shut down. What a terrible diversion for a city on the brink of insolvency, when this Congress has told it to do otherwise, to prepare for reform of its financial and management operations.

The gentleman from Texas [Mr. ARMEY] was just on the floor saying that there could be a weekend or a weeklong CR. There could be two such CRs. Nobody can expect the District to run well in that way, even if it were healthy, as of course we know it is not.

Speaker GINGRICH encouraged us to continue with the bills. He has been very helpful to the District in the past. I am asking him to bring the bill to the floor today, so that before midnight on Friday this body can guarantee that the city, where this body sits, will in fact be open for business.

□ 1515

Only a few hours stand between us and closedown of a city we do not mean to close down. At midnight on Friday, the District of Columbia goes dark and hundreds of thousands of innocent bystanders will see their city go dark, while the Congress remains in session uninjured by any shutdown. No Member of this body desires that. No Member of this body would want to defend that.

Please, help me to keep my city open. Help me to help my city recover. The city wants to do what the Congress has mandated it to do: get its house in order. This Congress has put a Control Board on the city, and now the Control Board has testified that the last thing the city needs is to be shut down and have to pay its employees for not coming to work—as would have to be the case since they would be forced onto administrative leave. That is not the way to run even a small town.

I am here to say to my colleagues, we cannot run the Capital of the United States this way, and we cannot allow the word to go across the wires and around the world that some Federal agencies went back to work (and I congratulate you that some appropriations have now passed; it looks like ours will not, indeed, pass), but that the Congress of the United States allowed the Capital of the United States to close down catching 600,000 innocent people in the wake of our own special storm.

I appreciate what the gentleman from Pennsylvania [Mr. CLINGER] and the gentleman from Virginia [Mr. DAVIS] have done. I appreciate that the Speaker has encouraged us to keep this bill going forward. Now, a little more than 24 hours stand between us and keeping the city of the District of Columbia, Washington, DC, open. Please, help us to do just that.

[From the Washington Post, Dec. 14, 1995]

WHY SHUT DOWN THE DISTRICT?

(By Thomas M. Davis III)

Shutting down the federal government because Congress and the president fail to agree on a budget resolution is an act that has many unintended victims and numerous unintended consequences. The damper these failures put on recruiting and maintaining the best and the brightest for our federal work force will be with us for some time. On another level, the backsliding it inflicts on our efforts to change the District of Columbia government are profound.

The D.C. government is not just another federal agency. It is a front-line government providing vital health, safety and personal services to 570,000 residents and 300,000 metropolitan commuters. When federal agencies shut down, citizens in any city in the country can still get a driver's license and register their automobiles. When federal agencies shut down, the states can continue to process AFDC and Social Security applications. But when the District government shuts down, people needing services, whether medical care at a clinic or trash collection from their homes, are not served.

Congress should act immediately to ensure that the District of Columbia can spend its own locally generated tax dollars during such a shutdown. We can do this before this week's expiration of the current continuing resolution Del. Eleanor Holmes Norton has introduced legislation, H.R. 2661, to allow the District to spend its own revenues even if its budget has not been approved by Congress (the budget will still be subject to approval by the control board). I am a cosponsor of H.R. 2661, which yesterday was approved by the House subcommittee that oversees the District and is scheduled for full committee action today. It is imperative that Congress pass it for two important reasons.

First, without passage of H.R. 2661, the District government is subject to being shut down again, as it was Nov. 14–19. That's because the District's own appropriation has not been enacted, and there may be no continuing resolution to keep the government open.

The unique status of the District—the city cannot spend one penny of its budget, either local or federal revenues, without an appropriations bill being passed by Congress and signed by the president—has never before seemed important. In past federal shutdowns, the District appropriation had been enacted so that the city government could continue operations, or else the District has been put under a continuing resolution along with federal agencies that were without approved appropriations.

But this time there was no District appropriation and no continuing resolution. This places on the District of Columbia a unique burden. Every other city or state in the country can continue to operate its own programs, and may even take up the slack of missing federal funds from its own revenues when the federal government is shut down. But the District is stymied.

This situation is inexcusable even in normal times, but in the current financial crisis it has become extreme. The District lost more than $7 million in productivity during the recent shutdown, according to the control board, and it failed to collect up to $70 million in revenue that it was owed. Meanwhile, contractors around the metropolitan area are going bankrupt every day, and the IRS files liens for unpaid tax withholding because the District of Columbia doesn't have the cash to pay its bills. Allowing the District to fall even farther behind in its revenue collection is tantamount to negligence on the part of Congress.

In addition to lost productivity and lost or delayed revenues, the very officials who have so much work ahead to rebuild and reform the city were forced to spend their time deciding what services and employees were ''essential'' in a government that is already notoriously dysfunctional. Instead of working on privatizing city services, City Administrator Michael Rogers had to write furlough notices. Instead of reviewing contracts and improving cash management, Chief Financial Officer Anthony Williams had to figure out new ways not to pay bills. Instead of pushing ahead publicly with the council on urgently needed reforms, Mayor Barry could only wonder what new disaster he would have to deal with next. And the control board, which is trying to push the District forward, could only make certain that the District complied with the provisions of the Anti-Deficiency Act and shut down everything that was not an imminent threat to health or safety. This is no way to run a city in the grips of a financial crisis.

Congress and the president could keep the federal and District governments open either by reaching a budget agreement or by enacting another continuing resolution. I am hopeful that one of these two events will occur before there's another shutdown. No one can possibly expect to escape the public outcry that would come from sending hundreds of thousands of workers home 10 days before Christmas.

But there is an even more compelling reason to enact H.R. 2661 immediately. While operating under a temporary continuing resolution, the D.C. government has no legal authority to obligate funds beyond the expiration of that resolution. Since continuing resolutions are emergency, stopgap measures, this forces the District government to operate on an emergency basis, signing contracts and planning spending schedules from week to week. This ad hoc operational mode is not only bad for contractors and other service providers; it runs exactly counter to what is most needed in the District government: stability and the ability to make long-range decisions.

Unless H.R. 2661 is enacted and the District is allowed to obligate its own revenues, even without an appropriation bill, the District will continue to limp from crisis to crisis, lacking the ability to take concrete, long-term actions or to make the decisions that would be in everyone's best interest.

Congressional oversight and ultimate control would not be threatened, because the District's federal payment is not included in H.R. 2661. This legislation would not free the District from federal oversight and would not give the city budget autonomy. It would simply allow the District to escape from the

threat of shutdown and the gross inefficiencies of operating on a week-to-week basis, and to at least be able to crawl along on its own revenues during a budget impasse.

I am pleased that Speaker Gingrich, President Clinton and the control board support this legislation. Congress should act now to pass it, and thus prevent further paid furloughs and a shutdown of city operations.

CHANGING THE CULTURE

The SPEAKER pro tempore (Mr. KINGSTON). Under the Speaker's announced positively of May 12, 1995, the gentleman from Arizona [Mr. HAYWORTH] is recognized for 60 minutes as the designee of the majority leader.

Mr. HAYWORTH. Mr. Speaker, I thank several of my colleagues for joining me in the House Chamber. As we discuss the pending events, we listen with great interest and, indeed, great agreement with our colleague, the delegate from the District of Columbia, and we realize also that the people have sent us here to Washington to change a culture, to change a pervasive practice which has permeated this Chamber and, indeed, our national governance for half a century.

In fairness, we should note that the Members of both parties have been involved in this, and it is this endless notion of tax-and-spend and tax-and-spend and tax yet higher and spend yet more. It is worth noting that one of our founders, Benjamin Franklin, said that there were only two certainties in this life: death and taxes. I dare say, if Mr. Franklin were with us in this Chamber as we prepare to confront this next century, he might amend his statement to say that higher taxes could lead to the death of the American Nation if we do not change what has gone on before.

The facts are these: In 1948, the average American family of four surrendered 3 percent of its income in taxes to the Federal Government. By 1994, that same average family of four surrendered almost one-quarter of its income, 24 percent, in taxes to the Federal Government.

It has been noted by Members of both parties that change is hard. Change is difficult. But as the newcomers to this Congress who join me this afternoon along with one of our distinguished Members of the sophomore class will bear out, change is necessary if we are to make a difference, if we are to prepare this last best hope of mankind to adequately confront the next century.

The people of the Sixth District of Arizona said it pretty simply in November of 1994. indeed, I think it was said across the country. The realization is this: The people of America work hard for the money they earn, and there is nothing selfish and there is nothing ignoble about Americans hanging on to more of their hard-earned money so that they may decide how best to save, spend, and invest for their families, so that they may make critical choices so vital to their children's future and so that they as seniors can hold on to more of their money again to make choices that are best for them.

As I look around the Chamber, it is a formidable lineup. One of the gentlemen seated here, who we will hear from shortly, indeed, an NFL Hall of Famer, one of the gentlemen to my left, uncharacteristically, a resident of California, indeed, I call him an honorary Arizonan, for his mother was born in the Sixth District of Arizona, near the Inspiration Mine, I know he will have words of inspiration for us; our friend from Nebraska, one of three newcomers on the House Committee on Ways and Means. It is worth noting the last Republican freshman to hold one of those spots was in 1966, a gentleman who went on to become President of these United States, one George Bush; our good friend from Indiana is here, who has worked so hard on trying to get a handle on regulations; our good friend from Kentucky from the sophomore class, who speaks so eloquently and is really a redshirt freshman, if you will, for he came by way of a special election.

Mr. Speaker, now it is my honor to turn to the one-time Princeton linebacker, who is proud of his Tigers in their accomplishments this year on the gridiron, who went on to law school at Wake Forest, and he helped to tutor those teams and improve the record of those Demon Deacons, my friend, the gentleman from Maryland [Mr. EHRLICH].

Mr. EHRLICH. As usual, I am at a loss for words when the gentleman from Arizona introduces us. It is such a great opportunity to be with my colleagues from all over the country today to talk about, as the gentleman said, change, change that is long overdue in this society, change, and I believe the gentleman's words were necessary and hard.

I would point out to the gentleman, and we have a piece of evidence with us today, I would point out to the gentleman that change is hard in our society in the 1990's because some groups in our society do not like change. They do not want change. They will say anything to ensure change does not occur.

As the gentleman sees, I have brought the actual transcript with me of a little ad that is running around the country. The AFL–CIO, a big labor group, and I should make this point, not all elements of big labor but some big labor leaders and, of course, some big labor leaders love big government and, as a result, do not love this new majority nor this freshman class, but some members of big labor are running this ad.

I would like to direct a few questions to the gentleman from Arizona and my hallmate, the gentleman from California [Mr. RADANOVICH], my very good friend and the gentleman from Indiana [Mr. MCINTOSH], ''Mr. Deregulation,'' my very, very good friend on our Subcommittee on Government Reform. What I would like to do, with the gentleman's indulgence, is take a look for the next 10 or 15 minutes; let us take a look at the verbiage used by big labor to fight not an agenda for America's working families but to fight this new majority who have the real interest of America's working families at heart, the real people who work for a living, who sent every one of us here. Every one of this group was sent here by people who work and who resent these sort of commercials.

The gentleman from Arizona, the commercial begins, ''On November 20, our Congressman,'' fill in the blank, ''voted with NEWT GINGRICH and against working families.'' What vote? The balanced budget, the balanced budget for America''s working families.

Mr. HAYWORTH. Reclaiming my time, how on Earth can that statement even be made? For why would a balanced budget work against America's families? Are we not putting money back in the pockets of working families by balancing the budget on a 30-year mortgage? Are we not realizing real cash that stays in the wallets and pockets of working families? By lowering interest rates with a balanced budget, are we not really helping to fulfill the American dream?

I am just curious that the gentleman from Maryland understands the rationale for this statement and if it is grounded within any type of intellectual fact.

Mr. EHRLICH. Of course not. If the gentleman will yield further, let us look at what follows the introduction. I know the gentleman from Indiana and the gentleman from California are chomping at the bit here, but it is essential that the American people understand big labor loves big government. They do not want a balanced budget. They do not want the agenda that every member of this freshman class ran on in support of the American family, in support of people who work for a living, who resent the increasing instrusion of big government into their lives every day.

Second line, ''He voted to cut Medicare.'' Third line, ''Education and college loans.'' Fourth line, my favorite, ''Class warfare.'' Class warfare from big labor. ''All to give huge tax breaks to big corporations,'' and our favorite, ''the rich.''

I yield to the gentleman from Indiana.

Mr. MCINTOSH. I thank the gentleman from Maryland. I appreciate your diligence ferreting out the truth on these ads. It is about time we had a standard of truch in advertising that would apply to some of the claims that are made.

Is it not true, though, that the average worker will benefit from our balanced budget because of lower interest rates, where, if they have to borrow $15,000 to buy a new car, they will be able to save $900 over the loan? Now that is $900 that is more of his take-home money that he can pay. And is it not true, in my district, for example,

the median income is $25,000; a lot of people work in factories. We have got several GM plants. We have got factories all over the District. That $25,000 though, $9,000 goes to pay for taxes for city, State, and Federal taxes. And is it not true that a key part of our budget plan says, ''For a family of four we are going to take $1,000 of that $9,000 in taxes and let you keep it? You do not have to deduct it out of your paycheck every week and send it to Washington to pay for the bureaucrats; it is yours to take home, to buy food for your kids, to save for college, to make payments on that car we talked about.''

So is it not true that every aspect of this budget is actually going to be good for the working men and women that the AFL–CIO say they represent?

Mr. EHRLICH. I know the gentleman from California, and he has been accused of supporting from California, and he has been accused of supporting the rich as well, and I know that for a fact. But if I can answer the gentleman's question. of course, it is for the working people. But it is very dangerous medicine for big labor, for some elements of big labor, and they do not want the American people to know the facts.

Mr. RADANOVICH. My first comment on this is that, you know, if this was the advertising program of a private corporation, they would be in court right now pending lawsuits against them for truth-in-advertising. I know you did not vote to cut Medicare, because I voted the same as you, and I did not vote to cut Medicare. There is not a person in this Chamber here who voted to cut Medicare. We voted to increase spending on Medicare by 50 percent over a 7-year period from the current $4,800 per beneficiary to at least $6,700 per beneficiary over 7 years.

□ 1530

Now, I do not know what kind of an idiot these people think the American people are, but that is not a cut. The American people are smarter than that.

I would also like to comment on the fact that this Congress has not been working for working families, because we spend more than we take in. I would like to challenge any one of you to try to make sense about how we can be for working families while we cannot even balance our own budget, while we are deliberately spending more money than we are taking in. That is not good for families.

Mr. HAYWORTH. If the gentleman would yield, that is exactly the point, for this Congress should do no less than working families do every week or every month around the kitchen table, trying to come to grips with their own family budget, to make adjustments, to fight in part the battle of taxation that is too high, so that they know how best to allocate their resources governed by this simple fact: They do not spend more than they take in or they are faced with one of the worse 4-letter words ever to come up, D-E-B-T, debt.

To quantify it, I do not believe this ad tells the truth. If you are going to say the rich, indeed with the family tax credit that my colleague from Indiana points out, it is a very expensive definition of rich, if we are to trust the ad of big labor, for it affects over 80 percent of American families across the economic strata. And that is the impact of the ad.

While we are in the neighborhood, and I know my friend from Indiana has a point, but just one other thing to say to respond to my colleague from California's musings about this particular advertisement and others like it: I have challenged my former colleagues in broadcasting, and indeed I did this at one of the local stations in Phoenix going to what in effect was a meeting of their editorial board, I said, friends, the reality checks, the truth watches that you do during the election season, why not continue now? Why not check the veracity of these ads?

Again, Mr. Speaker, I would call on broadcasters who are licensed in the public interest, local news divisions, network news divisions, do your own reality checks, do your own truth watches on these repugnant, patently false advertisements, for this is an ongoing campaign.

Mr. MCINTOSH. The question I get from people when I go home is my are they being dishonest? Why is this ad not telling the truth? Why does not the President tell the truth about what is going on? I have been trying to puzzle through that, because I do not understand why they would so patently lie to the American people time and time again.

This chart I think explains one of the reasons that is going on. It show how in our budget process we have been continuing to negotiate over how much we are going to spend each year. The top line shows the freshmen started out with $11.2 trillion. The gentleman from Wisconsin, Mr. MARK NEUMANN, who joined us here in the Chamber, developed a budget that would be balanced in 5 years and only spend $11.2 trillion over that 7-year period. But we did not pass that in the House. Instead we passed a $11.78 trillion 7-year balanced budget, and then negotiated with the Senate, where some of the President's allies inched it up to $11.9 trillion. Then when we passed the act again this fall it went up a little bit further and further to this point, where we are at $12.004 trillion. What the President wants to do is add another $400 billion to that and take it up even further.

The bottom part of the chart shows what they have done with the taxes. In the Contract With America we started out with $358 billion of tax cuts for the American family. Then in compromising with the Senate, we came to $245 billion in tax cuts. Now the President wants to shrink that down to about $70 billion of tax cuts. You can see the parallel. As they cut back on tax relief and get more money for the Government, they can spend more over and over again.

So the question is, do we want to spend more for the bureaucrats' budget here in Washington, or do we want more for the family budget, for people who are living in America trying to make ends meet?

What we have said in the freshmen class in particular and in the Republican Congress is enough is enough. We think $12 trillion is plenty of money to spend on the Government programs, and we need to start focusing on giving families some tax relief so that they can have an easier time of balancing their budgets and have more money available.

Let me make one other point. That would be reason why I think they are being dishonest. They want to spend more money and are afraid if they tell the truth people will focus on what the effect is for the family budget.

The second reason is, and I wanted to ask the question whether in his research on this issue of welfare for lobbyists, whether this advertisement was paid for by any groups who received taxpayer money?

Mr. EHRLICH. You mean grant reform? The dirty little secret this class has exposed? We have been joined by three of our wonderful colleagues in the freshman class. You mean $39 billion in taxpayer money?

Mr. MCINTOSH. Is it possible these groups want to make sure that some of this spending ends up going into their coffers? So they are going to lobby and send ads to make sure that they continue to live on the trough of all this Government spending?

Mr. EHRLICH. As the gentleman knows, we have exposed, I think, ''we'' being the class in the new majority, have exposed a lot of very relevant information that the people of America need to know about, some nonprofits, some for-profits, some groups in this country, who continually take the taxpayers' money, not to spend it to help people, but to lobby Congress for more money.

The gentleman has been a leader in this respect, and I congratulate him.

Before our new colleagues begin, I would like to respond for one minute to the gentleman from California. I know the gentleman from Arizona has something to say about this, too.

The gentleman from California asked are people this stupid? Are people this naive, to believe this sort of ad? I have good news for the gentleman. The answer is no. Calls coming into my office from union members eight to one say ''EHRLICH, stay the course. Balance the budget. Protect me. Do what we sent you to Washington to do.'' And there is a great distinction that big labor would not have us talk about, the gentleman from Arizona and California, and that is this: If the labor membership followed labor leadership, the seven of us would not be on this floor today. We would not be on this floor, because the membership understands where their

bread is buttered, and that is with a balanced budget, and that is with a less intrusive Federal Government.

Mr. MCINTOSH. If the gentleman would yield for one quick second, before we switch from that point, let me reinforce your message. When I go home, I go through factory tours a lot, virtually every other weekend or so, and I walk up and down the line and ask people working for a living, ''any message for Washington? Anything you wanted me to take back with me when I go back there?'' Time and time again I hear from them, ''Yeah, cut our taxes. We are having a difficult time making ends meet. If you guys take less of my paycheck, I can work for a living and have a better life.''

That is the message from the rank and file. It is not getting up to their leadership. But, fortunately, the rank and file guys and women who are working for a living know the difference, and I think they are going to continue to support our effort to balance that budget.

Mr. RADANOVICH. So too in my district. When we faced the recent Government shutdown, I represent fortunately an area that has three national parks, Yosemite, Kings and Sequoia National Parks. Putting Federal employees out of work and giving them time off, they get paid. They worry a little bit, but they get retroactive pay. But in my district the people that suffered were those who depend on the tourist economies in these small communities, the one I was born and raised in, Mariposa, other communities, Oakhurst and Sonora, those areas, those businesses suffered. I had people that suffered a 50-percent loss in revenues during that period of time.

Still, the amount of response that I got during that time was at nine to one, ''stay the course.'' And what they called to say was that they are not buying this, because, thank God for Rush Limbaugh and C–SPAN, these people, the everyday American can spot somebody who is not telling the truth. They are much more educated than before. This may have worked over the last 40 years, but it is not working today.

So I have got faith in people. When I walk down and talk to transportation, parcel post deliverers, and their on-line employees, basically their message to me was, ''George, don't bother coming home if you lose this budget battle.'' They say ''Hang in there.'' They know exactly what is going on.

Mr. HAYWORTH. Reclaiming the time, I thank my friend from California for making that point. I thank my friend from Maryland for making a very key distinction between those who are bosses of big labor and those who labor for a living. The miners in the Sixth District of Arizona, who want to hand on to more of their paychecks, who understand the overburdensome taxation their families face, and who came out in record numbers in 1994 to say that we want a change.

So I salute the gentleman from Maryland for again exposing this. I challenge the mass media to follow suit with their own reality checks, their own truth watches.

I know perhaps if there is a footnote the gentleman would like to add, I just looked to the well and I know that your exploits on the gridiron among the members of this class are exceeded only by our good friend who returned to his native Oklahoma to run for this body, but before that distinguished himself in the National Football League, and indeed entered that Hall of Fame, the best hands in the freshman class and one of the brightest minds, I would yield now to our good friend from Oklahoma, Mr. LARGENT.

Mr. LARGENT. I wanted to thank my loquacious colleague from Arizona for yielding to me. Really I begin my time here by making a confession, and that is I have one of the poorest senses of direction in existence. In fact, I have gotten to the point where I do not even trust my own sense of direction. I have on my key chain a compass that I carry around with me in Washington, DC, and I found it has come in handy as we wander through the Halls of Congress.

The reason I bring that up is that I found I have learned not to trust my own sense of direction. In fact, I get particularly turned around when I go shopping in the mall with my wife, and we go shopping for 2 or 3 hours, and go in and out of the stores. By the time we are done shopping, I cannot find the car. So what I have learned to do is as I come out of the mall and I am trying to determine which way the car is, if I think it is to the right, I always go to the left, and 99 percent of the time I am right.

What I have also learned in my short time in Congress is that if everybody in Washington, DC is saying to go left, if I go right, I am probably doing the right thing. And that really brings me to the point of why I have come here this evening, and many of my colleagues are joining me here this evening, and that is to talk about the tax relief that is offered in the Balanced Budget Act of 1995.

Because I want to tell you, and I also confess that even some of our Repbublican colleagues have fallen into this trap, that Washington, DC is saying ''Go left, out into left field, on the $245 billion tax cut, because the American people are saying don't give tax cuts; balance the budget.''

But I want to make a very, very important point to the American people tonight, one that they need to understand, that there is nobody in Washington, DC that is saying ''Don't do the tax cuts in order that we can balance the budget sooner.'' People need to know that. People do not want the tax cuts because they want to spend the money here in Washington, DC. It is not that they want to take $245 billion away from the taxpayers in order that we can eliminate the deficit sooner than 2002.

It is they want to take the $245 billion of taxpayer money away from them so they can spend it on programs X, Y, and Z. That is why they do not want to give you back your taxpayer money, and I think, frankly, that the Republicans have done a very poor job of defending the tax cuts and explaining why they are so important.

The first reason, there are two reasons in my mind, the point I would like to make before I yield to other gentlemen to talk about the specifications of the tax package. The most important reason that we need to have $245 billion in our tax relief for the American taxpayer is just that. The Federal Government does not have a single dollar, except the dollars that they collect from American taxpayers. We do not have any money, except for the money that we take from the American taxpayers. So the first and most important reason that we need tax relief in this country today is in order that the taxpayers can keep more of their hard-earned money.

You see, there are some of us in Congress that believe that taxpayers and families can spend their money more wisely, more efficiently, more effectively for their families than we can in Washington, DC. And I know that my colleagues that are gathered here this afternoon believe that.

But, second, and this is equally important to understand, the reason that the tax cuts are necessary is that it is a critical, an important, an unbelievable mechanism to decrease the size of Government. You see, if we take that $245 billion, as I said earlier, we are not going to apply it to the deficit. We are not going to cut spending. We are going to spend more.

□ 1545

And so the tax relief package that is contained within the Balanced Budget Act of 1995 does just that, it not only gives the taxpayers back their own money, but, at the same time, the Balanced Budget Act of 1995 reduces the size and cost of the Federal Government, at the same time still getting us to a path to a balanced budget in the year 2002.

Now, I would like to yield back to my colleague from Arizona and ask if he would yield to our other colleagues here that are prepared to talk about the tax relief specifics.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Oklahoma for restoring our sense of direction with his very illustrious examples, and I look to the other side of the aisle, where in this special order we are joined by our colleagues, but I think symbolically of the fact that we want to reach out to the other side of the aisle; that we hope to work together to confront this next century, and I would simply yield to my good friend from Nebraska, the gentleman who sits on the Committee on Ways and Means, where tax policy is formulated, our good friend Mr. CHRISTENSEN.

Mr. EHRLICH. Would the gentleman from Nebraska bear with me for 20 seconds?

Mr. CHRISTENSEN. I would gladly yield.

Mr. EHRLICH. I am happy of two things: First; I have the time to speak today; and, second, I never had to catch this guy.

Before the gentleman from Nebraska, our colleague, Mr. CHRISTENSEN, begins, I would make one point that I think is very relevant. We would love to do every day what symbolically we are doing here today; reaching out. However, the one precondition all of us, and I think I speak for everyone in this majority feels that that precondition is every debate, every reasonable debate must be on facts.

When demagoguery and class warfare and generational warfare run the airwaves and run this floor, it is very difficult to reach out.

I yield back and thank the gentleman.

Mr. HAYWORTH. Mr. Speaker, reclaiming my time, I think Robert J. Samuelson said it best in The Washington Post in a commentary of a few weeks ago when he said, when one side continuously distorts the facts and refuses to debate the policy, then the purpose is not to debate, it is to destroy.

Mr. Speaker, here to help destroy and shatter some of the myths that have been propagated, again it is our good friend, the gentleman from Nebraska.

Mr. CHRISTENSEN. Mr. Speaker, I thank the gentleman for yielding, and I think our friend from Tulsa has put his finger on the problem, and that is this Government, Washington DC, has had an appetite for spending. All they want to do is spend, spend, spend. The more money going into the coffers, the more they can spend.

This is not about whether it is $245 billion or used to be $360 billion in tax relief. What we are talking about now is the administration wanting to compromise and to increase the consumption of the Federal Government.

One of the areas in the Ways and Means that we worked so hard on, and I campaigned on for over 2 years, was capital gains tax relief, the centerpiece, I believe, of getting this economy moving, keeping it a robust economy, and returning people's money back to where it belongs, in their own pockets and not in the Federal Government's. Not in the bureaucracy.

In Nebraska alone, over 200,000 Nebraskans will see relief from a capital gains tax cut. As a matter of fact, the overall tax package in Nebraska will see 580,000 Nebraskans benefit from a capital gains, a child care tax credit, or some provision in our tax package. That is putting money back in their pocket, taking it out of wasteful programs that have overspent and have gone into $5 trillion in debt over the last 40 years.

What we are doing is talking about putting the trust in the people, whether it is in Arizona or Oklahoma or Nebraska or South Carolina, and the thought and the belief that they can spend their own money better than Federal bureaucrats can in Washington, DC. I am a strong supporter and a believer in the fact that I know how to spend my buck better than some bureaucrat down at Treasury.

That is why I believe that the tax package has been compromised too much already, and I think that to move off that $245 billion tax figure would be a big mistake and would be a win for the bureaucracy, a win for as-usual politics. I think that this freshman class stands up and will make our voices loud.

Mr. LARGENT. Would the gentleman yield?

Mr. CHRISTENSEN. Yes, I would.

Mr. LARGENT. I talked to the gentleman earlier, and he mentioned, as a member of the Committee on Ways and Means, that he had a figure for what the total tax cut package was in relationship to the entire budget over the next 7 years. Does the gentleman recall that figure?

Mr. CHRISTENSEN. Less than 2 percent. We are talking about less than 2 percent of returning the people's money back to them. Over the next 7 years, all the budgets added up, 2 percent is what the tax package is. Is it asking too much of this Federal bureaucracy, of this Federal Government, to return 2 percent of the money back to the people? I think not.

I yield to my friend from South Carolina.

Mr. GRAHAM. I thank the gentleman.

Anybody who is trying to bring this to a conclusion and is listening, they need to understand this. If we want to take money from the family budget and spend it in Washington, DC, to get a deal, count me out. If we want to adjust senior citizens' payments to get more money to spend in Washington, count me out. If we want to take $135 billion of so-called new money and spend it on Washington, DC, count me out.

I think we are going to find a lot more people saying exactly what I have said.

What does $12 trillion mean? If anyone is doubting that there is room for a tax cut and a need for a tax cut, let me tell my colleagues what the Federal Government takes from us—$12 trillion is spent in Washington. If we spent $1 million a day it would take us 2,700 years to spend $1 trillion.

We have a $5 trillion debt. To retire $1 trillion of the national debt would be equivalent to $3,814 from every man, woman, and child in America. My colleagues and I all know that every American does not pay taxes. The ones that are paying, are paying a ton of it.

I firmly believe that the Washington, DC, budget has got plenty of room to be reduced. The family budget is on a shoestring, and if we are going to let people spend money on a family, let the family people do it and get us out of the business.

I want to make one last point. If we divide the population of the United States into the budget of the United States over a 7-year period, the Federal Government will spend $162,764 on a family of 4. To me, that is enough.

I yield back my time.

Mr. HAYWORTH. Mr. Speaker, I thank my good friend from South Carolina for the points he makes and reclaiming my time, I just think it is important to understand one historical perspective to really stand in relief.

It is worth noting that in 1992 candidate Clinton talked about tax relief for the middle class; and then, upon taking the oath of office, President Clinton gave us the largest tax increase in American history. And there has followed, from that broken promise, a string of broken promises, not only with taxation but with balancing this budget.

And with that in mind, I would yield to our good friend from Wisconsin, who has done yeoman's work, gotten in there, rolled up his sleeves, taken out a sharpened pencil and taken a true look at what is at stake for the American family and the American Nation with the budget. I yield time now to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, I thank the gentleman for this time, and I go back to what the gentleman from South Carolina [Mr. GRAHAM] said. He is exactly right here. The question is how much money we are spending. And I would like someone, just someone out there to call my office and say, we think the Federal Government should spend more money. That never happens. Nobody calls my office and says we are not spending enough money; spend more money. That never happens.

Here is what has gone on with the budgets we have now and why we cannot reach agreement here. We have CBO-scored numbers, an apples-to-apples comparison of what is being spent and where the deficits are going.

Mr. HAYWORTH. If the gentleman would yield for a second, would the gentleman please tell us what the acronym stands for and why it is so important?

Mr. NEUMANN. It is the Congressional Budget Office. And what is very significant in this is that we now are using the same numbers to compare our plans to balance the budget.

What I have on this chart with me is what the deficits are in each of the years from now through the year 2002, showing that in the Republican plan, the plan that has been laid on the President's desk and has now been vetoed, we go through the deficits. They go through a decline until we reach a $3 billion surplus in the year 2002.

Let me make this perfectly clear. With CBO scoring, we do reach a balanced budget in the year 2002, as each and every person standing in this room today promised their constituents, and

as we, as a Congress, have promised the American people we would do. It has been done.

The President's budget, last week, and I have to tell my colleagues, I was a little different than some of my colleagues even in this room. I said, let us wait and see. Let us take a good hard look at the President's budget and let us see what this budget says and see if we cannot reach a conclusion looking at the President's budget.

We have it now. We have a fair comparison between the President's budget and what was presented to him. They are scored with the Congressional Budget Office. The same set of numbers are evaluated in both plans.

Mr. CHRISTENSEN. Mr. Speaker, if my friend from Wisconsin would yield for a quick question. Does that top number, with the plus 3, even include the tax cuts?

Mr. NEUMANN. Yes, it does. It does include the tax cuts.

Mr. CHRISTENSEN. So we balance the budget in the year 2002, including the $245 billion in tax cuts. The President's number is a lower amount in tax cuts and does not balance the budget; is that correct?

Mr. NEUMANN. That is exactly right. And here we can really clearly define what the problems are as we work toward balancing the budget. As we can see, in year 7 of the President's plan, we have a $115 billion deficit.

I want to make this perfectly clear to everyone in this room. As far as I am concerned, this is not about the President or Democrats and Republicans fighting with each other. This is about the future of our country. This is about our children's future that we are talking about here. We have to get this number, right here, where it says $115 billion of deficit, that has to be zero or we have not balanced the budget.

It has to be a black number. It has to be a number that is a positive number or zero, or we, in fact, have not done what we promised for the American people, and that is balance the budget.

Mr. RADANOVICH. Would the gentleman yield?

Mr. NEUMANN. Be happy to yield.

Mr. RADANOVICH. Mr. NEUMANN, would you care to reiterate the results of the last shutdown, and what was the agreement made by the administration, and how they would submit their next budget?

Mr. NEUMANN. Sure. In the shutdown in November, we reached a conclusion that extended the Government operations for a period of time. We all promised, Republicans and Democrats, that we would bring a plan to the table that was balanced under a 7-year plan with CBO scoring.

This plan is not balanced on a 7-year plan with CBO scoring, and it does not keep the promise that was made as recently as November, that we would have a plan from both sides of the aisle that was balanced in 7 years using CBO scoring.

Mr. LARGENT. Would the gentleman yield? That was not a promise. That was a contractual agreement; is that not correct?

Mr. NEUMANN. That is exactly right. It was a written contractual agreement between the Republican leadership, between all of us when we voted on it, and the President of the United States. That is exactly right.

So that the bottom line is these numbers are cut and dried, folks. This is not a Republican-Democrat debate at this point. This is a mathematical statement of facts that I am bringing to my colleagues. We do not have a balanced budget under the President's plan. It is $115 billion short in the last year.

Mr. RADANOVICH. Would the gentleman yield?

Mr. NEUMANN. Sure.

Mr. RADANOVICH. I want to point out, then, because the gentleman's example here perfectly illustrates the frustration that we are experiencing in Washington when we make a pledge to the American people, many of us who are here for the first time, that we are going to go back and balance the budget, and then we run into a game of charades basically, in order to drum up phony numbers so that we can live up to our obligations made with regard to balancing the budget in 7 years.

So, unfortunately, I think through this process, if there is any good that can come out of it, would be commitments made and kept, but also honest numbers. Because that is really what is driving, I think, the American people nuts and driving this whole controversy right now.

Mr. NEUMANN. Mr. Speaker, I think there is another important thing that shows up here. If we were to put into law the Republican plan, exactly as it was presented to the President, that does get to a balance in 7 years, we would still add $635 billion to the national debt over the next 7 years. So under the Republican plan, we would be adding $635 billion to the debt and we have not solved all the problems yet.

But under the President's plan we would be adding over $1 trillion, an extra $365 billion to the Federal debt. And, folks, that is our children we are talking about. They will have to pay that money back.

Mr. GRAHAM. Would the gentleman yield? This has been a fascinating conversation. The gentleman from Oklahoma [Mr. LARGENT] mentioned something a while ago; that the game in Washington is not to take the $245 billion in tax cuts and to balance the budget with the money, the game is to spend it.

From what the gentleman has been able to tell me, and what the gentleman from Nebraska, JOHN CHRISTENSEN, has said, I think we have some pretty good evidence that is true.

□ 1600

Is it not fair to say that the President's tax cut plan is at $78 billion, I believe?

Mr. NEUMANN. That is correct.

Mr. GRAHAM. He cut taxes at $78 billion, and he is $115 billion out of balance. That is pretty good evidence that the money that he took away from our tax cut went to spend more money on the Federal Government.

Mr. CHRISTENSEN. Failed welfare programs and failed social programs.

Mr. GRAHAM. I think that is a very telling point.

Mr. CHRISTENSEN. Going through some of the areas, I just want to ask if the gentleman's understanding is the same as mine. Have we increased or decreased spending in education, job training, and student loans?

Mr. NEUMANN. We have clearly increased spending.

Mr. CHRISTENSEN. How about Medicare?

Mr. NEUMANN. Medicare spending is going from $4,800 in the system to $7,100 per person in the system over the next 7 years.

Mr. CHRISTENSEN. Veterans?

Mr. NEUMANN. Veterans' benefits are increased $400 million, and the HUD VA appropriations bill is the only one of them that is increased.

Mr. CHRISTENSEN. How about welfare spending?

Mr. NEUMANN. Welfare spending is going up significantly, from about $90 billion to $140 billion this year to the year 2002.

Mr. CHRISTENSEN. I know in Nebraska a lot of people have asked me why are we spending so much.

Mr. NEUMANN. That is the question I keep coming back to. When I show these numbers to my folks back home and I say. ''Even under the Republican plan we are adding $635 billion to the debt over the next 7 years,'' does the gentleman know what they say to me? ''Why are you doing that? Why are you doing that? Get this job done faster.''

That is why earlier this year we did present a plan that balanced the budget in 5 years and then did something we do not usually talk about here. It paid off the debt in a 30-year period of time, and we did not use any Social Security trust fund money to do that.

Mr. GRAHAM. Did the gentleman view the media report a couple of days ago that had Mrs. Clinton testifying before Congress about Medicare saying that if we control the growth of Medicare, if we reduce it from 11 percent to 6 to 7 percent, we can balance the budget and protect Medicare and keep it from going broke? Did the gentleman see that report?

Mr. NEUMANN. I sure have.

Mr. GRAHAM. Is it not true that our spending on Medicare is at 7.2 percent?

Mr. CHRISTENSEN. That is correct.

Mr. GRAHAM. We are spending more on Medicare than her testimony. Is the gentleman aware of a speech that the President made to an AARP group in 1993—excuse me, 1995, where he indicated, might have been 1993; I do not want to get my facts wrong—where he indicated that Medicare and Medicaid are driving the country broke. It is growing at 3 times the level of the private sector. If we could reduce it to

twice the level of inflation, we could take care of every senior citizen and balance that budget, and that is not too much to ask. Is the gentleman aware that he made that statement?

Mr. NEUMANN. Yes, and I have heard so many times in our town hall meetings, people in Wisconsin are saying, ''Why are you increasing it at twice the rate of inflation?''

Mr. GRAHAM. Is it not a fact that we are increasing it twice the rate of inflation?

Mr. NEUMANN. Yes, it is.

Mr. GRAHAM. What he said to do; what Mrs. Clinton said to do. We are doing what they asked or told somebody to do 2 years ago, and we are getting killed for it by them.

Mr. CHRISTENSEN. Mr. Speaker, I would ask the gentleman from Wisconsin [Mr. NEUMANN], was this the President's first try at balancing the budget? Which budget number is this as far as the $115 billion figure?

Mr. NEUMANN. This is budget No. 3. But in all fairness, I will point out that this is, in fact, the closest we have been to a legitimate budget proposal. This is the closest that he has been in three tries to balance the budget.

Mr. CHRISTENSEN. The first budget wound up in the Senate with a 99-to-nothing vote.

Mr. GRAHAM. It was 96.

Mr. NEUMANN. Mr. Speaker, I have to wrap up my part of this. Can I conclude very briefly here? This Nation of ours, this great country our ours, is in trouble. We are $5 trillion in debt. We are sinking fast. We have got deficits every year through the year 2002.

Every time this Nation has been in trouble in the past, do my colleagues know what has happened? The American people have joined together and solved the problems. Not Democrats, not Republicans; Americans.

It is time for us, the Members of this Congress and the President of the United States, not as Democrats, not as Republicans, but as Americans first, to get the job done that American people sent us here to do and to get the job done that we promised we would do on their behalf when we came here.

Mr. RADANOVICH. Mr. Speaker, I thank the gentleman from Wisconsin very much for bringing this information. I want to say briefly that our priorities in this process in defending, to a degree, the increase in the debt even under our plan, is that we are committed right now with priorities of a 7-year balanced budget; the second being CBO scoring, which we are still working on; the third being the quick elimination of the deficit and the debt.

Unfortunately, under our plan, while we are working at eliminating the deficit, we are unfortunately still adding to the debt. But after that deficit is gone, then the debt gets worked down.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from California, and I thank our good friend from Wisconsin who once again demonstrates why he has been the workhorse of the budget process and is deserving every accolade that this new Congress can provide.

I am holding here a certain financial document. It is a check. I heard my friend from Nebraska and my good friend from South Carolina lament the fact that the President of the United States was making allegations about Medicare that is part of the cacophony, the mantra of the mediscare campaign of the discredited American liberals who cannot seem to face facts. So, how ironic it would be if this President, who has worked very hard with his own special interests to raise scads of money for what will be a very difficult reelection campaign, again, Mr. Speaker, the challenge goes out to everyone, including the President of the United States, if they can show us a cut in Medicare spending that goes from $4,800 this year now to $7,100 per beneficiary in the year 2002, if there is some way to do that, then the Republican National Committee, Haley Barbour, the national chairman, is prepared to pay up with $1 million.

Mr. CHRISTENSEN. Would the gentleman yield on that point? Your seniors in Arizona will not be herded into just one program, will they? They will have an opportunity for a number of choices.

Mr. HAYWORTH. And freedom of choice is one of the fascinating things about Medicare-Plus. And just as the benefits per beneficiary increase, so do the opportunities and options for seniors under Medicare-Plus.

Speaking of opportunities and options, as I reclaim the time, let me also turn to our good friend from Kansas who has a couple of housekeeping items which we need to allow him to take care of, but also may have some observations. Let me yield time to the gentleman from Kansas [Mr. BROWNBACK].

Mr. BROWNBACK. Mr. Speaker, I appreciate my colleague from Arizona yielding to me. This $1 million check, I think, is a clear statement to the American people, to anybody anywhere in the world, that if there is a real cut in Medicare, show us. We will pay them $1 million.

The point of it is, and it is just to make a point, there are no cuts in Medicare. I appreciate my colleagues explaining that to this body, so that this body can understand, as I think most of them do, but in some cases act like they do not, what the situation really is.

I particularly appreciate the earlier dialog that I have been watching as well, saying to this body and educating this body, look, we are in a dire situation. We have got to do that and we have got to do that compassionately and we are doing it compassionately.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2644

Mr. BROWNBACK. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of the bill, H.R. 2644.

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

There was no objection.

Mr. BROWNBACK. Mr. Speaker, I yield back to my good colleague, who is educating this body about the perils that we are really in and what we can do to help this and make the future for our children better.

Mr. HAYWORTH. Mr. Speaker, I think the gentleman from Kansas and I would invite him to join us here in this historic Chamber to discuss issues of historic import as we are transforming this government, not by reinventing it, but by remembering what works; remembering that document from which all of this flows, that remarkable document called the Constitution, and remembering this fundamental premise: That when people are allowed to keep more of what they earn, the fruits of their honest labor, and save, spend, and invest it according to the dictates of their conscience and their priority, there is nothing selfish about that.

I am sure what prompted my friend to come to the floor was the evaluation of our colleague from Nebraska, who has spent countless hours on the Ways and Means Committee drafting tax reform and reduction policy, who informed us earlier that less than 2 percent of this vast array of money we are talking about, less than 2 percent in the grand scheme of things is used for tax cuts.

Mr. BROWNBACK. Mr. Speaker, if the gentleman would yield, I think it is a tremendous point and that that needs to be driven home to this body even more. Right now, the Federal Government, and this is a massive amount, it is hard to understand, takes 22 percent of the U.S. economy. It is the Federal Government. This huge piece, 22 percent.

Now, the gentleman from Arizona I am sure probably knows this figure, but in 1950 does the gentleman know what percent of the U.S. Government was of the Federal economy?

Mr. HAYWORTH. I know the gentleman from Kansas will inform us all.

Mr. BROWNBACK. It was about 4 percent. Can the gentleman imagine what the liberation would be of this Nation, of the people here, if the Federal Government, instead of 22 percent, was just 4 percent? Or, what if we got from 22 percent to 15 percent? There would be a blossoming across America of growth, of productivity, of jobs, of opportunities, of people going forward themselves and saying, ''My goodness, why were we carrying such a heavy load?''

The next number of years, what has to take place in this country is we have to shrink the public sector, because the private sector is tired of carrying it and cannot carry it any further. That is what we are trying to do. It is not Draconian; it is very compassionate to help people.

This could be one of the greatest Christmas gifts that we could give the American people, my children, and our future grandchildren, and the children of the gentleman from Arizona, to get this down so that they can be liberated and free.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Kansas, because he makes an incredibly valid point that really should be the foundation of our labors in the days to come. As the controversy continues to surround this new direction in which we are heading, returning to those values which made us great, it is worth noting that in the spirit of the season, the greatest gift we can give to our children, we can give to our grandparents, we can give to our parents, and we can give to generations yet unborn, is a stable environment in which this constitutional Republic can flourish, and individual initiative can be rewarded.

So, that is the challenge and that is the great gift and the great opportunity that we trust our colleagues on the other side of the aisle will join us in giving the American people this season of the year.

Mr. BROWNBACK. Mr. Speaker, if the gentleman would yield just a moment, because the gentleman from Arizona has been deeply involved in, and started, what has been called the Constitutional Caucus. I would ask the gentleman if the Founding Fathers were alive today, does the gentleman think they would find that we have a constitutional government existing and operating in Washington?

Mr. HAYWORTH. Mr. Speaker, reclaiming the time, I thank the gentleman for the question. I think they would find a government that has become a hybrid, and I do not mean that in a good sense. I know the gentleman has great background in agriculture. Perhaps it would be more accurate to say a mutant, constitutionally mutated from this document here, which is our cornerstone, read and reshaped and stretched ofttimes beyond recognition from its original intent to fit the explosive growth of an evermore centralized bureaucracy, a bureaucracy that spends even more.

So, we have stretched it out. It is our mission, and that is why I am so glad to have our colleague from Kansas to join in restoring constitutional government, recognizing the legislative branch has every bit the role of self-examination and introspection that the judicial branch is afforded through the notion of judicial review, that the executive branch uses, that we together, with those other two branches, can restore constitutional government. That is exactly the challenge to use this timeless document as we confront the next century.

Mr. BROWNBACK. I think it also ties into this overall issue of the budget debate. If we would get back to what the Founding Fathers had envisioned of a limited Federal Government and saying this is a limited government of limited powers, the Federal Government would not be 22 percent of the economy. It would not be the burden that it is today. We would not have as much centralization; we would have much more decentralization and things out amongst the people where they could control them closer to home and closer to them.

That was the original design, and I think we have gotten away from that to our peril. The gentleman has a particularly good effort going on, that before any bill is introduced, before it is taken up on the floor, that the constitutional basis for that bill would be discussed.

Mr. HAYWORTH. Reclaiming the time, and the purposes to which we must reaffirm ourselves, to which we must devote our attentions, for just as we take an oath, as we took an oath in this Chamber collectively, just as the newest Member, the gentleman from Illinois did today, taking an oath to defend and uphold the Constitution of the United States, it is more than lip service.

Mr. Speaker, good people may disagree and we champion those disagreements and we want to have open, honest debate on different priorities, but I think the gentleman from Kansas really hit the nail on the head when he discussed the Jeffersonian ideal, the ideal of the one whom our friends on the other side of the aisle claim as their ideological benefactor, one of their Founders.

□ 1615

When Jefferson called for limited and effective government, that is the distinction, not that Government should be reduced beyond recognition so that the people are not empowered, that Government has a rightful role in society, but it is a limited and effective Federal Government which makes the difference and to which the gentleman from Kansas has devoted his energies, indeed as part of this new majority. I thank him for all the efforts he has made in so many different ways to realize that dream for our children, for our parents, for our grandparents, and, indeed, for the American Nation.

Again, it is worth noting and we again issue the challenge. To those who disagree with us, Mr. Speaker, to those who offer the endless mantra of disinformation about so-called Draconian cuts with reference to the Medicare Plus Program, again, Mr. Speaker, we ask them, show us the mathematical operation that takes an increase from $4,800 of spending per Medicare beneficiary this year and over 6 years time increases it to $7,100 per beneficiary, show us where that is a cut, and $1 million will be paid to them.

In conclusion, Mr. Speaker, I would not this. I cited Benjamin Franklin earlier. Will Rogers offered an update in the mid-20th century before his untimely death: ''The only thing certain is death and taxes, but death does not get worse every time Congress meets.''

THE NATIONAL DEBT

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

Mr. LONGLEY. Mr. Speaker, this afternoon I would like to again call attention to the fact that as of 3 o'clock this afternoon, the Nation's Federal debt, official debt, is $4,988,313,115,981.39. Very interesting, this is again an additional decrease of $126 million, actually almost $127 million.

As a new Member of Congress, Mr. Speaker, I have to confess that I did not come here with all of the answers, and very frankly I am not sure I even understood all of the problems. But one of the problems that I want to bring to my colleagues' attention today is that a member of the Committee on the Budget asked me earlier in the week whether this number was accurate. Under his recollection, the national debt limit was actually $4.9 trillion. As we can see, the number before us today is $4.988 trillion plus $300 million, or literally $4 trillion, $988 billion, $88 billion more than the official national debt.

Frankly, that caused me to go back to my office staff and question whether we had appropriately researched the number. Well, lo and behold, we have researched the number, and this is the correct number because, in addition to the $4.9 trillion of Federal debt, we have authorized another $88 billion of debt that does not count against the limit.

As if that were not enough, earlier in the week, Mr. Speaker, I addressed this Chamber on the basis of a New York Times article from Wednesday, December 6, 1995, wherein it indicated that the administration, since November 15 of this year, has actually borrowed another $61.3 billion on top of the $88 billion that does not count as part of the national debt. In addition to the $4.9 trillion that is the national debt, the administration borrowed that $61 billion from the Federal Civil Service retirement accounts and that apparently that was permissible under law. I hope that in the earlier vote in the afternoon that we are able to pass a measure that will preclude that.

The point I want to make today is that, the more I as a new Member of Congress, Mr. Speaker, learn about the nature and the extent of the problems with Federal spending, the more alarmed I become. Literally, just in the last 3 days I have found $88 billion of debt that we were not counting against the national debt. That is on top again of another $60 billion that has been borrowed out of Civil Service retirement accounts. That is over $150 billion. We were not even counting it. We are not even counting it. This is over and above the congressionally authorized limit of $4.9 billion.

I have to mention this afternoon that another bit of information came to my

attention. That is that the new budget, Mr. Speaker, that has been submitted by the administration is actually not going to balance within 7 years. This is a serious issue because we came to a solemn agreement about 3 weeks ago wherein the administration and the Congress agreed that we were going to balance the budget in 7 years and use Congressional Budget Office numbers. Again, there was an issue of debate over whether we should use CBO numbers of OMB numbers.

To be perfectly honest, I do not care whose numbers we use, but we owe it to the children of this country and to the public to use the most conservative numbers. If we are going to meet the goal of balancing the budget in 7 years, I think we should take the most cautious course to get there.

The issue in Washington, in this body, Mr. Speaker, is not whether we are going to balance the Federal budget, because we are going to balance the Federal budget. The question is how. That is where partisan debate is appropriate, where Republicans can present their version of how to balance the Federal budget; Democrats can present their view of how to balance the Federal budget. And together, like all of the households in my district, including Republican households, Democratic households, Independent households, all of whom have to take responsibility for balancing their budgets, and they may do it differently. That is what is wonderful about America, is that we do have a lot of differences between us, but we need here in this body, as Republicans and Democrats, to come together to balance the Federal budget.

I hope, Mr. Speaker, that over the next 24 hours as we approach tomorrow's deadline that we will once and for all be able to work together, Republicans and Democrats in this body, with a Democratic President who will keep his word and submit a budget that will balance in 7 years.

THE BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I want to start off by following up on what the previous speaker said about tomorrow. As many of us know, tomorrow is the day when the continuing resolution expires. This was the agreement that both Democrats and Republicans, both Congress and the President, agreed a few weeks ago that they would extend operations, Government operations and not shut down the Government while we continued to try to work toward a budget agreement.

It is unfortunate that tomorrow is about to arrive and we still have not worked out that budget agreement. But I think the most important thing is that the Government not shut down again and that tomorrow, even if a budget agreement is not going to be reached, which I do not think is likely at this point, that we pass another continuing resolution so that the Government continue to operate.

I was very upset this morning when I read that, although President Clinton had offered a continuing resolution to continue the operations of the Government for at least another week or possibly beyond, and although the Republican leadership in the Senate had agreed to a similar continuation, that Speaker GINGRICH and the Republican leadership in this House had not. I would hate to see, once again, that after tomorrow the Government shuts down.

I would urge the Speaker GINGRICH and the Republican leadership in this House, along with what the Senate has decided and what President Clinton has decided, which is that we should put our differences aside and not use the Government shutdown as leverage toward trying to pressure one group or the other into its own ideology. My view is that the Government should continue to operate while the President and the Congress, while the Democrats and the Republicans try to find common ground on the budget.

Let me also add that as the previous speaker said, there really is no disagreement anymore that we should achieve a balanced budget or even on the timetable of approximately 7 years. But there are still major disagreements over the priorities. I would suggest that part of that agreement a few weeks ago on the continuing resolution to keep the Government open specifically said that the priorities would include Medicare, Medicaid, the environment and education and that these programs, particularly Medicare and Medicaid, would continue to be viable and cover the people who are now eligible for them in a manner which ensures quality health care for Medicare and Medicaid recipients.

The President put forth a 7-year balanced budget within the last week or so that made sure that Medicare and Medicaid, the environment and education were properly provided for and guaranteed that those programs would continue to cover everyone and that quality health care would be ensured for seniors and low-income individuals under the two Federal health care programs. But the Republican leadership has not come back with a similar proposal. So far they have not put forward any compromise plan that would not only achieve a balanced budget in 7 years but also put sufficient funds in the Medicare and Medicaid programs and provide a guarantee that those people who are now eligible for Medicare and Medicaid would continue to be provided for.

I want to stress today in the time that I have allotted to me the problems that would occur, particularly with regard to the Medicaid program, if the budget that was passed by the Republicans in this House and in the Senate and the one that was vetoed by the President were to take effect. We now know that this budget is not going to take effect because the President has vetoed it. When he vetoed it in his message he specifically said that Medicaid was a major reason for the veto and that the major problem he had with the Republican Medicaid proposal under this budget was that it failed to guarantee health care coverage for those people who are now covered by Medicaid. When we talk about Medicaid, we are talking about health insurance for low-income people in this country. Most of those are either senior citizens or children or the disabled or, in some cases also, pregnant women.

Right now under Federal law people below a certain income who are not covered by any other health insurance are eligible for Medicaid. The Federal Government guarantees them that as an entitlement, as we say. And they are also provided with certain standard coverage. In other words, not only are they guaranteed health insurance but they are given certain things as part of an overall health care package which is similar to what most Americans get, although in many cases maybe not quite the same quality or the same extensive coverage. It is a pretty good health care package.

The problem that the President has with the Republican budget and the problem that I and most of the Democrats have is that this Medicaid program under the Republican proposal would basically be turned over to the States. The money would be block granted. It would be up to the States to decide who would be eligible and what they would be eligible for. So for the first time in probably 30 years since Medicaid was enacted here in this House, for the first time you would no longer have an entitlement or a guarantee that the people who now receive Medicaid could continue to have the coverage.

If we block grant the money and the amount of money which is allocated is significantly less, which it is under the Republican proposal, it is a cut of about $163 billion. Then we are not only not guaranteeing coverage for a lot of the people who now have Medicaid coverage, but we are also making sure that because less money is going to the States in real terms, that the States will have to cut back on who is eligible or perhaps cut back on the kind of benefits that are provided to those who they plan to cover under Medicaid.

This is a major problem. It is a major problem because what it ultimately would lead to is that the ranks of the uninsured in this country would grow. Right now we estimate that there are about 35 to 40 million Americans who have no health insurance, many of them working. If we are now going to increase the ranks of those people and add 5 or 10 million more people to the

ranks of the uninsured, that puts a tremendous burden on our health care system that either people do not get care or someone else has to pay for it.

□ 1630

You pay for it yourself either because your Blue Cross or your health insurance rates will go up to cover these other people's care or they do not get any care at all.

One of the problems that—these are just some of the general problems, I should say, that exist with the Republican Medicaid proposal, but I wanted to get into a few more specific ones, some of which have been cited by the President, that have an impact not only on low-income Americans, but also on many other Americans. One of the things that needs to be pointed out is that right now the majority of the people who receive nursing home care in this country have that nursing home coverage paid for by Medicaid. In fact we estimate that 68 percent of all nursing home residents rely on Medicaid to pay bills that average $38,000 a year.

Now just as there is no guarantee that children, or disabled people, or people who are in the community would be covered by Medicaid under the Republican proposal, there is a guarantee that nursing home coverage would be provided or that the people who now receive Medicaid to cover their nursing home bills will continue to have the Federal Government pay for their nursing home care. In fact, based on the level of cuts that is provided under this Republican budget, we estimate that about 330,000 people could be denied nursing home coverage at the end of the 7-year period that the budget covers, in other words, the year 2002. And then the question becomes who is going to pay, where are those people going to get the money if the Federal Government under Medicaid does not pay for it?

Well, one of the things that is built into this Republican proposal is basically an effort or the ability for the first time for the Government, be it the State or whatever level of government, to go after the spouses or the children of nursing home recipients, those who would be eligible for nursing home care, and to seek the spouses' assets or the children's assets in order to pay for the care that is not covered by the Federal Government. What happens is that the right of individuals essentially right now under the current law, certainly assets of the spouse or the children are simply not eligible as assets for the Government to take, but that is essentially repealed or changed significantly under this Republican budget so that what we will see is a lot of people, a lot of spouses and children, having to contribute perhaps in a major way in order to pay for their parents' or their spouse's nursing home coverage.

The other thing that is kind of insidious, I would say, in this whole proposal is that right now, under current law, Medicaid is a matching fund. Fifty percent is paid by the Federal Government, and 50 percent is paid by the State government. So, if the Federal Government puts up 50 cents, or say the Federal Government puts up a dollar, the State has to match it, and $2 are then available, so to speak, for Medicaid recipients. But the funding formula was changed in the Republican budget so that essentially no State would have to spend more than 40 cents to qualify for 60 cents in Federal money. What that means is that some States may decide because of a budget crunch that rather than put up the full dollar to match the Federal dollar they will only put up 40 cents and get 60 cents in Federal dollars, which means that half as much money is then available, or significantly less money is then available, for the Medicaid Program. This simply contributes again to the whole question of how much money is going to be available for Medicaid under the Republican proposal and how much the States are going to seek to cut back, either by denying eligibility to certain individuals or cutting back on the coverage that is available for the individuals who are now eligible for Medicaid.

I want to, if I could, get into some of the other problems that have been raised with regard to Medicaid in this budget, but before I do that, I think maybe the best thing, because someone always says to you, well, what is your answer; my answer is very simple. If you look at the level of Medicaid cuts and Medicare cuts in this Republican budget bill, basically what it is being used for is to finance tax breaks primarily for wealthy Americans. There are about $243 billion in tax breaks primarily for wealthy Americans that are included in this budget. If you were to eliminate those tax breaks, money could go back into Medicaid as well as into Medicare, and we would continue to have viable programs, we would not have to block grant, we would not have to change the current guarantee of eligibility. So that is the real answer in my opinion in this whole budget deal and what needs to be done as part of the whole budget negotiations.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I am troubled by the Gingrich budget, makes $270 billion cuts in Medicare, as you have pointed out, makes about $180 billion in cuts in Medicaid. Much of that, much of those cuts, will be money taken from senior citizens that may live on 10, or 12, or $15,000 a year. Much of the Medicaid cuts come from people who have spent down the money that they might have and have a husband or a wife in a nursing home, and, as you point out, might lose their home that they have paid for over 35 or 40 years of marriage.

But all of this to pay for this tax break for the wealthiest people in the country, a tax break eliminating a tax on corporations that required some minimum payment dealing with some overseas tax issues that will ultimately hurt, cost American jobs, and it is, as you said, it is a tax break mostly for the richest people in the country, and then I hear our friends, some of the Gingrich freshmen, as they are termed around here, that are on the floor a moment ago talking about how the Democrats always engage in class warfare.

Well, the fact is when you increase taxes on people making $15,000 a year, and then you cut taxes on people making 10 times that, $15,000 a year, that is the most insidious kind of class warfare. You take money from the working poor people that are working at Wal-Mart, or working at Kmart, or working at a minimum-wage job, and maybe her husband or wife are working in similar kinds of jobs, and their taxes are increased when they are playing by the rules. They may not even have health insurance with their full-time jobs, and they have a tax increase at the same time somebody making 2, or 3, or $400,000 a year gets a tax break that amounts to in many cases $20,000.

At the same time they cut Medicare, they cut Medicaid, much of which goes to not just elderly people in nursing homes, but goes to disabled kids and other people that have some sort of disability that they have very expensive medical care, and that is, as I said, the most insidious kind of class warfare where people playing by the rules and working hard have their taxes go up. They may not make much, they have their taxes go up, and people that are getting much, much more get a whole lot more tax breaks, and I do not think that is the values that this country represents, to penalize those people who are struggling, and playing by the rules, and barely making it without health care, trying to raise their kids, not be on welfare, working hard. Their taxes go up, and this whole Gingrich budget is taking money from the middle class and the poor and transferring that money to the richest people, people that do not even live in my district—I have a lot of wealthy people in my district.

They are not coming to me saying, ''Hey, give us a tax break for the wealthiest of us.'' They are saying, ''Get this budget balanced, and don't hurt Medicare and Medicaid doing it,'' and that is what troubles me the most about this Gingrich budget is that it is waging class warfare on the most vulnerable people and people that are working hard, and trying to pay their bills, and trying to buy a house, and trying to save a little money for their kids' college, and then giving money, taking that money from the working poor in many cases and people of the middle class and transferring that money to the richest people. It simply does not make sense.

Mr. PALLONE. I appreciate the gentleman from Ohio [Mr. BROWN] for coming here today and expressing what he just said, and I would just like to follow up on two points, and maybe you

could, you know, respond to what I am saying.

There are many points that you made, but the two that stick in my mind right off the bat: First of all, you are pointing out that not only are a lot of these tax breaks going to wealthy Americans; we know that the lion's share does, but that actually for many Americans who are working that are lower income, they are actually having to pay a tax increase because this Republican Gingrich budget actually repeals the earned income tax credit. So maybe we should get into that a little bit and explains how that works.

The way I understand, and you correct me, is that right now people who are below $25,000 to $30,000, whatever, who are working, they are able to get a tax credit which can be something like $1,500 a year, whatever, depending on their income, and that what the Republican budget has done is to either eliminate that for some or cut back significantly so that if you are making under $30,000 now, you may actually be paying more taxes under this budget proposal.

Mr. BROWN of Ohio. If the gentleman would yield, that is exactly right. If you are making $15,000 or $20,000 or $25,000 a year under the Gingrich plan your taxes will go up on the average of about $25 or $30 a month. Similarly, if you are now a Medicare beneficiary, your premium in this Gingrich budget plan will go up about $40 to $50 a month.

Now to a Member of Congress, whether it is NEWT GINGRICH or any of us as Members of Congress, $25 or $50 a month probably does not matter much, and that is unfortunately the way, I think, that the people that voted for this bill think about it, that it is only $25 a month or $50 a month. It is $25 a month for that family making $20,000 a year; it is only $50 a month for that senior citizen that brings in $10,000 or $12,000 a year. But the fact is, that is a lot of money if you are in that income bracket. Twenty-five dollars a month for some family making $20,000 a year means new shoes for their kids in September when they go to school, it might—it means maybe once in a while taking their kids to a ball game, it means a lot to a family like that.

Fifty dollars a month for a Medicare beneficiary means medicine, or means paying for a rent increase, or means paying if it is a particularly cold winter and paying those heating bills, and that is what the Gingrich plan, the people for that plan, do not think about, is that $25 increase, $25-a-month tax increase for somebody making $15,000 a year, is pretty hard on them. That $50 premium increase, that monthly $50 premium increase for a Medicare beneficiary, that hits them pretty hard when they are seeing the cost of prescription drugs go up and they are seeing their own heating bills go up or whatever—whatever difficulties they are facing.

That is why this is wrong in order to give that big tax break to the richest people in this country. That is wrong.

Mr. PALLONE. The other thing is that one of the major concerns that we have had in this Congress, in the previous Congress, on a bipartisan basis is the need for welfare reform, to get people off of welfare and to have them work, and if you cut back on this earned income tax credit, which basically is affecting many people who maybe just got off welfare and have been encouraged to work, they will find, if they are not making that much money, that maybe it is more beneficial for them to stay on welfare.

Also, and you were in the State legislature so you know, as I was, that oftentimes what happens is if—the State legislature have made the effort over the last 10 years to try to expand Medicaid coverage to cover working people, even though Medicaid is for low-income people, oftentimes it covers people who work. And we have expanded Medicaid coverage to people that are working who may be making a little more than people on welfare to encourage them to work because now they have Medicaid benefits. Well, if those are likely to be the first ones that are back because they are a little higher income than the people on welfare, so that if you deny them their Medicaid benefits, and you deny them their earned income tax credit, they will have less incentive to work, and we actually end up reversing what we are trying to accomplish. More people go back to welfare, and less people work, so it makes no sense.

I would like to yield—joined by the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. I thank the gentleman for yielding, and I very much appreciate that you have provided us with this time to talk about some of these issues, and since we are talking about the earned income tax credit and its effect upon people with moderate income, I wonder how many people really understand how extensive this is. There are something like 12 million people who end up losing that earned income tax credit. Remember earned income tax credit means that, if you have been working and you are paying taxes out of your paycheck, that you were eligible, if your income was very low—if even with working, one or both persons in the family working, your income was still under the $25,000 or so level, you were eligible for some money back, and it is 12 million American families that are in that category.

Now from my State, which is a little smaller than each of yours—in fact, a little smaller than all of us standing here—from my State it is, oh, about 400,000 or so families in the State. My guess is that for the gentleman from Ohio it must be close to a million families in—well, it would not be quite that many.

Mr. BROWN of Ohio. About 500,000 in Ohio.

Mr. OLVER. And that—those 12 million families lose $30 billion total in loss of that credit that means increased taxes. Is it not ironic that in this process of giving tax reductions and selling the whole thing as if it is a great thing for middle-class Americans, that people who are of low income, but working, are going to actually see their taxes increased?

□ 1645

There will be $30 billion of increase of taxes, and that 12 million American families is going to get translated into giving $125 billion of tax reduction to only about 2 million families who already start with more than $100,000 of income per year. Those families at the very upper end of the scale are going to get a huge amount of money from this process, but the $30 billion that is taken away from families who have less than $25,000 a year to live on, those are the people who are going to pay right through the nose for the process of giving the tax breaks to families who really do not need them, who are already doing pretty well, who have made their way very well with the American dream. There is nothing wrong with the American dream, that is a great idea. But they are not the ones who need it in these very tight times.

Mr. STUPAK. If the gentleman will yield, in northern Michigan where I am from, it is about 35,000 families who will lose that earned income tax credit. I had a young mother who had three children. She was divorced. Even though her husband was paying child support, she said what the earned income tax credit meant to her. She said, ''When I would receive my earned income tax credit, it allowed me to get caught up on my bills. If I got a little behind in the last year, or if the car needed a new set of tires, I had money for a new set of tires for the car,'' so she could go back and forth to work, to support her family. It kept them a degree of respect and dignity and off public assistance.

So this earned income tax credit, which is being eliminated just so we can give a tax break to the wealthiest 1 percent in this country and the large corporations who no longer will have to pay the alternative minimum corporate tax, is really in this time of a Christmas season, really, if I can say the word ''heartless.'' I mean the folks who need the help the most, to give them a little respect, a little dignity, a little pride, to help them keep off of public assistance, to help them to make it on their own, the whole philosophy here is being rejected while we are giving the corporations a tax break. I really have a great, great problem with that aspect of this Gingrich contract on America plan.

You were talking about Medicaid. Besides the earned income tax credit, Medicaid, if I may quote from the Michigan Health and Hospital Association which says, ''We fear that the

Medicaid block grant program, health services for the most vulnerable populations, the elderly living in nursing homes, the poor, the children, may be jeopardized as hospitals who continue to bear a disproportionate share of the burden of caring for these individuals, face reduced payments.''

What that means to me, if I can read between the lines here, not only the financial impact on these families that need the assistance, but in my district, northern Michigan, my biggest town is maybe 17,000 people. I have many, many, small hospitals. They have, as the letter says from the Michigan Hospital Association, they bear a disproportionate share of the burden for caring for these people. But under these block grant proposals, the Medicaid, the hospitals in the rural areas, which are usually my largest employers, will be faced with tremendous cuts, which means lost revenue and cuts in staff.

Here is the mother who finally got through school, thanks to the earned income tax credit and a couple of other things, who is not working, and probably has the lowest seniority; she will probably be the first one to be laid off when all these cuts go through. The rippling effect here of not only the Medicare and Medicaid cuts, and they are cuts, make no mistake about it, it is going to be devastating on small rural communities as well as our urban areas.

Mr. PALLONE. Mr. Speaker, I think one of the things the gentleman is pointing out and that the gentleman from Ohio stressed is that, if anything, our support for the Medicaid Program and our concern about the low-income people who are impacted by the Medicaid Program is not an issue of class warfare, but just the opposite.

What you are pointing out is that everyone suffers because of these Medicaid, becauses Medicaid cuts, and when you eliminate the Federal guarantee of Medicaid, because what happens if more people pursuant to these Republican proposals go on welfare, the cost to the government at every level grows, and you are not going to even be able to balance the budget if you start to get more and more people on the welfare roles.

Similarly, so many hospitals, not only in rural and urban areas but even in suburban areas, and most of my district is suburban, every one of the hospitals that I have is heavily Medicaid-Medicare dependent, and if they have to cut back, they lay people off, some of them close, and it impacts everyone. They cut back on services and quality of care and everyone's health care suffers.

I see the gentlewoman from Connecticut [Ms. DELAURO] is here, who has done so much to raise the attention of the Congress to these issues. I yield to her.

Ms. DELAURO. Mr. Speaker, I thank the gentleman very much, and I want to thank all of my colleagues. It is a pleasure to join with them this afternoon, and I particularly thank the gentleman from New Jersey [Mr. PALLONE] for his invitation to participate and for his being here, tirelessly, just about every single evening.

Mr. Speaker, I would like to talk about the Medicaid issue from the same perspective, but maybe a slightly different one. First of all, I think sometimes people misunderstand what Medicaid is all about, and they have an impression that it truly in fact does not affect their lives, that this is a program, if you will, for poor people or people who are out there that they have nothing to do with, and it does not in some way affect their own lives. The fact of the matter is that two-thirds of the expenditures of the Medicaid program are for people who are in nursing homes.

Let me give an example of the people in Connecticut. Sixty percent to seventy percent of seniors who are in nursing homes in the State of Connecticut today have their health care paid for either partially or in whole by the Medicaid Program, so that millions of families, intergenerationally, really are dependent upon Medicaid to provide essential, essential health care.

What the Gingrich plan does is, it is a raid on Medicare, and essentially this raid is an unconscionable assault on the values of middle-class Americans.

I would like to mention a couple of things about what is intended, as well as the cutback. The Congress voted last month to turn Medicaid into a block grant program, to slash the program by $163 billion. That is over the next 7 years. Particularly startling about the block grant approach and the one other one-third cut in the Medicaid program is the repeal of the family protections which have to do, quite honestly, with all of us, if we have senior loved ones, parents, or relatives who may potentially have to go to a nursing home. The family protections will be repealed if this bill sees the light of day, if it becomes law.

Mr. Speaker, I want to mention a couple of points here. I will, by the way, say that the President vetoed the budget due to its extreme agenda as it has to do with Medicaid.

There is a report that all of us had a chance to look at, by the Consumer Union. These are the folks who put together the Consumer Reports, when you go out to look to buy a car or a computer, and you know whether you are buying something good or you are buying a lemon, or you are going to get a bum deal. You make your decision. People look at these Consumer Reports.

This is the group, the Consumer Union, that issues those reports and that issued the report on this proposal by the gentleman from Georgia [Mr. GINGRICH] and the budget. They talked about this potential nightmare that is going to be placed on working families with parents who need nursing home care. They have estimated that there will be 395,000 long-term care patients that are likely to lose their Medicaid payment for their care next year if this bill is approved. That is an unbelievable and staggering number of people who, one, will not have the care, but whose families, working families today in our country, are going to pick up the slack somewhere.

You are not going to see your mother, your father, a dear aunt or uncle or so forth, be out in the street. What is more, what is of equal concern, is that with the repeal of these family protections you are going to see that adult children—you can put a lien on the home of an adult child if you do not meet the State median in terms of income.

If you fall below your State median in income, and in the State of Connecticut it is $41,000, and if you make more than $41,000—and in many middle class homes today with two working parents you see above that number, and it may be slightly above that number—you then are now liable to pick up costs for your parent or your loved one's nursing home care. They can come in and put a lien on your house. If you are in rural America or in farm country, they can put a lien on your farm to help to pay the cost of nursing home care. This is written in the fine print in this Medicaid law, which many people do not know about.

In addition to that, there is no longer a requirement, there are no more Federal regulations on nursing home standards; every State can do what they want. No one wants to believe that States are going to be evil, bad, or that State legislatures are bad people, but the fact of the matter is that is you have a money crunch in your State and it is going to cost more to make sure of those nursing home standards, and those are the ones where they could retrain your father or your mother, they could use mind-altering drugs, that was all changed—I might add that was under Ronald Reagan—that all changed. Now they do not have to comply with any Federal nursing home standards, so it really is a monetarily devastating effect, a quality of care. It has to do with the individual who is in a nursing home and who gets that care paid for by Medicaid, but it falls on the backs of the families of folks who are in nursing homes, and that is what will happen if this law on Medicaid passes in the next several weeks here.

Mr. STUPAK. Mr. Speaker, if the gentleman from New Jersey [Mr. PALLONE] will continue to yield, the gentlewoman mentioned some of these things found in the fine print. Actually, in the Committee on Commerce, on which I and the gentleman from New Jersey [Mr. PALLONE] sit, the Democrats offered 10 amendments. If you wanted to block grant, OK, fine, but there are 10 areas we want to protect.

Nursing home standards is one of them. We feel there is a need for nursing home standards across this country. Public children's hospitals. They

provide money under Medicaid. Why can they not continue to have some funding? That was defeated. The cost-sharing for the poor seniors, to pick up part of their premium for part B, for Medicare, we wanted to keep that for poor seniors. That comes out of Medicaid.

Ms. DELAURO. It is gone.

Mr. STUPAK. That was defeated. Pregnant women and infants who need some medical help, pregnant women, and infants, that amendment was defeated. Rural health clinics, I mentioned my rural district. In many areas the only access to health care is through Federal rural health clinics, so you can have access to it. That was defeated.

You mentioned estate protection, the family farm liens; two separate amendments, both defeated. Alzheimer's disease. If you have a loved one, a parent or grandparents who have Alzheimer's disease, we always provided for their care in nursing homes under the Medicaid Program. That was defeated.

Transitional benefits to move from welfare to work, to help you out, give you a little bit of health insurance coverage while you move off public assistance into the work force, that was defeated. Women with breast cancer who receive help under the Medicaid Program, at least allow them to have some help in coverage to pay their medical bills, and that was defeated.

We tried in the Committee on Rules to make these amendments in order, but they were all defeated, not even an opportunity. What did we do? We did a motion to recommit, so the Democrat Party has been here, standing for just 10 basic elements to give you some dignity if you get ill, to provide for care for your parents or grandparents if they need a nursing home, and to leave you with a little something left in the estate. It was all defeated.

Ms. DELAURO. Mr. Speaker, I will make one more comment, because I know there are a number of colleagues on the floor who want to engage in this conversation.

If you could make the case that some of this cut were going, in fact, to balancing the budget or bringing down the deficit, you might be able to make a case in some ways for it. I do not know how in terms of nursing home standards and putting working middle-class families at risk, but the fact of the matter is here there is, as part of this budget, a $245 billion tax break to the wealthiest Americans in this country.

I do not deny people the opportunity to increase their salary and achieve a good status. That is a part of what the American dream is all about. No one questions that. But at this moment if you are going to cut Medicare, as they will, $270 billion, cut Medicaid $163 billion, in order to pay for that tax break for the wealthy, it is wrong, it is not part of the American tradition, and we need to fight it with every single breath we have.

I compliment my colleagues, and I am proud to join with you this afternoon in having this conversation.

□ 1700

Ms. DELAURO. I would be delighted to yield to my colleague there of Massachusetts.

Mr. OLVER. Mr. Speaker, I do not want to let the gentlewoman from Connecticut [Ms. DELAURO] get away, because she has raised so many provocative issues here that allow us to play off of those in some way.

The gentlewoman mentioned the misunderstanding about what Medicaid covers here in Washington and around the country. Well, it is really quite deliberate. I am convinced that it is quite a deliberate effort to convince people that it is really those unworthy welfare cheats and only those illegal immigrants who are part of the Medicaid Program. Because if you can somehow demonize the process, it is derogatory; it is an abstraction and a derogatory extraction. It is even inflammatory. If you can do that, then it is all the more possible to make this very severe cut, the $163 billion in cuts, and eventually to dismantle the program, which is ultimately the purpose of this, this pillar which has provided wonderful health care for a group of people who otherwise could not afford it, and for older citizens who have used all of their resources.

When we think about who actually is covered by it, they are our neighbors and our friends and our family members who are covered by Medicaid. It is the mothers and fathers in the nursing homes who have used all of their other resources somewhere along the way, and have only that to get their health care. It is the widows who have too little income to be able to even pay for their share of the Medicare that then gets picked up and paid for by Medicaid. It is the people who are disabled by birth defects or by crippling diseases that mean that they cannot be independent any longer. Yet somewhere along the way it is mothers of young children who are struggling and need that care, that health care for their kids, and it is for two-parent families.

Mr. Speaker, one of the grand ironies that we were talking about just before the gentlewoman from Connecticut [Ms. DELAURO] came in was the business of taking $30 billion away from low-income families, people who are working, who have been paying in their withholding tax money out of their pocket; and if their income was under $25,000, they were working on the various sliding scales in that range, then they could get a tax credit. Well, in fact, the ones at the lower end of that scale are also people who, under these provisions, are in danger, in serious danger of losing their medical care as well.

So when we are talking about trying to get people to work, we are taking the incentive to work, because if you work, you are going to lose your health care, or you are going to lose your earned income tax credit, which was the thing that may have helped you get off poverty. You are driven back toward poverty and your kids are going to maybe lose their health care in the process.

Mr. Speaker, think of what this means in terms of family values. How can one talk about this being family values when so many of those 12 million families that will lose their earned income tax credit are families with kids and those kids then become more in danger of growing up in poverty?

So what you say is a double whammy, and we could go on about other kinds of whammies that are built into this system, because you take away and take away and take away, and ultimately, it is all, all of those monies that come out of the Medicaid cuts for kids and all of those that come out of the ITC are less in total than just the amount of money that is given in tax breaks to the small couple of percent of families, those couple of million families at the very upper end of the scale who already have incomes among the top couple percent of American families. It is really ironic, and it is highly unfair.

Ms. DELAURO. Mr. Speaker, the gentleman from Massachusetts [Mr. OLVER] is absolutely right.

Mr. PALLONE. Mr. Speaker, I see that the gentleman from Hawaii [Mr. ABERCROMBIE] is here joining us, and I would like to yield to him at this point.

Mr. ABERCROMBIE. Mr. Speaker, I thank the gentleman very much for yielding to me. I am very happy to be here today, because you are looking at a new million-dollar man here in the House of Representatives. I am here to collect from this man right here: Haley Barbour.

This is one about the Republicans cutting Medicare. He has an advertisement in the Roll Call magazine this week, and he is offering anybody who can show the following: In November 1995, the U.S. House and Senate passed a balanced budget bill. It increases total Federal spending on Medicare by more than 50 percent from 1995 to 2002, pursuant to Congressional Budget Office standards. He says he will give $1 million to anybody who can prove that is not true.

Mr. Speaker, you are looking at the guy that can do it. You put my name, Mr. Haley Barbour, right there. It says, your name here, ABERCROMBIE, A-b-e-r-c-r-o-m-b-i-e, I will fill in the rest, it is OK, just like Abercrombie and Fitch, in case you cannot remember it, and I will see that that million dollars goes to the people that deserve it: the children that you are attacking, the elderly that you are attacking, the disabled that you are attacking.

Now, Mr. Speaker, I know, I am used to seeing jolly Republican guys like Haley Barbour out there attacking weak people, but when he says he is going to give $1 million, and by the

way, it is interesting that the Republicans have millions to give away, millions of dollars on Medicare, they say, let us see who they are going to give it to. They do not have a balanced budget by the standards of the Congressional Budget Office.

Mr. Speaker, I have been in my special orders down here, and I say to the gentleman from New Jersey [Mr. PALLONE] that I will not take all the time up today, but the gentleman knows that I can show and have shown in these special orders over and over again, and I think my good friend, the gentlewoman from California [Ms. PELOSI], is going to be able to show you some figures from her area, that proves there is no balanced budget here.

On the contrary, the deficit is going to go up by billions and billions of dollars. They are going to expropriate from the Social Security trust fund money to try and make up that deficit. Mr. Speaker, I will tell my colleagues where that money is going to go from this unbalanced budget. We can prove that budget is not balanced. It is not going to be spending on Medicare. On the contrary, we assume, and the average American assumes, when you say Medicare spending, that is going for expenditures having to do with the medical needs of the people of this country. Yet, what is it that is being proposed by the Republicans in Medicare?

This is from the New York Times, October 31 of this year. The plan would give doctors new ways to make money. It is not Medicare for your mom and my dad. This is Medicare-looting for the doctors and the insurance scams all over this country.

Mr. Speaker, this is not me saying it. Let me tell my colleagues what the New York Times says.

> Medicaid measures working their way through Congress would remold the role of many doctors, turning them into medical entrepreneurs, permitting them to engage in business enterprises now forbidden. The House version of the legislation would allow doctors to start physician-run health groups without financial and regulatory requirements that States impose on similar organizations. The bill would make it easier for doctors to set prices in ways that now violate the antitrust rules.

Can you imagine what a boondoggle this is? It is not being spent on Medicare; it is being spent on people who are going to give campaign contributions to the guys that are bringing them the Medicare money. That is what it is all about, and their medical savings accounts.

I have the analysis right here by the Henry J. Kaiser Family Foundation that proves that these medical savings accounts is another scam artist activity for the insurance companies that will have the following effect. Under these medical saving plans unhealthy individuals are going to be unlikely to gain. Under certain scenarios, the traditional Medicare Program may cease to exist or exist in a reduced form.

I am telling the gentleman from New Jersey [Mr. PALLONE], friends and neighbors, colleagues, we are in the chips. I want Haley Barbour to have that pen ready to write my name on that check so that we can follow up, and we are going to be down here every day exposing how the Republicans have taken something as serious as Medicare, as serious as that is, to the mothers and fathers and the families of this country, having to count on Medicare, and take it and try to turn it into a joke where they are putting a $1 million check up there as if it is some kind of a sideshow that they want to put on.

Well, we are taking them up on it. We are showing people that this Medicare expenditure is a serious issue with the Democrats in this Congress, a serious issue for the families in this country, a serious issue for children, for the elderly and for the disabled; and we are going to expose this for what it is.

Mr. PALLONE. Mr. Speaker, I appreciate the comments of the gentleman from Hawaii, and I totally agree.

I just want to say one thing before I introduce our next participant here. Even though that Roll Call article talks about how more money theoretically is going into Medicare, what we are really talking about here is the amount and the level of growth.

When I say that something like 18 percent of the people who are now eligible for Medicaid are not likely to be eligible in 7 years, that is because the amount of money that the Republicans are putting into the plan will be 18 percent less than what it would be under current law. If you translate that into the number of people who would be ineligible for Medicaid, as the gentlewoman from Connecticut said, in nursing home care, the children, the disabled, whatever, that is what we are talking about. It may be that in actual dollar terms there is more money, but in real terms, it is an 18 percent cut, and 18 percent less people are going to be eligible.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman would be kind enough to yield for a moment, I agree with what the gentleman is saying, although I think the gentleman is being entirely too kind. Not only was the gentlewoman from Connecticut [Ms. DELAURO] correct in the analysis that she made, but I was showing even further cost transfers that are being made.

Mr. Speaker, we cannot say that we are spending more on Medicaid, except by an accounting trick, if at the same time, simultaneously, we are increasing the deficit and the interest that must be paid on that deficit. If we are transferring money out of the Social Security trust fund, which must be paid back with interest, what happens is, on a net basis, not only are we not spending more on Medicare per se, but we have actually increased the indebtedness of the people of the United States with respect to that budget.

So on any grounds that we want to put it, if we want to compare the tax cut, I should say the tax giveaway that they want to put out there is in the neighborhood of $240 billion to $250 billion, and even Mr. Barbour, at his most hyperbolic, says that under their plan, the government spent $289 billion on Medicare, just on the tax giveaway alone, 250 that is already gone. That leaves 30 right there that we are dealing with.

As I said, that can be made up just with the other points that the gentlewoman from Connecticut (Ms. DELAURO) made up and that the gentleman made up. So the plain fact of the matter is that on paper and paper only, by way of illusion, and by accounting trickery can we even presume that we are going to spend more on Medicare.

The actual facts of the matter are that the public debt will increase from $5.2 trillion to $6.8 trillion over this 7-year period by the accounting methods that are used in the Republican budget document itself.

Mr. PALLONE. Mr. Speaker, I appreciate what the gentleman is saying.

I would like to yield now to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I thank the gentleman from New Jersey [Mr. PALLONE] for his leadership on this issue and for his untiring efforts to call to the attention of the American people and this Congress what is at stake in this fight that we are having.

I welcome the opportunity to convey to my colleagues what the impact is on my community in San Francisco and on the State of California. Before I do, I wanted to follow up on the remarks of our colleague from Hawaii in terms of generally what these cuts mean in terms of balancing the budget.

We all know, Mr. Speaker, that any proposals that are being put forth on the Republican side now do not represent balance in terms of the values that our country holds dear. When we would cut all of the kinds of money we have out of investments in our children, we cannot be talking about a balanced budget. It is unbalanced and imbalanced.

In addition to that, I think it is very important to recognize that the proposal being put forth by our Republican colleagues will not fiscally balance the budget either for the some of the reasons that the gentleman from Hawaii [Mr. ABERCROMBIE] has put forth, but also, we will have a better chance of balancing the budget to the extent that we invest in our children, in their education and in their health and in their well-being. Only then will that investment make our economy more dynamic, a healthy and educated work force, make our country more competitive, and therefore produce the revenues that are necessary to balance the budget within 7 years or beyond, depending on what our basis is. I say that, meaning in the foreseeable future.

Mr. Speaker, I do think that the cuts that we are talking about here have to

be recognized, as the gentleman has done so eloquently, as to what the impact is on the individual and that individual's family, but also in terms of what the impact is on the local communities which will be impacted by these cuts, their budgets, as well as the economies of those regions when you take away the personal assistance and the assistance that goes to the area.

□ 1715

In the State of California, I do not have my California chart right here but I have used it many times to show that under the Gingrich budget, the Republican budget, over $72 billion will be cut over the next 7 years just in the Medicare-Medicaid cuts, we call it MediCal in California, earned-income tax credit, school nutrition programs, those. Not even going into the cuts in appropriation, in terms of protecting the environment or assistance to disadvantaged children in chapter I and on many other cuts that will be made through the appropriation process. Just looking at what is being done on the entitlement, the guaranteed side, guaranteed to this point.

It is something that just does not affect those individuals but as I mentioned it affects their local government's budget and the economy of the area.

Our State probably, if you take the appropriations into consideration over that 7-year period, will be over $100 billion. Our State budget is about $57 billion a year. So you are talking about nearly 2 years of a budget of the State of California being cut out of the 7-year, and think of what that means to the economy of a State like California. And then just take it to your own States and figure out how it relates to your own States. I know you have all done that and made presentations to that effect.

But in California with such a heavy weight, ⅛ of the country, if it has a very negative impact on California, of its nature it will have a heavy impact on the country over and above what it does to your States individually.

In the city of San Francisco, and I have this chart to show some of these figures. As you can see right now, employer coverage and privately purchased insurance covers about 48 percent of our population; uninsured are 21 percent; MediCal, which is Medicaid recipients, represent about 16 percent; Medicare recipients the remainder, 15 percent.

If the cuts being suggested are made, that will move our uninsured to nearly 30 percent of the population. In the high 20's to 30 percent of the population of the city will fall into the uninsured. Those people who may need emergency care, the costs are shifted again to employer coverage and privately purchased.

That is where we were when President Clinton came in and said, we need to improve, we need to reform health care coverage in our country. that is the real answer. We missed that opportunity because of the complexity of the issue, the partisan nature of the debate, et cetera. But nonetheless, that is the answer to reducing the increase in health care cost and the impact on the public budget.

But nonetheless, when you make those cuts, that means 40,000 people, 13,000 families now covered by Medicaid, would be losing their health coverage, would be severely impacted.

As a result, even if we say it just goes to 25 percent, the impact would not be just on the poor. according to a recent study sponsored by the National Leadership Coalition on Health Care, cost-shifting would cost the private sector payers $87 billion—now we are talking nationally—over the next 7 years. most of the cost shift would be passed on to workers by employers in the form of forgone wages and an increased cost for health insurance premiums.

But to San Francisco. Our San Francisco city comptroller has estimated that the Republican budget will impose $600 million in cuts to the city budget over 7 years, with half of these cuts alone for Medicare and Medicaid programs alone.

The city will have little choice, and I say this, substitute the name of any city, will have little choice except to greatly reduce services or increases local taxes.

Because of the impact on local budgets and public hospitals, you will have a problem finding lifesaving trauma care if you or a family member are involved in a serious accident requiring emergency care, and that is assuming that you are in this employer coverage and privately purchased care. So it would even affect you in that category.

The severe cuts in Medicaid are required in order to fund this massive tax break, and that is what the saddest part of this story is. Because here we are in a situation where we are hitting people—I heard one of my colleagues say earlier, we do not want to be engaged in class warfare. Of course we do not. But fair is fair. Not welfare. But fairness. And it does not seem right.

Most people that I know who are in the brackets which would benefit from these tax breaks say, ''We don't need this tax break. We have decided we want to balance the budget, so don't give us this tax break. If that is your value, then don't balance it. But don't take it from the poorest of the poor.''

How could it be fair for the earned-income tax credit for the working poor to be cut, to be eliminated for many families, many people, while we give a tax break at the high end?

Now our Republican colleagues will say, ''Oh, we're just taking it away from people without children.'' Well, these young people would like to have a family, too. They are families, they are potential families, and they want to be strong families.

So when you talk about the cuts in earned-income tax credit, and I just want to add one more point on this tax fairness issue. The much-heralded family tax credit that our colleagues have talked about in their tax plan, $500 per child, you have heard of it. It ironically is retroactive until October 1 of this year, while the capital gains tax break for the high end is retroactive until January 1, giving them the full benefit of the tax break, while families only get 25 percent of the break, so that $500 tax break for this year is $125, and you cannot collect it until October 1, 1996. Yet if you are in the upper brackets and you get the capital gains reduction, we can accommodate you until January 1 of last year.

This is about fairness. It is not about class warfare. But if you are stomping on the people at the low end who need a safety net at some period of time in their lives in order to give a tax break to the wealthy who are not clamoring for it but who do want a balanced budget, you have to have a balance in values, you have to have an investment in children in order to produce the revenues in order to reach balance in a very fair way.

I say to our colleagues, look to what it does to individuals. But see what it does to the local budgets in your area and the impact on the economy in your area to have, say in our case, about $100 billion pulled out over the next 7 years.

With that, I yield back to my colleague and thank him for the opportunity to present the concerns of my community on this unfair approach to Medicaid, particularly Medicaid, in this instance in this budget.

Mr. PALLONE. I thank the gentlewoman. I yield to the gentleman from Massachusetts. I know we only have a minute or two left.

Mr. OLVER. I thank the gentleman.

The gentlewoman has given very dramatic data there as to what it is that happens in your home State. I would just like to connect it to what the gentleman from Hawaii had said.

In your chart, the uninsured group gets increased, it gets increased by taking people who presently have insurance, the only kind of insurance they have, from the Medicaid Program, out your MediCal recipients, increases the uninsured, the people who are really destitute and do not have health insurance.

The thing that is offered in return is the medical savings account which you have to already to able to have a large amount of income that you can risk in the process, $4,000, $5,000, $6,000 that you can risk in the first place, which is only people who are very wealthy.

So the medical savings account does not do anybody any good who is in the red category or that white category of uninsured. All we are doing is increasing the uninsured and making it harder for those who are modestly and marginally insured and trying to transfer it to people who already have a not in this society.

Mr. PALLONE. I want to thank everyone who participated in this special

order today. I think we really brought out a lot of good points.

LONG-TERM CARE JEOPARDIZED

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

Mr. MORAN. Mr. Speaker, we all know that Americans are living longer, and they are living longer with chronic and often incapacitating illness. For many of them, nursing home care is the only option. It is a difficult and painful choice, not one that any individual or family would take lightly, particularly given the cost of nursing home care. Mr. Speaker, in northern Virginia, in the district I represent, the average cost of nursing home care is $45,000 per year.

So the State of Virginia has been very stringent in determining Medicaid eligibility. That is why this is relevant to the discussion that just took place. Without the cuts to the Virginia Medicaid program, Virginia would be providing 54,000 individuals with access to home and community-based care, 24,300 nursing home recipients, and 2,300 individuals in intermediate care facilities for the mentally retarded.

But in the face of the Medigrant Program, which caps Medicaid long-term care spending as soon as 1996, next year, $968 million, or 27 percent of the budget for long-term care in the State of Virginia by the year 2002 would be cut. That translates into a reduction of 9,000 people who would no longer be eligible for assistance next year, and 37,000 nursing home residents who would no longer be eligible for care in 2002. We have to ask ourselves, where would these people end up?

In 1987, President Ronald Reagan signed into law Federal standards for nursing homes. This was a direct consequence of the in ability of the States to establish standards and monitor and enforce them. The newspapers were filled with horrible accounts of abuse of our Nation's seniors. That is why President Reagan responded to the abuse that was taking place across the country.

This Medigrant Program turns back the clock. It turns the responsibility of establishing, monitoring, and enforcing nursing home standards back to the States. Clearly President Reagan would not have usurped that responsibility if there were any alternative way of ensuring quality care for our Nation's seniors.

All families with members needing long-term care have been paying for many years to care for their parent or child at home. In the end, their ability to care for that person, both physically, emotionally or financially, runs out.

In my district, the eligibility requirements to receive Medicaid assistance for long-term care are already very stringent. Thirty-four percent of all Medicaid dollars are spent on long-term care assistance. This is considerably lower than the national average. But once an individual is determined to be eligible, the State does not come after the adult children to pay for nursing home care.

This legislation included in the 7-year balanced budget plan, the Medigrant legislation, empowers States to require payments from adult children if the family income is above the State median, regardless of other financial obligations. Governor Bush said, and I want to quote him, ''I plan to go after all adult children of nursing home residents.''

Many allude to middle-class seniors divesting their fortunes in order to qualify for Medicaid, but the anecdotes do not add up. The GAO found in a 1993 study that less than 10 percent of all Medicaid applicants had transferred their assets in order to qualify for assistance, but even that did not result in increased Medicaid spending. Furthermore, Congress changed the law in 1993, requiring that Medicaid eligibility could not be considered within 3 years of the asset transfer.

In 1993, Congress required States to recover from the estate of deceased Medicaid beneficiaries. It did not require the seizure of homes or businesses, and it even prohibited such actions if the home was being lived in by a spouse. Current law also protects against liens and estate recovery while dependent children are living.

But Medigrant repeals these protections. The Medigrant bill empowers States to pursue family homes to recover long-term care expenses, even if those homes are currently occupied by families members. All that protection is repealed.

Mr. Speaker, I will not take any more time. There is so much more that I could say about this. It is all of a critical nature, because we are taking away the security that is currently available to families who desperately need it.

□ 1730

We are enabling States to go after homes, to seize assets, no matter how impoverished the spouse might be, to take away the standards that President Reagan put into place to protect our senior citizens. This goes far beyond the dollars and cents.

I think this is a profound erosion of the kind of security that Americans have come to, and should be able to, expect.

I thank the Chair for the opportunity to express this on the floor today, and I would hope we are going to turn this back.

The Medigrant Program repeals protection for the spouses and children of nursing home residents. Medigrant gives States the flexibility to deny coverage. Income and resource set-asides for the spouse of a nursing home resident have been maintained in Medigrant, but these are only available after a resident has been found eligible for coverage.

Under Medigrant, there is no assurance of coverage even if you meet income and resource standards; no required fair hearing to challenge a determination of noncoverage; no protection against having a lien placed on the home; no requirement for clarity about what is included in the Medigrant rate; no requirement that Medigrant cover a specific set of services; and no allowance for putting aside money for a disabled child.

I have been told that Medigrant requires States to set-aside considerable resources for nursing care services. Although the amount Medigrant requires to be set aside for the elderly is based upon expenditures for current nursing home services, nothing in law requires such services to be offered. The funds set aside are considerably less than what Medicaid sets aside today. In fact, a number of studies have suggested that the first cuts will be made on community and home based long-term care, forcing disabled and frail elderly to apply for the much more costly nursing home care.

Why? Because the nursing home industry is much stronger and financially able to lobby for dollars than the burgeoning community based care community.

The block grants are capped, regardless of economic or demographic changes. The rate of growth will not keep pace with inflation or increased use due to an aging population. The bill, on average, increase spending at 5.2 percent a year, while long-term care spending will increase at about 9.5 percent a year. Virginia is particularly hard hit because of the aging of the population. Residents older than 65 years will increase from 7.3 to 15.7 percent of the total population. In the next 15 years, there will be five times as many Virginians older than 75 and nine times as many Virginians older than 85 years as there were in 1960.

This Nation made a commitment 30 years ago to investing in medical technology and medical assistance to extend and improve the lives of senior citizens. Assistance for long-term care is the humane extension of medical intervention and assistance. Those who seek long-term care are seeking to complete their lives with dignity, as independently as possible and certainly, not as a financial burden on their children or grandchildren. The Medigrant bill takes away this dignity from those who need long-term care and from their families.

HOW THE MEDICAID CUTS AFFECT VIRGINIA

Issue: The current proposed block grant for the Medicaid program relies on a formula which rests on the current federal match now received by each state. This unfairly penalizes Virginia, because it locks in current funding patterns among the states, regardless of need or changing demographic patterns, while high cost states that have not been efficient or judicious with their Medicaid dollars will continue to benefit at high levels of federal assistance.

Congressional proposals do little to address vast disparities in federal Medicaid grants to the states. Both lock in generous payments to some states at the expense of others. Under both plans, New Hampshire and Connecticut would get twice as much per poor person as Virginia. Under both proposals, Virginia will continue to have the seventh lowest grant per poor person in 2002. (Poor is defined as those in families earning 100% or less of the federal poverty level, which is $11,817 for a family of three in 1995).

History: Virginia has been very conservative in its determination of program eligibility and benefits; management of Medicaid dollars and beneficiaries; and in its claim on federal resources.

Viriginia has the seventh lowest federal grant per person in poverty. Virginia is below the national average in state Medicaid spending per beneficiary. 75% of its Medicaid expenditures are on mandatory services and 25% are on optional services . . . this is below the national average.

(States must offer a minimum acute care benefit package to their eligible populations. They can cover other acute services at their discretion. States vary widely in their coverage of optional acute services.)

Virginia has established tight eligibility standards. Thus, although Virginia has a higher poverty rate than Connecticut, Massachusetts and Rhode Island (and closely trails New York), Virginia covers less than half of its poor residents in Medicaid, while these other states have enrolled 60–90% of their poor.

DISPROPORTATIONATE SHARE PAYMENTS TO HOSPITALS

In the early 1990's, some states aggressively pursued DSH money in order to leverage more federal dollars. DSH payments were intended to help hospitals serving high volumes of uninsured and Medicaid patients. They did this by adding money generated from hospital assessments and ''voluntary payments'' from hospitals and adding that to state funds, in order to leverage more federal matching funds, and then paid back that money to those hospitals. Until these schemes were controlled in 1993, many states received huge amounts of federal Medicaid dollars, which they spent on general state needs. Two-thirds of DSH spending is concentrated in 8 states. DSH payments to Northeast high cost states are 6–16 times higher than in Virginia.

Virginia chose not to participate in aggressively capturing DSH dollars, as they felt it was an inappropriate use of federal funds.

The proposed Medicaid block grants lock the DSH inequities into place, leaving Virginia with only a small amount of DSH funds. Those states like NH, LA, NY, CT, NJ, will continue to receive significant DSH dollars under the block grant.

DEMOGRAPHICS

The block grant does not take into consideration the changing demographic trends in Virginia. The population is aging and the percentage of older Americans moving into Virginia from other states is increasing.

By 2020, the total population of VA. will number 8.4 million, up from 6.5 million in 1990. The elderly are the fastest growing segment of the population. Residents older than 65 will increase from 7.3% to 15.7% of the total population. There will be five times as many Virginians older than 75 and nine times as many Virginians older than 85 as there were in 1960. The elderly are the heaviest users of health care; it is reasonable to assume a growing percentage of this population will become Medicaid-dependent for nursing home care and other long term care services at an increasingly high cost.

WHAT HAS THE STATE DONE TO MAXIMIZE ITS MEDICAID DOLLARS?

Virginia has implemented a number of cost containment techniques to improve ''efficiency'' of the Medicaid program. The Va. Dept. of Medical Assistance estimated in 1994 that since 1982, Virginia has realized about $217 million dollars annually in savings and cost avoidance through cost containment measures including:

Medicaid managed care

Moratorium on nursing home construction

Limits on inpatient hospital admission before non-emergency surgery

Expanded use of generic drugs

Utilization management for hospital and other services

Preadmission screening for nursing home applicants

Adult day care alternatives to nursing home placement

24-hour obstetric discharge using a home health alternative

As a result of improved efficiency, Virginia has not required continued large increases in federal matching dollars. Yet, the state will be penalized for prudent and judicious use of Medicaid money. Those states with inefficiently run programs that are high cost to the federal government, including those states that illegally garnered DSH dollars, will continue to receive the highest contribution. The current Medicaid program is flexible enough to allow Va. to receive more federal dollars as the needs and available resources change. The proposed block grant proposal bases consideration of future federal funding on current levels, regardless of each state's future needs.

What should be incorporated into the Medicaid block grant is an effort to move all states to an equitable level of federal financial support per capita. That is not unlike the policy in place for the Medicare program. When that program moved from a cost-based reimbursement to reimbursement by diagnosis-related group, formerly vastly different rates paid to providers were moved to a national rate adjusted only by the special labor costs within regions. This uniformly provides the same incentives to all states to operate efficient Medicaid programs.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HANSEN (at the request of Mr. ARMEY), after 12:30 p.m. today, on account of personal reasons.

Mr. EMERSON (at the request of Mr. ARMEY), for today, on account of a doctor's appointment.

Ms. HARMAN (at the request of Mr. GEPHARDT), for today, on account of personal business in the district.

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

Mr. POSHARD, for 5 minutes today.

Ms. NORTON, for 5 minutes today.

Ms. SLAUGHTER, for 5 minutes today.

Mr. ROEMER, for 5 minutes today.

Mr. GENE GREEN of Texas, for 5 minutes today.

Mr. DOGGETT, for 5 minutes today.

Mrs. SCHROEDER, for 5 minutes today.

Mr. BROWN of Ohio, for 5 minutes today.

Ms. DELAURO, for 5 minutes today.

Mr. BENTSEN, for 5 minutes today.

Mr. FALEOMAVAEGA, for 5 minutes today.

Mr. VOLKMER, for 5 minutes today.

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

Mr. GOSS, for 5 minutes today.

Mr. LEWIS of Kentucky, for 5 minutes today.

Mr. MANZULLO, for 5 minutes today.

Mr. COX of California, for 5 minutes today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MORAN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

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

Mr. BONIOR.

Mr. FRANK of Massachusetts.

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

Mr. HERGER.

Mr. SAXTON.

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

Mr. FIELDS of Texas.

Mr. HASTERT.

Mr. RUSH.

Ms. VELÁZQUEZ.

Mr. REED.

Mr. BARRETT of Wisconsin.

Mr. POSHARD.

Mr. WILSON.

Mr. BILIRAKIS.

Mr. ROYBAL-ALLARD.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1331. An act to adjust and make uniform the dollar amounts used in title 18 to distinguish between grades of offenses, and for other purposes; to the Committee on the Judiciary.

S. 1465. An act to extend au pair programs; to the Committee on International Relations.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 325. An act to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone nonattainment areas designated as severe, and for other purposes; and

H.R. 1240. An act to combat crime by enhancing the penalties for certain sexual crimes against children.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Friday, December 15, 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:

1840. A letter from the Director, the Office of Management and Budget, Transmitting the cumulative report on rescissions and deferrals of budget authority as of December 1, 1995, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 104–146); to the Committee on Appropriations and ordered to be printed.

1841. A letter from the Chairman, National Labor Relations Board, transmitting the 59th annual report of the National Labor Relations Board, pursuant to 29 U.S.C. 154(c); to the Committee on Economic and Educational Opportunities.

1842. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period April 1, 1995, through September 30, 1995, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

1843. A letter from the Assistant Attorney General of the United States, transmitting a draft of proposed legislation entitled ''The Parole Commission Phase-Out Act of 1995''; to the Committee on the Judiciary.

1844. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled ''The Superfund Innovative Technology Evaluation Program, Annual Report to Congress FY 1994,'' pursuant to 42 U.S.C. 9604; to the Committee on Science.

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. SOLOMON: Committee on Rules. House Resolution 307. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes (Rept. 104–407). Referred to the House Calendar.

Mr. CLINGER: Committee on Government Reform and Oversight. H.R. 2661. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the District of Columbia to expend its own funds during any portion of a fiscal year for which Congress has not enacted the budget of the District of Columbia for the fiscal year, and to provide for the appropriation of a monthly prorated portion of the annual Federal payment to the District of Columbia for such fiscal year during such portion of the year; with amendments (Rept. 104–408). 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. BUNNING of Kentucky:

H.R. 2778. A bill to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such services were performed in a combat zone; to the Committee on Ways and Means.

By Mr. COX (for himself, Mr. HEFNER, Mr. CHAMBLISS, Mr. FORBES, Mr. GOODLATTE, Mr. HILLEARY, Mr. JONES, Mr. LATHAM, Mr. LINDER, Mr. ROHRABACHER, Mr. SHADEGG, Mr. SPRATT, Mr. TAYLOR of North Carolina, and Mr. WICKER):

H.R. 2779. A bill to provide for soft-metric conversion, and for other purposes; to the Committee on Science.

By Mr. BURTON of Indiana (for himself, Mr. MORAN, Mr. MICA, and Mr. BARTON of Texas):

H.R. 2780. A bill to specify the circumstances in which compensation may or may not be afforded to Federal and District of Columbia employees for the period of a lapse in appropriations for fiscal year 1996; to the Committee on Government Reform and Oversight.

By Mr. ENSIGN:

H.R. 2781. A bill to authorize the Secretary of the Interior to provide loan guarantees for water supply, conservation, quality, and transmission projects, and for other purposes; to the Committee on Resources.

By Mr. FRANK of Massachusetts (for himself and Mr. BLUTE):

H.R. 2782. A bill to authorize funds to further the public service mission of the Joseph W. Martin, Jr. Institute for Law and Society; to the Committee on Economic and Educational Opportunities.

By Mrs. MALONEY:

H.R. 2783. A bill to amend the Foreign Assistance Act of 1961 to authorize the President to issue loan guarantees for economic development and job creation activities in the Republic of Ireland and Northern Ireland; to the Committee on International Relations.

By Mr. WICKER (for himself and Mr. PARKER):

H.R. 2784. A bill to provide clarification in the reimbursement to States for federally funded employees carrying out Federal programs during the lapse in appropriations between November 14, 1995, through November 19, 1995; to the Committee on Government Reform and Oversight.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 264: Ms. FURSE.

H.R. 528: Mr. SCHIFF, Mr. FOLEY, Mr. GOODLING, Mrs. MYRICK, Mr. BROWN of California, and Mr. SKEEN.

H.R. 761: Ms. DELAURO, Ms. MCKINNEY, Mr. CONYERS, Mr. FROST, Mr. FOGLIETTA, Mr. GUTIERREZ, and Mr. MARTINEZ.

H.R. 878: Mr. KING.

H.R. 1050: Ms. WOOLSEY and Mr. OLVER.

H.R. 1094: Mr. EVANS and Mrs. THURMAN.

H.R. 1377: Mr. DEAL of Georgia.

H.R. 1448: Mrs. MYRICK.

H.R. 1499: Mr. GENE GREEN of Texas.

H.R. 1535: Mr. HINCHEY.

H.R. 1627: Mrs. CLAYTON.

H.R. 1684: Mr. BILBRAY, Mr. QUILLEN, and Mr. STEARNS.

H.R. 1701: Mr. MINGE.

H.R. 1889: Mr. FOX, Mr. TAYLOR of North Carolina, Mr. TEJEDA, and Mr. TORKILDSEN.

H.R. 2027: Mr. ABERCROMBIE.

H.R. 2098: Mr. HASTINGS of Washington.

H.R. 2178: Mr. MARTINEZ.

H.R. 2198: Mr. BARTLETT of Maryland, Mr. CALVERT, and Mr. LIVINGSTON.

H.R. 2220: Mr. WICKER.

H.R. 2281: Mr. BROWN of Ohio and Mr. CHAPMAN.

H.R. 2350: Mr. FOLEY and Mr. KILDEE.

H.R. 2443: Mr. FOX.

H.R. 2450: Mr. CALVERT.

H.R. 2567: Mr. HAYES and Mr. HAYWORTH.

H.R. 2580: Ms. LOFGREN, Mr. HASTINGS of Florida, and Mr. JOHNSTON of Florida.

H.R. 2618: Mr. OLVER.

H.R. 2657: Mr. CHAPMAN, Mr. CRANE, Mr. DIAZ-BALART, Mr. DOYLE, Mr. EHLERS, Mr. FRANKS of Connecticut, Mr. GEJDENSON, Mr. GOODLING, Mr. GORDON, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOSTETTLER, Mr. HUNTER, Mr. HUTCHINSON, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Mr. KANJORSKI, Ms. KAPTUR, Mr. LIPINSKI, Mr. MASCARA, Mr. MEEHAN, Mr. MILLER of California, Mr. MURTHA, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. OBEY, Mrs. KELLY, Mr. EWING, Mr. JEFFERSON, Mr. YOUNG of Florida, Mr. WELDON of Florida, Mrs. CLAYTON, Mr. BUNNING of Kentucky, Mr. CLEMENT, Mr. DOOLITTLE, Mr. DORNAN, Mr. FOGLIETTA, Mr. GIBBONS, Mr. GEKAS, Mr. GONZALEZ, Mr. HAMILTON, Mr. KASICH, Mr. KIM, Mr. LAHOOD, Mr. LEWIS of California, Mr. MYERS of Indiana, Mr. OWENS, Mr. PORTER, Mr. PORTMAN, Mr. REGULA, Mr. SCHUMER, Mr. SCHIFF, Mr. SISISKY, Mr. SKAGGS, Ms. SLAUGHTER, Mr. SMITH of Michigan, Mr. ZIMMER, Mr. ABERCROMBIE, Mr. BATEMAN, Mr. BILBRAY, Mr. BISHOP, Mr. BORSKI, Mr. BROWDER, Ms. BROWN of Florida, and Mr. CARDIN.

H.R. 2682: Mr. QUINN and Mr. RANGEL.

H.R. 2727: Mr. CRAPO, Mr. COOLEY, Mr. DUNCAN, Mr. POMBO, Mr. ROYCE, Mrs. VUCANOVICH, and Mr. NEUMANN.

H.R. 2740: Mr. OWENS.

H.R. 2748: Mr. WAXMAN, Mrs. COLLINS of Illinois, and Mr. DEFAZIO.

H.R. 2757: Mr. FOLEY and Mr. FOX.

H.R. 2772: Mr. FORBES.

H.J. Res. 117: Mr. GENE GREEN of Texas and Mr. LUTHER.

H. Con. Res. 63: Mr. FUNDERBURK and Mr. COOLEY.

H. Res. 220: Mr. WATT of North Carolina, Mrs. MINK of Hawaii, and Mr. DEUTSCH.

H. Res. 285: Ms. MCKINNEY, Ms. VELAZQUEZ, Mr. CLYBURN, Ms. ROYBAL-ALLARD, Mr. MILLER of California, Mr. RANGEL, Mrs. MORELLA, and Mr. ZIMMER.

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. 2644: Mr. BROWNBACK.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1020

OFFERED BY: MR. ENSIGN

AMENDMENT NO. 21: Page 19, line 23, insert after the period the following: ''If the construction of the rail line authorized by subsection (a) is not completed by 5 years after the date the Secretary first used heavy-haul truck transport under this paragraph, the Secretary may not use such transport after the expiration of such 5 years.''.

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PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, as nature abhors a vacuum, You deplore deadlocks that debilitate progress. We confess that we are hammerlocked and pinned to the mat by seemingly unresolvable differences in the negotiations between the Congress and the White House over the budget. The clock is running and ticks toward tomorrow's deadline. Meanwhile, the Nation watches, worries, and wonders.

Lord, help us to reorder our priorities. Deliberately we set aside self-serving manipulation. We trade in our party spirit for the spirit of patriotism. Grant both sides in this negotiation that triumphant transition that happens when we give up the pride of thinking that we have all of the answers and dare to pray, ''Lord, show us the way to break this deadlock.'' Displace our distrust of each other; replace it with a deep commitment to creative compromise. There is so much on which both factions agree. Give us the will to press on until workable solutions are found. We begin this day asking You to work in the minds and hearts of those who bear the responsibility of finding Your solution. Give them clear heads and willing hearts. We ask this for the good of the Nation and for the continuing respect of the people for the ability of the executive and legislative branches of Government to work together to govern this land. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Oklahoma is recognized.

PROGRAM

Mr. INHOFE. Mr. President, today there will be a period for morning business until the hour of 10:30 with Senators permitted to speak up to 5 minutes each, with the following exceptions: Senator WELLSTONE, 30 minutes; Senator MURKOWSKI, 15 minutes; Senator JEFFORDS, 15 minutes.

At 10:30 this morning, the Senate will begin consideration of the Interior appropriations conference report, H.R. 1977. That conference report is limited to 6 hours of debate. However, some of that debate time may be yielded back.

Following a vote on the Interior appropriations conference report, the Senate may turn to the consideration of the State Department reorganization bill under a previously agreed to 4-hour time limit. Rollcalls can therefore be expected throughout the day today.

Mr. WELLSTONE addressed the Chair.

The PRESIDENT pro tempore. The distinguished Senator from Minnesota is recognized.

Mr. WELLSTONE. I thank the Chair.

(Mr. INHOFE assumed the chair.)

LOW-INCOME ENERGY ASSISTANCE

Mr. WELLSTONE. Mr. President, I rose last week to talk about an issue that is critical to people in my State, and across the Northeast and upper Midwest. There have been scores of editorials in major newspapers all across the country dealing with a fundamental moral issue that we, in this Nation, are confronted with this week in the Senate and House of Representatives.

The title of this editorial is ''Pray for Warm Winter. GOP Plans Mean Pork and a Loss of Heating Aid.''

I am going to be joined by a number of colleagues throughout the day who want to speak on this issue. My colleague from Wisconsin is here, Senator KOHL. I wish to make sure that other colleagues know that only late last night did we realize we would have some time today. But there have been a number of Senators who have taken a lead on this issue—Senator LEAHY, Senator JEFFORDS, Senator COHEN, Senator SNOWE, Senator KENNEDY, Senator HARKIN, Senator ABRAHAM, Senator MOYNIHAN, and others—Democrats and Republicans alike.

Mr. President, fuel assistance programs across the country have run out of money, and people are being forced out in the cold. We are confronted with the fierce urgency of now, and time rushes on. Quite frankly, whether or not this continuing resolution is for 2 or 3 days, or whether there is another continuing resolution for 1 week or whatever has absolutely nothing to do with the essential fact that there are men, women, and children in the Northeast, Midwest, and cold weather States who are going cold right now. More short-term fixes won't cut it anymore. There are long waiting lists throughout the country, and when people in this program don't get served, they don't heat their homes. In the State of New York, for example, I have heard that people are being told to come back in March to apply for energy assistance. Come back in March, when it's freezing there now. In my State of Minnesota—and I am sure it is the case in my colleague's State of Wisconsin—this weekend temperatures are right around zero.

We have to allocate this money now, and the problem is that for all of our States we are faced with the situation of needing the money desperately, right now. Let there be no mistake. This is not really a 1-year program, it is basically a 6-month heating program. We need to get funding to people for energy assistance now. By this time in Minnesota last year, as opposed to $9 million, we had about $25 million out in our State. Right now, Mr. President,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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there are 31,000 applications now pending; 16,000 cannot be served; close to 4,000 people in crisis, many in a no-heat situation. In Minnesota, many have been turned away.

This is outrageous. It is unconscionable. So what we have to do is make sure that in this continuing resolution—Friday, Monday, starting with the one Friday by midnight—we have a formula that accelerates the delivery of funding to our States, to the cold weather States so people do not freeze to death. We cannot go forward on this ad hoc basis—a little bit here and a little bit there but not enough to serve long waiting lists of people. Our country can do better.

In the State of Minnesota last year, 110,000 households, about 330,000 people, were served by this program. Grants were about $380 or thereabouts. The heating bills for people were far more than that during the winter but in many cases this at least enabled people to get by.

Many of the people who benefit are elderly people who live on Social Security benefits. Many of them are families with children. Many of them are families struggling with disabilities. Many of them are minimum wage workers.

It is unbelievable; in the House of Representatives this program was eliminated outright, cut by over $1.3 billion. The total cost of the energy assistance program for the whole country is less than one B–2 bomber. This reflects seriously distorted priorities. These are not the priorities of the vast majority of people in this country.

There are editorials in newspapers all across the country which essentially are saying what the vast majority of people are saying. What we are doing right now in Washington, DC, is too harsh and it is too extreme; it is too punitive. It must not be allowed to continue.

Let me give a couple of examples of folks in my state who have been affected by these immediate, huge cuts. Clara Mager is a 73-year-old resident of an Iron Range town. I mentioned her problem briefly the other day. She receives about $675 a month in Social Security. She lives alone, and she raised 6 children on her own. She just received a grant of approximately $220. She owed her fuel provider, Intercity Oil, $177, and on Monday she had only 60 gallons left in her fuel tank. She does not know how she is going to make it through the winter, and she does not know whether she can stay in her house.

Nancy Watson is 55 years old, from Clear Lake, MN, and disabled. Her income on SSI and MSA is $529 a month. She received a grant of only about $80 this year, and she does not know what she is going to do. It is far less than in the past because we are not getting the allocations of funds out there in the communities.

In Blue Earth County—we are getting calls from all over the State—a self-sufficient 90-year-old woman lives alone; her monthly income is $204. Right now she has closed off almost all of her home, I say to my colleague from Wisconsin; she is living in one room. She is heating one room. She has not been able to get the energy assistance she needs this year. She does not know where she is going to go, and she thinks she is going to basically have to leave her home and go into a nursing home.

Mr. President, there are people in my State, and in Wisconsin, and in many other States across this land right now, who either have no heat—can you imagine that in the United States of America? There are those who are living or heating one room, or who have turned the thermostat down to 50 degrees, or who are using their oven to try and heat their home, whose furnaces have not been repaired but should be, but there was no funding for that, who are running with dangerous, badly maintained kerosene stoves, running a fire hazard, with the risk of carbon monoxide poisoning. This is the United States of America?

And so, Mr. President, let me just be clear about this to my colleagues, Democrats and Republicans alike: The Low-Income Energy Assistance Program requires a minimum amount of resources, but it goes to the core of what we are about. This is a cold-weather lifeline program. This is not an income supplement. This is a survival supplement.

Family values, Mr. President, are about extending a helping hand. Family values are about giving people hope. Family values are about compassion. Family values are about all of us here understanding the implications and consequences of what we do.

My God, we have statistics and alphabet soup, OMB, CBO, baseline budgets and all the rest. Too often, it is a bloodless debate. I am talking about people who are desperate, right now, today, in the State of Minnesota, who are having to go without heat, or being forced to scrounge funds from friends, relatives, charities to buy fuel.

What is it going to take—someone freezing to death?—for us to take action? Then it will be too late. Time rushes on. Time is not neutral. People are going cold in America. We can do better.

And I say to the administration, if there is no agreement come midnight Friday, since this was last year's funding, they should put out this money now. The money is there, waiting to be released, but it's constrained by law until midnight tomorrow. After that, the administration should release the $1 billion—it is already there—and get the funding out to the States and out to the communities so people do not go cold and so people do not freeze to death.

I did not come here to the U.S. Senate from the State of Minnesota to be silent, especially not in the face of this kind of cruelty and unthinking slashing of the budget. I believe there is goodness in people. I believe there is goodness in people and it extends way beyond party. And I believe this is a moral issue. I honest to God believe this is a moral issue.

I think the problem is that we have gotten so caught up in the statistics that we just do not understand what the implications are, what this translates into in personal terms and human terms.

Mr. President, let me just simply say that as I understand this chart, just looking at the LIHEAP allocation by December of 1994, at least $800 million had been allocated out to communities. By the end of the second quarter, that number had shot to well over a billion dollars. That is last year. It is now December 15, 1995, and $231 million all together been allocated under the continuing resolution. That says it all.

Last year by this time about $800 million had gone out to our communities to make sure that men, women and children do not go cold in America, do not freeze to death in America. By the way, don't anybody believe that this is scare tactics. Talk to any of the people who are out there trying to serve—Salvation Army, churches, foundations—that are trying to serve people right now, and they will tell you the same thing. By December 15, 1995, only $231 million. That will make for a cold Hanukkah and a cold Christmas for many Americans who depend on LIHEAP funds.

One would think we could do better in this next continuing resolution. We have to accelerate the funding right now, and if we do not do that in a continuing resolution and there is no agreement, the administration needs to release the money right now. I yield to my colleague from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. I thank my colleague from Minnesota.

We are from the same geographical part of the United States so we have the same problem, and my outlook on this problem that we are facing is very similar to Senator WELLSTONE's.

We have 130,000 low-income families in Wisconsin who desperately depend on this energy assistance. They are, all of them, families who live at or beneath the poverty level, and they are understandably and without question in need of this assistance.

For whatever reason, the face of Government this week is on display to our country. We are going to demonstrate whether or not we understand here in Washington what it is to be poor and to be living in bitter cold and whether or not we are prepared to respond to that desperate need that these low-income families have for energy assistance to heat themselves and their families on their meager resources.

For reasons that are not understandable, we here in Washington have decided to fund this energy assistance, not when it is needed as we have been

doing heretofore in the program, which is to say, get the money out during the winter months, but we have decided not only to cut LIHEAP but also to fund it in 12 equal annual installments.

Anybody listening to this debate this morning knows that that does not make any sense. The money needs to be gotten out during the winter months, this month and next month, and sending out that money to these low-income families in June and July and August does not make any sense when they need the money in December and January and February.

If we are not able to respond to that need, as Senator WELLSTONE has said, now, this week, by tomorrow, we will have demonstrated that we do not have the compassion to understand what is going on in our country and what the purpose of Government is, if it is not to help those who are in genuine desperate need.

So we have a crisis, and we have an ability to respond to that crisis. We are talking about, as Senator WELLSTONE has said, a total amount of money of less than $1 billion, which is a cut from what it had been last year.

LIHEAP last year was funded at $1.3 billion. We decided to cut it to $1 billion. As Senator WELLSTONE pointed out, the House wants to zero out the program entirely. That debate between the House and the Senate has not yet been resolved. But, in the meantime, we have a continuing resolution which does fund LIHEAP at a billion dollars, and we have to see to it that that money gets out to those people in desperate need of now. The next day or two will demonstrate what the face of our Government is and what it is we are interested in depicting to the people of the United States, whom we represent.

So I urge my colleagues, along with Senator WELLSTONE and many others—53 Senators have signed a letter urging the negotiators to act quickly, with dispatch and without delay, on this urgent need. I urge my colleagues to see to it that our negotiators here in Congress, and in the administration, act in a way which is sensible and compassionate for those in our country who need our help so urgently at this specific time.

Mr. WELLSTONE. Mr. President, I thank my colleague from Wisconsin. Again, really, I think this is the beginning of the discussion today. There will be time—and I believe a number of us will be back on the floor throughout the day. We are going to keep pushing on this.

Senator KOHL mentioned this letter, dated December 8 and signed by 54 Senators, to Chairman HATFIELD, who I really want to say right now has been very committed to trying to do something about this. He has been great in the U.S. Senate, and we are going to dearly miss him. I know he feels as if his hands are tied at the moment. He is very committed to do something about the acceleration of getting the funding out to communities. But 54 Senators have signed this letter, simply saying, look, we have to get the funds out. Temperatures have dropped below freezing, there is snow on the ground, and we simply are not able to get the money out.

There is a real sense of urgency here. So there is a tremendous amount of support for this on the Senate side. I have been in contact with many offices. I know Senator LEAHY, Senator KERRY and others are very, very committed to this and are very anxious for us to get this resolved. Senator SPECTER from Pennsylvania, as well. I mean, Democrats and Republicans alike want to get this done. This has become a moral issue. I do not believe that is an exaggeration.

Are we going to dilly-dally around here and play games and talk about all these statistics, and yet not come together to make some change in a formula to make sure that we get some urgently needed funds out into communities so people do not freeze to death in the United States?

Mr. President, when we went through the rescissions package, I held that package up for a short period. Part of the reason I did that was, there was a deal late at night, and all of a sudden over $300 million, or thereabouts, was cut from the energy assistance program. I remember saying in the debate then that if this is a glimpse of what is to come, I do not want to have anything to do with it. This is too harsh, too extreme, it is too radical. This is beyond the goodness of people in America. And when we were faced with our first continuing resolution, at one point in time there was some suggested language that said that until the Labor, Health and Human Services appropriations bill is passed, there can be no allocation of energy assistance money. What is going on here? What is going on? This is so harsh and so extreme. While we beat that effort back, the problem is even more urgent now.

Mr. President, this article says, ''Buffalo Prays for a Warm Winter.'' We can do better than that, can we not? Are we not policymakers? Is that what people are supposed to be reduced to, praying for warm weather? Do we need to just pray for a warm winter? It is not a warm winter in Minnesota. We need to take action.

Another article focusing on LIHEAP funding problems says, ''A Heap of Trouble in New York.'' A Lexington, KY, paper has a headline here that says ''Staying Warm.'' The list goes on. Beaver, PA, ''Bankruptcy, Heating Program for the Poor Hit.'' In the Maine Sentinel, ''Heating Program Cut; Out in the Cold.'' ''Timing Wrong for Eliminating Weather Aid,'' Albany. The list goes on and on, Mr. President. ''Cold Comfort,'' Boston Globe. Des Moines Register, ''A Shameful Place to Cut. A rich nation can help its poor stay warm in the winter.'' The Des Moines Register editorial says LIHEAP is a shameful place to cut. A rich nation can help its poor stay warm in the winter. Is that not true any longer?

Mr. President, this is a shameful place to cut. Our Nation can do better, and, in my State of Minnesota, there are citizens who are going without heat, and one is one too many. There are people who are cold, and one family is one too many. There are families who depend on this energy assistance, so they do not get cold and so they will have enough resources to be able to purchase prescription drugs if that is what they need, or food. The total cost of this program was less than the cost of one B–2 bomber. The Des Moines Register is right, a rich nation can help its poor stay warm in the winter.

Mr. President, in this situation, time rushes on; time is not neutral. We are confronted with the fierce urgency of now. I assume there is goodwill on the part of all of my colleagues, and I assume I will receive a tremendous amount of support. Fifty-four Senators already have gone on record as saying we have to act now.

Mr. President, I believe that for the next 2 days this must be a priority for the U.S. Congress, and for the next week it must be a priority to make sure that people in the United States of America—men, women and children—do not go cold. We must make sure that we do not have people freezing to death in the United States of America. The issue could not be clearer.

I yield the floor.

The PRESIDING OFFICER (Mr. THOMAS). Who seeks recognition?

MEASURE PLACED ON THE CALENDAR—S. 1472

Mr. WELLSTONE. I understand there is a bill on the calendar due for a second reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1472) to provide for one additional Federal judge for the Middle District of Louisiana and one less district judge for the Eastern District of Louisiana.

Mr. WELLSTONE. Mr. President, I object to further consideration of this matter at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. WELLSTONE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOSNIA

Mr. INHOFE. Mr. President, several of us last night were opposed to the President's program to mass deploy

troops into Bosnia. I remember several talks that many of us who had been over there had that contradicted what the administration says was total peace and a calm environment, with no hostilities since the cease-fire went off. I can remember being before the Senate Armed Services Committee reminding General Shalikashvili and Secretary Perry that, in fact, the firing had not stopped, and the bombs were still going off and then only to find out they had never been up there.

Those of us who are opposed to sending the troops over now will give full support to the troops, full support to the effort, hopefully, something in the way that would cause this to be over there and the troops would come home.

I read this morning—regretfully some news accounts, one of them from the Associated Press—after the treaty was signed and while world leaders are still making speeches in Paris, evening explosions and several heavy machine gun bursts echoed around the front lines of a Sarajevo neighborhood. Bosnian police officials say one shell impacted the roof of a building close by while two rifle grenades were fired toward Bosnian Government positions in the area. Machine gun burst pocketed a southern wall of the Holiday Inn hotel. I know the Presiding Officer was over there, as I was. This is the hotel that used to be the Embassy for the United States. It now just has a few windows left and they are still using it as a hotel. They probably will not be now. It sounds as if things are still happening over there, and hopefully with all of our help and support to the troops that we can accomplish the mission that our troops are over there for.

I personally plan to spend some time over there. I have gotten to know several of the troops that have come from my State of Oklahoma who will be stationed over there. I am hoping I will be able to have a better answer for them than I had before when they asked the question: What is the mission? So we will give our full support to the troops over there and to the mission as the President has described and hopefully it will be over very soon and our troops will come home.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that I may proceed in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ROLE OF THE JUSTICE DEPARTMENT IN BELL COMPANY ENTRY INTO LONG DISTANCE SERVICE AND ON INTERNET DAY OF PROTEST

Mr. LEAHY. Mr. President, among many critical issues currently facing Congress, one of the most far-reaching is the Telecommunications Competition and Deregulation Act, which is now the subject of a conference with the House of Representatives. In June of this year, during debate on the telecommunications bill, I spoke on the floor about the importance of giving the Justice Department primary responsibility to determine when the Bell operating companies should be permitted to enter into long distance markets.

I also supported an amendment by Senator THURMOND, the distinguished chairman of the Senate Judiciary Subcommittee on Antitrust, Senator DORGAN, and others, that would have ensured a strong role for the Justice Department as the Bell companies expand their business into long distance, as we all hope they will. That amendment received the votes of 43 Senators.

Today, I remain convinced that the Antitrust Division of the Department of Justice should have a meaningful role in telecommunications in the area of their expertise. As the ranking Democrat on the Judiciary Committee's Antitrust, Business Rights, and Competition Subcommittee, I would like briefly to note three basic points on this issue:

First, we all say that we support competition replacing regulation, but the question is how best to make the transition. I firmly believe that we must rely on the bipartisan principles of antitrust law in order to move as quickly as possible toward competition in all segments of the telecommunications industry, and away from regulation. Relying on antitrust principles is vital to ensure that the free market will work to spur competition and reduce government involvement in the industry.

Second, the Bell companies certainly should be allowed to enter long-distance markets under appropriate circumstances, for it is generally desirable to have as many competitors as possible in each market. The issue is how to determine the point at which entry by Bell companies will help rather than harm competition. That question, quite simply, is an antitrust matter which needs the antitrust expertise and specialization of the Antitrust Division of the Justice Department.

Third, as one long interested in competition and the antitrust laws, I do not believe it is possible for checklists fully to take the place of flexible antitrust analysis in any industry or market. If antitrust principles are ignored, competition is likely to suffer and market power may become concentrated in a few companies. This will lead to harm to consumers through higher prices, less innovation, and the weakening of our country's leadership in telecommunications.

Last May, the Antitrust Subcommittee held a hearing on the antitrust issues implicated in the Senate telecommunications bill, S. 652. This hearing confirmed the importance of competition to achieve lower prices, better services and products, and more innovation for the benefit of consumers and our Nation. If we believe in the antitrust laws—which have protected free enterprise for over 100 years—then we should ensure that the Antitrust Division of the Justice Department plays a meaningful role in telecommunications.

I understand that members of the telecommunications bill conference have not yet resolved the issue of what role, if any, the Justice Department will have in allowing Bell company entry into long-distance. I urge the conferees to make sure the bill gives the Justice Department a meaningful role, and does not merely suggest to the FCC that it consult with the antitrust experts.

I also take this occasion to urge the conferees to reconsider the manner in which they have chosen to regulate constitutionally protected speech on the Internet and other computer networks. Since I spoke last week on this issue, the House conferees have agreed, as I feared that they might, to a provision that would effectively ban from the Internet constitutionally protected speech deemed by some prosecutor in some jurisdiction in this country to be indecent. This ban will reach far beyond obscenity, mind you, to some vague standard of what is proper and decent to speak about both in terms of content and manner of expression. They are heading in the wrong direction. We should affirm freedom and privacy, not Government intervention, when it comes to personal communications.

Supporters of these restrictions contend that regulating speech on the Internet is necessary because self-appointed spokesmen for decency say that parents should be concerned about what their children might access on the Internet. But many people, including many parents, young families and members of the generations that include our children and grandchildren, are also very concerned. They ought to be concerned about letting the Government step in to censor what they can say online, and to tell them what they might or might not see.

The Congress is venturing where it need not and should not go. We should not be seeking to control communications among adults, whether old fogeys like ourselves or the vibrant young people who make up the vast bulk of the communities in cyberspace. We should not be acting to reduce all discourse over the Internet to third-grade readers.

There are alternatives to overreaching Government regulation. Instead of passing a new law—a new law that tells

us what we can say, or think—we should use the laws that are on the books to protect children, and assume that maybe somewhere, somehow, someplace parents ought to take responsibility instead of us always automatically passing a law to say what parents should or should not do.

Let me tell you what happens. When you start having all of this sudden censorship, well-meaning though it might be, it reaches too far.

We have left technological advancements, software barriers, access codes, increased enforcement of laws already on the books, and vigilant parenting unexplored as alternatives to overreaching Government regulation.

After a majority of my Senate colleagues rejected my position in June and incorporated a so-called Communications Decency Act in the telecommunications bill without hearings, without examination and without much thought, I still held out hope that they would proceed to learn something about the Internet, how it works, and its potential benefits for those who will be using it in the coming century. I was encouraged when the Speaker of the House agreed with me and remarked that the Senate's action was ''clearly a violation of free speech'' and ''very badly thought out.'' I, again, urge him to rejoin in the debate before it is too late.

We have already seen the chilling effect that even the prospect of this legislation has had on online service providers. Last week, America Online deleted the profile of a Vermonter who communicated with fellow breast cancer survivors online. Why?

They found in checking that this Vermonter had used the word ''breast.'' Nobody bothered to ask why. She is a survivor of breast cancer. She was using the Internet to have correspondence with other survivors of breast cancer to talk about concerns they might have—medical advances—a basic support group. But the censors looked in and so, because the word ''breast'' had been used, she was being stopped.

This is what we are opening ourselves up to. We should use the current laws already on the books, and we should ask parents to be a little more vigilant. Will some things get on the Internet that you, I, and other Members of the Senate might find objectionable? Of course, it will. But this objectionable material would be a tiny fraction of the vast materials available on the Internet. What we should protect is one of the greatest experiments we have seen in our age of the Internet where you have everything from the things you find most valuable to things you might find boring or repulsive.

We do not close down our telephone companies because somebody picks up the phone and calls somebody else and tells them a dirty joke, or reams them out in four-letter words. The behavior between the two may be reprehensible, and maybe they should discuss their personal relationship, but we do not close down the telephone company because that might happen.

Last June, I brought to the floor petitions from over 25,000 people who supported my proposal to study technological, voluntary and other ways to restrict access to objectionable online messages, before we lay the heavy hand of Government censorship onto the Internet.

This week, a number of organizations, including the Center for Democracy and Technology and Voters Telecommunications Watch, sponsored a National Internet Day of Protest over the telecommunications bill conference's proposal to censor the Internet. In just one day—Tuesday—over 18,000 people contacted the offices of conferees. This country will never accept the new temperance demagoguery that is leading us down the road to Government censorship of computer communications.

We have software parents can easily use to pull up on the computer and find out where their children have been going—what discussion, and what chat lines they have been on. If they find things in there they do not want, maybe the parents ought to take the responsibility to speak to their children. If you have books or magazines that you do not want your children to read, then maybe parents might just say, do not read it.

Somewhere there ought to be some responsibility left for mothers and fathers in raising their children, and not have this idea that we have to turn everything over to the heavy hand of Government.

In my years here I have seen rare instances where Senators and House Members in both parties have rushed pell-mell into having the Government step in to take over for parents. At a time when we hear that we have a new thrust in the Congress where we want to get Government off your backs, we want to get Government out of your life, we want to turn things back to people, we have a massive effort underway in the telecommunications conference to say we are going to tell you what to think; we are going to tell you what to do, when you go online.

Do you know why? I am willing to bet that three-quarters of the Congress do not have the foggiest idea how to get on Internet; do not have the foggiest idea how to use the Internet; have never corresponded back and forth on the Internet. They can say: ''We do not use it. It does not involve us. So let us screw it up for everybody else who might use it.'' But, ''everybody else'' are millions and millions of Americans.

I urge the full telecommunications bill conference to consider the threat its proposals to regulate online speech poses to the future growth of the Internet.

The interests of the young children are not in the stifling of speech or Government overreaching. They will be served by the growth of the Internet, the development of the World Wide Web and the creative, economic, and social opportunities that they can provide. And for those who want to abuse it, those who want to be involved in child pornography, we have laws on the books. We can go after those people. We can prosecute them. But let us not close down 99.9 percent of the Internet because of a few child pornographers. Go after them, but protect the Internet for the rest of the people.

Maybe those who are on the Internet ought to ask their Members of the House or the Senate, Do they use it? Do they understand it? Do they understand the computer? I do not want to ask them if they know how to do really technical things, like programming a VCR. Ask them if they can turn on the Internet? Can they actually talk with each other? And if they cannot, maybe Internet users ought to tell their Members, ''Then leave us alone. Leave us alone.''

LIHEAP

Mr. LEAHY. Mr. President, the distinguished Presiding Officer and I both come from States where we know what winter weather is. I daresay the distinguished Presiding Officer has probably heard a weather report in his State—one of the most beautiful in this country—probably heard a weather report similar to one I heard in Vermont last weekend. In the news they said, ''By the way, we expect a dusting of snow tonight, accumulations of no more than 3 to 4 inches.'' And nobody thinks anything of it. If we have 10 inches of snow overnight, schools still open, people still go to work.

I contrast that with the situation we face in the Washington area. How many times have we turned on the TV in the morning and see we have remote locations and you have all the people out there bundled up, and the poor camera person has the bright lights on, trying to find one snowflake coming down. They say, ''Oh, and the latest report is the snow appears to be gathering and we switch now to the head meteorologist,'' who, in a state of panic, is saying, ''And we may get accumulations of up to an inch.'' An inch? My 86-year-old mother goes out with a broom and sweeps anything up to 2 or 3 inches off the walk. Schools will open, but here, if they open at all, it is 5 hours late. ''Two inches were spotted somewhere in the continental United States and it might be moving this way.''

Last night I drove home around midnight and I saw cars spinning off the road for two reasons. One, they did not know how to drive; and second, notwithstanding the fact that everybody knew an ice storm was coming, apparently nobody thought to send out the sand trucks and sand the road. This morning, at about 5:45 or so, when I drove with my wife to work—she was going to the hospital, she is on the morning shift—again, we saw cars spinning out all over the place. They come roaring down to an intersection, slamming on the brakes—of course they had

not bothered to sand the intersections—and looked amazed and surprised that the law of physics applied. You have a heavy object, you have no traction: It does not stop. It has some aspect to do with the law of friction and physics, something I suggest maybe we may want to teach.

We get into a situation around this area that the only effective snow or ice removal is a couple of days of warm weather. I once thought the reason we keep everything going in the little State of Vermont is we must have a lot more equipment and a lot more people. Apparently that is not so. Actually they have more down here. I think they are saving it, though. They do not want to use up this equipment. Maybe they are thinking someday another Ice Age will come and we will need it then.

But in Vermont we do have cold weather. I remember a year or so ago they closed down the Government here because it was about 25 degrees.

I was in Montpelier, VT, in the State capital that day and it was 15 degrees below zero. I walked from my office to the capitol. Every place was open, everybody went to work. I constantly got stopped by people on the streets who said, ''We heard on the news they closed down Government offices and everything in Washington because it is 25 degrees. They really mean 25 below, don't they?''

I said, ''No, 25 degrees. That is 40 degrees warmer than it is here where we are all going to work.''

But we do have that 25- to 30-degree below zero weather. I mention that, to be serious, because we need money in LIHEAP. In Vermont we have about 25,000 families eligible for LIHEAP, aid for those who need heating assistance. I think last year our families received slightly less than $400 a home. But because of the budget, in Vermont they can be promised only about $50 this year.

Mr. President, 70 percent of those recipients earn $8,000 a year or less, 30 percent of them are AFDC homes with children. Mr. President, 32 percent of them are working Vermonters who need help; 41 percent of the recipients are elderly or disabled. People are going to be dying from the cold. It does get cold back in my State. We have had many below-zero days already. We will have days where it will go down to 20 or 30 below zero.

Congress is no closer to passing a Labor-HHS bill with LIHEAP funding than they were back in September. If Congress feels that block grants are such a good idea for school lunches and Medicaid, at least show they are consistent and keep the LIHEAP block grant going. Food shelves are getting empty. Frost is on the windows day and night. People are down to the question of heating versus eating. If you are elderly or disabled, that is one heck of a question to have to ask.

We need to pass a LIHEAP budget. It is a gaping new hole in the welfare net and it is hurting Americans, especially those who live in the frost belt. I hope we will pass it.

Mr. President, I thank the Chair for its forbearance and I will be happy to join with the distinguished Presiding Officer in offering snowtime driving lessons to any of our colleagues who may wish them—certainly to the media who report on four or five snowflakes as though it was the coming of a new Ice Age.

LIHEAP

Mr. JEFFORDS. Mr. President, as my colleagues know, it is cold outside. This morning in my home State of Vermont it was minus one degree in Burlington, minus 9 degrees in our capital city of Montpelier and in the Northeast Kingdom, there were 18 inches of snow on the ground. This weekend the temperature fell below zero in Minnesota. It was 20 degrees in Delaware and it has even dropped to below freezing in Atlanta, GA.

With these cold temperatures, and the subfreezing days that are sure to follow, one has to wonder how nearly 6 million low-income American families are going to make it through the winter. In past years, the Low-Income Home Energy Assistance Program [LIHEAP] has provided aid to these families.

LIHEAP is a block grant provided to the States that help low-income Americans with an average income of $8,000 heat their homes. This year however, states have not received sufficient funds to meet the needs of their low-income citizens.

Since we have yet to pass a fiscal year 1996 appropriations bill for the Departments of Labor, Health and Human Resources, and Education, LIHEAP has been funded by the two continuing resolutions [CR's] that we have passed and the President has signed. These two CR's funded LIHEAP at 90 and 75 percent of last year's level respectively, but, and this is the key, the CR's limited LIHEAP spending to the proportional daily rate of the duration of the CR.

This cap on the spend-out rate means that States have received only 75 days' worth of funds. In past years States received 60 percent of their allotments in the first quarter. This year, they have received only slightly greater than 20 percent. The vast majority of LIHEAP funds are used for heating assistance. Requiring that LIHEAP funds be spent out evenly throughout the year makes no sense. While it may leave LIHEAP funds available in June, many low-income families would not be able to heat their homes this winter.

Last year at this time, the Department of Health and Human Services had dispersed around $800 million to the States. So far this year, States have received only $230 million. As Senator KENNEDY pointed out yesterday, LIHEAP funds were to be reduced by 10 or 25 percent, not 70 percent.

What has this meant in Vermont? Instead of the $4.5 million we had received last year by this time, Vermont has received only $1.3 million. This is not enough to meet the needs of the 25,000 low-income Vermonters who rely on LIHEAP to avoid freezing in the winter. Gov. Howard Dean has had to delay the start of this year's program until December, and I can assure my colleagues that it can get quite cold in Vermont in October and November.

I think it is fairly clear that we are not going to be able to pass all the remaining appropriations bills by the end of this week, so we are going to have to take up another CR. It is critical that this CR not include the spend-out limitation on LIHEAP. Last week Senator KENNEDY and I sent a letter to Appropriations Committee, MARK HATFIELD, asking him to address this problem.

Fifty-two other Senators, Republicans and Democrats joined us in signing this letter, and although the Northeast/Midwest Senate Coalition, which I cochair, coordinated the effort, Senators from all over the Nation cosigned. I ask unanimous consent that a copy of this letter along with the 54 Senators who cosigned the letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JEFFORDS. Although most Senators who signed the letter would like to see LIHEAP increased, the letter does not ask for additional LIHEAP funding. It simply asks that States be allowed to spend the LIHEAP funds that have been appropriated under the two CR's this winter when the funds are needed. There are similar efforts being undertaken in the House. In addition to Senator KENNEDY, I want to thank Senators ABRAHAM, COHEN, SNOWE, MOYNIHAN, KOHL, LEAHY, and WELLSTONE for their assistance in gathering support for this letter. I also want to thank Senator SPECTER for his continued support of LIHEAP. I think we have made it very clear that this spend-out restriction cannot be included in the next CR.

Mr. President, LIHEAP is a lifeline for many seniors and families with small children, and cutting LIHEAP will drastically increase the energy burden of many American families. Some Members of the House have argued that LIHEAP is no longer needed, but for many low-income Americans, the energy crisis is not over. In some areas of the country, energy prices are still increasing; in Vermont over the last 3 years, prices have gone up 21 percent. Since 1980 however, real LIHEAP funding has gone down 65 percent.

In fact, no other discretionary formula grant program has seen its funding reduced as much as LIHEAP. The Congressional Research Service [CRS] performed a study of energy prices and LIHEAP funding. CRS concluded that, even taking changes in real energy prices into account, LIHEAP would have to be funded at between $1.75 and $2.39 billion to provide the same level of benefits as it did in 1980.

Last year, over 25,000 low-income Vermonters received a total of $7.5 million in assistance. The average amount was $75 a month for the 5 winter months. The average AFDC recipient only has $43 a month left over after paying the energy bill. Without LIHEAP assistance, many recipients will not be able to afford to pay their heating bills this winter, and many would be forced to choose between heat and food.

As I stated earlier, LIHEAP is a block grant. Each State decides for itself how to structure its program and how to get the resources to those that need it. It is also a program that has no history at all of any fraud or abuse. Without LIHEAP energy providers, many of whom are small, unregulated businesses, may have to choose between not getting paid for the energy they provide and cutting off their neediest customers.

Mr. President, winter is upon us. People are freezing. We must free up LIHEAP funds so that low-income Americans will be able to heat their homes this winter. We must remove the spend out rate limitation.

EXHIBIT 1

U.S. SENATE,
Washington, D.C, December 5, 1995.

Hon. MARK HATFIELD,
Appropriations Committee, The Capitol, Washington, DC.

DEAR CHAIRMAN HATFIELD: We would like to call your attention to a serious problem with the interim funding for the Low Income Home Energy Assistance Program (LIHEAP). We believe that if we are to continue funding programs under the FY96 Labor/HHS Appropriations bill through a Continuing Resolution (CR), states must be allowed to draw down LIHEAP funds at a higher rate which takes into account their historical spending practices and which is sufficient to ensure the program's viability. Temperatures have dropped below freezing and there is snow on the ground in many parts of the country, but the language in both CRs that limits state draw downs to a proportional annual rate does not provide states sufficient funds to operate programs and meet the heating needs of their low income families.

In past years, states have drawn down a majority of their LIHEAP funds during the fall. This allows states to purchase fuel at lower rates, maintain continuity of service, avoid shut offs, and plan for the upcoming winter. Furthermore, nearly 90 percent of LIHEAP funds are used for heating assistance during the coldest months. The CR language requires that LIHEAP funds be spent out over a twelve month period. While this may leave funds for heating assistance in June, many low income families may not be able to heat their homes this winter.

We believe it is critical to safeguard this program which protects the elderly, the disabled, the working poor, and children. When it gets cold, these vulnerable Americans should not be forced to choose between heating and eating. Continuing delays in funding and limits on the payout rate will hamper states' ability to help the 5.6 million LIHEAP households survive the winter. We ask your assistance in ensuring that the bulk of LIHEAP funds can be spent during the cold weather months at a rate sufficient to meet the needs of low income families this winter. Thank you.

Sincerely,
Jim Jeffords, Ted Kennedy, Herb Kohl, Bill Cohen, Paul D. Wellstone, Daniel P. Moynihan, Patrick Leahy, Olympia Snowe, Carl Levin, Christopher J. Dodd, John F. Kerry, Larry Pressler, Wendell Ford, Rick Santorum, Claiborne Pell, Alfonse D'Amato, Spencer Abraham, Carol Moseley-Braun, Byron L. Dorgan, John H. CHAFEE, Paul Simon, Dick Lugar, J. Lieberman, Frank R. Lautenberg, Tom Daschle, Bob Kerrey, Tom Harkin, John Glenn, Jeff Bingaman, Max Baucus, Bob Smith, Paul Sarbanes, Dale Bumpers, Jay Rockefeller, Jim Exon, Howell Heflin, Russ Feingold, Daniel K. Akaka, Harry Reid, Dan Coats, Richard H. Bryan, David Pryor, Joe Biden, Patty Murray, Mitch McConnell, Ben Nighthorse Campbell, Judd Gregg, Mike DeWine, Bill Bradley, Barbara A. Mikulski, Kent Conrad, Chuck Robb, D.K. Inouye, Chuck Grassley.

STRADDLING STOCKS AGREEMENT

Mr. PELL. Mr. President, on December 4, 1995, Madeleine Albright, our Ambassador to the United Nations, signed on behalf of the United States the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. As the Ambassador said in her speech at the time, this Agreement offers a tremendous advancement in our global efforts to better conserve and manage living marine resources. I ask unanimous consent that Ambassador Albright's speech be printed in the RECORD at the conclusion of my remarks. This Agreement was the result of 3 long years of negotiations and will best serve the interests of the United States by putting an end to the lawlessness of high seas fisheries.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. Mr. President, the United States has long held the view that fishing activities should be carried out in a sustainable fashion, and with due regard to appropriate conservation and management measures. The Straddling Stocks Agreement ensures that the precautionary measures we have already adopted will be respected and implemented by our international partners. The United States has clearly led the way in this respect and it was of the utmost importance to ensure that our efforts would not be undermined by the destructive practices of other States.

This Agreement is only the latest step in our ongoing efforts to establish a mosaic of international legal agreements that will set up a strong regime for the management of our marine living resources. Foremost among these is the Convention on the Law of the Sea, transmitted to the Senate on October 6, 1994 (Treaty Document 103–39). More than a year later, this historic treaty is still pending before the Committee on Foreign Relations. I am hopeful that the Committee will be able to consider this Convention early next year. The principles embodied in the Straddling Stocks Agreement are not only consistent with the Law of the Sea, but it is to be applied concurrently with that Convention.

Mr. President, in the past year, I have repeatedly addressed the Senate to highlight the ways in which the Law of the Sea Convention has been improved, and now meets our fisheries interests, our national security interests, and our economic interests. This hard-fought treaty was the result of more than 20 years of negotiations, in which both Democratic and Republican Administrations participated actively. As a result, all the concerns that the United States had expressed when the Convention was first open for signature in 1982 have now been addressed. An agreement modifying the deep sea-bed mining provisions of the Convention was concluded and signed by the United States in 1994. Similarly, the Straddling Stocks Agreement addresses some of the high seas fishing issues that had been left open by the Convention.

I expect the administration will forward the Straddling Stocks Agreement to the Senate early next year. In order to optimize the effects of the Straddling Stocks Agreement, it is urgent that the United States also become a party to the Law of the Sea Convention. The Straddling Stocks Agreement specifies that the settlement of disputes will be carried out by the Law of the Sea Tribunal, which will be established in Hamburg shortly. Fortunately, the judges on this Tribunal have not been designated yet, but the United States must be a party to the Convention if an American judge is to be designated.

This is but one of the many reasons why the United States should ratify and become a party to the Law of the Sea Convention. We now have another incentive to take urgent action on this issue and I trust that all my colleagues who have shown such an interest in the Straddling Stocks Agreement will join me in my efforts to see the Straddling Stocks Agreement and the Law of the Sea Convention ratified promptly.

EXHIBIT 1

STATEMENT OF AMBASSADOR MADELEINE K. ALBRIGHT

Mr. Chairman, distinguished ministers, fellow ambassadors and delegates, and ladies and gentlemen.

This is a memorable occasion for all members of the international community who have labored to conserve fishery resources and strengthen the law of the sea. On this historic day, the United States, joined by other members of the international community, will sign the Agreement, adopted by consensus by the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks. This Conference concluded its work after three years of intense negotiations and outstanding international cooperation. The United States is pleased to have participated in this effort. We are convinced that this Agreement offers a tremendous advancement in our global efforts to better conserve and manage living marine resources.

As both a coastal State and a State whose vessels fish on the high seas, we are keenly aware of the need for a balanced approach in the Agreement, one that recognizes the legitimate concerns of both groups. The United States believes that the Agreement strikes a reasonable balance between conservation and fishing concerns, and between the interests of coastal States and States whose vessels fish on the high seas. We support the Agreement because it establishes new and effective rules to conserve and manage marine fisheries and provides for States to resolve their disputes through compulsory binding dispute settlement procedures. The Agreement, if widely ratified and properly implemented, will both improve the health of our ocean ecosystems and ensure a lasting supply of fish to feed the world's population.

The United States wishes to acknowledge the skill, leadership and energy of Ambassador Satya Nandan for crafting the Agreement. We are truly indebted to you.

This Agreement is particularly noteworthy because it directly contributes to a broader global effort to promote international cooperation, reduce conflict and achieve more effectively the sustainable use of living marine resources. The Agreement is consistent with and builds upon the United Nations Convention on the Law of the Sea which entered into force last year. It complements the 1993 Agreement to Promote Compliance With International Conservation and Management Measures by Fishing Vessels on the High Seas, which itself is an integral component of the International Code of Conduct for Responsible Fisheries which was adopted last month in Rome. Together, these instruments provide a strong basis to move forward in achieving sustainable use of living marine resources in the world's oceans and seas.

Looking to the future, we see many exciting challenges before us. Our first task is to bring this Agreement into force as soon as possible. We hope that all nations that sign the Agreement today will soon deposit their instruments of ratification. We urge those nations which are not able to sign the Agreement today to do so as soon as possible. Also ahead are the challenges of implementing effectively the provisions of the Agreement in various regional and subregional organizations and arrangements throughout the world. The status of the world's fish stocks demands that implementation of the Agreement begin immediately wherever straddling and highly migratory fish stocks are harvested.

In closing, Mr. Chairman, the Fish Stocks Agreement is a laudable accomplishment. The tasks before us are not only possible, but absolutely necessary. At stake are important issues involving biological integrity of marine ecosystems and food security. The United States is confident that we will succeed. Let us hope that our imagination and strength are as vast as the oceans we so cherish.

LIHEAP

Mr. ABRAHAM. Mr. President, in some parts of Michigan over 5 feet of snow have already fallen and the wind chill has brought the temperature to 50 below zero. Understanding the importance of helping the poor and elderly pay their heating bills during these cold months, I rise to support the Low-Income Home Energy Assistance Program [LIHEAP] and urge members of the Appropriations Committee to continue to support funding for this program.

Under the current continuing resolution, funding for LIHEAP is limited to the proportional annual rate of the duration of the Continuing Resolution. That is, if the Continuing Resolution lasts 32 days, only thirty-two three hundred and sixty sixths of LIHEAP funds can be spent. While this formula may work well for most other programs, for obvious reasons the vast majority of funding for LIHEAP is spent during the winter months. Therefore, the current Continuing Resolution formula leaves States with an extreme shortfall in their efforts to help the poor and elderly through the coldest months of the year.

Since LIHEAP is funded through the Labor, HHS, and Education appropriations bill which has not yet been debated on the Senate floor, the funding for this program necessarily must come through Continuing Resolutions. Should this continue to be the case, I urge those negotiating the Continuing Resolution to abandon the daily average formula they have been using and allow the bulk of LIHEAP funds to be spent during the cold, winter months.

Mr. BIDEN. Mr. President I rise in opposition to this bill, which I feel represents yet another attack on our Nation's resources and our environmental protection laws.

Our greatest legacy to our children and our grandchildren is the world which we leave to them. Simply put, this bill shortchanges future generations of Americans.

I want to commend my colleagues, particularly Senator GORTON and Senator BYRD, who have made some progress toward improving this bill.

First, and foremost, I want to acknowledge that the outcry from the taxpayers of this country has been heard: After months of wrangling, this bill finally restores the moratorium on the processing of mining claims, contained in last year's bill.

Without this freeze, gigantic, foreign-owned mining companies would be permitted to purchase Federal land, loaded with gold, silver, and other precious metals, for as little as $2.50, due to an outdated 1872 law still in effect.

Only $2.50 for an acre of land and all the gold underneath it is an outrageous ripoff for the taxpayers of this country.

Though the bill's language will still permit the processing of hundreds of applications which are now pending, this freeze will prevent even more companies from receiving this golden giveaway.

I also support the funding contained in this bill for the North American wetlands conservation fund.

This valuable public-private partnership, has enabled Federal and State wildlife officials, and conservationists in my home State of Delaware, to develop dozens of wetlands and wildlife habitat protection plans. It is cost-effective, matching funds are required, and it deserves our support.

Despite these few bright spots, much in this bill troubles me.

This legislation cuts our efforts to move away from fossil fuels, toward cleaner, renewable fuels, such as solar energy. Energy efficiency standards are also relaxed. The end result: a continuation of our growing dependence on foreign oil.

This conference report also prohibits listing additional species as threatened or endangered and prohibits designating and protecting critical wildlife habitat.

Delaware has 9 animal species, and 16 plant species, which are candidates for Endangered Species Act listing, and I am concerned that this provision will hasten their extinction.

An unsustainable amount of logging will also be permitted in the Tongass National Forest, a great temperate rainforest in southeastern Alaska.

With Christmas fast approaching I can understand a certain amount of sentiment for expedited logging. But we are not talking about a few Christmas trees here.

Under this bill, up to 418 million board feet of timber will be sold in 1996 and 1997—an allowable logging level which is 44 percent higher than the cutting average over the previous 10 years. This plan is locked in, and no changes are permitted.

The conference report also contains a legislative rider which allows the construction of a telescope on Mt. Graham, near Tucson, AZ, despite the fact that this development will likely harm an endangered species.

Putting the merits of the proposal aside, an appropriations bill is not the right location for reforming the Endangered Species Act.

Lastly, this bill expands the number of recreational activities permitted in the new Mojave preserve in California. If you plan to go hiking in the Mojave this summer, be forewarned, the Park Service may be forced to open this wilderness to motorized vehicles and aircraft.

In sum, Mr. President, this bill falls far short of adequately protecting our natural resources. Under this legislation, our dependency on foreign oil grows, endangered species are threatened, our environmental laws are disregarded, and Americans are left poorer.

President Clinton has announced his intention to veto this legislation, and I urge my colleagues to oppose it.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The $4.98 trillion Federal debt stands today as a sort of grotesque parallel to television's energizer bunny that appears and appears and appears in precisely the same way that the Federal debt keeps going up and up and up.

Politicians talk a good game—and talk is the operative word—about reducing the Federal deficit and bringing the Federal debt under control. But watch how they vote.

Mr. President, as of the close of business, Wednesday, December 13, the total Federal debt stood at exactly $4,988,313,115,981.39 or $18,935.72 per man, woman, child on a per capita basis. Res ipsa loquitur.

THE USE OF TROOPS IN BOSNIA

Mr. DORGAN. Mr. President, I rise to explain why I reluctantly supported last night the resolution written by Majority Leader DOLE and Senator MCCAIN of Arizona, which authorized the use of American troops to implement the Dayton Framework Agreement.

I did so with some apprehension. I have no illusions about how difficult this mission could be. Bosnia is a country deeply divided by 4 years of warfare and centuries of turbulence. The terrain is rough and the weather fierce. Much of the land is sown with mines.

So why do I—with some apprehension—support the DOLE resolution? I do it because I believe implementing the Dayton Agreement is the best option in a very bad situation.

Our decision would be easier if we could roll back the clock. If President Bush had used air power to punish Serbian aggression in 1991, we might not be here today. If President Clinton had persuaded our allies, over the past 2 years, to lift the arms embargo against Bosnia, we might now have the balance of power in Bosnia that the Dayton Agreement seeks to create. That is why I voted to lift the arms embargo so that Bosnia could defend itself.

But we cannot roll back the clock; 4 years of war have passed, and the parties are now exhausted. Our allies opposed lifting the embargo. So President Clinton began a diplomatic campaign this past summer to broker a peace settlement. The President's leadership and American-led NATO air strikes produced the Dayton Agreement. President Clinton deserves congratulations for this historic achievement.

Last night the Senate had to decide whether to authorize the use of troops to implement that agreement. Many North Dakotans have shared their concerns about this mission with me. So I want to take a moment to explain my vote to them by describing the decision that the Senate faced and the Dole resolution.

Let me put my vote in the context of what is happening in Bosnia. Since the war began, 250,000 people have lost their lives. Two million people have become homeless. Innocent civilians have been slaughtered, and no one has been spared—not the young, not the infirm, not the elderly. Ethnic cleansing has raged across the land of Bosnia. Atrocities have been committed, by both sides. And we have reliable reports of horrors that we thought we had banished from Europe 50 years ago, such as concentration camps and mass graves.

I agree with Senator DOLE's assesment that the President has the constitutional authority to commit these troops for a peacekeeping mission. While I have serious reservations about it, it seems to me we ought to, as the President commits these troops, by resolution, support the troops themselves and create narrow restrictions under which the President can keep them there—that they are going only in a peacekeeping role.

The President argues that other countries are sending more troops per capita than we are to carry out this mission. He points out that England is sending three times as many troops, relative to their population, as we are. I understand why it was difficult for the President to withhold a commitment of American troops to keep a peace that he helped negotiate and to keep a peace that will be monitored by virtually all other countries that belong to NATO.

But that does not eliminate the deep reservations I have about the risks of this mission, and about the dangers of changing the mission once our troops are in place in Bosnia.

It is true, I believe, that America is looked upon as a world leader that is not seeking to gain territory but is helping to promote peace. It is also true that with that leadership comes responsibilities. But our country has, in so many ways, for so many years, had to bear the brunt of that responsibility—to pay for the defense of Western Europe and to provide international leadership when others would not.

I would have much preferred, in this circumstance, that the European Community would have been willing to step forward and broker a peace and keep the peace without having the United States expose our ground troops to the kind of risks we will face in the Balkan region. But the President has committed our country to helping to secure peace. And it seems to me we are in a position now where we must tell the President these are the conditions under which you can meet that commitment, which is what the Dole resolution attempts to do.

I am not, by supporting the Dole resolution, saying that I believe the President made the right commitment for our country. But rather, I am expressing support for the troops, acknowledging that the commitment was made and saying that our country must now proceed to keep its word.

Because I have real concerns about this mission I want the President and my colleagues to know that if a change of mission occurs in Bosnia, if the peace does not hold, and there is a decision our soldiers should become peacemakers instead of peacekeepers then I will be among the first in Congress to call for the immediate withdrawal of the American troops and to vote for a cut-off of funding, if necessary, to accomplish that withdrawal.

Finally, Mr. President, let me highlight a few aspects of the Dole resolution that I think are important to my vote. First, the resolution expresses the unequivocal support of Congress for the work of our troops. It commends their professionalism, their bravery, and their sacrifice. It expresses the commitment of Congress to give them the tools they will need to do their job.

Second, it states that the United States will lead an international effort to arm and train the Bosnian Moslems. That is important. American troops will be able to leave if the Bosnian Moslems are able to defend themselves.

Third, the Dole resolution recognizes that American troops are going to Bosnia to enforce a peace agreement. They are not there to make the peace. The leaders of Bosnia, Croatia, and Serbia have decided that peace is their policy, and they have again attested to that decision by signing an agreement today in Paris. If the parties themselves abandon peace, then our troops should depart.

Fourth, the resolution supports a truly multilateral operation. The Dayton Agreement's implementation force will be composed of 60,000 troops from about 30 different countries, including non-NATO nations such as Russia, Poland, the Czech Republic, and Hungary.

This is my thinking on Bosnia, Mr. President, and these are the reasons why I voted for the Dole resolution last night. I hope and pray that my vote will help our troops fulfill their mission and will help speed them safely home.

UNITED STATES DUTIES AND RESPONSIBILITIES CONCERNING WAR CRIMINALS AND EVIDENCE OF WAR CRIMES IN THE UNITED STATES ZONE IN BOSNIA AND HERZEGOVINA

Mr. D'AMATO. Mr. President, I rise today to discuss a matter that has not received much public attention during the course of our discussions of the United States role in the Balkans and specifically in Bosnia. While administration officials have discussed how we would respond if we encountered indicted war criminals in Bosnia, they have been silent on the equally important question of collecting and protecting evidence of violations of international humanitarian law.

This is a very basic point. You can indict and arrest suspects, but for convictions, you need solid, admissible evidence. The International Criminal tribunal for the Former Yugoslavia has been doing excellent work, considering the resource limitations it operates under and its lack of direct access to many crime scenes. It now lies within the power of the United States to advance the tribunal's work and the cause of justice in the former Yugoslavia.

The United States has supported the Tribunal's efforts to acquire more resources. Now, the United States and our NATO allies in the implementation force will have direct access to the scenes of the alleged crimes. The question we face is what do we do with this access?

I strongly believe that we have a moral obligation to seek out, collect, protect, and provide to the tribunal such evidence of violations of international humanitarian law as we are able to discover within the United States zone in Bosnia. Let me be specific.

Last Wednesday, December 6, 1995, the Commission on Security and Cooperation in Europe, better known as the Helsinki Commission, of which I am cochairman, held a hearing entitled ''Mass Graves and Other Atrocities in Bosnia.'' The witnesses at this hearing were Mr. Ivan Lupis, of Human Rights Watch, Mr. David Rohde of the Christian Science Monitor, and Dr. Barbara C. Wolf, M.D., a forensic pathologist who participated in an AmeriCares exhumation project in Bosnia.

Mr. Rohde and Mr. Lupis both testified to events leading up to and following the fall of the United Nations-declared safe area of Srbrenica on July 11, 1995. According to their testimony, perhaps as many as 8,000 Bosnian moslems were massacred by Bosnian Serbs following the storming of Srebrenica. Their remains were buried in an area between Srebrenica and Tuzla, the headquarters of the United States forces that will be assigned to the implementation force [IFOR].

Possible mass grave sites identified following the fall of Srebrenica are at or near the following locations: Zabrde, Kravica, Burnice, Nova Kasaba, Kuslat, Sahanici, Rasica Gai, and Karakaj. These sites all lie within the U.S. zone. Mr. Rohde personally visited four sites, at Nova Kasaba and Sahanici, and confirmed that they were in fact mass graves.

It is vitally important that the United States act to secure these sites and facilitate access to them by international investigators. Under the Dayton Peace Agreement, the United States has the right to do this. I strongly believe that we must exercise that right, and promptly, before evidence that is potentially vital to the prosecution of the killers can be destroyed.

At last Wednesday's hearing, Mr. Rohde testified as follows in that regard, according to an uncorrected transcript of the hearing: ''The U.S. intelligence said this last month: They have aerial photos of backhoes being in the area digging it up, taking out some kind of material which could be bodies. And there's a possibility the Bosnian Serbs are pouring acid onto the bodies and destroying evidence.''

Now, I want to review specifically what the Dayton Peace Agreement says and how its provisions apply in this situation, so that there can be no misunderstanding of the duties of the parties to the agreement. These provisions now take effect because the agreement was signed in Paris earlier today.

The Dayton agreement provides as follows in article VII: ''Recognizing that the observance of human rights and the protection of refugees and displaced persons are of vital importance in achieving a lasting peace, the Parties agree to and shall comply fully with the provisions concerning human rights set forth in Chapter One of the Agreement at Annex 6, as well as the provisions concerning refugees and displaced persons set forth in Chapter One of the Agreement at Annex 7.''

Article VII thus commits all of the parties, including the Bosnian Serbs, to comply fully with the following provision, among others:

In particular, annex 6, article XIII, paragraph 4 of the Dayton agreement provides as follows: ''All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to the organizations established in this Agreement; any international human rights monitoring mechanisms established for Bosnia and Herzegovina; the supervisory bodies established by any of the international agreements listed in the Appendix to this Annex; the International Tribunal for the Former Yugoslavia; and any other organization authorized by the U.N. Security Council with a mandate concerning human rights or humanitarian law.''

In other words, the Dayton agreement singles out the International Tribunal for the Former Yugoslavia as one of the organizations with which all competent authorities in Bosnia and Herzegovina must cooperate. This means that the Bosnian Serbs may not prevent investigators from reaching these mass grave sites or exhuming the remains or doing any of the other tasks necessary to a full and complete investigation of the crimes committed there.

Annex 1–A, ''Agreement on the Military Aspects of the Peace Settlement,'' article II, ''Cessation of Hostilities,'' paragraph 4 further provides as follows: ''The Parties shall cooperate fully with any international personnel including investigators, advisors, monitors, observers, or other personnel in Bosnia and Herzegovina pursuant to the General Framework Agreement, including facilitating free and unimpeded access and movement and by providing such status as is necessary for the effective conduct of their tasks.''

This provision is even more specific. It requires that the parties facilitate ''free and unimpeded access and movement.'' This means that road blocks, security zones, military areas, or any of the other excuses, ruses, or tricks that were formerly the Serb's stock in trade to prevent international observation or investigation of their actions are no longer permitted.

Now, let us look more closely at the rules covering United States forces as part of IFOR in Bosnia. Annex 1–A, article VI, ''Deployment of the Implementation Force,'' paragraph 3 provides as follows: ''The Parties understand and agree that the IFOR shall have the right to fulfill its supporting tasks, within the limits of its assigned principal tasks and available resources, and on request, which include the following: * * * (b) to assist the movement of organizations in the accomplishment of humanitarian missions; (c) to assist the UNHCR and other international organizations in their humanitarian missions; (d) to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate violence to life and person * * *''

Paragraph 5 provides as follows: ''The Parties understand and agree that the IFOR Commander shall have the authority, without interference or permission of any Party, to do all that the Commander judges necessary and proper, including the use of military force, to protect the IFOR and to carry out the responsibilities listed above in paragraphs 2, 3 and 4, and they shall comply in all respects with the IFOR requirements.''

This is a key provision, when read with paragraph 3. In essence, it means that the United States does not have to ask the Bosnian Serbs for permission to assist the movement of tribunal investigators or to help them with exhumations or other heavy work. In addition, it means that any resistance can be met with military force.

Paragraph 9 provides as follows: ''Air and surface movements in Bosnia and Herzegovina shall be governed by the following provisions: (a) The IFOR shall have complete and unimpeded freedom of movement by ground, air, and water throughout Bosnia and Herzegovina. It shall have the right to bivouac, maneuver, billet, and utilize any areas or facilities to carry out its responsibilities as required for its support, training, and operations, with such advance notice as may be practicable. The IFOR and its personnel shall not be liable for any damages to civilian or government property caused by combat or combat related activities. Roadblocks, checkpoints or other impediments to IFOR freedom of movement shall constitute a breach of this Annex and the violating Party shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance with this Annex.''

This is another key provision. It puts teeth into the requirement of annex 1–A, article II, paragraph 4, quoted in full above, that ''[t]he Parties shall cooperate fully with any international personnel including investigators * * * including facilitating free and unimpeded access and movement. * * *'' It permits the use of military force to overcome roadblocks, checkpoints, or other impediments to IFOR freedom of movement, even when escorting, for example, tribunal investigators.

I have just described the legal foundation for United States action in support of investigations of violations of international humanitarian law in Bosnia and Herzegovina. That legal foundation comes into force now that the Dayton Peace Agreement has been

signed in Paris earlier today. Now, the issue for the United States is what we are actually going to do, given that we now appear to have, and I would argue that we clearly do have, the legal right to support, assist, and facilitate these investigations.

Mr. President, the distinguished chairman of the Commission on Security and Cooperation in Europe, Representative CHRISTOPHER H. SMITH of New Jersey, and I, sent a joint letter to Secretary of Defense William J. Perry last Friday, asking just that question. In fact, it is a long letter and it asks detailed questions about the entire United States approach to the issue of violations of international humanitarian law in Bosnia and the United States response to those violations. While it is much too soon to expect a response, I urge the Secretary to put his staff to work on the questions contained in the letter so that we can have answers before we make serious mistakes.

Mr. President, I ask unanimous consent that our joint letter to Secretary Perry be printed in the RECORD.

I plan to speak again on this topic as more information is received and the situation develops.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DECEMBER 8, 1995

Hon. WILLIAM J. PERRY,
Secretary of Defense, Department of Defense, the Pentagon, Washington, DC.

DEAR MR. SECRETARY: We write today to pose some important questions with regard to the U.S. forces assigned to the NATO Implementation Force in Bosnia. What are the United States' legal obligations concerning the International Criminal Tribunal for the Former Yugoslavia, what are the United States' moral obligations to support the Tribunal's work, and what instructions have you given U.S. forces concerning those legal and moral obligations?

Security Council Resolution 827 (25 May 1993) established the International Criminal Tribunal for the Former Yugoslavia. Paragraph 4 of that Resolution provided that ''. . . all States shall cooperate fully with the International Tribunal and its organs in accordance with the present resolution and the Statute of the International Tribunal and that consequently all States shall take any measures necessary under their domestic law to implement the provisions of the present resolution and the Statute, including the obligation of States to comply with requests for assistance or orders issued by a Trial Chamber under Article 29 of the Statute.''

Under this United Nations Security Council resolution, the Statute establishing the Tribunal, and other applicable international law, what is the legal obligation of the United States Government should indicted war criminals come within our potential control in the former Yugoslavia? Are we legally obligated to arrest them and deliver them up to the Tribunal for trial?

A summary of the Dayton Peace Agreement provided by the State Department contained a paragraph that states that ''[t]he agreement gives IFOR, the peace implementation force, the authority and discretion to use military force to prevent interference with the free movement of civilians, refugees, and displaced persons, and to respond appropriately to violence against civilians. *IFOR has the authority to arrest any indicted war criminals it encounters or who interfere with its mission, but it will not try to track them down.*'' [Italic added.]

A review of the text of the Dayton Peace Agreement, its annexes and appendices, and accompanying side letters, failed to locate anywhere in these texts a provision or provisions conferring upon IFOR ''the authority to arrest any indicted war criminals it encounters,'' or, for that matter, to arrest anyone at all. Moreover, paragraph 3 of Appendix B to Annex 1–A provides that ''[a]ll personnel enjoying privileges and immunities under this Agreement shall respect the laws of the Republic of Bosnia and Herzegovina insofar as it is compatible with the entrusted tasks/mandate and shall refrain from activities not compatible with the nature of the Operation.'' This provision could be wrongfully construed to prohibit U.S. forces from arresting indicted war criminals.

What direction has the United States given its forces concerning encounters with indicted war criminals within the territory of the former Yugoslavia? What is the legal basis for such direction? Will U.S. forces be issued pocket cards containing this direction, and a specific reporting channel should they make an arrest? Will they be provided with wanted posters or other detailed identifying information on all persons indicted for violations of international humanitarian law during the conflict in the former Yugoslavia?

If U.S. forces do encounter and arrest an indicted war criminal, will the United States remove the suspect from the territory of the former Yugoslavia and deliver the suspect to the International Criminal Tribunal for trial? Will the United States seek permission from any entity within the territory of the former Yugoslavia to remove the suspect, or is the United States prepared to act unilaterally?

What direction will be given to U.S. forces to be deployed to the former Yugoslavia concerning the collection of evidence of crimes against humanity or war crimes? Will U.S. forces make an active effort to collect testimony and physical evidence, and protect from destruction physical evidence, including mass grave sites, concentration camps, detention facilities, and records relating to such crimes? We note that the mass grave sites from the Srebrenica massacres appear, according to published maps, to lie within the U.S. zone. Please describe your plans for this effort and specify how the plan will be implemented.

Have U.S. forces been trained to safeguard those aspects of war crimes-relevant materials that must be protected so these materials may be legally admissible before the International Tribunal? Are U.S. staff judge advocate, military police, criminal investigation division, counterintelligence, civil affairs, and other personnel who are likely to come into contact with residents, familiar with the Tribunal's rules of evidence, and how they differ from U.S. rules and the Uniform Code of Military Justice? Please explain how the rules differ and what specific steps you have taken to ensure that U.S. troops identify and properly collect, and do not destroy, contaminate, or otherwise render legally unusable, evidence of war crimes or crimes against humanity that they may encounter on the territory of the former Yugoslavia.

What specific arrangements have been made for reporting war crimes- and crimes-against-humanity-related information up the U.S. and NATO chains of command in Bosnia? How will this information be passed to the International Tribunal? Is there a memorandum of understanding, an exchange of letters, or any other formal arrangement between NATO and the International Tribunal? Between the U.S. and the Tribunal? Is there a designated position/person in IFOR who is specifically tasked with the responsibility of liaising with the Tribunal and arranging for transfer of custody of suspects and/or evidence?

What arrangements has the Department made with the Department of State concerning reporting war crimes- and crimes against humanity-related information to the International Tribunal? If there is not a formal arrangement between NATO or IFOR and the Tribunal, is there an agreement with State that State will receive and forward such information to the Tribunal?

If the International Tribunal asks U.S. forces to secure a specific area within the U.S. zone until an investigative team can arrive, will U.S. forces do so? Under the Status of Forces Agreement, could U.S. forces secure, for example, an office building holding records from a prison camp?

What is your understanding of the moral responsibility of the United States to take action against suspected war criminals or persons who allegedly committed crimes against humanity in the former Yugoslavia? By ''action,'' we are referring to a range of initiatives from their arrest, through collection and preservation of evidence of the crimes and cooperation with international investigations of the crimes. Have you taken any action to instruct and educate U.S. forces concerning this responsibility, so that they may be properly sensitized to it? (Regular instruction in the Law of Land Warfare is clearly insufficient in such an extreme case as the alleged violations of international humanitarian law that have reportedly occurred in the former Yugoslavia.)

Will U.S. civil affairs and/or psychological operations units be tasked to inform the public in the U.S. zone that the U.S. is actively seeking information concerning war crimes and crimes against humanity, and provide to the public points of contact in IFOR or the U.S. contingent of IFOR for them to call or visit to provide such information?

When refugees or displaced persons pass through the U.S. zone and have contact with U.S. forces, will our forces be instructed to ask if they have any information on war crimes or crimes against humanity? Will U.S. forces be issued pocket cards with such questions, and a reporting channel for forwarding the information?

What arrangements have been made to provide speakers of the Bosnian languages who will serve as translators for U.S. forces deployed as part of IFOR? How many translators do you expect you will need? How will you obtain them? In making these arrangements, has war crimes reporting been a consideration in interpreter selection? Is there a plan to train interpreters in U.S. military terminology? If interpreters will undergo any training, will war crimes reporting be included in that training?

While we understand that it may take the Department some time to answer these questions, and many of the people who would know the answers to these questions are essential to the actual deployment of IFOR to the former Yugoslavia, we believe that these questions are sufficiently important to warrant consideration before U.S. forces are present on the ground in full strength. It would be a very grave matter if U.S. forces were inadvertently to allow a war criminal to escape, or were to destroy vital criminal evidence during the deployment process. Accordingly, we ask that these questions receive prompt and careful consideration by the responsible officials, and we look forward to receiving your response in writing in a timely manner.

Sincerely,

CHRISTOPHER H. SMITH,
Chairman.
ALFONSE D'AMATO,
Cochairman.

THE ANTICOUNTERFEITING CONSUMER PROTECTION ACT OF 1995

Mr. LEAHY. Mr. President, I was pleased to be an original sponsor of S. 1136, the Anticounterfeiting Consumer Protection Act of 1995, to provide additional tools to combat trademark and goods counterfeiting crimes that cost our Nation billions of dollars per year.

The Judiciary Committee received estimates that international counterfeiting amounts to more than $200 billion a year. Bank robberies in this country involve less than $50 million a year. Just as we do not tolerate theft of peoples' funds from our banks, we can no longer tolerate the theft of intellectual property rights or reputation through unlawful copying, counterfeiting and infringement.

Even States like Vermont, with one of the lowest violent crime rates in the Nation, is home to businesses losing money to counterfeiters. Vermont Maple syrup producers comply with stringent standards so that syrup lovers around the world are not disappointed. They have to be constantly vigilant against counterfeiters who use the Vermont label to get a free ride on the reputation for excellence that syrup from my State enjoys.

Another example, concerns our IBM facility in Essex Junction, which makes 16- and 64-megabyte memory chips, known as Dynamic Random Access Memory Chips or DRAM. These memory chips are also the subject of counterfeiting activities. In addition, IBM has estimated annual losses to bootleg computer software at $1 billion.

The Software Publishers Association and Business Software Alliance estimate that software counterfeiting may account for as much as $6.5 billion a year, which is over 40 percent of all software industry revenues. This is unacceptable for any business if it is to survive.

At our Judiciary Committee hearing on October 10, we heard from Tom McGann, executive vice president of Burton Snowboards of Burlington, VT. This company is the world leader in making snowboard equipment, but loses an estimated $1 million annually to copycat boots made in Korea.

Companies that work hard and devote resources to developing good products, ensure design and safety standards, and develop a well-deserved reputation for quality should have their trademarks and good names protected. Moreover, consumers need to be sure that what they are buying is what it appears to be. Burton Snowboards' testimony brings home the reality and the damage of counterfeit goods.

Tom McGann made several important points and was by my estimation the most important and persuasive witness from which we heard. Tom observed that current legal options against counterfeiters were ''so time consuming and so costly that we began to wonder why we went to the trouble of getting the patent at all.'' He also hit the nail on the head when he spoke about the unfairness of allowing those who make no investment in development and quality control to rip off companies that do. He made perhaps the most critical point when he testified that from a business perspective copies undercut the reputation and lead to the loss of public confidence in products of the company that is being copied.

Burton Snowboards is the world leader in making snowboard equipment, boots and related products. This private company was begun by Jake Burton Carpenter, who is generally credited with having developed the sport. This is a classic American story in which Jake-and-a-bandsaw-in-a-garage has led to a company that invests heavily in research and development to make the finest products of its kind in the world. Burton Snowboards' investment should be protected and its customers' confidence rewarded.

Our bill takes important steps to address the problem of counterfeiting in several ways. It seeks to expand our existing racketeering law to cover crimes involving counterfeiting and copyright infringement and to give our law enforcement officers additional, needed authority to seize counterfeit merchandise and impose fines on counterfeiters. It authorizes statutory damages of up to $1 million in private suits against infringers.

I also want to emphasize one of the considerations that bring me to this fight—the health and safety risks posed by counterfeit products. Consumers are being defrauded and being placed in jeopardy by products that do not meet the safety standards that are required of legitimate businesses. We must do everything that we can to confront these dangers as well as the economic damage of illegal counterfeiting. Everything from snowboard boots to software to airplane parts to baby formula to medicine and medical supplies have been the subject of counterfeiting. In addition to the economic harm, the health and safety risks from some counterfeit products provide additional justification for our doing everything that we can to confront the dangers as well as the damage of illegal counterfeiting.

Most troubling at our hearing was the testimony that increasingly, the revenue lost to legitimate U.S. companies is going into the pockets of international crime syndicates and organized criminals, who manufacture, import, and distribute counterfeit goods to fund their other criminal enterprises. It is time to use our RICO weapons against racketeers who are engaged in criminal infringing activities.

As we marked up the bill at the Judiciary Committee, I offered—and the Committee accepted—an amendment to clarify its provisions. Most importantly, my amendment clarified that those subject to civil penalties for participating in the importation of counterfeit goods should include those who ''aid and abet'' rather than those ''in any way concerned in'' the activity.

Even as we make our laws more effective in combating counterfeiting crimes here, we cannot overlook the international nature of the problem. Copycat goods with the labels of legitimate, American companies are manufactured, distributed, and sold in foreign cities around the globe. We should insist that our trading partners take action against all kinds of intellectual property violations: Whether counterfeiting or copyright piracy, it amounts to theft and fraud on the consuming public. We cannot tolerate our trading partners and international allies acting as safe havens for pirates. We must take all responsible action we can to protect against piracy and counterfeiting.

Our Nation's economic health in the next century rests in large part with our innovative high-technology and intellectual property companies. It is not protectionism to demand that others around the world recognize basic standards on trademark, patent, and copyright law and enforce prohibitions against counterfeiting and infringement. If our intellectual-property-based industries are to continue to lead the world, their creativity must be rewarded and their property rights and investments must be protected.

In addition to this legislation, we need to enlist the public in this fight and to educate the public about the downside of trademark counterfeiting and patent and copyright infringement. We need to be sure that our international negotiators and our trading partners share our resolve against these crimes.

I thank Jake Burton Carpenter, Tom McGann, and all those at Burton Snowboard for working with us on this measure. I also want to note the strong support of the Business Software Alliance and the Software Publishers Association, the Interactive Digital Software Association, the Recording Industry Association of America, the International Trademark Association, the American Amusement Machine Association, and the Imaging Supplies Coalition.

I appreciate hearing from Steven Olechny of The Timberland Co. from our neighboring State of New Hampshire and thank Timberland for its support for this legislation. I note the support a wide range of companies making everything from the Barney dinosaur and Mighty Morphin Power Rangers to Polo, No Fear, Nautica, and Hilfinger clothing to Oakley sunglasses and thank Hunting World, Hoechst Celanese, Procter & Gamble, Nintendo, Kodak, Polo Ralph Lauren, Nautica Apparel, Oakley, No Fear, Tommy Hilfinger Licensing, Chanel, Lyons

Group, Warner Bros., the Walt Disney Co., Saban Entertainment, Rolex, the Coalition to Advance the Protection of Sports Logos, and the Cosmetic, Toiletry, and Fragrance Association for their comments on the legislation and their support. Finally, I want to thank John Bliss and the members of the International Anti-Counterfeiting Coalition for their effective work against international counterfeiting and their support for this legislation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the conference report accompanying H.R. 1977, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of December 12, 1995.)

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, would you state the conditions under which this conference report is being debated?

The PRESIDING OFFICER. When the Senate considers the conference report to accompany H.R. 1977, the Interior appropriations bill, time will be limited to 6 hours, 3 of which shall be under the control of the Senator from Washington, or his designee, of which 20 minutes shall be under the control of the Senator from West Virginia; and 3 hours under the control of Senators BUMPERS and BRADLEY, or their designees.

Mr. GORTON. Mr. President, the Senate is no considering the conference report on H.R. 1977, the fiscal year 1996 Department of the Interior and related agencies appropriations bill. This conference report and accompanying statement of the managers appeared in the CONGRESSIONAL RECORD on December 12, 1995, on pages H14288 through H14310. This is the third conference agreement. The first conference report was recommitted by the House on September 28 due primarily to objections to the conference adoption of the Senate provisions on mining, which lifted the existing moratorium on issuing new patents. The second conference report was recommitted again by the House on November 15 due to objections to mining and Tongass National Forest concerns.

The agreements before the Senate today total $12.235 billion in discretionary budget authority. The outlay scoring totals $13.210 billion. The budget authority and outlay figures are precisely at the 602(b) allocation levels. The recommendations of this conference agreement represent a total decrease below the President's budget request of $1.7 billion in budget authority and of $949 million in outlays.

The conference report represents difficult choices and real cuts in spending—without scorekeeping adjustments—of $1.4 billion below the fiscal year 1995 level or a reduction of 10 percent. Interior bill agencies do not share equally in the 10-percent reduction. For instance, the land management agencies are reduced by 14 percent; cultural activities are reduced by 15 percent; the Indian programs are reduced by 4 percent; and the Department of Energy agencies are reduced by 10 percent.

The Interior appropriations bill is a complex bill, providing funding for 40 agencies with very diverse programs. This conference agreement reflects a meshing of the budget resolution considerations, the administration's fiscal year 1996 priorities, the priorities of the Senate and House, and the concerns of individual Members. For example, the Congress and the administration place a high priority on the National Park Service and the Indian programs. Therefore, the National Park Service and the Indian programs are reduced significantly less than other programs and agencies within the bill.

Our conference addressed a considerable number of differences. There were approximately 900 items in disagreement between the House and Senate Interior appropriations bills. As in the past, this bill has received abundant attention and sparked debate within the Congress and the administration. This conference report represents an earnest effort to address many of the administration's objections to this year's Interior actions.

There may be programs which Senators would like to see funded at higher levels. On many, I agree. Certainly, the administration has indicated that it views funding for some programs as inadequate. However, I would remind these Senators and the administration of the funding constraints for this bill and the difficult choices that had to be made. The conferees had to fund programs within an allocation that was 10 percent less than was available for the bill in fiscal year 1995. For every program that was reduced less than 10 percent, other programs had to be reduced by more than 10 percent.

Mr. President, I would like to highlight some of the items in the conference agreement:

INDIAN PROGRAMS

Programs for native Americans and Alaska Natives are funded at $3,652,895,000 within the bill. Within the funding constraints, high priority was placed on the health needs of native Americans funded through the Indian Health Service and on Bureau of Indian Affairs funded elementary and secondary education programs.

The conferees restored $111.5 million above the Senate level to the Bureau of Indian Affairs, resulting in an overall reduction for BIA of $159.6 million, or 9 percent, below the fiscal year 1995 level for BIA activities. Funds were restored primarily to tribal priority allocations, which fund tribal government services.

Additionally, $25 million has been added to the previous conference agreement for the Indian Health Service [IHS]. This brings the IHS 1 percent above the fiscal year 1995 enacted level.

LAND MANAGEMENT

Although the land management agencies have been decreased overall by 14 percent from the current level, the conferees have attempted to protect the operational base of the land management agencies as much as possible:

National Park Service: 0 percent.

Fish and Wildlife Service: −3 percent.

Bureau of Land Management: −5 percent.

Forest Service: −5 percent.

To assist with the growing recreation demands on the agencies in this bill, a pilot recreation fee proposal is included.

The construction accounts for the land management agencies have decreased $85 million in total—−20 percent. The majority of the construction projects involve the completion of ongoing projects and the restoration or rehabilitation of existing facilities.

Overall funding for land acquisition for the land management agencies totals $140 million which is 40 percent below the fiscal year 1995 appropriations level. There are no earmarks for specific projects. However, the administration must obtain congressional approval for any projects to be funded.

NATIONAL BIOLOGICAL SERVICE

The Interior's biological research is placed under the Director of the U.S. Geological Survey. Funding of $137 million is provided for the research activities, which is a reduction of $35.7 million below the current level.

MINING AGENCIES

The conference report includes a compromise between the Senate and House provisions on mining patents.

The conference agreement continues the existing moratorium on the issuance of mining patents as contained in the fiscal year 1995 Interior appropriations bill. The conference agreement also contains provisions that the Secretary of the Interior must process within 5 years 90 percent of the patents grandfathered in the current moratorium and provides authority for third-party mineral examiners paid for by patent applicants.

The mining and minerals related agencies are collectively funded at 9 percent below the fiscal year 1995 level. The Bureau of Mines is eliminated and the essential functions of the Bureau of Mines are moved to the Department of Energy, the U.S. Geological Survey, and the Bureau of Land Management.

Last year's ban on Outer Continental Shelf [OCS] offshore oil and gas leasing continues.

DEPARTMENT OF ENERGY

The Energy Conservation Program is funded at $553 million. The low-income weatherization program is funded at $114 million.

Fossil energy research and development is funded at $377 million, a decrease of 14 percent below the fiscal year 1995 level, not including the Bureau of Mines.

CULTURAL AGENCIES

We have made a concerted effort to address the critical repair and renovation needs of the cultural organizations, such as the National Gallery of Art, the Smithsonian Institution and the Kennedy Center, in order to fulfill our primary responsibility of protecting their collections and structures. Reductions to operating accounts, while unavoidable, have been kept relatively small in recognition of the wide array of public services which in large part define the mission of these agencies.

The National Endowment for the Arts is provided $99.5 million and the National Endowment for the Humanities is provided $110 million. The Senate and House managers differ with respect to the continuation or termination of the Endowments. The managers on the part of the Senate support continued funding for the Endowments and believe the controversial issues surrounding these two agencies are ones which should be addressed by the legislative committees of jurisdiction in the House and Senate.

In short, we have done the best we can with severely limited resources, concentrating our efforts on those agencies that rely on the Congress for the bulk, if not all, of their support and on those agencies that are of high priority to the administration and the Congress.

I have a couple of clarifying items relating to the Interior conference report that have been cleared with Senator BYRD, the ranking member of the Interior Subcommittee; Mr. REGULA, chairman of the House Interior Subcommittee; and Mr. YATES, ranking member of the House Interior Subcommittee.

In the statement of the managers accompanying the conference report, the managers referred to the ''existing hospital authority'' in American Samoa. This reference is to the institutional entity, and does not preclude changes to the composition or the structuring of the authority, particularly if the changes strengthen the management of health care in American Samoa.

The managers for both the House and the Senate agree that funds provided in this bill for cooperative conservation agreements may be used for the 4(d) rule to ease endangered species land use restrictions on landowners, whether large or small.

Mr. President, before I yield the floor, I wish to thank Senator BYRD, the ranking member of our Interior Subcommittee and the ranking member of our full Appropriations Committee. In addition, I would like to thank all of the Members on both sides of the aisle, who have provided their assistance in forming this bill. Also, I wish to express my appreciation to Chairman REGULA and his staff and to Mr. YATES and his staff.

I want to recognize and to voice my appreciation to the Interior Subcommittee staff as well. On my staff are Cherie Cooper, Kathleen Wheeler, Bruce Evans, and Ginny James. I also wish to thank Sue Masica, who is Senator BYRD'S Interior Subcommittee assistant.

Mr. President, on a less formal basis, I would like to call the attention of my colleagues to the differences between this bill and the bill that originally passed the Senate. I remind my colleagues that final passage of this bill in the Senate was by a vote of 92 to 6. That overwhelming and bipartisan vote, I am convinced, was due to the magnificent cooperation I had from my distinguished colleague from West Virginia, Senator BYRD, and other members of the subcommittee. We attempted to follow the tradition of many years and deal with this bill, including all of its controversial elements, with the least possible partisanship, and I believe that we succeeded.

This contrasts rather considerably with the way in which this bill was treated in the House of Representatives. But I do wish to say, to emphasize to all Members of both parties, to the extent that there are differences in this bill from the bill which originally passed the Senate, those differences are slightly to increase some accounts and to attempt in part to meet objections on the part of the administration.

It is very clear to me, as I speak to my colleagues at this point, that we have not sufficiently satisfied the administration to have a guarantee that this bill will be signed. Nevertheless, as compared to the original bill, which passed by a vote of 92 to 6 in this body, we have made a number of substantive gestures in the direction of the objections of the administration. For example, this bill includes budget authority of $111 million more than the bill which originally passed the Senate. Primarily that extra money goes to various Indian activities which were the most controversial elements of the bill as it was debated in the Senate originally and again goes at least part way to meeting objections on the part of the administration.

Second, the mining patent provisions, while I suspect not satisfactory to all Members, are closer to the present law and to the moratorium that was passed by the House of Representatives than was the original Senate provision which was adopted by a very closely divided vote.

In addition, the language relating to the Tongass National Forest is mitigated to a certain extent to meet objections on the part of the administration. These two items, not at all incidentally, Mr. President, were the two items that created the greatest degree of opposition in the House of Representatives and caused two referrals back to the conference committee after the original conference committee report was adopted.

In several additional areas in which there is substantive legislative language in this bill, it has been modified at least modestly and in part to meet the objections of the administration.

I want personally to urge the administration seriously to consider approving this bill. It will provide considerably better and more assured support for the wide range of activities covered by this Interior Department appropriations bill than will any continuing resolution carried over an extended period of time.

As we speak here on the last day of the current continuing resolution, these agencies are operating on the lower figure contained in either the House or Senate bill. In almost every case, as a consequence, the bill that we have before us funds those agencies more generously and with a greater degree of certainty.

So I ask my colleagues to approve a bill that is literally easier for most of them to approve than was the one they voted in favor of by a vote of 92 to 6, and I suggest strongly to the administration that in the present context it is unlikely to get a bill more favorable to its concerns. If, as, and when there is a final budget agreement, there may be some additional changes, but, of course, they could be taken care of as a part of that budget agreement itself.

In any event, Mr. President, I strongly suggest to my colleagues support for and passage of this bill this afternoon.

With that, I yield the floor. I suggest the absence of a quorum, and I ask that it be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk called proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to be designated to control time on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I yield such time as I may consume to myself.

Mr. President, I rise in opposition to the conference report on the fiscal year 1996 Interior appropriations bill.

One year ago, Congress voted overwhelmingly, with strong bipartisan support, to pass a California Desert Protection Act and establish the Mojave National Preserve. This act, the Desert Protection Act, culminated an 8-year-long battle in the Congress to protect some of America's most spectacular and environmentally sensitive wilderness areas, in particular the Mojave National Preserve, often called the ''crown jewel'' of the act.

California has about 25 million acres of desert. This act essentially protected around 6 million of those acres, created the Joshua Tree National Park, Death Valley National Mark, and the East Mojave Preserve.

The congressional process included literally years of research, public hearings, debate, and every possible consideration and compromise to safeguard the interests of property owners and businesses in the region. The bill passed.

Now, rather than carrying out the intent of the legislation, which was to have a national preserve with hunting, which some of the opponents wanted, under National Park Service management, this bill contains an effort to destroy the Mojave National Preserve. All other national parks are being funded. Yet this conference report singles out the newest unit of the National Park System for budget cuts. The President had $2.6 million in his budget for National Park Service management of this new park.

The conference report provides no funding for the National Park Service to manage the Mojave National Preserve. Instead, it turns management back over to the BLM, the agency which managed the East Mojave so poorly before enactment of the desert bill and provided the whole enthusiasm for creating a national park. And the bill also provides a totally inadequate amount for the BLM to do the job. The BLM was criticized when it had $1.7 million to run this area. It did not do it adequately with that amount. And now there is no money for the Park Service, with the exception of the $500,000 for planning.

I believe this is contrary to the wishes of the people of California. Included in a statewide poll, conducted very recently and just released yesterday, were some new poll numbers with respect to the views of Californians and this park. Statewide, 74 percent of all Californians opposed a limit on the Park Service budget for management of this park. Statewide, 84.6 percent of Californians today support keeping the Mojave a national park. In every region of the State, in this new statewide poll, people overwhelmingly supported keeping the Mojave as a national park. Only 9 percent of the people of the State of California in this Field Institute poll oppose the park.

I want to emphasize that the local communities and businesses—this is a very sparsely populated area—and the Barstow, Baker, and Newberry Springs Chamber of Commerce have welcomed the Park Service to the Mojave and support the new park. Let me read what they have to say.

The Barstow Area Chamber of Commerce says: ''The National Park Service is graciously welcomed to Barstow and to the Mojave Desert. The chamber hopes that the needed funds will be appropriated in a timely manner so that quality facilities and services will be accomplished as soon as possible by the Park Service's personnel.''

The Barstow Development Corp. writes: ''The park will be beneficial to the majority of business persons in Barstow and to Barstow's economy, therefore being a positive influence to most of the citizens in Barstow.''

The Newberry Springs Chamber of Commerce says: ''Newberry Springs is proud to be so near this unusual and wonderful area. Let it be known that we highly endorse the new Superintendent and staff and we pledge our support and cooperation to this project.''

Little do they know, this bill is taking it all away.

The Baker Chamber of Commerce says: ''Our community is the gateway to the East Mojave Preserve. Our community has embraced the changes that the Preserve has brought. In accord appropriate funding for the East Mojave Preserve would be duly appreciated.''

The Los Angeles Times, San Jose Mercury News, San Diego Union Tribune, and the San Francisco Chronicle have all called on the President to veto the Interior appropriations bill because of its attack on the East Mojave.

Let me read just a few of the editorial headlines.

The San Diego Union Tribune, December 3: ''Starved for funds; Congressman victimizes Mojave Preserve.''

San Bernardino Sun, a paper in the area, November 18: ''Lewis Confuses Park Issue with Flap Over Sheep.''

San Francisco Chronicle, November 17: ''While they are at it, they should strip all environmental riders, including the defunding of the Mojave National Preserve in California.''

San Jose Mercury News, September 25: ''Moan on the range; Republicans Resume the Destruction of Public Lands.'' ''In an insult to California, the bill, this time, appropriated $1 for the management of the new Mojave National Preserve, a way of undoing congressional establishment of the park last year.''

Nobody should think it is anything other than just that.

Los Angeles Times, Friday, September 22: ''Clinton Should Reject Sabotage of Desert Act; he needs California and California needs protective law.''

San Diego Union, again: ''Desert Mischief; Veto the Interior Appropriations Bill.''

San Francisco Chronicle, again: ''Veto the Environmental Wrecking Legislation.''

If it counts for anything at all, these are the views of the people of California. Eighty-four percent of the people support the Mojave National Preserve. The chambers of commerce of the small communities right in the area support the funding of the Mojave Preserve. Every major newspaper in the State supports the funding of the Mojave Preserve. Yet, today, we have a bill before us that completely undoes the intent of the last Congress to create what is a beautiful national park and what is a prime and beautiful desert area.

The BLM is neither capable nor mandated to manage the Mojave National Preserve. As I say, even with a budget of $1.7 billion, three times the $599,000 the conference has now given to the BLM, the BLM did not adequately manage this 1.4-million-acre area.

Without adequate funding for management of the Mojave, not only park visitors but those who live and work in the region will suffer. According to the National Park Service, permits for grazing improvements will not be processed and issued. Requests for rights-of-way will not be processed and approved. Mining plans of operation will not be processed and approved. Search and rescue and emergency medical services will be dangerously underfunded. Trash collection, restroom maintenance, and any hazardous spill cleanup will be cut back or eliminated. The visitors center and camp grounds may be closed. Park resources will receive minimal protection, like protection to Indian hieroglyphics on canyon walls, like protection to the 900 species of flora and fauna.

It limits the funding for development of a comprehensive management plan to $500,000, far less than what it typically costs to develop a plan for a new national park. It limits the amount of time the Park Service has to develop the management plan. The California Desert Protection Act required a 3-year planning process and provided for extensive public participation. That is what the community wanted. If the Park Service is to satisfy the conferees' conditions for taking over management of the Mojave next year, that is completing the management plan, the agency will have to expedite the process and limit public participation. That is directly contrary to the intent of the Desert Protection Act. The act specifically mandated an inclusive planning process to ensure consideration of the views of the landowners, the ranchers, local government, and others.

This language is unprecedented. Never before has Congress required the National Park Service to develop a comprehensive plan before it can manage a new park. No one can tell me this is not just to kill the action taken by a majority. Let me say I would never do this to any Member or to any project that was approved by Congress—stand in front of it and say, all right, after 8 years, more than a dozen hearings, this is authorized, but we are going to kill it because we are not going to fund it.

Some have suggested that the National Park Service has not adequately ensured the continuation of human uses and has jeopardized wildlife recovery efforts. This is a complete misrepresentation of the Park Service's record in the Mojave.

Let me set the record straight. The Park Service has been doing a good job of managing the Mojave. In the last year, the Park Service has improved visitors' services. It has opened a visitors center in Baker. It has improved law enforcement; it has helped curtail illegal activities such as closing down two drug labs in the desert that were operating in the area. The Park Service has improved resource protection. Visitation to the area has increased significantly, bringing additional businesses to the surrounding communities.

As the Las Vegas Review Journal reported last month, Little Nipton, a small community, has not seen so much activity since its heyday in the early years of the century. Nipton is one of the entry points to the new Mojave National Preserve. Gerald Freeman, the owner of the Hotel Nipton, reports:

> Since the National Park Service has taken over management jurisdiction, both the volume and quality of visitation is up. For example, the Hotel Nipton occupancy is up between 80 and 100 percent a year. In contrast to what I would call a condescending, indifferent presence of the Bureau of Land Management over the last 35 years, the National Park Service seems genuinely concerned with the welfare of the region. They appear to me—and others out here—to be a comforting and constructive presence. I urge you to support the National Park Service in its mission in the Mojave National Preserve and to do everything to ensure adequate funding is available to maintain the viability of their presence. I am convinced the rewards will be of great and lasting benefit to the region including a strong and vibrant business all around; greatly improving job opportunities for locals and others moving into the area; a major upgrade in the perception of the Mojave in the world at large; thus establishing a major source of pride and revenue for San Bernardino County and the State of California.

I cannot understand—we have three major chambers of commerce. We have people writing in, saying visitation has gone up, it is better than it was. Two drug labs have been closed. Yet because of the pique of some on the House Appropriations Committee, we defund it. I cannot understand this.

This is not just and fair public policy, particularly when we have 84 percent of the people of the State in support of keeping the Mojave a national park according to a poll done as recently as last week. I hazard a guess that there is probably no new park in America that would get that kind of public support and yet have this body and the other body defund it in its first year of operation. It is bizarre. I do not understand.

Let me give another example, the small little restaurant called the Bun Boy in Baker. Owner Willis Heron writes:

> I have lived in and been in business in Baker, CA for over 40 years. I write to express my strong support to fully fund the National Park Service. Not adequately funding the National Park Service is a disservice to the thousands of people living in the towns of Baker, Barstow, Needles, and Nipton and to the County of San Bernardino. The preserve and the local communities will suffer if the proper funding is withheld.

Again, I cannot understand it. The support is there. Roxanne Lang, a resident of Nipton says:

> The National Park Service has done more for our local area in the last nine months without much funding than the BLM did in ten years I have been here. The National Park Service has managed to eliminate some undesirables—i.e. drug dealers—come into our schools and educate the children living in the desert about the environment; and give locals a generally good feeling that we have protection.

This body defunds it. I do not understand it. The Overson family, the largest private property owner and ranchers in the preserve, also report that management is much improved under the Park Service. Let me read their statement:

> In the past 7 years under the Bureau of Land Management, crucial water replacement projects, pipelines, tanks, and troughs, have been put on hold. It has come to the point of having to get an attorney to sue the BLM to do the environmental assessments on the projects before funding will be allocated. Since the National Park Service took over management of the desert, many changes are apparent. We have been able to work with management for a yes or no answer. Projects are being worked on.
>
> The effects of the rangers are also apparent. They have wrote numerous speeding tickets, deterred drunk drivers, closed an illegal drug lab, and have policed this isolated area. Because of these reasons, we feel we would be better off under Park Service management.

That is from the largest property owner in the Mojave Preserve, and this bill defunds it. I do not understand it.

Mr. President, Congress established the national preserve. There was already a concession to the opposition who wanted a national preserve with hunting. They got their national preserve with hunting, but under the Park Service so the environmental protections could be provided.

Guess what they did? They then turned around and defunded it—something that has 84 percent support throughout the entire State of California after the first year in operation. It is absolutely bizarre.

I have spoken to the administration. I am convinced they will veto this bill, and one of the reasons they will veto this bill is this kind of subrogation of the will of Congress.

It is selfish, it is vain, it is wrong, it is not good policy, and it should not happen.

I thank the President. I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I listened carefully to the words of the Senator from California, and I must say I have some sympathy for her position on this issue and understand how she is upset. She mentioned that she was concerned about the preservation of Indian hieroglyphics in the park there, and I also have a lot of knowledge of native American issues. I understand that.

I wish that the Senator from California had voted to restore some of the funding for live Indians, the live Indians which Senator DOMENICI, Senator INOUYE, and myself tried to restore. We tried to restore some of the draconian cuts that were made.

Native Americans are deeply concerned about preserving hieroglyphics. But they are also concerned about preserving their ability to manage their land, child welfare and family services, et cetera.

I do not mean it as a criticism of the Senator from California. I must say from listening to her somewhat emotional remarks, I hope that we can sit down and get some kind of better treatment of what is obviously a very important cultural and environmental area in the State of California.

Mrs. FEINSTEIN. I thank the Senator.

Mr. MCCAIN. Mr. President, I rise to express my deep disappointment with how little funding was restored by the conferees to native American programs in H.R. 1977, the fiscal year 1996 appropriations bill for Interior and related agencies.

During our consideration of the bill in August, the Senate rejected a Domenici-McCain-Inouye amendment to restore $200 million to address what I believed was a draconian cut in funding for tribal governments. I say ''draconian'' because I know no other word to describe a cut that would have reduced last year's tribal funding by more than 25 percent. I withheld from offering further floor amendments after the chairman of the Interior Appropriations Subcommittee assured me on the floor of this Senate that he would support significant restorations to these tribal accounts in conference.

Mr. President, we now have before us the results of the conference committee's action. While I appreciate the sincere efforts of the members of the conference committee, I do not consider the amounts restored to tribal accounts significant enough. The conference bill maintains disproportionately deep cuts in critical funding needed for essential services on Indian Reservations. I believe the funding priorities reflected in this bill breach our

Nation's treaty obligations to tribal governments.

The conference bill provides $654 million for tribal priority allocations, nearly a 9½-percent cut from the fiscal year 1995 funding level of $722 million. This nine and one-half percent reduction will gut basic tribal government operations on Reservations, where the spending priorities are set by tribally elected officials, not Federal bureaucrats or Members of Congress who are far removed from reservation realities. Let me be clear—the tribal funds slashed by 9½-percent under this bill are under the direct control of tribal governments, not Federal bureaucrats. These cuts will not reduce the Federal bureaucracy. They will, however, sharply reduce tribal services and employment on Indian reservations.

Tribes have used these funds to deliver critically needed services to Reservation residents, such as criminal law enforcement and public safety efforts, elderly housing improvement and repair, child abuse protection and intervention services, adult vocational training, natural resource protection, child welfare and family services, land management, reservation road maintenance, administrative support activities, and other essential tribal government programs and operations. Tribal governments spend these funds on social workers, police officers, teachers, jailers, bookkeepers, and auditors. They make emergency home repairs. They fight fires. They clear and maintain roadways. They patrol land and water to deter poaching and to protect natural resources. Tribes rely on these funds to meet basic governmental obligations to their citizens.

In addition to the elimination of many essential services, these cuts will cause many reservation jobs to disappear. Since many reservations are in remote and impoverished locations with unemployment rates 10 to 20 times the national rate, tribal governments typically are the largest, and often the only, employers in Indian Country. Consequently, the 9½-percent cut in tribal funding from fiscal year 1995 levels will cause great hardship for many Indian households whose breadwinners will have no choice other than to move away from their reservation communities to seek employment.

Mr. President, the American people have spoken—they don't want new taxes, they don't want the Federal Government to grow, and they don't want deficit spending today that will make their children, and their children's children, pay and pay for years to come. I stand with those of us in the Senate who say enough is enough, that Federal funding must be reduced, not just restrained.

My problem with the Interior spending bill is not with its overall reductions. My problem is with how the conferees set their priorities within the overall reductions. Earlier this year I asked the Congressional Research Service to analyze Federal spending trends on programs for American Indians and Alaska Natives over the past 20 years, and compare it to Federal spending for other Americans. The CRS found a steadily growing gap between what the Federal Government spends on Indians and non-Indians that began to widen in 1985. Since 1985, per capita Federal spending for Indians has fallen far behind per capita Federal spending on non-Indians. I am convinced there are many accounts in the Interior bill which are significantly lower national priorities than these tribal programs. Funding for these lesser priorities should have been reduced or eliminated in order to protect Indian funding.

My position on this is consistent with the Budget Resolution, which recommended to the Appropriations Committees that Indian program funding be held at 1995 levels and that the necessary reductions in budget authority be taken from other accounts. The conference committee chose to disregard these priorities and instead made Indian programs within the Interior Department bear a strikingly disproportionate share of the cuts.

Mr. President, many years ago, our predecessors in the U.S. Senate ratified treaties made with tribal governments in exchange for land and peace. The U.S. Constitution calls these treaties the highest law of our land. Neither the passage of time nor the changing of the guard has eroded our legal obligations as a Nation towards Native Americans. In my view, H.R. 1977 turns our national priorities upside-down, and places a stain on our national honor.

Accordingly, I urge my colleagues to join me in voting against adoption of H.R. 1977, as proposed by the conference committee, because it seriously shortchanges Indian tribes and violates our Nation's treaty obligations to Native Americans.

Mr. President, traditionally the Interior appropriations bill has been loaded with ear marks. Although this year's bill represents an improvement over past year's bills, it still contains many items that raise questions.

I want to state that these questions should not be interpreted in any way as to call into question the integrity of the bill's managers. I know they have worked hard and deserve much credit for the work they have done. But as I have routinely stated on the floor of the Senate, when earmarks and other specific provisions that have never been considered by either the full House or Senate are added to bills in conference then my right as a Senator to amend those provisions is denied me. That is wrong. The people of Arizona expect me to act to prevent their hard-earned tax dollars from being sent to Washington and then squandered on projects that have never seen the light of day. That is why I raise these issues.

First, let me note my strong concern regarding this legislation's treatment of native Americans.

I also want to raise some other issues I would hope the managers would elaborate on.

Amendment No. 2 in the conference report contains the following earmark:

''Of which $2,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to P.L. 96–487 . . .''

Perhaps the Senator from Washington could explain the necessity for this provision being added in conference?

I would like to know why is this provision being added in conference having not been considered by either body in an amendable form?

Is there any reason this provision could not wait to be added to some authorizing language?

I say to the Senator from Washington that it is terribly aggravating to those of us who represent the citizens of our State who find these provisions added in a conference report because they are not amendable, nor do we have the opportunity to vote up or down.

Amendment No. 47 is particularly interesting. The House language originally was one sentence:

''For expenses necessary for the orderly closure of the Bureau of Mines, $87,000,000.''

The Senate struck that language and added a paragraph with more specifics.

However, the conference report now contains a long list of specific provisions detailing office closures and transfers in specific cities and locations. I am very concerned about these new details, added behind closed door, that I am now expected to vote on. The language notes certain office in Pennsylvania and Oregon.

I would like the managers of this bill to explain the meaning and purpose of this large amendment.

Amendment No. 84 deals with the Presidio. It is my understanding that this historic old Army base has been ordered closed as a result of the BRAC process. However, this bill contains language appropriating funds to keep this facility, or at least parts of this facility open. The committee also notes that separate legislation detailing the future of the Presidio may be considered by the Congress later this or next year.

Based on that fact, why are we appropriating funds for the Presidio at this time?

I am very concerned about the creation of the Presidio trust fund. In Arizona we closed Williams Air Force Base. We have not—nor do I think there will ever be created—a Williams trust fund. This is an issue that deserves much consideration and debate. I would hope that we would not be paving the road for the creation of the trust fund in this bill.

Therefore, I want to ask the question, if such funds must be appropriated, should they not be subject to authorization or to passage of the Presidio trust fund bill?

I also have questions regarding amendments Nos. 101 and 104. These

amendments apparently place an across-the-board prohibition on the Forest Service. After the bill mandates this sweeping prohibition, it contains one specific exception to this new rule. The language added in conference states, ''* * * other than the Regional Office for Region 5 for the Forest Service, from San Francisco to excess military property at Mare Island, Vallejo, California.'' Perhaps the managers can explain this unique exception.

I think, if I could seek the answers to those questions from the manager of the bill, I might have a better understanding of this conference report.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, the Senator from Arizona has raised legitimate questions about several of these amendments. I will prepare answers to them—we have two other Members waiting to speak—and try to answer them properly after those two Members have had their opportunity.

Mr. MCCAIN. Mr. President, I thank the Senator from Washington. I do believe this bill is a significant improvement. I do not believe there is a great deal of the traditional earmarks and add-ons in conference. I wish there were none.

I realize the Senator from Washington and the ranking member have very difficult decisions to make and that there are enormous pressures on them in certain areas to sometimes clean up certain aspects of the legislation that has not been brought up at the proper time. But I would like, as I say for the benefit of my friend from Washington—amendment No. 2, which is $2 million available for assessments of mineral potential of public lands in Alaska; amendment No. 47, all of the long list of specific provisions which are associated with the closure of the Bureau of Mines; amendment No. 84, about the Presidio; and amendments Nos. 101 and 104, which place across-the-board prohibition on the Forest Service, and then there is one specific exception.

I thank my colleague from the State of Washington. I understand it may take some time. Since this is a very large piece of legislation, it may take some time to adequately address those concerns.

Again, I congratulate the Senator from Washington on doing a very sincere and difficult job.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent I be yielded such time as I may consume from that of Senator BUMPERS, who controls time on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I say to my friend, the Senator from Missouri, the reason I stood before him is because we had a Democrat, Senator FEINSTEIN, and then traditionally we are going back and forth. So I waited for Senator MCCAIN. That is the traditional way we have done things for the last few days. I assume we would go back to a Republican next.

Mr. President, I first want to say about the two managers of this bill, the senior Senator from Washington and the senior Senator from West Virginia, I have worked with them on this bill and other matters over the years. I have found them both to be the best.

Senator BYRD's history, of course, is replete with his knowledge of procedures. Of course this bill is a bill that he has managed for many years. But let me just say about the senior Senator from Washington, the manager of the bill this year, he has spent a great deal of time on this legislation. He has had tremendous difficulties. I participated with him, trying to work out some of the differences. We have had the bill before the Senate, or the conference report, three times, as I understand it. So, I recognize the problems the manager has had, how hard it has been. It is not a perfect bill. I recognize that. My criticism of the legislation does not go to the managers of the bill but, rather, to the content of the legislation and the fact, in these times of very strict budget constraints, sometimes we disagree with the priorities.

Having said that, I say this bill is extremely important to the State of Nevada. The U.S. Geological Survey, the Bureau of Indian Affairs, the Bureau of Land Management—there are many important aspects of this legislation that have a direct impact on the State of Nevada. I am not going to spend a lot of time today talking about the things about which I just spoke, even though, with the Park Service, the busiest entity in the entire Park Service is the Lake Mead Recreational Area. Last year, there were almost 10 million visitors to that very fragile facility. It is an example of where we are not really taking care of our parks in this country. Lake Mead needs tremendous renovation because of the massive numbers of people who use that facility. The people who use Lake Mead do not use it just during the daylight hours. It is a 24-hour recreation facility. Because of the shift work that takes place throughout southern Nevada, people are coming on that facility all times of the day and night. It needs a lot of work. That money, that would lead to the work being done, the renovations being done, improvements being done on that recreation area, is not in this bill.

I do not criticize anyone in particular, other than to say that our park system is really in a bad state of repair. It is no better illustrated than the Lake Mead Recreation Area.

Today I am going to spend my time talking about a part of this bill that I think is really disturbing, and that is the Endangered Species Act and how it is dealt with. First of all, this conference report does not adequately provide funding for effective implementation of the Endangered Species Act. That is important because, whether you are a proponent of the Endangered Species Act or whether you believe the act should not be in existence, the fact of the matter is that if it is inadequately funded it does not work for anyone.

Second, this conference report maintains the moratorium on listing of threatened and endangered species. I object to these provisions. I do it, not to be an obstructionist, but to enable the Fish and Wildlife Service in preserving and protecting species that are in a state of imminent extinction. In sum, the Fish and Wildlife Service must be able to carry out the noble goals of saving species from extinction.

I am a ranking member of the authorizing committee that will, hopefully next year, participate in reauthorizing the Endangered Species Act. I have worked with the junior Senator from the State of Idaho in coming up with legislation. He has introduced a bill that I do not support, but I am confident that we can come up with legislation that meets the goals of both of us. If we cannot, I will introduce a bill sometime next spring, and, hopefully in the near future, we will be able to stand in this Chamber and work out our difference. We need to reauthorize the Endangered Species Act.

What is taking place in this legislation, in this conference report, is not the appropriate way to do business. I remind this body, as a significant number of witnesses pointed out before our committee, extinction is irrevocable. Extinction is forever. It is important that we understand that these are not problems that we can go back and deal with later. Once there is an extinction it is over with. It is over with for good. To deny the Department of Interior the funds needed to ensure good science is to invoke a self-fulfilling prophecy of the failure of this act.

Extinction cannot be altered. We cannot have second thoughts. It is permanent. That permanence should weigh heavily when we consider our priorities.

We must make no mistake about it, our priorities are reflected in this budget, and I say respectfully that our priorities in regard to this act are skewed. I acknowledge that there are some real problems with the Endangered Species Act in its current state. We need to reauthorize the act, we need to change it, we need to make sure there is the ability for consultation with State and local government and with the private sector. We have to make sure there are exemptions for small property owners. We have to make sure that there are incentives for people complying with the Endangered Species Act. Those things are not in the act at this time. We have to put them in the act.

But to simply defund it, or fund it inadequately and to place a moratorium on listings, is not the way to do business.

I acknowledge, I repeat, the problems with the Endangered Species Act. I talked about some of them. These problems we have talked about at long length before the authorizing committee, and they are going to be addressed in the substantive legislation when it comes to this body and it is debated here on the floor.

That is why, Mr. President, a moratorium on listing species is wrong. The moratorium removes flexibility of the Secretary of the Interior. It delays action when action is critical. This moratorium in this conference report does, in fact, jeopardize the existence of species.

In this conference report, I think that we find a lot of impatience for substantive, reasonable, and prudent reform. We should be patient. We should recognize that this bill needs to be reauthorized. The moratorium would, regretfully, in my estimation, remain in effect despite the lack of logic, despite the damaging effects, and despite the fact the committees of jurisdiction have and will continue to address issues of concern.

The proponents of the Endangered Species Act reform argued for better science throughout the process of specie preservation. I ask, how is better science provided for if the funding is not provided for? Many who argue for reform of the Endangered Species Act assert the need to do more than just list a species, but also to declassify and delist species. Let us make sure the agency has the ability to do that, and they only have the ability to do that if there is sufficient funding.

But then what is the effect of failing to fund the act at an effective level? Mr. President, one of the effects of insufficient funding would be a decline of the medicinal research and humanitarian purposes that have benefited from the preservation and study of species and plants. Indeed, there is a great hope, hope of thousands of people who are fighting diseases that are anchored in the search for cures within the ecosystems and plant life that today may be on the verge of extinction.

More than 40 percent of prescriptions filled in our country, in the United States, each year derive from plants, animals, and microbes. These include medicines to fight cancers, infections, contagious disease, heart disease, childhood leukemia, to name just a few.

There is a lot of fun made of the Endangered Species Act. Why do we worry about this animal or that plant? The reason we worry about them is, I repeat, 40 percent of the prescriptions filled in our country are derived from plants, animals, and microbes.

Take, for example, the rosy periwinkle. It sounds funny, does it not, rosy periwinkle? In this little plant, two compounds were found that have proved successful in treating Hodgkin's disease and childhood leukemia.

As far as childhood leukemia, it cures childhood leukemia except in rare cases. When the Presiding Officer and I were children, teenagers, young adults, children who got leukemia died. It is not that way anymore. Parents who have little children who have childhood leukemia are cured. Why? Because of something called the rosy periwinkle.

There is also a pupfish, an imperiled desert vertebrate, residing in isolated hot springs in the Southwest part of this country. The pupfish can survive in very high salt concentrations, and this ability is being studied as we speak by researchers in hopes of developing new treatments for kidney disease.

This pupfish is extinct in many places. There are a variety of pupfish. In the State of Nevada, we have an agricultural area that grew cotton. Because of the pupfish, the water that supplied the cotton was curtailed, and that area is no longer a cotton farming area. That is the sacrifice that was made for this little fish that will, all scientists say, lead to some dramatic changes in the way we treat renal failure.

We do not know every plant and animal that exists and, consequently, we do not know every cure, remedy, and healing that may exist for our benefit.

I am not going to take the time of this body. There are Senators wishing to speak on this floor. I could list plant after plant that leads to helping relieve the pain and misery of disease and, in many instances, cures disease. Of the 220,000 worldwide types of plants, only 5,000 have been examined for medicinal compounds. We know, as a result of an article within the past year in the Wall Street Journal that talked about some of these plants that were deemed to be worthless, how they have brought about dramatic improvements in the way we treat disease.

The black bear, which is a threatened bear in many parts of the United States, are now being studied because scientists believe they have found definitive and definite clues to the prevention of osteoporosis. How? The bear loses no bone mass during its 5- to 6-month hibernation period, and scientists are wondering why. They are now beginning to find out why.

What cures are we willing to risk losing with lack of funding of the Endangered Species Act? I do not think we should be willing to risk the loss of any cures. Recently, the American Society of Microbiology called for increased research in potential medicinal plants and other species, which takes on an urgency as known diseases grow resistant to known antibiotics.

How can we justify underfunding such a vital work of preserving species? I know there are problems with the Endangered Species Act. I say that on this floor for the second time today. I know that we have to reauthorize it and make some changes in the way the act has been administered. But I tell each of my colleagues, we must trust the legislative process of reauthorization and reform and fully fund the Endangered Species Act. It is not happening in this conference report, and that is too bad.

We ensure for ourselves the need for more emergency saving efforts. This is a small price to pay when it comes to protecting and preserving species faced with imminent extinction.

I repeat, I recognize the difficulty of this legislation arriving at the point where it is. I again extend my congratulations and applause to the managers of this legislation, the senior Senator from the State of Washington and the senior Senator from the State of West Virginia. But I really feel that this conference report is lacking in a number of different ways, not the least of which is the problem with the Endangered Species Act.

The PRESIDING OFFICER. Who yields time?

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized to speak for 10 minutes as in morning business.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL

Mr. BOND. Mr. President, the reason I asked for morning business at this time was to bring my colleagues up to date and those who are very much interested in the appropriations process, particularly as it regards the Environmental Protection Agency, VA, and HUD, and what is happening here.

We have had a bill that has been passed by the Senate, passed by the House, and a conference report passed by the House that is waiting here. We have not passed it because the administration has promised clearly and unequivocally to veto it.

There are several things that are going to happen today. First, the majority leader has scheduled the measure to be passed later on after this bill, perhaps in wrapup tonight, and second, there is a major media effort to mischaracterize, I believe, what is going on with respect to the environment.

Some of my colleagues may have seen an article in today's Washington Post: ''Temporary Reductions Halt 'Environmental Cop.' '' It relates to concerns expressed by EPA Administrator Carol Browner.

I am getting a little tired of the press conferences, press statements, and grandstanding from the White House regarding how the majority in the Congress is rolling back environmental protection and making deep cuts in the environment.

Ms. Browner is reported in the Post as saying, ''The environmental cop is not on the beat.'' She decries the fact

that the temporary budget reductions resulting from the current continuing resolution are causing a reduction in inspections. I agree with her. I would like to see a bill passed and signed into law.

Let me set the record straight. The EPA appropriations bill which passed the Senate earlier this year funded EPA's operating programs at the fiscal year 1995 level, and the conference report on VA–HUD and independent agencies provides a total funding level for EPA which is $48 million more than the Senate-passed bill, a reduction of only 4 percent below the postrescissions fiscal year 1995 funding level.

We have managed in a very, very tight budget to provide close to full funding for EPA at a time when constraints on discretionary spending are extraordinarily tight. This subcommittee received an allocation which was 12 percent below last year's level, yet we managed to hold EPA at close to current funding levels. Despite the rhetoric from downtown, this demonstrates, I believe, a Republican commitment to continue to improve the environment.

Now, I am the first to admit that the EPA has received some targeted budget cuts in the appropriations process but the reductions came from areas which the National Academy of Public Administration and others identified as being unnecessary, wasteful or duplicative. NAPA is a nonpartisan organization which was commissioned by my Democratic colleague and predecessor, Senator MIKULSKI, then chair of the committee, to undertake a report on reforming EPA 2 years ago.

In this bill and the conference report, we followed the NAPA recommendations presented to Congress almost a year ago to turn more responsibility over to the States that have developed an enormous capacity over the past 25 years to manage environmental programs, including inspections of facilities. According to NAPA, ''EPA should revise its approach to oversight, providing high performing States with grant flexibility, reduced oversight and greater autonomy.''

That is what we have tried to do for this appropriations bill, and we have included authority for EPA to begin issuing block grants for maximum flexibility. We have tried to focus on the areas of highest risk to human health and the environment and reduce those programs which do not get the most bang for the buck in terms of environmental protection.

But the administration and EPA, rather than spending time organizing press conferences and news events, should be following the recommendations of NAPA to get its own house in order. Despite EPA's claim to support NAPA's recommendations, we have seen little in terms of real change. And regarding today's article in the Post, let me point out to my colleagues that indeed EPA is operating under a constrained budget because of the continuing resolution, and I am fully prepared to send a bill to the President so they will not have to operate under a continuing resolution. The conference report on the EPA bill, that is, VA–HUD and independent agencies, would provide an increase of 11.5 percent over the current continuing resolution, yet the President wants to veto the bill. His agents have stated unequivocally that he will.

I have suggested to administration officials that I as chairman, the ranking member, Senator MIKULSKI, and our colleagues in similar positions in the House, are more than willing to sit down to find accommodations within the 602(b) allocation to negotiate a reasonable compromise.

Rather than negotiating with us, today I am told later on the Vice President will hold a press conference with Administrator Browner at a suburban Maryland wastewater treatment plant where they will continue to attack Republican reductions in environmental improvements. Rather than pointing to the successes achieved over the past years to improve our water quality, they will talk about how the budget will impair future water quality improvements.

Let me set the record straight, Mr. President. Funding for EPA wastewater treatment construction in this year's bill is $1.125 billion. In addition, the conference report stipulates that if legislation enacting a new drinking water State revolving fund is not authorized by June 1, 1996, an additional $500 million will be available for wastewater State revolving funds for a total of $1.625 billion.

Mr. President, this would represent an increase of about $400 million over last year's level.

Now, in the last 2 weeks or more, I have repeatedly requested of top administration officials that they tell us how they wish to reallocate spending within the 602(b) allocations. I have made that request among others to Administrator Browner, to CEQ director, Ms. McGinty, to OMB director Dr. Rivlin, to the Vice President himself. I put in a call to the President. Obviously, he has other things on his mind. But none of these people has responded.

As a result, it appears that when this bill goes down, if the President carries through on his threat to veto it, it will be vetoed and EPA will fall back to the level of the continuing resolution. The only word we have heard from the administration is they want to spend about $2 billion more.

The White House talks the language of reducing spending to balance the budget, but they do not have the music yet. They think the only way they can live is to spend more money. We have done the very best we can to establish priorities within the context of achieving a balanced budget in the year 2002.

I wish to say for the record that my ranking member, Senator MIKULSKI, has gone out of her way to be helpful, to work with us, to make as many accommodations and improvements in the bill as possible. She too has sought the involvement of the administration. And even though Senator MIKULSKI's top priority, national service, is not funded in this bill, other than for closedown, it cannot be funded unless and until the administration is willing to sit down with us and tell us where they wish to make cuts to generate the support to pass this bill in both Houses.

Senator MIKULSKI has been thoroughly cooperative throughout. I could not ask for anyone who has been more willing to put the needs of the environment, of veterans, of housing, of space, and other important agencies ahead of partisan bickering. It is with great regret that I tell my colleagues that we are likely to see the measure, which is scheduled for passage later on tonight, vetoed by the President because simply he wants to spend more money.

I make the point again for those interested in the environment that if the President were to sign this bill, or if the President were even to send his people to discuss with us how to make improvements to protect their priorities, we would be more than willing to negotiate with them. Absent any response—and there has been no response—this bill will be scheduled later on for passage this evening. I regret that we will not receive the funding for environmental actions that are included in this conference report if the President chooses to veto it. But make no mistake. If there is a reduction in funding for environmental efforts, it will be the President's decision. It will be the President's veto. He is going to get a bill that is very close to last year's funding, and it protects the top priority programs in EPA.

Mr. President, I yield the floor.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. Who yields time?

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. I will be very brief. I rise to speak in opposition to the conference report. I know there are others who want to speak, and I simply want to make a few points.

I think it will be vetoed. I think it should be vetoed. I think that it continues the process of watering down our efforts to protect the environment, and it in my view should be rejected.

There are three areas that I believe need our special attention. The first is that under the conference report the protection of fish, wildlife and plant species awaiting endangered species listing would be blocked for another year, even if the species is on the brink of extinction.

Mr. President, we have an Endangered Species Act in order to protect those species that are on the brink of extinction. If we delay listing year after year, we might as well not have a law. When you delay the implementation of this law, you do not have one at all. We cannot declare any species in that period of time as endangered and the damage may be permanent. This is of real concern in a number of areas, for example, the marbled murrelet. I also know that the Mount Graham squirrel is an important specie that is endangered and affected by this act. I am not sure that in the next year it is going to be all over for either one, but the general direction is clear. If we continue to prevent the law from functioning, we might as well not even have that law, which, of course, is the intention of some who will delay the implementation of the law.

Second, Mr. President, is the rider on alternative P to the Tongass National Forest timber plan in Alaska. The conference report locks into place, through fiscal year 1997, the timber requirements of alternative P, which is a 4-year-old discredited draft forest plan. Alternative P mandates a logging target approximately 44 percent higher than the average cutting level over the past decade. And it does so in an area where the largest number of jobs are in tourism and fishing and not in timber cutting and in an area where unemployment is very low compared to the national average.

Mr. President, I am very concerned about what we have done in this bill with regard to Tongass. I think that it allows for much more cutting than we had anticipated when we passed the 1990 Tongass Timber Reform Act. And it is another example of Congress' changing things for the worse after there has been an agreement because the votes are there to change those things. And I think, frankly, it will be one of the major reasons that the President will veto this bill.

Finally, Mr. President, there are a series of cuts in vital programs. This bill follows the pattern set in the VA-HUD appropriations bill which makes reductions in the Corps of Engineers wetland enforcement budget and forbids the EPA from enforcing wetlands law, which in my State of New Jersey is a tremendously important thing.

This bill repeals protection for the newly created Mojave National Park and halts scientific studies needed to protect critical species in the Columbia River basin.

It halts the Department of Energy's program to set energy appliance efficiency standards that have been developed jointly with the industry, which will save consumers a lot of money and reduce the U.S. dependence on foreign oil. One might say you can save more oil from increased conservation than you could from opening up the Arctic National Wildlife Refuge.

Mr. President, this bill has gotten better, but it still does not meet what I think are the highest possible standards. The President's statement on the report cites several additional shortcomings. For example, there is $50 million in funding restored for the Bureau of Indian Affairs and the Indian Health Service. This additional funding, however, falls short of levels needed to maintain these important programs.

While the Bureau of Indian Affairs' budget has been increased $25 million above the previous conference level, that would still leave the program $111 million short of the House mark and $159 million below fiscal year 1995 enacted levels.

The most significant effect of this action remains the crippling reductions targeted at tribal priority allocation programs which support essential tribal government, law enforcement, housing improvement, Indian child welfare, adult vocational training, road maintenance, and other basic reservation services.

I believe that this funding should be restored. It is not in the report. I think this will be another reason that the President will veto this proposal.

So, Mr. President, in conclusion, I think the report has gotten better, but it is not yet good enough. I urge my colleagues to reject the bill and the President to veto it because I do not think that the American people in 1994 voted for an attack on environmental problems. I believe we should not be delivering to the American people an antienvironmental Christmas present. I do not think they asked for it, and I do not think they will welcome it. I hope that the President will veto the bill.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER (Mr. KYL). The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BUMPERS. There are a lot of parts of this bill that I would like to address. I agree with the Senator from New Jersey that the bill is certainly better than it was in its original version. Thanks to the House of Representatives, who refused to accept it and voted overwhelmingly to recommit it to the conference, it has been improved.

To tell you the truth, Mr. President, I am so sick of making this speech I am about to make, I cannot tell you how tiresome it is, and yet until the Members of this body change their attitude about mining on public lands, until the President and the press finally penetrate the minds of the American people as to this, the greatest of all scams in the history of the Nation, I will come here every year, time after time, to make my argument again.

My mother used to have an expression, ''Everybody's business is nobody's business.'' And I cannot think of a better application of that saying than what we allow the biggest corporations in the world to pull off on us. It is just that it does not affect very many people.

There are about 10 to 12 States out West where the Federal Government has extensive landholdings and where people file mineral claims to mine gold, silver, platinum, palladium, whatever, off the Federal lands, and it is very important to the mining companies and it is important to those few States where it takes place. But because the other roughly 40 States do not have a dog in the fight, they feel free, Senators of those States feel free to vote however they chose in the certain knowledge that their constituents will never hold them accountable.

But let me recount the history of the issue of which I speak. In 1872, Ulysses Grant signed his name to the bill called the mining law of 1872. And the idea was we would permit people to go west and file claims on 20-acre parcels on the Federal lands there that the U.S. Government owned. Anybody could do it. And anybody can still do it. Just go out there and put four stakes down on a 20-acre tract, not just one, do a dozen if you want, two dozen, whatever you want. Just file claims on it. That started in 1872 as an incentive to get people to move west.

When I first became involved in this issue there were about 1,200,000 claims that had been filed. And they were required to either pay $100 a year to maintain the claim or to certify that they had done $100 worth of work on their claim.

Well, everybody simply sent in a certification that said, ''I did $100 worth of work.'' Meanwhile, they had no intention of mining it. Finally, in 1993, I was able to get a bill passed through here to require them to put up $100—not a certificate that they had done $100 worth of work, but pay $100 cash. The number of claims dropped from 1.2 million to the present, roughly, 330,000.

So we have these 330,000 claims out there. If you own one of those claims, what do you do next? If you are really serious about mining something, then you start digging around to see if that land has anything on it. Most of the time, Mr. President, the people who own these claims never lay a glove on them. Some mining company comes in and says, ''We will pay you so much to let us work this claim, and if we find anything there, we will give you a 5- or 10-percent override on everything we find.'' And, ordinarily, the person who owns the claim says, ''That is fine with me, you are a big mining company. If anybody can make this work, you can.'' The claimant gets a nice little override for having simply put down four stakes on a claim.

But once the mining company finds something, gold, silver, whatever, they go to the Bureau of Land Management and they file an application for a deed. Now, this is really the most egregious part of this whole law. You think about somebody going out and putting down stakes on Federal land that belongs to the taxpayers of this country, finding

gold on it, and going to the BLM over at the Department of Interior and saying, ''I want a deed to this land.'' Do you know what else? The Secretary of the Interior—if he can validate the claim that there is mineable hardrock minerals, has to give them a deed. It is not an option with him; he has to give them a deed. What do they pay for it? Either $2.50 an acre or $5.00 an acre—for billions of dollars' worth of gold, silver, platinum, and palladium. That is right, Mr. President. I am not making this up. I have made this speech every year for 7 years. The Secretary of the Interior has to deed billions of dollars' worth of minerals that belongs to the taxpayers of this country to some huge mining company for $2.50 an acre.

Now, the mining industry which promotes this scam recently felt some heat as the press has caught on to the issue. I can see the representatives from the mining industry all sitting around the table saying, ''What are we going to do? We cannot take this adverse publicity forever.'' And somebody says, ''I have a grand scheme. We will say that we will give the Government not $2.50 an acre, but we will pay them fair market value less the value of the minerals under the surface. That way, we can go home and tell the Chamber of Commerce if they raise the issue with us, if there is a townhall meeting and there are some of those people there who have been paying attention and want to know why we are giving billions of dollars away to the biggest corporations in the world, we will say that we will make them pay fair market value. That is where you cut it off. You do not say fair market value for the surface, which is $100 an acre. Just tell them it is fair market value.''

That is what the reconciliation bill says. If the bill were to become law, the mining companies would have to pay fair market value, which CBO says is $100 an acre, underneath which is billions of dollars' worth of gold, silver, platinum, and palladium, for which they pay nothing.

Mr. President, there are not two Senators in this body that know this. It costs the Government $250 an acre just to process patent applications. Think about that. Here they are going to pay fair market value of $100 an acre. They are going to pay $100 an acre for something that just the processing of the claim costs the taxpayers $250. So we lose $150 per acre right on the front end.

Mr. President, see this chart right here. ''Value for the interest in the land owned by the taxpayers exclusive of and without regard to the mineral deposits''—$2.50 an acre is the current price. The new price will go to $100 an acre. In exchange for that, the biggest corporations in the world, many of which are foreign-owned, take billions of dollars' worth of taxpayers' gold and silver off the land and go home with it.

When I first got into this, the price of gold was $330 an ounce; platinum was selling for less than $400 an ounce. The argument was made that ''If we have to pay a 3-percent royalty, we might be able to live with that, but some of our mines might have to shut down and all these people will be thrown out of work.''

Today, the price of gold is $390 an ounce, and platinum is $410 an ounce. And what do you think the same argument is? ''We will have to shut down and put all these poor people out of work.'' You know why I know personally? I am not a miner. Do you know why I know that is the most specious argument of all? Because they pay an average of a 5-percent-net smelter return royalty to people who own private lands and pay substantial royalties to States if they mine on State lands. It is only when they mine on Federal lands they are going to go broke.

On December 1, 2 weeks ago, Secretary Babbitt at the Department of the Interior gave ASARCO a deed for 349 acres in the Coronado National Forest in Arizona near Tucson. What do you think the taxpayers of this country got? First of all, that 349 acres has underneath it 2.9 billion dollars' worth of copper and silver. What do the taxpayers get?

A whopping $1,745. Do you know something else? The Washington Post and the New York Times did not have one word about it. Not one line. I guarantee not one person in this body saw a news story anywhere that 2 weeks ago the taxpayers got shafted for $3 billion. Three months before that, the Secretary of the Interior gave the Faxe Kalk Mine, a Danish corporation, a deed to 110 acres of public land in Idaho. What was under the 110 acres? Mr. President, $1 billion worth of travertine. What did the taxpayers get for their $1 billion? Mr. President, $275.

On May 16, 1994, the Secretary of the Interior gave Barrick Resources, a subsidiary of a Canadian corporation, a deed for 1,700 acres of land. What did it have under it? Mr. President, $11 billion worth of gold. What did the taxpayers get for their $11 billion?—$9,000. I give the press credit; they did cover that one.

Stillwater Mining Co. in Montana, 2 days after I almost got a moratorium put on the patenting process, filed a claim with the BLM for deeds to 2,036 acres. They filed for their patent in 1990. They got their first half certificate and the Secretary of the Interior will eventually be forced to give the Stillwater Mining Co. a deed for that 2,036 acres. What is under that? Mr. President, $44 billion worth of platinum and palladium—not my figures, their figures. Look at their prospectus. They are the ones who say there is 225 ounces of platinum and palladium on the land. We made the calculation. If that is correct, it is $44 billion worth of platinum and palladium. What did Uncle Sucker get?—$10,000.

We talk about balancing the budget; how are we going to finance Medicaid, education, the environment, and all the rest of it while we are giving away billions and billions of dollars' worth of resources that belong to the people of this country? There is not a Senator in this body that has not gone home when he faced reelection and said, ''If you elect me, I will balance the budget. I will treat your money as though it were mine. I will be tightfisted.'' You may be tightfisted with some poor, pregnant, teenage girl, or you may elect to make Medicaid a block grant program so some children get health care and others do not. But if things continue the way they are, you can rest assured those same people who are so concerned about that will continue to vote for this just as they have in the past. It is absolutely sickening. There is no other way to describe it.

This bill, thanks to the House of Representatives, contains a patent moratorium. Let me tell you about that. There are presently 608 patent applications pending over at the BLM. Of the 608, 373 of the applications already have their first half certificate so they can go ahead and get their deeds for $2.50 or $5 an acre. The rest of them, 235, are frozen, subject to future legislation.

But do you know what was in the reconciliation bill? A royalty. My staff came in and said, ''Senator So and So has put a royalty in the reconciliation bill—5 percent.'' Really? We started looking at it, and it is 5 percent of nothing after taking into account the deductions. When you look at the reconciliation bill and you see that whooping big 5 percent royalty, and you say 5 percent of what? and you start seeing what you will deduct before you levy a royalty, there is nothing left to levy a royalty on. What is worse, what is even more cynical, is every one of the 608 applications for patents would be exempt from the royalty forever. That is billions of dollars' worth of minerals. Who else is exempt? The 330,000 claims that are in existence.

So you cannot tax the lands for which patents have been applied and you cannot tax any future claims on any applications for patent on the 330,000 claims that are still existing. What do you wind up with? Less than $1 million per year. People say, ''I wonder why President Clinton vetoed that reconciliation bill.'' That was only one reason.

Mr. President, I am still grateful to the House even though we had to grandfather the 373 patent applications and will likely never get a dime out of it. It is a step in the right direction.

So, Mr. President, let me cover one other point. I have never understood why hard rock minerals get this exemption. We do not give it to anybody else.

When I first became involved in this issue, I could not believe it was as egregious as it turned out to be. It turned out to be much worse than I thought at first. At the time, people believed that somehow or other if you rubbed a quartz crystal a certain way it would cure your warts and whatever else ails

you. I did not know about it. But everybody else in America seemed to know that these quartz crystals, people were being told, had healing powers.

Do you know where the biggest quartz crystal deposit in the United States is? It is in the Ouachita National Forest in Arkansas. People were down there with picks and shovels tearing the forest up.

I went to Senator McClure, who was at that time vitally interested in the subject. I said, ''Do you mind if I pass a bill eliminating quartz crystals from the 1872 mining law?'' He said, ''No, I don't care.'' So I did, and in about a week's time. That is the fastest I have ever gotten anything done here since I have been here.

Every year we get a few thousand dollars in Arkansas as a royalty. I forget how much we charge on this. But we get a royalty on all of the quartz crystals taken off, and it goes to the Federal Treasury. I take full credit for that. If I could have gotten this whole thing taken care of by then we would not have nearly as much trouble today balancing the budget as we have.

Why do we charge coal miners 12½ percent for all the coal they mine off Federal lands? And if you go underground to mine coal on Federal lands, you have to pay an 8 percent royalty. If you take natural gas off Federal lands, you pay a 12½ percent royalty. And if you take oil off Federal lands, you pay a 12½ percent royalty. But, if you take gold, silver, or platinum, or any other hardrock mineral, you pay nothing.

If I were the oil industry, I would be up in arms about this because when they go out and drill an oil well they do not know whether they are going to hit anything or not.

Mr. President, I come to the end of this little speech saying I am going to vote against the bill even though I must confess the distinguished chairman of the committee, who I know had a very difficult time, did a tremendous job. I tried to pass an amendment in the conference 2 days ago to put a 1.5 percent royalty on mining on Federal lands and to give half of the money to the Bureau of Indian Affairs. Many of the western Senators, who have a lot of Indians in their States, have convinced me that the Indians are really getting savaged under this balanced budget thing. Even the President has allowed that the Bureau of Indian Affairs is getting shortchanged. I thought a 1.5 percent royalty on this with half of it going to the Bureau of Indian Affairs might attract some people who have shed tears on this floor about the plight of the poor native Americans—not one Republican vote; 8 to 6 on a straight party-line vote.

What else is in this bill? I wanted to give the BLM 10 years to process the 373 patent applications that were grandfathered by bill. However, the Republicans—particularly the western Senators—were not having any of that.

Let me tell you something, Mr. President. If we have 373 claims that the first half certificate has been issued on, and this bill says that the BLM will process those claims within 5 years, do you know what that means? That means that about 75 claims a year will have to be processed. Do you know what else it means, Mr. President? That is an abject utter impossibility. Do you know the highest number of applications that have ever been processed in the history of the world in the BLM? Thirty-eight. Do you know who the Secretary of Interior was? James Watt. The man the environmentalists loved to hate more than anybody else.

Do you know what the average has been over the past 10 years? Mr. President, 25.7 claims a year.

So why do we have a provision in here saying you have to do 75 a year? It is utterly impossible. Why do we do that? I will tell you why they want to do it. Because, if there is ever a change in the makeup of this body, this nonsense is coming to a halt, and they want to get their deed before that happens. That is exactly why they want it all done in 5 years.

I offered an amendment to say why do not we at least make these mining companies, who are worth billions, pay the charges the Government incurs to process their application, which is $250 an acre? If you are going to give them a deed for $5 an acre, surely they would be charitable enough to pay $250 to the taxpayers that they are putting out—8 to 6 vote; the same thing.

Mr. President, I do not know how it will all turn out. But I can tell you one thing. The Bureau of Land Management will not, and cannot, process 75 claims a year when the 10-year average has been 25.7 claims.

Mr. President, there has been an awful lot written and said about lobby reform. The ethics manual of the U.S. Senate just gets thicker and thicker. The first thing you know you will not be able to drive home. You will have to take a bus at the rate we deal with that around here. I do not have any quarrel with that. I do not care what the ethics requirements of this body are as long as I know what they are. That is all most Senators ask for. I do not care whether the value of the gift can be zero, $20, or $100 as long as I know and understand the rules that we are supposed to live by. But having said that, that is not the problem. The problem is the money that flows into campaigns. You tell me I cannot allow a lobbyist to buy my lunch but he can hand me a $5,000 check at lunch? What kind of palpable nonsense is that?

I am telling you, campaign financing is what drives this body. That is one of the reasons we have not been able to deal with the reform of the 1872 mining law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I thank my distinguished colleague from Arkansas for one incidental admission during this long speech which he has given on the floor on mining patent claims, and that admission was that is not a part of this bill. It is a subject that is not entrusted to the subcommittee which I chair, or to a debate over this bill. In fact, it is a subject that is entrusted to a committee on which the Senator from Arkansas serves, in which he was on this subcommittee in the last Congress, when the political composition of this body was different than it is now, and when no bill on mining claims or patents appeared or was debated on this floor.

But I think I particularly regret, in connection with the remarks of the Senator from Arkansas, his statement that he intends to vote against the bill. As I reported earlier, this bill was passed by the Senate earlier this year in its original form by a vote of 92 to 6. The Senator from Arkansas voted for it. The mining patent provisions were less favorable to his position then than they are now.

He has pointed out that the House moratorium on new claims, which was not included in the Senate bill, is now found in this bill with the sole exception of those claims which Congress cannot constitutionally terminate without compensating the claimants under the fifth amendment. The only claims that will be processed are those so-called grandfathered claims, and someday, whether it is 2 years or 5 years or 10 years, they will all be disposed of. At that point, unless the Congress passes a significant reform in its mining patent laws, there will not be any new claims subject to these provisions.

So I hope the Senator from Arkansas will reconsider and will support a bill which does not move as far in his direction as he would like but which does move further in the direction of the policies he advocates than did the bill he voted for just a few months ago.

That, I think, illustrates a larger point. Whatever the merits of the argument of the Senator from Arkansas, and, obviously, to toss about figures in the tens of billions of dollars as if this were the potential profits in mining—it would be overwhelmingly the most profitable business in the United States—of those billions of dollars, something between 90 and 99 percent, of course, will be paid to the people who work to separate these minerals from the ground in which they are found, which is a very expensive proposition.

While I am far from being an expert in this business, I do not find it to be a business in the United States which operates at a profit any larger than any other business. Its costs are high. Those costs are, generally speaking, paid out in the form of wages to people who are citizens of the United States. And that, of course, is the reason that Senators and Members of the House of Representatives from States in which these mineral deposits are located favor the continuation of a policy which at least sees to it that there is

some mining industry in the United States, declining though it may be.

Personally, I think we ought to reform these laws in such fashion that the people of the United States do reap some portion of the profit from minerals taken from their lands. But many feel that if we adopted the position of the Senator from Arkansas, there simply would not be any mining so there would be no value, no profit, and no jobs, no nothing. That is an appropriate debate, and it is appropriate for the Senator from Arkansas to state his position, just as it would be for the now Presiding Officer to state his, representing a State with many mines, but it is not a debate we are having here today. It has practically nothing to do with an appropriations bill for the Department of the Interior.

So I wish to pass on to other comments which have been made during the course of this debate since I last spoke, that do relate directly to this bill. In that connection, with neither the Senator from Arizona nor the Senator from Nevada being here, I would like to share one of the interesting paradoxes, sometimes frustrations, of dealing with a bill of this sort.

My friend and colleague from Arizona objected that there are items in this bill which have not been subject to debate in authorizing committees, that are unauthorized expenditures, or expenditures for unauthorized matters. My friend, the Senator from Nevada, objected to the fact that there is a moratorium on listings under the Endangered Species Act when no such appropriations are authorized. Authorizations for the enforcement of the Endangered Species Act ran out several years ago. Technically speaking, any money appropriated to enforce the Endangered Species Act is subject to a point of order on the floor here because the act has not been reauthorized.

The Senator from Nevada is the ranking minority member of the very subcommittee that deals with that subject, and the moratorium expires, by its own terms, on the day that the act is reauthorized. So he has it, at least partly, in his power to see to it that moratorium is terminated.

There is a serious group of Senators—not a majority but a significant group of Senators, as there are Members of the House —who do not believe that we should appropriate for any unauthorized project at all. I think the senior Senator from Arizona falls into that category, both by the remarks he made here somewhat earlier and by other quite similar questions that he has raised about new items being included in conference committee reports that were not included in the bill that passed either the House or the Senate together with appropriations for unauthorized projects.

I think I can say the Senator from Arizona has found fewer questions to ask in that connection of this Senator than he has of any other who is managing an appropriations bill on this floor, and I believe that I now have answers, which I will state for the RECORD and for him or for his staff, if they are listening, and which I hope will satisfy each one of the questions that he has raised.

He raised questions concerning amendments Nos. 2, 47, 84, 101, and 104, dealt with in the conference committee report.

Amendments Nos. 2 and 47 go together. The House appropriations bill on this subject appropriated $87 million for the complete termination of the Bureau of Mines as one of those entities which, according to the House, was simply to be ended. The Senate did not agree with that position and appropriated considerably more, $128 million, for the continued operation of the Bureau of Mines and nine of its field facilities. That is a big difference between the two bills.

The conference committee came up with a compromise that will close at least five of those Bureau of Mines facilities, but it will transfer some of the functions for which there was strong support in the U.S. Senate to various other entities around the country. Those functions the Senate wished to preserve, and continues to preserve as a result of this conference committee, include health and safety research, minerals information, materials research, and minerals assessments on public lands in Alaska.

As a consequence, in reaching this compromise we had to outline exactly what was going to happen to various facilities and to various functions, and that is what we did. It is not new material. These are functions and facilities which would have been dealt with in one way in the original House bill, a different way in the original Senate bill. The compromise requires them to be listed.

The $2 million for particular assessments in Alaska, about which the Senator raised a question, is money that would have been included in the normal operation of the Bureau of Mines under the Senate bill which continued it, but has to be stated separately in order to be continued as various facilities in the Bureau of Mines are closed.

A similar question was raised by the Senator from Arizona in connection with amendments 101 and 104 with respect to Forest Service functions and facilities.

For a number of years, the Interior Subcommittee has required approval of boundary changes in national forests, the abolition of regional offices or the movement or closure of Forest Service offices. Both the Appropriations Committees in the two Houses and the authorizing committees have had to be notified and had to approve of such changes.

In this particular connection, there is such a proposed change. During the course of the conference committee, the Forest Service asked for the move which is referred to here. That move and some of its conditions are outlined in the bill as a result of the historic practice of the Appropriations Committee and the desire of the Forest Service itself.

Finally, by far the most significant amendment, about which a question was raised by the Senator from Arizona, has to do with the Presidio. The Senator points out that the Presidio, as a military reservation, has been closed under the Base Closure Commission activities, and he asks, essentially, why it is that we are appropriating money for a closed military facility.

The answer, of course, is that whatever the merits and the beauty of Williams Air Force Base in the State of Arizona, the Presidio in San Francisco is a totally, completely unique national asset, a magnificent open space in one of America's largest and most famous cities.

So some years ago, before I became chairman of this subcommittee, it was determined that the Presidio, when it was to be closed as a military base, would become, in large measure, a national park. And the appropriation in this bill is for the operation of the Presidio as a national park.

I may say, Mr. President, that I have been bothered by this, at one level at least. The Presidio is the most expensive single national park in the National Park System as a result of these transfers.

So what has happened as a result of the fiscal pressure on the National Park System in running the Presidio is that a group of citizens in the city of San Francisco have gotten together and have proposed a Presidio trust to be created by the Congress. It has not been created by the Congress yet. The authorizing committee has not completed its work on it. The Senate has not debated it.

So this conference committee report says, ''Well, we are appropriating money now directly to the National Park Service.'' We will have to help the Presidio trust with appropriations for at least a number of years until they have transferred this into a purely local facility. So we are going to limit the amount of money that the National Park Service can spend out of our appropriations to one-twelfth of the appropriation for each month, with the hope that the trust will succeed the Park Service sometime during the course of this fiscal year.

But the appropriation for the Presidio is because it is, in fact, a part of Golden Gate National Park and is something which the people of the United States have determined is appropriate to maintain.

The Senator from Arizona also objected to the amount of money appropriated for various native American purposes, particularly to the Bureau of Indian Affairs, noting, however, that it is larger by more than $100 million in this bill than it was in the bill that originally passed the Senate.

I simply want to emphasize today, Mr. President, what I emphasized at

the time of the original debate. The reductions for Indian activities in this bill are lower than the reductions for any other major purpose covered by this bill. They are lower in the reductions than for any other purpose in this bill.

As I said in my opening remarks, in order to attempt to balance the budget, we have $1.4 billion less for 1996 than we had for 1995. This means less money for our national endowments, for our museums, for our land management activities, the Forest Service, the Bureau of Land Management, the National Park Service, the Department of Energy's nonnuclear research activities—right across the board.

The reductions for Indian activities are sharply less than the 10-percent average reductions for everything else, which means, of course, that the reductions for everything else are greater.

I must confess, the distinguished senior Senator from Arizona and I have a certain philosophical difference as to whether there is literally an obligation in perpetuity for the taxpayers of the United States to pay for activities, local governmental activities which everyone else in the United States pays for out of their own revenues, for the operation of tribal governments, for police services, and the like.

I am a strong believer in self-determination, but I think at some point at least, the self-determination carries with it an obligation or duty of self-support, and we should be at least moving in that direction.

That, however, is not the philosophy behind this appropriations bill. This appropriations bill makes a modest but real contribution toward the overriding necessity in this country of balancing the budget of the United States, of ceasing the practice of spending money we do not have and sending the bill to our children and our grandchildren. As a consequence, all of the activities within the jurisdiction of this subcommittee have less money for 1996 than they had for 1995.

Mr. President, they will have less money next year than they have this year if we do not also reform the huge entitlement programs which grow far more rapidly than our economy does. There is a relationship between these two.

In that connection, Indian activities are taking a smaller and more modest hit than, for all practical purposes, every other activity in this bill.

My own No. 1 priority was to try to see to it that we protected our National Park System, which is an asset for every person in the United States, and the cultural institutions here in Washington, DC, for which we have either the sole or primary responsibility, like the National Gallery of Art, the Smithsonian Institution, and the like. I think we have done so reasonably well.

So I terminate these remarks with the views that I expressed earlier. I remind my colleagues that this bill was passed overwhelmingly by this body by a vote of 92 to 6, and I point out at the same time that the objections of a handful of Members who voted against it last time and the reluctant assent of some of those who voted for it have to at least have modestly been met.

I am sorry at this point we do not have the approval of the White House. It is impossible to meet the conditions the White House has laid out. The White House just wants to spend more money, as the Senator from Missouri said in respect to his appropriations money. They want to spend money on everything. They want to borrow it. They do not want to pay for it themselves, but they want to spend it, and that is not going to happen. It is not going to happen now; it is not going to happen later. In fact, the defeat or veto of this bill will sentence the money funded by it to less money than they have in this bill, because the continuing resolution, under which we are operating today, has less money for most of these activities than does this bill.

So we hope that we can persuade the Executive to approve this bill to get it out of the battle of the overall budget. I hope my colleagues will provide very strong support for it, because I am convinced that we have done a responsible and a balanced job under very, very difficult circumstances.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield myself 10 minutes under the time allocated to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. MURRAY. Mr. President, I rise to say I am glad this conference report has finally made it to the Senate floor. I know the senior Senator from Washington, Chairman GORTON, has worked very hard to get it to this stage. I also wish to thank Senator BYRD and his staff for their assistance in keeping me informed and helping to move the process forward.

My primary concern with this conference report is its authorizing language regarding the Columbia Basin ecosystem project. This important project was instituted by former Speaker Tom Foley and Chairman HATFIELD to provide a scientific foundation to guide us in developing sound resource policies, especially regarding fisheries management. In many areas of the Columbia Basin region, our forests are dying due to past timber harvest practices, fire suppression policies, and insect infestation. Our salmon and other fisheries resources are endangered, due in part to land-based activities that impact watersheds, like cattle grazing, forestry, recreation, and development.

Unfortunately, this conference report intentionally limits science. It demands that the Forest Service and Bureau of Land Management study only ''landscape dynamics and conditions for forest and rangeland management, specifically the management of forest and rangeland vegetation structure, composition, density, and related social and economic effects.'' It goes on to say the scientific assessment must not contain any other material than that quoted above.

During the second conference, I was unable to convince my colleagues to add a provision allowing for the study of fisheries and watersheds and deleting the clause limiting study. I truly believed my colleagues would support this moderate attempt to allow scientists to provide us information to help guide us in making scientifically based resource management decisions.

In this latest round of conference negotiations, Chairman GORTON, too, tried to convince the House to open up the scientific assessment for fisheries and watershed studies. I want to thank him for his efforts, which were unfortunately unsuccessful.

Mr. President, the amendment I had offered only addressed one area of concern for me in this bill regarding the Columbia Basin project: that of limiting science. However, I am also very concerned that this report prohibits the agencies from issuing a final environmental impact statement or a record of decision and from selecting a preferred alternative in the draft environmental impact statement.

This bill also limits the ability of the Forest Service and BLM to consult or conference as required under section 7 of the Endangered Species Act. The agencies may modify current policies for fish protection and if they have consulted on these policies in the past, they need not do so again—even if the amendment is a drastic modification of current protections. Similarly, the agencies are prohibited from consultation for any projects, such as timber sales, if sales are based on the forest plan amendment.

The President has indicated that he intends to veto this bill. One of his reasons for doing so is the authorizing language on the Columbia Basin project. I look forward to working with him and Chairman GORTON to make the necessary improvements in this language so that we can practice ecosystem-based stewardship and provide a steady stream of commodities while also protecting our resources for this and future generations.

Let me also add that while I have focused the majority of my remarks on the Columbia Basin project, I am also concerned with several other provisions included in this bill. For example, while an additional $50 million were made available to the Bureau of Indian Affairs and Indian Health Service during the last conference, the level of funding for these programs is still woefully inadequate.

The cuts to tribal priority allocations are particularly disturbing. Tribal priority allocations represent an important component of Federal Indian policy. In addition to recognizing the

reduction in bureaucracy that self-governance allows and the shifting of decisionmaking from the Federal to the local level, TPA funds also represent a fundamental recognition of tribal sovereignty. I think it is important that the Federal Government recognize that Indian nations have the capacity, the responsibility, and the right to govern themselves. The Federal Government must also remember its historic obligations to the Indian nations as set out in the many treaties signed by the United States and the sovereign tribes.

Furthermore, I continue to oppose the language preventing Washington State tribes, specifically the Lummi Nation, from exercising their water rights. While I appreciate the willingness of Chairman GORTON to remove language that would likely have derailed the ongoing negotiations—negotiations, I might add, that include all affected parties including the non-Indian landholders and appear to be going well—the language still represents a threat to tribal sovereignty and sets an extremely poor precedent for government-to-government relations.

Mr. President, to close, I would like to note quickly my concerns about several other provisions contained in this bill, including: First, the severe funding cuts to the National Endowment for the Arts and the National Endowment for the Humanities; second, the attempts by this Congress to thwart scientific protocol regarding the methods used to identify the threatened marbled murrelet's nests; and third, the provisions related to the Tongass National Forest.

Again, I want to thank Chairman GORTON for the many improvements he has made in this report. I encourage him to continue those efforts should the President veto this appropriations bill.

Mr. LEAHY. Mr. President, many Vermonters are disappointed about a pattern in this Congress to undermine environmental standards through appropriations and the budget process.

Unfortunately, Congress is doing it again in the Interior bill.

Let me list just a few of the measures that were added to this bill which are direct attacks on the environment using the indirect appropriations process. These are items which have not received hearings, authorizing committee deliberation, or open floor debate.

First, a group of Alaskans asked the Forest Service to update the environmental study for a large timber sale which was being reoffered for a second time. The judge agreed with the Alaskans that an updated study would be worthwhile. This Congress overrules the judge.

Second, the Forest Service has been working on a forest plan for the Tongass National Forest for several years amidst annual meddling from the Appropriations Committee and Congress. In this bill, Congress dictates its choice for forest management, and forces it upon the resource professionals and people of the region.

Third, our country has an Endangered Species Act to protect our Nation's fish and wildlife from extinction. This bill prohibits the Fish and Wildlife Service from listing species as endangered species. We can change our minds about this bill, but we cannot change our minds after extinction.

Fourth, last year, Congress passed a bipartisan bill to create the California Desert National Park by a wide margin. One year later, Congress is trying to dismantle the National Park through funding gimmicks.

Fifth, our country's mining law is 123 years old. This Congress refuses to update the law through the authorizing process, and instead tries to force as many giveaways through the Department of the Interior as they can. They know the American people want changes, but they are scrambling to get what they can while they hold back the will of the American people.

Sixth, this Administration has an excellent record of creating new jobs while protecting the environment, including endangered species. To continue this record of cutting through gridlock, finding flexible solutions, and moving forward, the Administration was studying the Columbia River Basin. This bill says ''ignorance is bliss,'' and cuts funding for science.

There are other problems with the bill as well, some with legislative issues, and some with funding.

One provision has to do with the National Endowment for the Arts. The Supreme Court has an established standard to judge pornography. This bill, however, includes a vague new definition based on the personal opinion of what a few members consider disgusting.

One of the most blatant funding problems is the energy cuts. The President's budget promotes national security, economic progress, and environmental responsibility by supporting voluntary incentives for energy efficiency. This bill cuts energy efficiency funding by 38 percent, including critical programs like weatherization. Weatherization was cut by 50 percent. Vice President GORE pointed out that with the President's budget we could save more energy than could be drilled from the Arctic National Wildlife Refuge.

The pattern is clear and persistent. Environmental funding and environmental laws are the first to go. Our natural resources cannot endure this kind of abuse. Pollution, extinction, degradation, and abuse are not problems that we can easily fix, if at all.

The American people do not want this, and soon Congress will learn about their opposition. But until then, and propelled by this bill, the abuse and neglect continues.

Mr. WELLSTONE. Mr. President, I have spoken time and time again about the cuts in this Republican budget to low-income heating, energy, and weatherization assistance programs that help the most needy in our country. Throughout this year we have seen horrible heat waves and horrible cold snaps. Many citizens of our Nation have become ill and some have even died from the heat and the cold. Yet, still we cut those programs. In the Interior Appropriations bill, energy conservation programs are funded at a level that is only 60 percent the President's request and only 73 percent of last year's funding level. That is just plain foolish.

Mr. President, I have also spoken time and time again about how this Republican budget gives away our natural resources without measuring long-term budget consideration and without designing a long-term energy policy. Still, despite new information, numbers that just don't add up and many unexplored environmental concerns, the Republican budget still contains provisions to open up the Arctic Refuge to drilling, to give oil companies royalty relief for drilling in the Gulf of Mexico, and pages and pages of other provisions that just don't make sense.

This is not energy policy, this is not environmental policy. This is short-term gain without consideration of long-term loss and a jumbled-up mass of contradictions. It just don't make any sense.

Mr. President, why say that our country needs more oil and needs to rely less on foreign supply and then turn around and allow Alaska North Slope oil to be sold to foreign countries. Does that make sense? We need more oil, but we can sell some anyway?

Mr. President, why say that our country needs more oil and needs to rely less on foreign supply and then turn around and slash funding for the Weatherization Assistance Program and other conservation programs. We need more oil, but we can afford to waste some?

Why say that our country needs more oil but not consider ways that we could save oil, by beginning discussions on a long-term energy policy that will benefit every citizen of this nation, not just the oil companies. We need more oil, but lets not worry about how we use it?

Mr. President, this is all just smoke and mirrors. This country needs a long-term energy policy and this country needs to have policies and budgets that are not a mass of contradictions. Our natural resources are the last thing we should play with. I will be voting against this bill.

EXTERNALLY FIRED COMBINED CYCLE FUNDING

Mr. COHEN. Senator SNOWE and I would like to bring to the attention of the chairman an important Fossil Energy Program within the Department of Energy. The Department has initiated a demonstration project to repower Pennsylvania Electric's Warren Station utilizing externally fired combined cycle technology. The purpose of this program is to develop a commercially viable use for this technology. A 20-member consortium, consisting of utilities, private industry,

State energy organization, foreign organizations, and the Department's Morgantown Energy Technology Center, has spent 8 years and $34 million to develop the EFCC technology.

This technology is based on a ceramic heat exchanger that can dramatically increase the amount of electricity generated from burning coal. This ceramic technology produces 20 percent more electricity per pound of coal than conventional steam power plants and, as a result, it can significantly reduce pollution and the cost of power. It could be used to update aging power plants across the United States. According to the Washington Post, this technology ''appears to place the United States in the forefront in developing high-temperature ceramics'' for industrial applications, overtaking international competitors.

Ms. SNOWE. Earlier this year, the Department provided funding to begin testing the technology, which is critical to demonstrate the commercial viability of the project. However, $4.3 million is now needed to complete these tests, which are currently suspended until further funding becomes available. Consortium members expect the program to be commercially viable after completion of the testing. I understand that in addition to coal, the heat exchange technology could be applicable to other types of power production, such as bioenergy.

While some private money has been located to continue the tests, funding from the Department is necessary to restart the testing. If the testing cannot be completed, the $26.5 million already provided by the Federal Government and the $7.5 million contributed by the Consortium will have been wasted.

Senator COHEN and I understand that the chairman of the Interior Subcommittee shares our interest in this project and believes that the Department should make an effort, within its budget constraints, to try to ensure that the testing is completed.

Mr. GORTON. The Senators from Maine are correct. This promising technology could be very beneficial to improving electricity generation in this country.

Mr. COHEN. We thank the distinguished chairman for his assistance on this important matter.

TWIN CITIES RESEARCH CENTER

Mr. WELLSTONE. Mr. President, thank the managers of the bill for their help in providing the Twin Cities Research Center [TCRC] a smooth transition from Bureau of Mines facility to non-Federal entity. The Minnesota congressional delegation and the TCRC have been working to facilitate this transition, and would like to ask the chairman about the following scenario.

The TCRC would be able to continue operations within the Department of the Interior until June 30, 1996 or until such time as a transfer of the facility to a university or government entity is completed, whichever is sooner. The responsibility for identifying funds to maintain such operations would lie with the TCRC and/or the partners interested in seeing this facility remain open. To the extent authorities exist for the Department of the Interior to accept donations or contributions that might be offered to keep the facility open, they may be used. If the Department were to identify other funds that might be available to assist in this, or similar efforts, they would be subject to the normal reprogramming guidelines.

I would ask the chairman—if the authorities exist that would allow funds to be made available for the purposes described, would the interested parties be able to consider such a scenario?

Mr. GORTON. The Senator has identified a possible scenario. The Department is able to do whatever it can within existing authorities, subject to the availability of funds. However, it should be understood that any funds to be provided for this purpose must be from new agreements. Any funds remaining from prior or existing agreements with other parties and the Bureau of Mines are required for shutdown costs. The Senator should also understand that to the extent similar scenarios may apply at other Bureau facilities, this Senator expects the Secretary to give equal consideration to the needs of those facilities and the communities in which they are located.

Mrs. BOXER. Mr. President, I strongly oppose this conference report, many aspects of which I find deeply troubling. I am gratified that the President has stated that he will veto the conference report. At this time, I would like to mention just a few of the most objectionable provisions.

THE MOJAVE NATIONAL PARK PRESERVE

The provisions in this bill on the Mojave National Park Preserve are an affront to the people of California and to the intent of Congress which was clearly stated when we passed the California Desert Protection Act last year. The management of this land as a park preserve is supported by 84 percent of Californians. Every major newspaper in the State, including the San Francisco Chronicle, Los Angeles Times, San Diego Union Tribune, and San Bernadino Sun has voiced its support for the preserve and its strong opposition to efforts to strangle the preserve out of existance.

I find this situation strange, in that it appears that there was only one member of the conference who pushed to defund the preserve. The previous conference report defunded the preserve and gave the Park Service $1 to operate it—clearly just a back door attempt to close one of our largest national parks through the appropriations process. To add injury to insult, this new conference report has added additional restrictions on Park Service management of the new 1.4 million acre preserve that would prevent the Park Service from conducting planning activities. It imposes a cap on Park Service planning expenditures at a fraction of typical planning costs for a new National Park, and imposes an unrealistic deadline for completion of a plan which will limit the congressionally mandated public involvement in the planning process.

On these grounds along, Mr. President, this conference report should be vetoed.

ENDANGERED SPECIES ACT MORATORIUM

This report prohibits adding new species to the endangered species list and prohibits designation of critical habitat for listed species. It also prohibits the monitoring of listed species which is an important part of the recovery process.

A moratorium will harm our Nation and my State of California. Of the more than 100 species currently proposed for listing which would be denied protection under this moratorium, more than half are from California.

Mr. President, on average, endangered plant species have fewer than 120 individuals left by the time they are listed; animal species are reduced to fewer than 1,200 individuals by the time of listing—a 6-month moratorium could see valuable species go extinct for no reason. I don't see why should we wait months and months while we lose flora and fauna that may cure cancer and alzheimers. Why should we wait while species get closer to extinction, creating more complicated and expensive problems that will have to be solved when the moratorium is lifted? The real agenda here is a piecemeal dismantling of the act. This is one more back door move by Republicans to weaken the Endangered Species Act in the face of 77 percent of Americans who support maintaining or strengthening the Endangered Species Act.

TONGASS NATIONAL FOREST

The Tongass National Forest is the last intact rainforest in North America. This conference allows and promotes subsidized logging in extremely ecologically sensitive areas.

The Tongass provisions in the bill are unacceptable. They will require that an outdated and scientifically discredited timber harvesting can be implemented in the national forest for the next 2 years. This will result in logging at a a rate that is 100 million board feet over the historical average—that is logging at a rate of 418 million board feet per year. The Forest Service has rejected this plan because it allows logging at unsustainable and environmentally destructive levels.

MINING

We have been trying to reform the 1872 Mining Law for many years and it is difficult to comprehend how year in and year out, the U.S. Congress continues to allow our taxpayers to lose thousands of acres of Federal lands and billions of dollars in Federal revenue—mostly to foreign-owned mining companies. My distinguished colleague Senator BUMPERS has led the debate in favor of reform for over 7 years, and

this morning he again laid out his devastatingly effective critique of the moratorium language in this conference report and the sham reform that is included in the Republican budget reconciliation bill.

Since 1872, we have given away more than 3.2 million acres. For how much? For the price of $2.50 an acre or at a maximum $5 dollars an acre, and not a nickel in royalties. Over $250 billion worth of minerals have been taken off that land and the U.S. taxpayer has in return received a mining site clean up bill for between $30 and $70 billion. This conference report will allow it to continue.

BUREAU OF INDIAN AFFAIRS

Affairs some funding for the Bureau of Indian Affairs [BIA] has been restored, the amount still falls short of the levels needed to maintain these important programs. Critically important funding for the Bureau of Indian Affairs must be restored, and it must occur without pitting these programs against other important Department of Interior programs. Additional BIA funds are needed to support essential tribal government activities, law enforcement, housing improvement, general assistance, Indian child welfare programs, adult vocation training, road maintenance, and other basic reservation services. I urge my colleagues to pay special attention to this issue.

INTERIOR APPROPRIATIONS CONFERENCE REPORT

Mr. KERRY. Mr. President, today I am voting against the conference report on the Interior appropriations bill and I would urge the President to veto this bill should it reach his desk.

This conference agreement is the third attempt by the conferees who have been meeting on this bill since September. Despite their difficult challenge and tremendous effort, regrettably, it is far from an acceptable compromise. I have particular problems with the funding level for the Department of Energy's energy conservation programs, the National Endowment for the Arts and the National Endowment for the Humanities and numerous objectionable legislative riders.

Energy conservation, like pollution prevention, makes good business and economic sense. It saves production costs and conserves resources and it is clearly the best of all energy options. Unfortunately, the conferees have funded this important work at a level well below that which the President and others have requested, and which is $187 million below the 1995 enacted level. The $536 million budget is a 26-percent reduction from the 1995 enacted level and a 38-percent cut from the President's request.

The conference committee added numerous legislative riders to the bill that have serious policy implications, yet these were added without the benefit of congressional hearings or public input.

One of the most egregious riders would set in stone the current Tongass Forest management plan for an additional 2 years, thus prohibiting an update to the unsustainable timber sale levels it mandates. Additional riders would prove harmful to the environment by placing a moratorium on future listings and critical habitat designations under the Endangered Species Act.

Another provision would require wasting energy by preventing the Department of Energy's implementation of new energy efficiency standards for an additional year.

The ideological fervor of the Republicans who now control the Congress has manifest itself in heavy cuts to the National Endowment for the Arts and the National endowment for the Humanities.

It is my hope that the President will veto this bill so that the conferees can work toward a package that provides sufficient funding for environmentally beneficial programs and strips the environmentally harmful legislative riders.

We can and must do better than this. We must not and the President will not capitulate to the tactic of the Republicans who now control the Congress to hold hostage the funding for our national parks and public lands until they are permitted to abolish or emasculate vital environmental protections that have withstood previous head-on challenges.

I hope, after this bill is vetoed, the Congress will get down to serious, good faith negotiations to develop a reasonable interior appropriations bill which can be passed with broad support and signed into law.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Acting for the leader, I ask unanimous consent that the vote on the adoption of the conference report to accompany H.R. 1977, the Interior appropriations bill, occur at the hour of 2 p.m. today. I further ask that at 3 p.m., the Senate turn to S. 908. It is my understanding this has been cleared.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STEVENS. Mr. President, I delete the last request with regard to S. 908, and I ask unanimous consent that it be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The vote on the pending legislation then is set at 2 p.m. this afternoon.

Mr. STEVENS. That is correct. At 2 p.m., we will vote on the pending conference report.

Mr. President, with the consent of the distinguished chairman of the Appropriations Subcommittee, I yield myself such time as I need to comment on this report.

Mr. President, I first want to start off by commending my good friend from Washington, my southern neighbor. I think Senator GORTON's task has been a very difficult one this year. As he stated, he has had a substantial reduction in the amount of money available to him. He has done a fantastic job. There are areas here where we have serious concern. I think anyone in the Senate has serious concerns over areas that affect their States directly. All of the agencies in the Department of Interior have substantial impact on Alaska, and we know that funding is being restrictive. There is a general decline now in the amount of taxpayers' funds available to run these entities, and I view that with great regret.

However, I also know that we are committed to a balanced budget, and some of these steps have to be taken so we can eliminate the constant growth of interest on the national debt. That interest now, this next year will be larger than the amount of money that is available to spend for the national defense of this country.

I do manage that defense bill, and I am appalled we are spending more money next year on interest than we will spend on the defense of our country, but there is no alternative but to pay the interest on the debt that is due. That is why we are laboring so hard to try and find a way to reverse that trend and hopefully reach the day when the interest starts coming down, when we can start making funds available to these very necessary functions such as those of the Department of Interior.

I am particularly concerned right now about the comments that have been made by the Senator from Arizona concerning the money that is earmarked here for the Bureau of Land Management to do mineral assessments that were formerly done by the Bureau of Mines. The situation that we had, Mr. President, was this: When this bill was before the Senate, the Senate did not zero out the Bureau of Mines.

The House bill did mandate the closure of the Bureau of Mines. When we got to conference and realized that the funding was so limited, we had to take action suggested by the House—action I really regret. The Bureau of Mines has been a very vital function for the Federal Government, but it has been agreed now to close that Bureau.

I pointed out to the conferees that under section 1010 of the Alaska National Interest Lands Conservation Act—we call that ANILCA, an act passed by the Congress in 1980—over 100 million acres of Alaska lands were set side. Congress recognized that there had to be an assessment of lands that were to be patented to the State and Federal governments, and an assessment of these lands were set aside to the extent possible. That is required, as I said, under section 1010 of the Alaska National Interest Lands Act.

We have requested that this money be earmarked so that the people who formerly worked for the Bureau of Mines and were performing the assessments required by law that have to be made prior to the transfer of lands,

that they will be made under the direction of the Bureau of Land Management, which does in fact have the authority over the lands. This was not behind closed doors. We had a provision in the Senate bill, had we maintained it, that all of the people performing Bureau of Mines functions in Alaska would remain on the payroll. What we have done is maintained the funds for the absolutely essential minimum requirement of the law, which is to do these mineral assessments formerly under the Bureau of Mines, which will be done under the Bureau of Land Management until the job is completed.

I believe that that is a necessary function of the conference committee. Having acceded to the House provision, the Senate demanded that the minimum function required in my State to be maintained is earmarked at $2 million in this bill to continue that. That will be a requirement through coming years that we maintain those funds, and I intend to do every thing I can to see to it that the Senate will maintain that constant.

Mr. President, there is another very vital matter in this bill that pertains to my State, and that is under the administrative provisions for the Forest Service, this bill retains language pertaining to the Tongass forest in southeastern Alaska. I regret that it is necessary to continue doing this. I want the Senate to know that this is not the provision that the Senate voted on; this is a provision that has been substantially modified in conference.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, let me claim time under the time reserved for those in opposition to the conference report.

Mr. President, I listened with great interest today to the comments by Senator MCCAIN. I find myself in a similar circumstance. I commend Senator GORTON and others who have worked on this legislation. I do not come here with ill will toward those who have tried to put together a compromise. But I do feel very strongly that we find ourselves with respect to the appropriations available in some critical areas, dealing with some very vulnerable people, short of what is needed. Again, I do not intend to be critical of those who have worked on this compromise. I understand the competing needs involved, and they reached a different conclusion than I might have, a different conclusion than Senator MCCAIN said he would have reached. For that reason, he intends to oppose the conference report. I am going to oppose the conference report for the same reason.

Let me be more specific. I am very concerned about an area of spending dealing with Indian children. That concern stems from a substantial amount of observation by me of the Indian reservations in North Dakota and elsewhere, from hearings that I have held, from stories and concerns that I have related to the Senate previously.

I have, Mr. President, seen in offices folders containing reports of child sexual abuse and physical abuse which were stacked on the floor and had not even been investigated because there was not enough money to investigate them. We are talking about 3-year-old, 5-year-old, 8-year-old children who have been victims of alleged physical or sexual abuse. The cases had not even been investigated. You may ask why. Well, because the people in charge of investigating the reports simply do not have the resources. They say, ''These reports are stacked up and we have not been able to deal with them. We do not have the capability. We are overwhelmed.''

There are stories that break your heart when you hear them. I have told the Senate the story that got me interested in this issue. It is a story of a young girl named Tamara DeMaris. Tamara was 3 years old when she was placed in a foster home. But the person who placed Tamara in her foster home was handling 150 different cases. And with few resources and one person handling 150 cases, guess what happened? A 3-year-old child gets placed in a foster home that turns out to be an unsafe home for a 3-year-old. This is a foster home where they have a drunken party, and during this drunken party, this little 3-year-old child gets beaten up. Her nose is broken, her arm is broken, and her hair is pulled out by the roots. This is a 3-year-old child, who is our responsibility, who was placed in a foster home, and the result is that she is beaten because nobody checked to see whether this was a foster home where a young child ought to be placed.

On that reservation, there are more people now doing the checking to see what kind of foster homes are available and whether they are safe places to put young people. I am glad that this has happened. It happened as a result of my intervention and the intervention of others to get additional resources.

But the experience of this young Tamara DeMaris is not all that unusual, regrettably. I will never forget when I met this little girl. You look into her eyes and wonder whether the scars from the beating will ever go away, and know that the beating occurred because we did not make sure that we would have enough resources to provide for her protection. Three year olds cannot take care of themselves. It is not their fault if they are born into poverty. It is not their fault if they are born into a situation where there is no family structure. It is not their fault that they are going to be placed in a foster home by someone. It is not their fault that someone commits sexual abuse or violence against them. But it is our responsibility to try to protect those kids.

We are not doing enough about it. The resources do not exist in this piece of legislation to deal with it. We have an Indian boarding school in North Dakota. I visited that Indian boarding school about a month or two ago and saw the children, many of whom come from very troubled backgrounds, and I read some of the letters they had written when they came to school. One 13-year-old girl, her dream was a very simple thing, that maybe at Christmas, some Christmas, she would be able to have a mother and a father and a sister and a brother together to celebrate. Of course, in her circumstance, it will not happen. It has never happened. It will not happen in the future. That was her dream. Very simple. A lot of kids dream for material things, but she wanted a home where a mother, father, brother, and sister would be able to spend Christmas with her.

The point I make is that we suffer some very serious, troubling problems on Indian reservations with respect to child abuse and with respect to poverty, health challenges and other things. This piece of legislation, Mr. President, simply does not adequately address those issues.

Mr. President, I remember touring a hospital some while ago and holding in my arms a little baby who had been born prematurely. A Native American had come to the hospital to give birth. Her blood alcohol content when she checked in was 0.23. The baby, upon birth, had a blood alcohol content of 0.21. The mother wanted nothing to do with the baby. She did not want to see the baby. Think about the consequences of this: Someone showing up to deliver a baby with a 0.23 blood alcohol content and delivering a baby with 0.21 blood alcohol content. It is likely the baby will suffer from fetal alcohol syndrome.

The same hospital showed me just before I was at the nursery the space where the carpenters had prepared for a new device. They were, I believe, getting an MRI, a device that is breathtaking. It can look through the human body to see what is inside. Here, 200 feet apart, is an example of the most breathtaking success in health care and the most tragic human failure.

How do we respond to all of these things? How do we deal with them all? Some say you cannot throw money at it. I do not disagree with that. On the other hand, with respect to children, with respect to babies and 3-year-olds and 5-year-olds and 13-year-olds, with respect to those kids who are born of circumstances that they did not create, we must, it seems to me, in this legislation give them an opportunity, give them a fighting chance, deal with their health care needs, provide protection to make sure that foster homes are safe.

We must do that, and I regret to say this legislation simply falls too short. I voted for this bill when it left the Senate, hoping that maybe when we got to conference we would still have an opportunity to work out some approach that would provide enough resources to deal with the needs of Indian children. I conclude, having looked at the conference report, pretty much the same

as the Senator from Arizona, Senator MCCAIN, has concluded. It simply falls short. We have to do better. I hope that, although I intend to vote against this conference report, when we approach this funding bill again next spring, working in good faith with good people, that those who put this kind of legislation together will understand that there really is no higher priority for us than to meet our responsibility to children. Children cannot take care of themselves. We have certain trust responsibilities to meet. In my judgment, we have not met them.

Mr. President, with that I yield the floor.

Mr. MURKOWSKI. Mr. President, I thank the Chair. I remind the President that it is the holiday season and as the song goes—tis the season to be jolly. Unfortunately, my good friend from Arkansas, as he described the mining law provisions in the Interior bill, did not follow the holiday spirit. I think he may have construed the holiday season with the Grinch of Christmas, or something of that nature, but clearly his description of the legislation was not in the holiday spirit.

I think it is fair to say that his comments were hardly constructive toward enacting mining law reform, and might even be construed to be destructive. As the President is aware, today's 6-hour debate on the fiscal year 1996 DOI conference report is, in the opinion of the Senator from Alaska, a good deal about politics and very little about policy. Many of our friends on the other side of the aisle see the environment as a political issue and are prepared to do just about everything to exploit the issue. Unfortunately, in their effort to win political points with the media they are destroying our natural resource industries. I think we should look at what has happened. A portion of our resource industry and the jobs that go with it are being destroyed. We are driving those jobs overseas. We are increasing our balance of payment deficit.

Take for example, the Department of the Interior's attitude toward resource development. They oppose it. Mining, coal, oil and gas, timber, grazing, all of these resource activities on public lands are opposed by this administration. As a result, the administration is forcing us to import many of these resources from overseas.

The greatest portion of our balance of payments deficit, Mr. President, is the cost of imported oil. What is the administration doing to encourage exploration in areas such as ANWR? In my State of Alaska, geologists tell us ANWR is the most likely prospect for a major oil discovery. Unfortunately, this administration opposes any exploration in this area. As many of you know, my State of Alaska has contributed 25 percent of the total domestic crude oil produced in the United States for the last 18 years.

The arguments prevailing in the early 1970's against opening Prudhoe Bay are the same arguments prevailing today against opening ANWR. The only difference is we have learned how to develop the Arctic in the last quarter of a century, and, as a consequence, we can apply advance technology to do a better job, making a smaller footprint. That is not the policy of this administration. The administration's policy is to constrict resource development. Where have all our high-paying blue-collar jobs gone? They have been exported overseas.

As I mentioned earlier, today's debate is about politics, not policy. I hope that my colleagues will see through this smokescreen.

Mr. President, I urge my colleagues to consider the DOI conference report on its merits. An awful lot of effort and time has gone into the bill. Senator GORTON put together a good bill. There were problems with the House, but ultimately he put together what I think is an acceptable compromise.

Earlier today, my friend Senator BUMPERS talked about the mining law provisions in the budget reconciliation package. To hear his view, it is a giant sellout of American resources to a few mining companies. I want to clear up a few misunderstandings, because you have to recognize that this industry provides good-paying jobs which provide a solid tax base.

Looking at the royalty provision under the proposal sent to the President, for the first time in history in this legislation, miners are required to pay a 5 percent net proceeds royalty. During good market conditions, if an operation is making a profit, they pay a royalty. During bad market conditions, if an operation is losing money, they do not pay a royalty. The significance of the mining industry—it is a world competitive market out there—you either compete with South America, Brazil, Australia, on a world market price or you do not compete at all.

In other words, Mr. President, we are trying to provide incentives for operators to stay in production, to keep our U.S. jobs, these high-paying union jobs that keep people working and provide a local and Federal tax base.

And I would encourage the unions in this country that are dependent in the resource industry to look behind this smokescreen to what this administration is really attempting to do with resource development jobs—mining of any kind, hard-rock, coal, you name it. They do not want anything to happen on public land. This attitude will not create jobs.

Patents—for the first time in history miners would be required to pay fair market value for patented land. There would be a reverter for the first time in history—that patented land used for nonmining purposes reverts back to the Federal Government. So there is no speculation. There are no ski resorts built under the idea that you get a patent for mining and then use it for something else.

We protect property rights by allowing the pending patent applications at Interior to move forward under the existing law. The remaining 330,000 mining claims holders would have to prove that they have a ''vested possessory property right.'' If they do not have that right, they are subject to the new law.

For the first time in history, we establish an abandoned mine land fund to start the process of cleaning up old abandoned mines. We maintain the existing $100 per claim holding fee for 3 years and then double the fees to $200 per claim starting in 1999.

Mr. President, the Congressional Budget Office's score over 7 years is approximately $157 million. As new mines come into production this figure will significantly increase.

What is the administration's proposal? Mr. President, they have no proposal. Secretary Babbitt continues to demand mining law reform, yet he offers no solution. The administration has failed to submit a proposal to Congress this year.

In fact, instead of supporting mining law reform legislation, the President's budget calls for the elimination of the percentage depletion allowance for hard-rock mining—a multi-billion-dollar budget bombshell that will cost several billion dollars, and thousands of jobs.

According to the administration, this would save roughly $954 million over 10 years—in effect, place a $1 billion-plus burden on the Nation's miners. Once again, the White House has singled out the mining industry for punishment. Why?

Its the latest assault in Secretary of Interior Babbitt's and the administration's war on the West on hard-working people and their jobs. Make no mistake about it, they are singling out the hard-rock mining industry for termination.

Oil, gas, and coal jobs are not put in jeopardy at this time, however, the camel's nose is under the tent. It is only a matter of time until the administration uses the Tax Code to go after oil, gas, and the coal industry.

Mr. President, the hard-rock mining industry provides 120,000 direct and indirect jobs nationwide. This proposal could eliminate 60,000 to 70,000 of those jobs.

The administration is using the environment as a political issue. The debate is not about policy. It is about politics.

I urge my colleagues to see through this smokescreen and vote on the facts. If we can send a man to the Moon, we can surely develop our natural resources and protect our environment.

On the matter of the Tongass, Mr. President, I commend my good friend and senior colleague, Senator STEVENS, and those who have worked so hard to get approval in the conference.

The conferees have significantly modified the provision dealing with the management of the Tongass National Forest to fully respond to administration concerns. In the original amendment, the administration objected to:

First, sufficiency language; second, the dictate to follow a forest plan that the administration believes is superseded by more recent information; and third, imposing a permanent ban on the development of wildlife habitat conservation areas.

The new amendment agreed to by the conferees contains none of these three requirements. It allows operations on the Tongass National Forest to continue under the current Tongass land management plan [TLMP]. Further, it directs that revision and amendment of the TLMP continue.

The new amendment reaffirms the compromise embodied in the 1990 Tongass Timber Reform Act [TTRA] by requiring that for the next 2 years, any change to the TLMP shall maintain at least the number of suitable available and suitable scheduled acres of timber land and allowable sale quantity as that identified in the preferred alternative of the October 1992 final TLMP (alternative P). The regional forester, at that time, developed alternative P as the best way to manage the Tongass National Forest implementing the compromise of the 1990 legislation. Subsequently, litigation from environmental groups has undermined the compromise.

Unfortunately, the ninth circuit court has ruled that the 1990 act's requirement to seek to meet market demand for timber is merely hortatory and not binding on the Forest Service as are numerous other statutory obligations. More recently, on October 19, Alaska District Court Judge, James Singleton, ruled that based upon the ninth circuit's reasoning, the balancing mechanisms of the 1990 Act are not a binding duty. Rather they are merely a Congressional admonition to be factored into the mix of Forest Service goals. Judge Singleton then held that ''the absence of any enforceable duty'' denies plaintiffs (the State of Alaska and the Alaska Forest Association) standing to challenge Forest Service decisions, and that plaintiffs will not receive relief ''unless congress intervenes in a more forcefully way.''

The amendment meets this challenge from the courts by imposing a nondiscretionary obligation on the Forest Service to maintain a land base suitable for timber production and resulting allowable sale quantity as indicated in alternative P, thus restoring the 1990 compromise and establishing a binding duty to maintain the timber land base. The Forest Service has flexibility to work within a number of administrative land use designations to harmonize this duty with other statutory obligations or agency goals.

The conference agreement makes it clear that any revision, amendment, or modification shall be based on the application of the scientific method and sound, verifiable scientific data. Data is sound, verifiable and scientific only when it is collected and analyzed using the scientific method. The scientific method requires the statement of a hypothesis capable of proof or disproof, preparation of a study plan designed to collect accurate data to test the hypothesis; collection and analysis of the data in conformance with the study plan; and confirmation, modification or denial of the hypothesis based upon peer-reviewed analysis of the collected data. That the data used shall be from southeast Alaska ecosystem. The current TLMP revision process underway does not meet these standards and should be modified in the 2-year time period provided by this amendment.

The amendment also includes language to release timber enjoined by the ninth circuit court because the Forest Service had not conducted an environmental analysis when allowing the transfer of sales from one long-term timber contract holder (the Alaska Pulp Corp.) to another (Ketchikan Pulp Co.). Previously, Congress passed section 503 of Public Law 104–14 which said that the transfer of sales should be authorized, notwithstanding the requirements of the National Environmental Policy Act [NEPA] and the Alaska National Interest Lands Conservation Act [ANILCA].

The ninth circuit subsequently determined on September 28, that section 503 or the rescissions bill did not alter the legal basis for the court's original decision. The court stated that section 503 reflected the ''mistaken view that the dispute involves the changing of parties to a contract.'' The court said that, since the alternatives described in the environmental impact statement were driven by Alaska Pulp Corporation's [APC] contract, NEPA and ANILCA required a new set of alternatives in order for the Forest Service to reoffer the timber to third parties (because the Forest Service was no longer under an obligation to sell the timber to anyone). Accordingly, the ninth circuit held that section 503 failed to address the legal significance of the termination of APC's contract by focusing solely on the fact that the sales were transferred from one party to another.

By saying that ''the change of purchasers for whatever reason shall not be considered a significant new circumstance,'' the amendment in this bill makes it clear that, even though the change of purchasers is due to the termination of the long term sale, the transfer to third parties is covered by the language in the bill. The language says that it will not be legally significant no matter what reason the Forest Service makes for the transfer.

I urge the administration to recognize the good faith negotiations that resulted in this compromise, and to sign the Interior appropriations bill. To do otherwise would be to destroy the small kernel of hope that this provision will bring to the people of southeast Alaska who live in the forest. Because there is no State forest, there is no private land. These people live in the forest—Ketchikan, Wrangell, Petersburg, Juneau, Sitka, Skagway. All of these areas are in the forest, and the people living in this area have hopes that this legislation will maintain their industry at a modest level.

Finally, Mr. President, I urge that realism dictate the evaluation of these matters by the Department of Interior. They suggest that the Queen Charlotte goshawk and the Alexander Archipelago wolf might be endangered as a consequence of logging. It is absolutely without any scientific fact of any kind, and is simply a bogus excuse. They have already been ruled as not subject to the Endangered Species Act because they are not threatened. But they keep bringing this matter up.

Mr. President, we have a season on wolves. We allow the taking of wolves. They are predators. If they were scarce, obviously, that would be the first thing to go. But the Secretary of the Interior puts this smokescreen up and suggests that the wolves and the timber do not mix, and it is absolutely based on no scientific fact.

Alaskans simply cannot understand it. And the only effort they are making in the evaluation of the goshawk is not to find out how many are in the forest. They simply look at the next proposed area to be logged and use the wolf or the goshawk to block development. There is no substantiation to suggest that the goshawk is endangered either.

But it just drives me crazy to see these false excuses coming out of this department that knows better, and they admit they know better. But they will use any excuse at any time to address an emotional argument.

I yield the floor.

I wish the President a good day.

I see my good friend from West Virginia seeks recognition. I wish him a good day as well.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank my friend from Alaska. He is always most generous in his comments concerning other Senators. He has always been very kind, and as is his characteristic way, he is always cooperative and courteous toward me. I appreciate his friendship. And I am glad to have him as my colleague.

Mr. President, today the Senate is finally able to undertake its consideration of the conference report on H.R. 1977, the FY 1996 Department of the Interior and Related Agencies appropriations bill. This bill has been to conference on three occasions, as a result of two different votes to recommit the conference report by the House. However, we now have a product that has passed the House and I hope that the Senate will be able to provide its approval expeditiously. For the information of Senators, this conference report and accompanying statement of the managers appeared in the CONGRESSIONAL RECORD on December 12, 1995, on pages H14288 through H14309.

The agreements before the Senate today total $12.234 billion in budget authority, and $13.210 billion in outlays,

as scored by the Congressional Budget Office. The Subcommittee has had its 602(b) allocation increased by the Full Committee in order to provide an additional $50 million for Indian programs, which has been an area of concern to numerous Senators, as well as to the administration.

The recommendations of this conference agreement represent a total decrease below the amounts provided in fiscal year 1995 of approximately $1 billion in budget authority and $822 million in outlays. Thus, when all of the various scorekeeping adjustments are factored in, this bill is about 8 percent below current levels.

This conference report reflects the very difficult choices imposed upon the Appropriations Committee this year as a result of the constrained funding for domestic discretionary spending provided in the budget resolution. Nearly every single agency in this bill is funded at a level well below the fiscal year 1995 enacted level. Significant personnel reductions will result due to various program terminations or restructurings recommended in the Interior bill this year. The picture might be prettier if we had more money, but we do not have more money. Further cuts in domestic discretionary spending contemplated by the President in his most recent budget proposal make it likely that additional cuts in the outyears for the programs in this bill will be necessary. So next year will be slimmer than this year.

Given the constraints within which conferees had to work, as well as the prospects for the future, I believe this conference report reflects a balancing of the competing interests found in the Interior bill.

Now, Senator GORTON has already laid out the details, and laid them out well. I wish to extend my strongest commendation to Senator GORTON for his leadership on the Interior appropriations bill this year. This is his first year as chairman of the subcommittee, and I am going to say something about the chairman of the subcommittee that I have never said before in my almost 40 years in this body and 44 years on Capitol Hill. I am going to say something that I have never heard another Senator say about a subcommittee chairman; that is that this subcommittee chairman, Senator GORTON, is the best subcommittee chairman that this subcommittee has had in at least the last 8 years.

What am I saying when I say that? I was chairman of the subcommittee for 6 years. So what I am saying is that Senator GORTON is a better chairman of this subcommittee, has mastered its details more, is better prepared, more knowledgeable concerning the bill than I ever was.

This is a Western Senator's bill, as a matter of fact. I am not a Western Senator. Senator GORTON is a Western Senator. But I salute him, and I daresay there is not another Senator in this body that I have ever heard say that another chairman of the subcommittee has been a better chairman than he, the Senator speaking, has been. I say that ungrudgingly. And, of course, it has to come from my heart. So I congratulate Senator GORTON. I commend him.

The Bible says, ''Seest thou a man diligent in his business? He shall stand before kings.'' Senator GORTON is diligent in his business, and we are fortunate to have him as our chairman.

Of course, I hope the day will come when I will again be chairman of the subcommittee. I look forward to that day. I hope it is not too far away. But, in the meantime, my words stand as they have been spoken.

So he has mastered the complexities of the public lands and other issues that confound this bill year after year. He has been most considerate of me and of other Senators throughout this appropriations process. He cannot do everything for everybody. He cannot do everything for anybody. He cannot do everything he would like for himself. But I thank him for his courtesies. He has been most deferential and generous to me.

Mr. President, I hope that the Senate will act to support this conference report. As I have already said, it is the third conference report on the bill. While changes have been made from the earlier conferences, the administration continues to voice concerns about some of the provisions, particularly the legislative language in the bill, and it is possible that the bill will be vetoed. But I hope that the administration will think carefully before reaching a decision about the fate of this bill.

The controversial issues will not go away if the bill is vetoed. They will not go away. The $50 million increase for Indian programs might be taken away. Further restrictions on the Agencies funded in the bill might be imposed. So, while the administration may not like everything about the bill—and I do not like everything about the bill—while the administration may not like everything about the bill, I urge the administration to think carefully once, twice, three times, and then think again. Think again before issuing a veto. If a veto is issued, I hope the administration will be prepared to negotiate constructively. A position that the bill is signable only if the language items are removed in their entirety is not helpful—or realistic.

There are many programs which were identified as a priority by the administration, but our allocation constrained how far we could go in funding all of the programs on their list. Given the environment in which we had to work, most programs fared relatively well in this conference agreement. It is unclear how some of these activities will be treated if funding for the Interior bill agencies is folded into a continuing resolution. In addition, this bill begins a responsible downward trend, which is absolutely necessary given where domestic discretionary spending appears headed in the coming years.

Mr. President, I would like to highlight some of the items in the conference agreement.

The subcommittee has attempted to protect the operational base of the agencies funded in the bill, while at the same time these agencies are having to take their share of administrative and personnel reductions. In order to protect the operating accounts, more significant reductions were taken in the land acquisition and construction accounts.

Funding for Indian programs under the jurisdiction of the Interior Subcommittee is reduced by 4 percent below the FY 1994 level. These reductions are taken primarily from the discretionary activities of the Bureau of Indian Affairs, in order to protect education and health care for Indians, which also fall under the jurisdiction of this subcommittee. The conference agreement restores $112 million to the Bureau of Indian Affairs from the Senate-passed level.

Total funding in the bill for the Land and Water Conservation Fund is $140 million, a level 40 percent below the FY 1995 amount. No project specific earmarks are included for land acquisition. The conferees direct the administration to propose projects for consideration, subject to the committee's reprogramming guidelines.

Total funding for construction in the land management agencies is reduced by nearly 20 percent below last year's level.

The National Biological Service is eliminated as an independent entity, and the conference agreement folds the natural resource research responsibilities of the Interior Department into the jurisdiction of the Geological Survey. Efforts have been taken to protect, as much as possible, the existing research facilities located in various states.

The Bureau of Mines is terminated, with its health and safety and materials partnership functions transferred to the Department of Energy and its non-Alaska mineral information responsibilities assigned to the Geological Survey. The Alaska minerals activities from the Bureau of Mines are transferred to the Bureau of Land Management.

Funding for the National Endowment for the Arts is reduced by about $63 million, to a level of $99.5 million. The National Endowment for the Humanities is reduced by about $62 million, to a level of $110 million. The conferees agreed to disagree regarding future funding for these two agencies.

As usual, Mr. President, the most controversial issues in the Interior bill involve legislative proposals. With respect to the most significant of these items:

The bill contains language continuing the moratorium on the issuance of mining patents. Provisions are included regarding a schedule for the

processing of those patent applications in the pipeline, as well as for the use of third parties in the conduct of mineral examinations.

Legislative language is included regarding the management of the Tongass National Forest in Alaska. While management direction is specified for the next 2 years, the Forest Service will be able to complete the current planning process.

A moratorium on implementation of certain provisions of the Endangered Species Act is imposed until reauthorization of this landmark legislation is enacted.

Language is included which changes the direction provided by Congress last fall regarding the management of the California Desert. The latest conference agreement allows the National Park Service to engage in a comprehensive planning effort during fiscal year 1996, but management in the Mojave Preserve remains the responsibility of the Bureau of Land Management.

Legislative language is included which limits the types of grants that can be funded using NEA dollars appropriated in this act. The language offered to the Senate bill has been modified to address concerns regarding potential legal challenges.

In summary, Mr. President, this conference report is not perfect. It is exactly what most conference reports are—a compromise. The House did not get everything it wanted, and neither did the Senate. This bill makes a significant downpayment toward deficit reduction, while trying to balance many competing needs and interests. I urge the Senate to adopt this conference report, and I hope the President will give it his approval.

Lastly, I would like to commend the staff who work on this appropriations bill. It is not an easy task, in part because of the variety of issues involved, and also because of the extreme interest so many Senators place on the programs and projects under the jurisdiction of the Interior Subcommittee. I wish to thank Senator GORTON's staff: Cherie Cooper, Kathleen Wheeler, Bruce Evans, and Ginny James. On my staff, Sue Masica handles the Interior bill, and is assisted by Carole Geagley. The staff works together as a team, and I think that is reflected in the quality of the product presented to the Senate today.

I thank all Senators and urge adoption of the conference report.

I yield the floor.

INTERIOR PRIORITIES

Mr. LEAHY. Mr. President, I would like to discuss briefly with the chairman some of the funding included in this bill. Together we have made an effort to eliminate earmarks within the bill. There is no way to accommodate the many projects that Senators requested. One way to treat every State fairly is to provide no earmarks, and instead set programmatic budget priorities.

I have worked to improve the budget process by focusing on programs within the administration's budget rather than add-ons and earmarks. We cannot simultaneously address the deficit program and continue to add new programs. I have worked with the agencies to craft budgets that make sense to the State of Vermont and address national issues that are worthy of Federal support.

In that respect, I wish to clarify my understanding of the budget's treatment of several programs and projects that are important to the agencies and important to the State of Vermont. At the time the budget was presented, the Interior Department provided information to me which indicated that the Lake Champlain Basin initiative was continued in the budgets of the Geological Survey and the National Park Service at approximately the fiscal year 1995 levels—$222,000 and $250,000 respectively—and that there was approximately $600,000 in the Fish and Wildlife Service Budget for these purposes. In addition, the Connecticut River Valley ecosystem project was slated to receive approximately $1,005,000 in the FWS budget for the Conte Refuge, and that the Park Service intended to allocate $250,000 for this effort. The Fish and Wildlife Service would also participate in efforts to protect the resources of these ecosystems through investments in endangered species management and private lands wetlands restoration.

Mr. President, while no specific earmarks restating what was included in the budget were provided in the committee report, I hope the chairman would extend his agreement that the agencies should follow through on their commitment to continue these initiatives, roughly at the levels assumed in the budget. The budget levels were essentially a continuation of the prior year level of effort, and my objective is to see that the initiatives continue. Obviously, if there were reductions in any of the budget line items where these programs are funded, these initiatives would have to bear their fair share of any such reductions. However, for the most part, under the leadership of the chairman, the operating accounts of the land management agencies have been pretty well protected, and the agencies should be able to follow through on the indications provided by the Department.

Mr. GORTON. I am aware of the Senator's concern for emphasizing these initiatives. What he has presented seems reasonable, and I would expect the Department to follow through with roughly the funding levels that have been identified.

Mr. JEFFORDS. I join my fellow Senator from Vermont to express my interest in these important community efforts in the State of Vermont. I am glad that the chairman concurs with our understanding.

Mr. BYRD. I thank the Senators from Vermont for highlighting these concerns. I agree with the chairman. Since the accounts in which these initiatives are funded are basically level with the budget request, the Department should be able to address these programs consistent with the information provided when the budget was submitted.

Mr. DOMENICI. Mr. President, I rise in support of the conference agreement accompanying H.R. 1977, the fiscal year 1996 Interior and related agencies appropriations bill.

This bill has been a long time coming to the Senate. I commend the distinguished subcommittee chairman, Senator GORTON, for his diligence in completing this bill.

The final bill provides $12.1 billion in budget authority and $8.2 billion in new outlays to finance the operation of the Department of Interior agencies, the U.S. Forest Service, the Indian Health Service, the energy conservation and fossil energy programs of the Department of Energy, the Smithsonian Institution, and other arts-related agencies. Most of the funding in this bill is for nondefense discretionary programs.

When outlays from prior year budget authority and other completed actions are taken into account, the final bill totals $12.3 billion in budget authority and $13.3 billion in outlays for fiscal year 1996. The bill is $0.5 million in budget authority and $0.25 million in outlays under the subcommittee's revised 602(b) allocation.

Mr. President, the subcommittee had difficult decisions to make in setting priorities for the funding in this bill. In revisiting the bill for the third time, the conferees restored important funding for the native American programs funded in the bill. I have fought for this outcome since the bill came before the Senate. While we have not made up all the funding I believe is necessary for the Bureau of Indian Affairs for tribal priority allocations, the restoration of $25 million for this purpose is significant. I thank the chairman for his efforts in this regard.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee scoring of the conference agreement be printed in the RECORD, and I urge the adoption of the conference report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

INTERIOR SUBCOMMITTEE, SPENDING TOTALS—CONFERENCE REPORT

[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed	146	5,001
H.R. 1977, conference report	12,089	8,208
Scorekeeping adjustment	.....	.....
Subtotal nondefense discretionary	12,234	13,210
Mandatory:		
Outlays from prior-year BA and other actions completed	.....	24
H.R. 1977, conference report	59	25
Adjustment to conform mandatory programs with Budget Resolution assumptions	6	6
Subtotal mandatory	65	55

INTERIOR SUBCOMMITTEE, SPENDING TOTALS—CONFERENCE REPORT—Continued

[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
Adjusted bill total	12,299	13,265
Senate Subcommittee 602(b) allocation:		
Defense discretionary		
Nondefense discretionary	12,235	13,210
Violent crime reduction trust fund		
Mandatory	65	55
Total allocation	12,300	13,265
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary		
Nondefense discretionary	−1	−0
Violent crime reduction trust fund		
Mandatory		
Total allocation	−1	−0

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. GORTON. Mr. President, I ask unanimous consent for 1 additional minute past the 2 o'clock time.

The PRESIDING OFFICER. I believe the Senator has 2 minutes under his control, at any rate.

Mr. GORTON. Fine.

Mr. President, one of the finer customs of the Senate, one of the customs that makes it work in contentious times better than might otherwise be the case, is the custom of Senators to treat kindly their fellow Members and to speak well of them. I think that is a wonderful custom, and I have been its beneficiary on a number of occasions. But I must say, I have never been its beneficiary in such fulsome terms as were just applied to me by my friend and colleague, mentor, the senior Senator from West Virginia. I cannot claim to deserve all of those compliments, but I may appreciate them even the more for that.

I learned what I have learned in the service of the Appropriations Committee from him during his chairmanship, and the extent that I have had a success this year has been largely due to the advice and the guidance which the senior Senator from West Virginia has provided.

He has stated very well the difficulties under which this bill is presented to this body, the great contribution it makes to deficit reduction and the difficulty that that created in attempting to properly fund and instruct the agencies under its jurisdiction. I have also made a statement to that effect.

I will simply solicit the support of my colleagues for the bill which I believe reaches its goals well, considering the challenges with which we are faced, and I hope that the President will change his mind and sign it, as it will be much better than any alternative that he is likely to receive through a continuing resolution.

The yeas and nays have not been requested?

The PRESIDING OFFICER (Mr. COVERDELL). They have not.

Mr. GORTON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the conference report to accompany H.R. 1977, the Interior appropriations bill for fiscal year 1996. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

The result was announced—yeas 58, nays 40, as follows:

[Rollcall Vote No. 604 Leg.]

YEAS—58

Abraham	Gorton	McConnell
Ashcroft	Grams	Moynihan
Bennett	Grassley	Murkowski
Bond	Gregg	Nickles
Burns	Hatch	Pell
Byrd	Hatfield	Pressler
Campbell	Heflin	Reid
Chafee	Helms	Roth
Coats	Hollings	Santorum
Cochran	Hutchison	Shelby
Cohen	Inhofe	Simpson
Coverdell	Inouye	Smith
Craig	Jeffords	Specter
D'Amato	Johnston	Stevens
DeWine	Kassebaum	Thomas
Dole	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Faircloth	Lott	Warner
Ford	Lugar	
Frist	Mack	

NAYS—40

Akaka	Exon	McCain
Baucus	Feingold	Mikulski
Biden	Feinstein	Moseley-Braun
Bingaman	Glenn	Murray
Boxer	Graham	Nunn
Bradley	Harkin	Pryor
Breaux	Kennedy	Robb
Brown	Kerrey	Rockefeller
Bryan	Kerry	Sarbanes
Bumpers	Kohl	Simon
Conrad	Lautenberg	Snowe
Daschle	Leahy	Wellstone
Dodd	Levin	
Dorgan	Lieberman	

NOT VOTING—1

Gramm

So, the conference report was agreed to.

Mr. GORTON. I move to reconsider the vote.

Mr. MCCAIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington.

Mr. GORTON. Mr. President, before we move on to the next item, I wish to add to the list of thanks that I gave earlier in connection with this bill the name of Julie Kays from my own personal staff who has handled every aspect of this bill for me in a tremendously successful and skilled fashion.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT ON H.R. 2099

Mr. GORTON. Mr. President, I ask unanimous consent that following the disposition of H.R. 1561, the Senate proceed to the consideration of the conference report to accompany H.R. 2099, the VA-HUD appropriations bill, and that it be considered under the following time limitations: 30 minutes equally divided between the two managers, 10 minutes under the control of Senator BUMPERS, 10 minutes under the control of Senator HUTCHISON, 10 minutes under the control of Senator LAUTENBERG, 10 minutes under the control of Senator MCCAIN, 10 minutes under the control of Senator BOXER; further, that following the expiration or yielding back of time, the Senate proceed to vote on the conference report, and that following that vote, the Senate immediately concur in the amendment of the House to the amendment of the Senate, all without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN RELATIONS REVITALIZATION ACT

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order to make the pending business S. 908.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the clerk will report S. 908, the State Department reauthorization and reorganization bill.

The legislative clerk read as follows:

A bill to authorize appropriations for the Department of State for fiscal years 1996 through 1999, and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes.

Pending:

Dole amendment No. 2025, to withhold certain funds for international conferences in funds were expended for U.S. participation in the United Nations Fourth World Conference on Women while Harry Wu was being detained in China.

Helms amendment No. 2031, to authorize reduced levels of appropriations for foreign assistance programs for fiscal years 1996 and 1997.

Kerry (for Boxer) amendment No. 2032 (to Amendment No. 2025), to express the sense of the Senate regarding the arrest of Harry Wu by the Government of the People's Republic of China.

Helms amendment No. 2041, to express the sense of the Congress regarding the consolidation and reinvention of the foreign affairs agencies of the United States.

Helms amendment No. 2042 (to amendment No. 2041), in the nature of a substitute.

The Senate resumed consideration of the bill.

AMENDMENT NOS. 2025, 2031, 2032, 2041, AND 2042, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the pending amendments numbered 2025, 2031, 2032, 2041, and 2042 are withdrawn.

The Chair recognizes the Senator from North Carolina.

Mr. HELMS. I thank the Chair. The Chair is absolutely correct. Mr. President, I believe there is a time agreement on this of 4 hours equally divided.

The PRESIDING OFFICER. The Senator is correct. There are 4 hours on the managers' time and the bill.

Mr. HELMS. Very well. Mr. President, before I begin, I will yield to the Senator from Montana to speak as in morning business.

I ask unanimous consent that it be in order for me to yield to the distinguished Senator 6 minutes, not to be charged to either side, at which time the time will begin running on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Montana is recognized.

GO GRIZ

Mr. BAUCUS. Mr. President, I rise today to introduce a critically important resolution. It will restore the honor of our country, and my State of Montana in particular, in the face of an impudent affront leveled against us by the Governor of West Virginia.

Let me begin with a question. What would possess as many as 5,000 Montanans to leave our beautiful State and travel to a small town in West Virginia—of all places—for the weekend?

There is only one answer—and that is Grizzly fever.

As I have proudly told many of my colleagues, the University of Montana Grizzlies are traveling to Huntington, WV, to take on the Thundering Herd of Marshall University in the NCAA, Division I–AA National Championship. And on Saturday night, they will come home to Missoula as the national champions.

It takes a good football team to get that far. But the Grizzlies are not just a good football team—they are a great football team.

How great are the Grizzlies, some may ask?

Great enough to have trounced their playoff opponents. During the three playoff games, the Grizzlies scored a total of 156 points. Their three opponents managed to score a paltry 14 points; and two out of the three playoff games were Grizzly shutouts.

And the Grizzlies are great enough to have what I believe is the finest quarterback in college football today. Dave Dickenson, from Great Falls, is a three-time first team academic all-American, a first team all-American quarterback, and Dave will probably receive the Walter Payton Award next week as the best Division I–AA player in America.

Many West Virginians—including my friends Senator BYRD and ROCKEFELLER—may take pride in Marshall's winning record up to this point. That is fine. I see nothing wrong with acknowledging the accomplishment of the second-best team. But Governor Caperton crossed the line when he signed a proclamation naming December 16—the day of the game—Marshall University Day.

Now, normally, I am a strong supporter of States rights. But Governor Caperton has gone too far. His proclamation is a slap in the face to me and every other self-respecting Montanan. And it is an insult to the good sense of every American who follows college football.

Mr. President, sometimes State governments make mistakes. And on occasions like this one, they are whoppers. The time has come for Congress to step in and set things right.

That is why I am introducing my resolution today. It would recognize the Montana Grizzlies as the new national champions by proclaiming all of next week Montana Grizzlies Appreciation Week. It would also declare the unfortunate, unjust, and illegitimate proclamation by the Governor of West Virginia null and void.

If you still doubt the need for this resolution, tune in on Saturday. The game starts at 10 Montana time—that's noon in Washington on ESPN. It will be a great game.

Mr. HELMS. I can see why the Senator was eager to make a speech and make a reference to Montana. I congratulate him.

FOREIGN RELATIONS REVITALIZATION ACT

The Senate continued with the consideration of the bill.

Mr. HELMS. Here we are, Mr. President. As I was saying a few minutes ago, at long last, S. 908 is the pending business before the U.S. Senate—S. 908 being the plan to reorganize the State Department—a plan much maligned by all the bureaucrats who do not want to be folded into the State Department. They do not want to save any money. To their chagrin, it looks to me like we are going to save some money, not as much as we would have liked, but that is an issue we can work on in conference with the House. S. 908 was reported to the Senate more than 6 months ago, and I have never seen as many erroneous news reports about a piece of legislation in all of my 23 years in the Senate. The administration at every turn has vowed—and I use the administration's words—vowed to ''delay, postpone, obfuscate and derail'' S. 908. They made no bones about it. All of that was ignored by the great media of this country. There was just one Senator who was holding up the whole works—that fellow from North Carolina, HELMS—and they went after HELMS with a feverish attitude.

Our Democratic colleagues signed up and have refused to allow the Senate to work its will, but that did not make any difference to the news media. They reported that it was HELMS doing the holding up, when actually it was the administration and the Democrat Members of the Senate. Now, there was one Senator who was willing to negotiate and participate in the process, Senator KERRY of Massachusetts, to whom I shall forever be grateful.

It needs to be made clear that the Senator from North Carolina has never, never demanded that I get my way as press report after press report after press report claimed. I have never demanded that the Senate accept this authorization bill or that the administration agree to downsize Government by eliminating a few Federal agencies. I have never demanded that the Senate accept this authorization bill or that the administration agree to downsize Government and abolish some Federal agencies. I had hoped all of that would happen, and the bill was drafted for that purpose, but I never made any demand for anything—except that the Senate be allowed to vote on S. 908. I said from the very beginning, ''Let me have a vote and you will have your ambassadors.'' I have asked only that the Senate be allowed to conduct its legislative responsibilities and vote. Not once did I stipulate that S. 908 had to pass but just that it be voted upon. But the Democrats were afraid that if it were put up for a vote, the Senate would agree to abolish three Federal agencies—what a tragedy that would have been.

Since this process began months ago, the Foreign Relations Committee has acted on at least 58 of President Clinton's ambassadorial nominees—most of them political appointees, I might add. The committee has acted on six tax treaties and assorted other international treaties in that same time period. I have asked myself many times, what have we received in return? Until this date, nothing; nothing. There goes that obfuscation, delay, postponement, derailment.

I take issue with those in the administration and with my colleagues, especially the distinguished Senator from Connecticut [Mr. DODD], who at one point asserted that it was the ''height of irresponsibility to hold up nearly all other committee business over one piece of legislation.'' CHRIS DODD knows better than that, Mr. President. He is in charge of the political wing of the Democratic Party. He is perhaps experiencing a convenient amnesia, forgetting that as chairman of the Foreign Relations Subcommittee on Western Hemisphere in 1992, Senator DODD himself refused to schedule any subcommittee ambassadorial nomination hearings for an entire year. So when Senator DODD made his extravagant statement, I respond, ''Look who is talking.''

I could go on, but suffice it to say many of my Democrat colleagues have engaged in a bit of injured innocence when they weep such copious tears about the delay in Senate confirmation of several nominees. Now, were it not

for Senator KERRY's commitment, Senator KERRY of Massachusetts, his commitment to negotiate common ground, we would still this very afternoon be at an impasse. Everybody knows that there needs to be streamlining and consolidation of the whole Federal Government. It is one of the big reasons we have a $5 trillion debt hanging over the people of this country. Senator KERRY recognized early on and said, ''Yes, one or more of the three agencies stipulated in this legislation have outlived their usefulness.''

That is putting it the nice way. The truth of the matter is that all three of the agencies, ACDA [U.S. Arms Control and Disarmament Agency], AID [Agency for International Development], and the U.S. Information Agency [USIA] need serious pruning and, in my opinion, should be put on the short list to be abolished. I note that in reference to USIA, it was never our intention to undermine our international broadcasting capability, such as the Voice of America and Radio Free Europe. But I repeat, the ancillary agencies that cost billions of dollars have got to be toned down. That is what this bill is all about.

I remind my colleagues that it was Secretary of State Christopher who proposed to Vice President GORE's much-publicized Reinventing Government Office that the United States was obliged to restructure the U.S. foreign affairs apparatus for the 21st century. Secretary of State Christopher himself advocated the elimination of the Agency for International Development, the U.S. Information Agency, and the Arms Control and Disarmament Agency. Mr. President, Secretary Christopher went almost hat in hand down to Vice President GORE's office to plead that our foreign affairs apparatus needed a serious rethinking for the post-cold-war era. I remind my colleagues that is was Vice President GORE, the former U.S. Senator, who was chosen to be the No. 2 officer of this country and has spent much of his time in office proclaiming his intent to reinvent Government, to downsize Government, and to save the taxpayers money. I know of very few successful efforts of the Vice President in that regard, because somewhere along the line Vice President GORE, decided all of a sudden that the status quo was just fine, and Vice President GORE rejected out of hand Secretary of State Christopher's proposal. In doing so he became a captive of the very Federal bureaucracy he was supposed to reinvent.

By the way, this past January, it was the Vice President of the United States, AL GORE, who promised that he was going to save $5 billion in 5 years by cutting the U.S. International Affairs budget. S. 908, under the terms of the manager's amendment, mandates $1.7 billion in savings over 5 years. If $1.7 billion in savings ''jeopardizes the national interest'', what are we to have said about $5 billion? The local press would call such a draconian cut the policy of an isolationist if it were made by anybody on this side. They all applauded when the Vice President said it. But look at the facts. How did Mr. GORE come up with those figures? He yanked them out of thin air. Even Senate Democrats acknowledge that they cannot figure it out. They have asked for months—all of us have been asking for months—for the Vice President's proposals for all of these savings.

Finally, some of the more candid Senators on the other side of the aisle confessed. They admitted that the Vice President's plan had no basis in reality and it must have been the result of bad staff work down at the White House. So the emperor had no clothes.

It is worthy of note that the Vice President's book entitled ''Common Sense Government'' asserts that his recommendations on restructuring the U.S. foreign affairs agencies would be announced in the fall of 1995.

Mr. President, it is now the winter of 1995, and we are still waiting.

The fact is, we are never going to hear from him. We are never going to hear from his associates. They just do not have a plan. They do not know how to produce any savings. They do not have a clue. All they have are press releases, and those press releases, as it turns out, are not—and were not—worth the paper they were printed on last January.

S. 908, the committee's plan to abolish three Federal agencies and save $3 billion has been available to the administration in writing for more than 6 months.

By the way, I stress that the largest of these agencies—the Agency for International Development [AID]—is a temporary Federal agency, even though it was established a half century ago. Ronald Reagan used to say that ''There is nothing so near to eternal life as a temporary Federal agency.'' I think that is correct. The Clinton administration, the State Department, and the Vice President of the United States have yet to provide an alternative to S. 908. The administration has not even bothered to submit an authorization bill to the Congress this year.

So here we are. S. 908 is the pending business in the Senate. What goes around, comes around. As I indicated at the outset, 6 months after committee consideration of the bill, no thanks to the administration, the Senate Democrats have proposed an amendment to our bill.

Senator KERRY has just arrived on the floor. And I do not know whether he knows that I paid my respects to him while he was on the way over here. But I have, and I meant it. And I am grateful to the Senator.

The Kerry amendment, as I said earlier, mandates cost savings of $1.7 billion over 5 years. That is less than one-third of what Vice President GORE promised that he would save, and what S. 908 proposed to save at the outset. We are not saving enough in my judgment. Senator KERRY knows how I feel about that. We have been candid to each other. But I want to get started on this business of saving the taxpayers' money, and I think JOHN KERRY does as well.

I have had to console myself with the fact that saving the taxpayers $1.7 billion is better than saving the taxpayers nothing. Of course, it would have been far better if Senator KERRY had been permitted to fulfill his original offer in committee to abolish one agency and save $2 billion over 4 years. In fact, at the markup of S. 908, the able Senator from Massachusetts strongly stated that he was prepared to move forward on the one agency abolition, and that he would not back down on that proposal. I thinks it is too bad that he did.

Remember, Mr. President, the original intent of the pending bill, S. 908, was to abolish three agencies. The Democrat's compromise proposal was to maintain status quo—leave all three agencies fully functioning and just ask them to save a few billion dollars. The managers' amendment requires the President of the United States within 6 months to send up a plan to downsize, consolidate, and streamline. And, if the President fails to do it, three Federal agencies will be abolished just as we proposed in the beginning. The ball is going to be in the President's court. The clock on that 6 months starts ticking when S. 908 (or H.R. 1561) is enacted.

So as I said at the outset, Mr. President, here we are. While the main focus of this managers' amendment is on reauthorization, it needs to be borne in mind that this is a 4-year authorization bill for the Department of State.

Also, the managers' amendment modifies several other sections of the bill. For example, we agreed to modify some provisions relating to the U.S. relationship with the United Nations. One in particular that has bothered me is the provision restricting the share of U.S. intelligence with the United Nations. At the administration's insistence we have replaced that provision with a much less stringent one.

I, for one, agree with Senator SNOWE of Maine. The original provision was proposed by Senator SNOWE and it was much tougher. I agree with her that the administration should be required to make the case to Congress as to why it is crucial for the United States to share intelligence with the United Nations which includes in its membership countries such as Iraq and Cuba.

We also agreed to remove section 603 which is a provision dear and near to my own heart. The provision would provide asylum for immigrants who are fleeing the policies of their home countries that will force them to abort their unborn children or force them to be sterilized, as the case may be. The silver lining in this decision is that this provision is included in the House bill and, therefore, I expect to strongly support the House language in the House-Senate conference on this bill.

We modified section 604 to authorize payments from frozen Iraqi assets for United States claimants. A similar provision was approved in committee by a bipartisan vote of 10 to 8.

Section 168 restricting the issuance of visas to those who traffic in expropriated property was deleted at the behest of Senator DODD of Connecticut who has stated that he would prefer that issue be dealt with in the conference on the Cuban Liberty and Solidarity Act, H.R. 927.

Mr. President, another important aspect of this agreement is that the Senate will provide for the appointment of conferees upon final passage of this measure sending H.R. 1561—the House companion bill—to the House, and requesting a conference.

On Tuesday, the Foreign Relations Committee reported out—true to my promise—18 pending nominees, and the START II treaty.

The previous unanimous consent agreement provides for en bloc consideration of the nominees upon final passage of S. 908. The majority and minority leaders have agreed to make every effort to finish START II as expeditiously as possible.

A few more thoughts and I will be through.

Early next year the Foreign Relations Committee will begin active consideration of the Chemical Weapons Convention, including additional hearings and additional steps necessary to full committee consideration of this treaty by April 30. I feel obliged to assert that I remain opposed to the Chemical Weapons Convention. Until this administration comes forward with a public explanation of precisely how this treaty can be verified, which it cannot do and has not done yet, I cannot imagine that the Senate will be prepared to take action on the treaty. But that remains to be seen.

The road to redemption was not traveled in one day. It began with one step in the right direction, and that is where we find ourselves today. The Democrats have taken this step by recognizing the necessity of consolidating the U.S. foreign affairs agencies and agreeing to mandate cost savings and by concurring that the Secretary of State should be the primary foreign policy adviser to the President of the United States. Ultimately, the President and our Nation's foreign policy will benefit from this reorganization which has been endorsed by five former Secretaries of State, who, in the process, one after another, conferred with us and helped us in the drafting of the bill.

Let me say this, and I shall yield to the distinguished Senator from Massachusetts.

The world has changed dramatically during the past 10 years. The State Department has not. The issue of consolidation and restructuring is not going away this year, and it is not going away next year either. I pledge that. Brian Atwood, for example, will have to rethink his jubilant declaration this past October when he said, ''AID has survived a bruising political battle.'' That remains to be seen.

Down on the Archives building, not far from the Capitol, is a piece of marble that has the words, ''What is past is prologue.'' Somebody asked a friend of mine what that means, and he said, ''That means 'You ain't seen nothing yet.'''' So, Mr. Atwood, I would say, ''You ain't seen nothing yet.''

What has happened here is not the beginning of the end, it is the end of the beginning. Eventually—eventually—the American people are going to have their say. And to the length of my cable-tow, they also will have their way.

I yield the floor, and I assume the distinguished Senator from Massachusetts wishes to make a statement.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank my distinguished colleague. I was not here when he made some very generous comments about my participation in this, and I am appreciative of what I have been told that he said.

As I said the other night, for myself I want to thank the Senator from North Carolina for his patience and for his forbearance in this process. It has been a difficult process, as many have said, but I will say that in all of the dealings that he and I have had, there was never any rancor or any raising of voices. We argued and debated and pressed and pushed, both of us, for positions that we believed in. In the end, what we have here is a compromise, as it ought to be, and I think it is a fair compromise. I think it is a sensible compromise. It is a compromise that recognizes the changes that are sweeping over all of Government and Washington. It recognizes the imperative of that change, which no agency or entity of Government ought to be exempt from unless they can prove, beyond all doubt, that they ought to be.

Mr. President, I am pleased that Senator HELMS and I have reached agreement on a manager's amendment and that the months-long impasse over this bill and the nominees and other issues linked to movement on this bill has come to an end. The process has been long and at times trying. In the eyes of many it was about politics, not policy, but that is not the case. From the very beginning there have been real substantive disagreements over the consolidation language in this bill and over many other policy provisions, such as those mentioned by the distinguished ranking minority member, Senator PELL.

This managers' amendment is a compromise in every sense of the word. On the key issue of consolidation, Senator HELMS and his Republican colleagues on the committee agreed to accept my proposal which preserves the President's prerogative to determine how the foreign affairs agencies—that is the State Department, AID, USIA, and ACDA—will be reorganized. This proposal provides the President with flexibility. It does not abolish any agencies, unless the President fails to send a plan to Congress, but it does require the President to save $1.7 billion over 5 years through reorganization and consolidation. Recognizing that programmatic reductions are a byproduct of consolidation, it allows him to achieve up to 30 percent of that savings from programmatic reductions.

I believe that this proposal will result in some serious and beneficial streamlining and consolidation of our foreign affairs apparatus. In my view this is necessary in light of the cuts that are being imposed on the budget in all areas including foreign affairs. I share the concern of many of my Democratic colleagues about these cuts. The international affairs budget is only 1 percent of the Federal budget, and it is 1 percent well spent when one considers our needs and interests abroad. But like it or not, funding for foreign affairs programs has been declining over the last decade and will continue to decline under whatever agreement is reached for balancing the budget in the next 7 years. Against this reality, we must find a more efficient and cost-effective way to make and implement policy while still preserving critical programs. I think the approach we have in this bill will enable us to do that.

I recognize that some are concerned that the Senate position on consolidation, as reflected by this managers' amendment, will be reversed or changed in conference. Senator HELMS and I have agreed that the Senate conferees will operate under consensus with respect to the main elements of my consolidation proposal, that is mandatory cost savings, abolition of the agencies and the limitations as to where cost savings may be achieved. It is imperative that any changes in the Senate position on consolidation reflect agreement among all the Senate conferees because this issue is at the heart of the bill.

Senator HELMS and I have also agreed that we will work in conference to increase the authorization levels for the operating accounts of the agencies affected by this bill. We must ensure that the authorizations for these accounts are in concert with the savings we are seeking through reorganization and consolidation and that we do not undermine the President's ability to reorganize by decimating the operations of these agencies through the authorization process.

As we are all aware disagreements over this bill resulted for many months in inaction by the committee on 18 ambassadorial nominations, 4 FSO promotion lists, and the START II treaty. On Tuesday the Foreign Relations Committee favorably reported these items to the Senate. Once we act upon this bill, the nominees will be approved by the Senate en bloc pursuant to a

unanimous-consent agreement reached last Thursday. When the START II report is filed, the Senate, pursuant to another unanimous-consent agreed to last Thursday, will begin consideration of the treaty. I believe there is overwhelming support in the Senate for this treaty and I hope that we will be able to complete action before the Senate recesses. If we do not, however, the majority leader has given his commitment that we will finish action on START II at the beginning of the next session. I think these are positive developments, as is the procedure we have worked out for committee consideration and action on the Chemical Weapons Convention.

I am hopeful that with these positive steps, we can begin to restore the bipartisanship traditionally characteristic of the operations of the Foreign Relations Committee. The chairman has assured us that the committee will resume normal activities including scheduling of hearings and action on all currently pending nominees and other committee business. I believe all of us on the committee, Democrat and Republican alike, agree that this is in our joint interest and that of the country.

Mr. President, I think most of us approached the issue of how to deliver our foreign policy and how to implement the various missions of the various agencies that do deliver that foreign policy. Most of us approached this with a sense that we can do it more efficiently, that we have not patented perfection with respect to it. There are areas of waste. There are areas of duplication. There are areas where we can do some consolidating, possibly even some merging. But we also recognized that within that framework it is important to acknowledge and honor the prerogatives of a separate branch of Government, the executive branch.

So, some of us pressed very hard for the Presidential prerogative of being able to line up their own ducks, of being able to make a decision as to which agencies to conceivably consolidate, or what the order ought to be. I think most people feel, particularly in the arena of foreign policy, that is the fair prerogative of the President of the United States. We have preserved that prerogative in this compromise. So the principle of consolidation, the principle of merger, the principle of efficiency is embraced in the compromise, but the principle of the separation of powers and the Presidential prerogative in foreign policy is also embraced in this compromise.

In addition to that, I believe the level of savings represents a realistic beginning. I think the Senator is perfectly correct in saying the ultimate goal here is for all of us to respect the desires of the American people to have the most efficient expenditure of their tax dollar. This is their dollar and this is their Government, not ours. We represent them here.

So, there are many in this country who have second thoughts about some of those expenditures in the foreign field, but there are also many people who have enormous commitment to much of what we are trying to do abroad—for very little.

I always ask audiences when I am asked a question about foreign policy when I go home and talk to people in Massachusetts how much money they think we spend in foreign policy. It is fascinating to listen to the response. Many people have a quick response, 20 percent, 20 percent of our budget. More often than not, it is in the low sort of double digits: 12 percent, 11 percent, or the high single digits. Almost invariably, I would say 75 percent and higher of the number of hands that go up in an audience, will pick 4 percent, 5 percent, rarely less than 3.

I was at a teachers convention not long ago and only one teacher out of about 200 correctly picked the amount of money that we put into foreign policy in this country: 1 percent. Less than 1 percent of the total budget of the United States of America leverages our global interests.

That is not a totally fair assessment because obviously we invest in the Defense Department. That is a very big investment and that is a serious component of our projection of force abroad and our interests. But in terms of assistance to other governments, in terms of population, environment, the kinds of things we try to do with respect to international narcotics through the State Department and a host of those efforts, we are talking about 1 percent and less of the entire Federal budget.

Many of us on our side of the aisle are deeply concerned that in a world that is more global, in a world that is less centralized in its conflicts, where we no longer have the kind of bipolar, easily definable East-West tension that defined most of the history of this country since 1945, in that world there may well be more need to think about increasing things like the Foreign Commercial Service officers in various developing countries.

When I was in Hong Kong over a year ago, I was struck by the fact that in the Foreign Commercial Service in Hong Kong, the several people that we have there said to me, ''Senator, we are missing billions of dollars of contracts for our companies in America.'' Those billions of dollars of contracts translate into thousands of jobs. For every $1 billion of exports, there are 20,000 jobs created in the United States of America. They said to me, ''Because we only have,'' I think—I cannot remember the exact number, it was in the single digits—''Because we only have this few number of people here in Hong Kong, we cannot keep up with the requests for proposals. We cannot keep up with the meetings that we could be putting together for people to be able to be married to a deal.''

''If you people''—meaning us—he said, ''were to have enough foresight to just give us 10 more people, we would pay their salaries within 1 month.'' That seems to me to be a reasonable return on investment.

That seems to make sense, but that is not necessarily—and I underscore necessarily—what will happen with this budget. Could it happen? The answer is yes.

Under the consolidation, if the Secretary of State and the President were to decide that is an imperative and we ought to put more people into that than have some people on some other desk, we can make that happen. But I think most people feel many of those other desks are also competing with things ranging from international environmental accords to international questions of refugees to international questions of immigration to international questions of crime to international questions of terrorism, all of which in this less bipolar world present us with a whole different set of choices.

Mr. President, I do not want to go on at great length. I think our effort is to try to expedite this this afternoon. There is no reason at this point to speak at great length, but I do want to simply say, many people on our side of the aisle were deeply concerned about the level of reductions, and that is why we are starting out at the $1.7 billion. It may well prove that in the consolidation program that, hopefully, we will set up within the timeframe within this bill—I am confident that we may find there is rationale for doing more. And we may also find there is a clash of reality that is impossible and that this is, in fact, too significant.

Let me say also that Senator HELMS and I have agreed that we will work in the conference committee to increase the authorized levels for the operating accounts of the agencies that are affected by this bill. We have to ensure that the authorizations for these accounts are in concert with the savings that we are seeking through the reorganization and consolidation, and we do not want to undermine the President's ability to reorganize by decimating the operations of these agencies through the authorization process itself.

We are also gratified that part of this agreement now sees the ambassadors about to be eminently improved and the START II treaty to come to the floor, hopefully, within the next day or so, certainly within the next days.

I am particularly grateful for the commitment of the chairman to guarantee that the committee will act on the Chemical Weapons Convention, and it is obviously our hope that we will be able to either improve it or change it, if it needs improvement, but ultimately the full Senate will be able to act.

I share with my colleague from North Carolina concerns about it in its current form. There are issues of verification. There are legitimate reasons for the committee to want to do its business over the course of the next months.

Moving at this point in time, Mr. President, to a consideration of the START II agreement, for which I think there is extraordinarily small opposition within the Senate, if any, is very, very important in the context of events in Russia, the elections, and also our own interests in reducing some 4,000 strategic nuclear weapons from the arsenals of both ourselves and the former Soviet Union, including the SS–18, which was always the most imposing weapon that was pointed at the United States of America.

I think that moving forward on that treaty is enormously important, and it is one of the reasons why this compromise is so welcome.

I want to say, finally, that I think all of these steps are important, positive steps, which I believe, in the spirit that the chairman has described, can help to bring us back to a bipartisan, joint effort to try to utilize this committee to help address the major questions that we have in the country with respect to foreign policy, and I am confident that with all of our good efforts it can, in fact, do that.

Mr. President, it is my pleasure to yield to the distinguished former chairman, the ranking member of the committee, for his comments at this time.

Mr. PELL. I thank the Senator very much indeed.

Mr. President, I support the Managers Amendment to S. 908 negotiated by Senators KERRY and HELMS. I was opposed to S. 908 as reported by the Foreign Relations Committee, and regretted at the time it was reported that the committee appeared to have abandoned a long tradition of bipartisanship in crafting the State Department authorization bill.

Consequently, I am pleased with the results of the negotiations that are reflected in this managers amendment. I congratulate Senator KERRY, who so ably managed this bill on behalf of the Democrats. He did this in a skilled, professional and brilliant way. I also congratulate Senator HELMS for his willingness to work with Senator KERRY and Democratic members of the committee to achieve this constructive resolution to many of the serious disagreements related to S. 908.

The managers' amendment makes significant improvements in the bill with respect to two critical areas: the reorganization of the foreign affairs agencies and those provisions related to the United Nations and its specialized agencies.

As we all know, much of the opposition to this bill focused on the mandatory abolition of AID, USIA, and ACDA and the transfer of some of their functions and personnel to the Department of State. I was particularly concerned that ACDA would be abolished because I feared that it would eliminate the independent voice on arms control issues that every President should have, and a concept which every President since President Kennedy has supported.

I am pleased that the compromise takes a different approach. No agencies are abolished, except in the event that the President fails to send a reorganization plan to the Congress. The driving force of reorganization is the requirement that the plan save $1.7 billion over 5 years. In my view this is the correct approach as it encourages the President to reorganize while at the same time preserving his prerogative to determine how that reorganization is done.

As reported by the committee, S. 908 also contained a number of troubling provisions designed to restrict U.S. participation in the U.N. system. For example, some placed conditions on the payment of our assessed contributions to the United Nations for membership and peacekeeping. The managers' amendment which Senators HELMS and KERRY are offering improves a number of these provisions and deletes others. I applaud these changes because we cannot exert leverage at the United Nations if we cannot fulfill our financial and other obligations in full.

Finally, with the adoption of this managers' amendment and the passage of S. 908, the Senate will proceed to the confirmation of a large number of ambassadors and the consideration of Start II. I have previously expressed my deep concern and regret over the holding up of the important business of the Foreign Relations Committee and the nation because of significant differences of opinion over just one piece of legislation, particularly if that one piece is unrelated to the main body of the legislation and other matters that are being held up.

In my 30 years of service on the committee and 8 years as chairman, this was unprecedented. With this action today, however, I am very optimistic that the new year will bring a return to the committee's traditional bipartisan approach to addressing the foreign policy issues before the Senate. We clearly will not agree on all these issues, but I hope we will agree to disagree and work where feasible to reflect the concerns of all members in the committee's deliberations. This managers' amendment, and the committee's 18 to 0 vote on Tuesday, December 12, to report the Start II treaty to the Senate, are examples of our potential for the new year. As ranking minority member of the Committee on Foreign Relations, I pledge to work with our chairman to address the issues before our committee in the new year in a bipartisan and constructive manner. Although we have agreed to disagree on many policy issues, we are friends and colleagues with a long-standing mutual respect for each other.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I rise today to register my opposition to S. 908, the State Department authorization and reorganization bill. Before I begin briefly to state my reasons, let me compliment both the Senator from Massachusetts, Senator KERRY, and the chairman of the full committee. I compliment the chairman, my friend from North Carolina, for being a consummate legislative craftsman. He held us hostage very effectively for a long time. I do not think we would even be talking about this compromise bill were it not for the fact that the START Treaty was held up, that all the ambassadorial nominations were held up, and that we asked Senator KERRY on our behalf to see if he could free them up. It reminds me of those buttons we used to have around here when we would have long sessions, ''Free The 89th Congress'' or free this or free that.

Well, this was ''free the Ambassadors'' and ''free our national security'' so we could have the ability to continue to destroy Soviet nuclear weapons and continue the rational arms control regime that was begun with President Nixon and went straight through the administration of President Reagan.

This is not a backhanded compliment. I think one of the most fierce and effective legislative foes one could have in this body is the distinguished Senator from North Carolina. I do think, however, that the way my friend from North Carolina went about this one was unprecedented, and I hope it is not repeated.

On that score, I wish to make it clear to my friend from Massachusetts, Senator KERRY, why, after all his hard work, I am still opposed to this bill. He did a great job. We are going to have a START II Treaty, God willing and the creek not rising, and we are actually going to put ambassadors out there after the rest of the world wondered where the devil they were.

Let me say at the outset that I admire the skill of both the gentlemen who have brought us this agreement. I do not, however, admire the product that has been brought.

No one disputes the need to constantly scrutinize our Federal bureaucracy to look for overlaps and redundancies and opportunities for streamlining.

In this case, though, the three agencies that I will now mention will, in my view, be emasculated by this bill. The Agency for International Development and the United States Information Agency effectively are mandated for closing. Most important in my view is the supreme irony that just as we finally are allowed by the chairman of the Foreign Relations Committee to free up the START II Treaty, this bill would severely cut the Arms Control and Disarmament Agency.

All of the three agencies I have just mentioned have been streamlining themselves and cutting overlapping functions. All three of them have already been taking a good, hard look at their missions and have been responding to changing circumstances.

The Agency for International Development, for example, has pioneered enterprise funds, which have created

partnerships between the private sector and the Government.

USIA has attempted to utilize modern information technologies to spread the message of the United States to the rest of the world. It has also entered into local partnerships whenever possible to conserve funds.

Perhaps the biggest mystery to me is why the advocates of this bill think that the Arms Control and Disarmament Agency has outlived its usefulness. In the confusion of the current post-cold-war era, the danger of the proliferation of nuclear weapons has dramatically increased, not decreased—I repeat, dramatically increased.

Now more than ever, the critical independence of ACDA is needed to counter the natural tendency of the State Department to defer to bilateral relationships in sticky situations.

Another irony is that those proposing the cuts are the very ones who have been most critical of the State Department for allegedly having an instinct to become captives of the countries with which we deal.

ACDA has a proven track record of nonpolitical expertise, which we can ill-afford to lose at this time.

The situation at the State Department, which would absorb the agencies whose independence is to be sacrificed, is hardly any better. Mr. President, the Department of State, the principal vehicle for carrying out American foreign policy, has already been forced into debilitating reductions.

The international affairs budget is now 45 percent lower in real terms than it was in 1984. Altogether it represents only 1.3 percent of Federal spending. Over the past 3 years alone, the State Department's budget has been decreased in real terms by 15 percent at the same time the Department's responsibilities have increased with the emergence of new countries in the wake of the breakup of the former Soviet Union. Moreover, since 1993 there has been a 30-percent increase in passport issuances to U.S. citizens to travel abroad.

What has the result been? The State Department has taken the following actions to reduce the cost of conducting U.S. diplomatic and consular relations.

First, it has cut its total work force by 1,700 persons.

It has downsized the Senior Foreign Service by 19 percent. And here, Mr. President, I submit that we are wasting a precious national resource, the kind of expertise built up over the decades that in the short term simply cannot be replicated.

It has also reduced overseas allowances.

It has cut its administrative expenses by almost $100 million.

It has reduced expenditures on diplomatic security by 15 percent. And, Mr. President, I doubt anyone would claim that we live in a safer international environment.

It has had to cancel, which I find astounding, the 1995 Foreign Service examinations—I repeat, has had to cancel the 1995 Foreign Service examinations. That means, of course, that our country is cutting off any chance of attracting the best and the brightest of our college and university graduates into the diplomatic service this year. Talk about being penny-wise and pound-foolish. My goodness.

The State Department has been forced to slate 19 overseas posts for closure in fiscal year 1996. The list of these posts makes the hair of any internationally minded American stand on end. Permit me to elaborate a bit on this point, using Zurich, Switzerland, as an illustrative example of the folly that congressionally induced budget slashing has wrought. Zurich is, of course, Switzerland's largest city and its economic and financial center. In fact, it ranks as the world's fourth largest financial center. Many American multinational corporations have their regional headquarters there, including Dow, Kraft, General Motors, and many others. In the other direction, Switzerland was the second largest foreign direct investor in the United States in 1994.

So, Mr. President, what do we do? We close the consulate in Zurich, Switzerland, which does not make a lot of sense. I do not think it is a stretch to say that Zurich is a rather important city to American business. Apparently other countries also perceive Zurich's central position in international finance and trade; 59 other countries have consulates there. As one might expect, all of the other leading powers in the world have representation in Zurich, but smaller nations also consider it in their interest to be represented in Zurich—The Gambia, Lesotho, Mongolia, Nepal, Rwanda, the Republic of the Seychelles, Swaziland, Vanuatu. The list goes on.

Mr. President, with all due respect to our friends in The Gambia, Lesotho, Mongolia, Nepal, Rwanda, and so on, I find it rather incredible to believe that their governments can somehow find the funding that they need to keep consulates open in Zurich, and the United States of America, the world's only superpower and largest economic engine in the world, cannot. We cannot find the money to keep a consulate open in the vitally important city of Zurich, a consulate, I might add, that I have never visited.

But let me not be too Eurocentric, Mr. President. Another post slated for closing, thanks to congressional budgetary wisdom, is Medan, Indonesia. As you know, Indonesia, with a population of over 200 million people, is the fourth largest country in the world.

It is also the largest Moslem-majority nation on Earth. Its economy offers numerous opportunities for foreign investment. And Medan, after the capital Jakarta, is Indonesia's most important commercial center.

Other countries with consular offices in Medan include Belgium, Germany, Great Britain, India, Japan, Malaysia, the Netherlands, Norway, the Russia Federation, Singapore, Sri Lanka, Sweden, and Thailand. Why are they there? To do business.

So, Mr. President, after we take down the Stars and Stripes and close our consulate in Medan, what will happen when an American corporation eager to break into the Indonesian market goes to Medan? Our American corporate representative can walk down to the the Japanese consulate where the nice Japanese attache will undoubtedly be happy to help out with business contacts and other valuable information that the American corporation needs.

Although this bill is largely a creation of the majority party, there is plenty of blame to spread around. I regret to say that the administration, in its zeal to reinvent Government, has aided and abetted the feeding frenzy of the small Government ideologues.

To be fair, this bill can be viewed as but the logical culmination of a decade of denigrating the nonmilitary component of American foreign policy. Most of us, this Senator included, have voted for reductions in one area of foreign policy or another to spare what we deem to be more important programs.

But, Mr. President, this goes overboard. This bill goes far beyond what we have seen before. Previous cuts in the budget for carrying out our foreign policy, whether they were proven correct or not, were at least undertaken with a view toward strengthening the international role of the United States of America.

As I have demonstrated earlier, the agencies charged with executing our foreign policy have not been ''fat cats'' of the Federal budget, unwilling to change. On the contrary, Mr. President, they have absorbed massive cuts up to this point. I repeat, the international affairs budget is already, before we pass this bill, 45 percent in real terms below what it was in 1984. And as I have said, the State Department, USIA, ACDA, and AID have already implemented severe staff reductions. Moreover, we are talking about only 1.3 percent of Federal spending here.

So, Mr. President, I think it is totally false to assert either that our foreign policy agencies have not reformed themselves or that the very carrying out of our foreign policy is a ''big ticket'' item in the Federal budget.

No, Mr. President, the impetus for this proposed legislation is not rooted in demonstrated need. On the contrary, I am sorry to say, the bill has its genesis in a strain of isolationist thought that harkens back to the 1920's and 1930's, which many of us thought was but an unpleasant memory.

By imposing crippling budget cuts on three foreign affairs agencies that have served this country well for decades: the Arms Control and Disarmament Agency, the Agency for International Development, and the U.S. Information Agency, I think this bill virtually

assures their demise. That is part of the bill's purpose.

Moreover, Mr. President, the State Department, which would inherit the remains of those agencies, would itself be forced into yet another round of devastating cuts. Some of those consequences, as I have earlier indicated, would be absurdly funny were they not so tragic.

Mr. President, this bill represents backdoor isolationism pure and simple. At a time when international affairs has become more complex, its passage would signal to the world an American desire to simplify what cannot be simplified.

Combined with Republican-mandated cuts in the already meager foreign assistance budget, this bill would lead ineluctably in a few years to a situation in which the American President would have little choice in an international crisis between doing nothing and sending in the military. This bill, I believe, is the worst kind of ideologically-driven false economy. It is a dressed-up isolationist exercise. It is not worthy of a country that claims the mantle of world leadership.

I know that many of my colleagues share my deep misgivings about this Congress' evident desire to shrink America's international role. Opposition to this bill offers an opportunity to reassert the centrality of America's involvement in the world. I urge my colleagues to join me in voting against S. 908.

I yield the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I am not going to debate the distinguished Senator from Delaware. I will say, he has a very selective memory. And like all of us, I suppose he remembers things that have not happened. But that is all right. The Senator forgot, for example, to mention the continuous efforts on our part to persuade the administration to engage in negotiations.

On August 11 of this year I had persuaded, through a friend in the White House, the White House to have the President invite me and our staff to the White House to brief the President on our legislative proposal. What it in fact proposed and what the critics of it said it would propose were two different things.

President Clinton was entirely gracious when we arrived. We did not meet him on the first floor. He took us up to the family quarters. And we spent 1 hour and 20 minutes demonstrating the details of the proposal. Vice President GORE was there, as was the Secretary of State, the White House Chief of Staff, and the Deputy National Security Adviser. I sat between the President and the Vice President, as a matter of fact. Several times during the briefing the President leaned over to me and said, ''Who could be against that? Who could be against that?'' disclosing clearly that he had not been informed about what the bill in fact proposed and now proposes.

Acting in his name had been a concert of the bureaucrats heading the three agencies, the three agencies that five Secretaries of State, plus Warren Christopher, the President's Secretary of State, had stipulated ought to be abolished and folded into the State Department because they had become anachronisms of a bygone era.

Senator BIDEN is also wrong about this bill having anything to do with the cancellation of the Foreign Service examination. The closing of diplomatic missions was not only a recommendation of the last two administrations, as I said in my opening remarks, but also of the President of the United States.

So it is unfair—and I know that the Senator from Delaware does not intend to be unfair—but he is following the same line that the news media have followed from the very beginning.

Why did five former Secretaries of State help us draft this bill and publicly endorse it? Why did the present Secretary of State go down to the White House and propose, in large measure or in some measure, what we are proposing with this S. 908? Those are things that the Senator from Delaware just smooths over. And I know he does not intend to be unfair because he is a fair individual. He and I came to the Senate the same day.

This bill is intended to strengthen the Secretary of State organizationally speaking. Warren Christopher wanted it done but he was rebuffed. Now, if you disagree with Mr. Christopher, that is your business, I will say to the able Senator from Delaware. But the fact is, there have been changes in this world, as I tried to emphasize in my own remarks. And the U.S. foreign policy apparatus must change with the times.

Let me address a statement that is so often made by the State Department and various others and political operatives who support the status quo. Senator KERRY said over and over again in his remarks that spending on the U.S. foreign affairs budget takes up only 1 percent of the Federal budget, I believe he said 1 percent. Well, the 1.3 is correct, but it is not incorrect to say that that is what is spent on operating the foreign policy apparatus because the foreign policy apparatus reaches out and utilizes the rest of Government, and the cost of what they reach out and get greatly increases that figure because the 1.3 does not include spending on foreign policy objectives from our domestic accounts. That figure does not include the money usurped from the Department of Defense. I mentioned the $2 billion spent on Somalia. I mentioned the nearly $2 billion that has been spent on Haiti, thus far, and much more is going to be spent in Haiti before we are through.

The Lord only knows how much is going to be spent in and on Bosnia; $2 or $3 billion has been mentioned. It is going to be at least that much, and probably substantially more. Thirty-two Federal agencies run almost $2 billion in international exchanges every year. The point is, the American people must not be deceived or misled into believing that we only spend 1.3 percent, or 1 percent, of the Federal budget on our foreign policy. It simply is not so, and that deception ought to be brought to an end.

Mr. President, I yield the floor.

Mr. BIDEN. Mr. President, I do not want to get into a debate with my friend, and there is nothing personal about what I said. Let me reiterate what I actually said. My criticism and compliment to my friend from North Carolina was not that he was original in what he has done, in the sense that he had support from like-minded former Secretaries, or even, at one time, from the present Secretary, or perhaps even from the President. My comments related not to him—it is not what he proposed but the fact that he denied us our ability to dispose of ambassadorial nominations and the START II Treaty.

My disagreement is not only with him on this legislation. I also mentioned the Secretary of State when we were referring to the State Department and the President of the United States. I think, with all due respect, all the supporters of this effort are being shortsighted. So the chairman is not alone in what I characterize as ''shortsightedness'' as it relates to what our policy should be. My reference to him was explicitly for his unique ability to fashion a way to get his point across in this case, which was by denying us the ability to dispose of the START II T treaty and dispose of ambassadorial nominations, all of which were ready to go. I complimented him on his ingenuity.

I have tried to learn from him. We have been here together since January 1973, and I have watched him, and Democratic predecessors, like the deceased Senator Jim Allen, and others, use their great skills to be able to get the results that they sought. I compliment him on it, but I think it is the wrong way to do it. I think it was a high price to be paid in order to get agreement.

So I want to be clear. He was not original in his notion that we should cut these consulates. He joined other, I think, wrong-headed proposals to close them. My reference to him was explicitly that I hope we do not have a repetition of shutting down the business of the committee while we arrive at a conclusion that is satisfactory to whoever the chairman is then.

The distinguished Senator from Rhode Island has announced his retirement. The Senator from North Carolina and the Senator from Delaware are seeking reelection. The Lord only knows, and our constituents know, whether both of us will be back, and the odds are that he may be back as chairman. But it is also possible that the Senator from Delaware may be back as chairman of the committee.

That is the only reference that I was making. It seems to me that what he did was legal use, in a senatorial sense, of the power of chairmanship, but I think unprecedented and, I hope, not to be repeated.

I yield the floor.

Mr. HELMS. It is not a violation of the rules, and it is not undesirable unless the other guy is doing it to you. I remember when the other side was in the majority, with a different chairmanship. I must say that Senator PELL has always been a thoroughbred gentlemen. I have said that in many public forums, and I think he knows I mean it. I hope that some may later on think that I am a gentleman, too.

But I am interested in getting the job done. I reiterate, as I said at the very outset this afternoon, that this could have been handled months ago if the other side had been willing only to let the Senate speak on the bill. But, no, no, the first day when it came up, they brought out Mr. KENNEDY from Massachusetts to speak for 1 hour and 20 minutes on the minimum wage. Some things are hard to understand. But I figured out, after a while, that they were filibustering, that they did not want the Senate to speak its mind on this bill. It began there. But if we had had a vote, no Ambassador would have been held up. And if we let the Senate function as it is intended to function from now on, no Ambassador will be held up in the future.

I am going to use every technique that comes to my mind to try to do the best I can for my country. Now, if the Senator wants to talk about what it costs to operate the foreign policy establishment, we can get into details like, why did the United States State Department, or the foreign aid apparatus, have 600 people stationed in Cairo, Egypt, alone to give away money? Since I brought it up, they have reduced, somewhat, the number of people in AID, the Agency for International Development, stationed in Cairo. It is something over 400 now. But they did not do a cotton-picking thing about it until I began talking about it in this bill. I am going to do the best I can for what I believe in, and I know the Senator from Delaware feels the same way about it. We will do the best we can together.

I yield the floor.

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. SARBANES. Mr. President, let me say that the way this situation developed is, the Senator from North Carolina, the chairman of the Senate Foreign Relations Committee, reported from the committee a reorganization bill on a 10–8 vote, a straight party-line vote. There was no bipartisanship on that issue. He then sought to bring that bill up on the floor and was not able to get 60 votes in order to invoke cloture. Now, pushing the other side to invoke cloture is not a tactic strange or unfamiliar to the distinguished Senator from North Carolina. He is one of its more avid practitioners here in the Senate.

So I am not moved by the fact that his measure, in effect, was blocked because they were unable to produce the 60-vote margin. They tried to do it and fell short on two occasions. Not having been able to get his way on this important substantive matter about which there were great divisions, a lot of strong feelings, and a lot of differing views about what was appropriate, the Senator from North Carolina proceeded to take the ambassadorial nominees hostage. He shut down the work of the Senate Foreign Relations Committee, of which he is the chairman, holding up such important matters as the START II treaty and the Chemical Weapons Convention.

In other words, because he could not get his way on a substantive matter, he then refused for 4 months to allow the committee to carry out its functions and responsibilities. We were not able to do any business—no legislation, no nominations, no treaties. This is hostage-taking par excellence.

Then we are being told, you have to negotiate. The United States says to the world, if you take our people hostage we will not negotiate under those circumstances. We will not be coerced that way.

Now, I have never, in the time I have served here, encountered anything comparable to what has occurred in this instance, in terms of grinding the whole range of work to a halt—particularly by the chairman of a committee, which, after all, carries with it certain important responsibilities.

I remember the former chairman of the committee was on the floor when the Middle East Peace Facilitation Act was being subjected to this very tactic to which I made reference. It was like a rolling snowball. Anything that came along, the Senator from North Carolina encompassed within his rolling snowball and sought to hold hostage in order to increase his leverage to get his way on the reorganization measure.

So we encountered this with respect to the Middle East Peace Facilitation Act, in addition to holding the ambassadors hostage, in addition to these treaties that were left to languish, in addition to whatever legislation was in the committee. In fact, at that time the former chairman of the committee, the distinguished Senator from Rhode Island, said, ''I absolutely agree it is inappropriate to link MEPFA to the State Department legislation. I do not recall in the years I have been in the Senate, 35, or as chairman of the committee, any similar action being taken.''

I then said, ''Will the chairman yield on that point? When did the former chairman, if I may say, the very distinguished former chairman, go on the Foreign Relations Committee?'' Mr. PELL said, ''I think it was 1964.'' And I asked, ''So the Senator has been on it more than three decades?'' And Senator PELL said, ''Correct.'' And I inquired, ''Has my colleague ever seen anything comparable to what is now taking place?'' Senator PELL said, ''No, and that is the point that bothers me.'' I said, ''I thank the Senator,'' and Senator PELL went on to say:

> I think we should deal with the question of extension of MEPFA on its merits and the merits clearly lie with the quick passage of the short-term extension. We should not, as Senator Kerry noted, trifle with the peace process for the sake of reorganizing our bureaucracy. We should pass the MEPFA now with no linkage. In this regard, I am particularly struck by the words of the Senator from Maryland. I know I am correct in saying I am the only former Foreign Service officer in the Senate. Because the Foreign Service was only created in 1926 under the Rogers Act, I think I am the only Foreign Service officer ever to have served in the Senate. I would also point out this linkage that is being created by the chairman of the committee not only sets a bad precedent but is a linkage that should never have been made in the first instance. It has not been done in the past, and it would be a great sin to move this way now.

Now, I agree completely with those remarks of the distinguished Senator from Rhode Island. The Senator from North Carolina, unable to get the votes to invoke cloture—a process, as I indicated earlier, he has used himself repeatedly on the floor of the Senate—then decided to use that bill as leverage. He was saying, in effect, ''I will take every other aspect of business of the committee hostage. No ambassadors, no treaties, no legislation, no Middle East Peace Facilitation Act. You will have to come to terms with me on this reorganization.''

Now, looking at the national interests of the United States, the fact of the matter is that ambassadors and treaties, which are important to our Nation's interests and upon which we should have been acting, were delayed over the controversy with respect to this legislation.

Now, I understand the Senator wants his reorganization bill. A number of us disagree with that. Fine, I am ready to fight out that issue on that legislation. But, to change the pressures, to increase the leverage, he decided instead to do a hostage-taking action, which is exactly what occurred here.

Over the past 6 months there has been a long and growing list of ambassadorial nominees—currently 19—who had their hearings and were ready to be reported. Many of them had their hearings in July and have been waiting since then—it is now December—to be approved by the Senate. Meanwhile, the countries to which they would go have no American ambassadors on the scene, no heads of mission, no one coordinating the American presence in that country. Now, most of these ambassadors were career members of the Foreign Service, people who have committed themselves to serving our Nation in these very important ways. Mr. President, 15 of the 19 are career officers. They included nominees for a number of major posts, including Malaysia, Cambodia, Thailand, Indonesia,

Pakistan, Oman, Lebanon, and South Africa. Our former distinguished colleague, Jim Sasser, was nominated to go to China. Our relationships with all these countries have been suffering because we have no U.S. ambassadors there.

Why are the ambassadors not there? Not because questions are being raised about a particular ambassador and his or her qualifications, which of course is a legitimate reason. If someone is holding up an ambassador on the floor of the Senate because they do not think that person is qualified, or because of some other difficulty directly related to the nominee, that is a fight that ought to be fought with respect to that ambassador. None of that has happened here. No one was asserting that any of these ambassadors had any deficiency. They were all being held as a pressure tactic on the reorganization bill.

Hundreds of Foreign Service officers recommended for promotion were also being held up. These are career people. They have committed themselves to the Foreign Service. There is an established process by which they move forward within the Foreign Service. The promotion list comes to the Senate and we act on it. Yet all of them were being held up.

Obviously, this is an unfair situation to the individual nominees, who have absolutely nothing to do with the reorganization proposal by the Senator from North Carolina. In addition to being unfair to the nominees and their families, it is contrary to the interests of the United States.

We need to have our ambassadors out there in the field promoting U.S. interests such as human rights, conflict resolution, antiterrorism, counternarcotics cooperation, and increasing U.S. exports. We need them there to respond to incidents before they become crises, to assist U.S. tourists and business people, to promote U.S. goodwill, and to spread American values and ideals. The fact that they are not there and have not been there for a number of months causes friction in our diplomatic relations and erodes and undercuts the ability of the United States to influence developments around the world.

Mr. President, I am further concerned because I think that taking people hostage this way is yet another attack on the career Foreign Service, which is extremely unfortunate. In fact, we received a letter back in August from the American Academy of Diplomacy with respect to the ambassadors that were being held up. Let me just quote that letter, which was written to Chairman HELMS of the Senate Foreign Relations Committee:

> DEAR MR. CHAIRMAN: The Academy has noted, according to press reports of August 2, that following a deadlock in the Senate on the State Department authorization bill, a hold would be placed on 17 ambassadorial nominations and that committee action was being canceled or postponed on 22 other nominations subject to Senate confirmation.
>
> The Academy has taken no position on the authorization bill which is currently in contention. But it does not believe the country's larger interests are served by linking action on that bill to the ambassadorial nomination process. Doing so would have the United States without appropriate representation in these countries at a time of dramatic, historic global change.
>
> We believe that decisions on America's diplomatic representation abroad, including both the timing of such action and the qualifications of those nominated, should be made strictly on the basis of our interests in the country involved.

Frankly, I think this willingness to make pawns out of ambassadorial nominees, most of whom, as I indicated, are career people, is a denigration of the career service.

I am increasingly concerned about the extent to which that is taking place and is engaged in by some of my colleagues.

At an earlier time, the Senator from Texas asserted that he favored deep cuts in spending for diplomatic activities to curb the department's alleged penchant for ''building marble palaces and renting long coats and high hats.''

Such an attack on our professionals is extremely unfair. They in fact are risking their lives. Some are losing their lives. Yet, we have Members of this body who attack them for supposedly wearing long coats and high hats and living in marble houses.

Ambassador Robert Frasure, who had so much to do with moving the efforts toward peace forward in the Balkans, lost his life in Bosnia. As the State Department spokesman put it, when Ambassador Frasure was killed ''he was riding in an armored personnel carrier and wearing a flak jacket, not striped pants.''

Ambassador Frasure's widow wrote a very moving letter to the Washington Post, in the course of which she said, in defense of her husband—it should have never been necessary for her to have to defend him—but in the course of which she said:

> Our diplomats are some of the finest, bravest, most courageous people I have ever met. In the past 10 years alone, my husband and I mourned the death of seven of our friends and Embassy colleagues.

She then listed them, and went on to comment about the remarks about long coats and high hats and marble palaces:

> I am outraged also because I remember the dangers as well as the many hardships our family endured in Bob's 20-year career.

That is from a very moving letter by Katharina Frasure, the widow of ambassador Robert Frasure who came to his untimely and much-grieved death in Bosnia.

In fact, over the past 25 years more American ambassadors than generals have been killed in the line of duty.

So I think we ought to treat the Foreign Service with a greater measure of respect. Holding up ambassadors for reasons unrelated to their qualifications or their mission is not the way we ought to be doing business here. And I regret that these able men and women were held hostage in order to increase the pressure and the leverage with respect to an unrelated piece of legislation.

In addition to the ambassadors, he also held hostage some very important treaties—the START II treaty and the Chemical Weapons Convention. We passed amendments and resolutions right here on the Senate floor expressing our desire to see these treaties ratified and implemented at the earliest possible date.

As Spurgeon Keeney, the head of the Arms Control Association, recently wrote:

> Failure to complete Senate action promptly could delay for years the entry into force of these agreements with great disadvantage to U.S. security.

U.S. security is being disadvantaged by this holdup. The START II treaty, from all testimony and from all analysis, clearly serves our national interest. It is a very important measure in terms of reducing the nuclear arsenal, and bringing the nuclear danger under greater control. Yet, that treaty has been held up over this reorganization issue.

Let me turn to the substance of this bill. I understand that the distinguished Senator from Massachusetts, Senator KERRY, labored under a very difficult assignment and under very trying circumstances. He has received a lot of unfair criticism, much of it from the other side. He was praised today, but along the way he was sharply criticized, which I think was very unfair to him.

The authorization levels in this legislation, in my judgment, impose such deep cuts in administrative expenses that we run the risk of having, as the American Foreign Service Association said, ''hollowed-out agencies''. They argued in a letter to the members of the committee that actually what was happening was a shift from streamlining agencies to hollowing-out agencies. And they then make the point, and I quote:

> It makes little sense to AFSA that at a time when American leadership and ideas are needed and welcomed throughout the world, we would undercut our ability to operate abroad. Lack of adequate funds and staff to actively represent its national interests abroad send the wrong message. The costs of fighting totalitarianism during World War II and the Cold War were extremely high. Having won those wars, we cannot now afford to turn our back on the world or sacrifice our hard-fought victories by failing to adequately fund diplomacy—our country's first, most cost effective, and least risky line of defense in these dangerous times.

The amount authorized here for diplomatic and consular programs at the State Department is $30 million below the level in the Commerce-Justice-State appropriations conference report, $60 million below the administration's request. These are funds needed to assist American travelers abroad, to process visas, to keep open consulates, conduct diplomatic affairs.

Funding for salaries and expenses at USIA is also cut drastically. The same

is true at the Arms Control and Disarmament Agency and at the Agency for International Development.

In my view, the cuts being proposed here are excessive and will result in impeding our ability to carry out U.S. foreign policy effectively overseas. I agree with the American Foreign Service Association's assessment that these cuts will lead to hollowed out agencies at the very time, with the end of the cold war, that there is an opportunity for the skillful and effective use of diplomacy. At the very time when American leadership and ideas are needed and welcomed throughout the world, we would undercut our ability to operate abroad.

I think this is an important issue. People get up on the floor and they make speeches about America's leadership in the world. Then they fail to provide the wherewithal, or the resources with which to exercise that leadership. Many seem to think that leadership only exists in the military sphere, not recognizing the important accomplishments that can be done in the political and diplomatic sphere, and the interaction between the political and diplomatic sphere and the military sphere.

In addition to these funding levels, which I think are a very basic failing with this legislation, there are other substantive provisions that remain deeply troubling. One section requires massive RIF's by USIA and AID in 1996 and 1997; in one instance by more than 50 percent. That, in effect, would finish the Agency. There has been no study of consequence to support the effort to abolish these agencies that is at all comparable with the studies that were made in establishing the agencies to begin with. If one goes back and looks at the process of analysis that was made when the decision was made to establish these agencies, and the rationale that was given—much of which I think remains valid, but if you want to argue that, fine—but there is no comparable counterpresentation to support eliminating the agencies.

Actually, there was a commission that recommended AID be eliminated, and now the head of that commission is in favor of keeping it, particularly on the basis of the very significant reforms that have been made at AID under its present administrator, Brian Atwood.

This legislation places onerous new conditions on our participation in the United Nations. It requires the withholding of 20 percent of our contributions to the United Nations, 50 percent of our contributions for assessed peacekeeping, and 100 percent of our contributions for voluntary peacekeeping, until an extensive list of certifications is made. The United States, unfortunately—I regret to say this—is now the largest deadbeat at the United Nations in terms of meeting its obligations. Yet we repeatedly turn to the United Nations in order to accomplish important objectives, in Cambodia, Angola, El Salvador, and on and on around the world. We should not forget that the United Nations cannot take any significant action if the United States does not concur with it because we can simply veto it in the Security Council.

There is a also very troubling provision in section 604 relating to Iraqi claims. This is a complicated issue. It has been the source of intensive negotiations, but it has very serious national implications.

Briefly, the situation is as follows. When Iraq invaded Kuwait, the United States froze all Iraq's assets in United States banks. The number of claims on those assets from U.S. veterans and business people far exceeds the amount of the frozen funds. Yet there is a provision in this legislation to allow a small group of claimants to come in and get 100 percent of their money, leaving less available for the veterans and other businesses who have equally valid claims. There will not be enough money left to go around for the rest of these people.

The Bankers Association for Foreign Trade wrote, calling the amended language ''bad public policy.'' They oppose it ''not only because it would give preference to a small, select group of unsecured creditors as against others similarly situated. More importantly, it would inevitably increase the cost of trade finance for U.S. exporters relative to their foreign competitors.''

I close by again expressing my respects to the Senator from Massachusetts for his hard work. I think the managers' amendment is an improvement to the bill itself. I do not for a moment contest that. But I still think that overall, this legislation is heading in the wrong direction. It may be less bad, and a lot of very skillful work was done by the Senator from Massachusetts to bring that about. It was an assignment, in effect, handed to him, to which I think he responded with great skill. But I do not think that this legislation warrants our support.

There is every expectation when it goes to conference it will only get worse. The House bill with which it will be conferenced includes a whole host of objectionable provisions.

So, in closing, I have a number of letters, some of which I will have printed in the RECORD.

I ask unanimous consent to have them printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. The various private voluntary organizations that are engaged in overseas development, Bread for the World, Oxfam, InterAction, and other similar groups, all indicate their opposition to this legislation.

I urge my colleagues to oppose it. I yield the floor.

EXHIBIT 1

OXFAM AMERICA URGES REJECTION OF S. 908

As a privately funded development agency, Oxfam America supports self-help projects to combat hunger and poverty in 31 countries of Asia, Africa, Latin America and the Caribbean. At the same time we believe it is very important that the US Agency for International Development maintain its ability to offer significant support for poverty alleviation, basic infrastructure, demining and health programs which are beyond the financial capacity of non-governmental organizations and which can determine the long-term success of smaller NGO efforts like those of our local partner organizations.

For these reasons Oxfam America is seriously concerned that under S. 908, the State Department authorization bill, USAID will share a five-year budget cut of $935 million with the State Department's other two independent agencies. Although we understand that this budget formula was devised as an alternative to a mandated merging of the three independent agencies, we fear that such cuts, on top of current year reductions, will destroy the US commitment to offer a meaningful level of fundamental development assistance to the poorest countries.

Further, we are aware that passage of S. 908 will result in conference with H.R. 1561—a bill which incorporates a foreign aid authorization for the first time since 1985. We understand that in addition to a 30 percent across-the-board cut in development assistance, H.R. 1561 includes many regressive foreign aid authorization measures. With passage of S. 908, the Senate would therefore face compromise with such provisions without ever having debated and passed its own foreign aid authorization legislation.

From Oxfam America's perspective, S. 908 poses an unacceptable threat to the United States' ability to significantly reduce hunger, misery and human underdevelopment as the 21st century dawns.

Oxfam America urges senators to vote against the passage of S. 908.

NATIONAL WILDLIFE FEDERATION,
Washington, DC, December 11, 1995.

VOTE NO TO S. 908, THE FOREIGN RELATIONS REVITALIZATION ACT

National Wildlife Federation opposes S. 908, The Foreigns Revitalization Act because:

The US cannot continue to call itself a world leader if it passes this Bill. Humanitarian and environmental assistance are investments in the future. They have consistently paid off for the US in the past, and have been vital to maintaining the US as the leader of the free world. As the US withdraws from development assistance, its standing in the international community, its influence in multilateral organizations, its voice and vote will be worth less and less. For altruistic and for self-interested reasons, we need to stay engaged in the world. Foreign aid is a crucial part of this engagement.

It would cripple the US Agency for International Development. The latest compromise offered by Senator Helms would necessitate such heavy cuts to programs and operating expenses at the US Agency for International Development that even if it continues in existence it will be unable to carry out its mission. This will signal to the international community that the US shrugs off its commitments to poverty alleviation around the world, to building democracy and to conserving natural resources. The US will be diminished by this withdrawal from the developing world, and our long-term interests will suffer.

The bill micro-manages US foreign policy. Although the compromise version would not mandate a reorganization of USAID, the savings goal of $1.7 billion in five years with only 15% coming from State Department means that USAID will have to be sacrificed.

This sort of reorganization is the prerogative of the Executive branch.

The House companion Bill, HR 1561 is unacceptable for many reasons, including draconian cuts to sustainable development programs, the inclusion of the Mexico City Policy, and elimination of funds for the Inter-American and African Development Foundations. The passage of S. 908 increases the likelihood that provisions of HR 1561 would become law.

Vote ''No'' on S. 908, the Foreign Relations Revitalization Act.

BREAD FOR THE WORLD,
Silver Spring, MD, November 21, 1995.

Senator PAUL SARBANES,
U.S. Senate,
Washington, DC.

DEAR SENATOR SARBANES: As the Senate Foreign Relations Committee proceeds in negotiations over a manager's amendment to S 908, the Foreign Relations Revitalization Act of 1995, Bread for the World urges you not to make any deal that would force the merger of the U.S. Agency for International Development into the State Department or otherwise severely weaken its capacity to carry out long-term development.

We are concerned that the committee has agreed to terms which, even without directly eliminating USAID, might indirectly accomplish this end by requiring a $1.7 billion cut to administrative costs over five years. Because cuts to the State Department would be limited to 15 percent, or $255 million, the burden of the budget cuts will fall heavily on USAID, the agency with the largest operating and program budget among the three agencies in question. Such deep cuts could cripple USAID's ability to manage programs, maintain an overseas field presence, and exercise leadership in the donor community. They would also yield greater authority on aid decisions to the State Department, thus subordinating long-term efforts to reduce hunger and poverty to short-term political pressures. Furthermore, the agreement encourages Senator Helms in his strategy to hold foreign policy matters, however urgent, hostage to his demands.

We ask you to raise these concerns with Senator Kerry and to vote against S 908 when it comes before the full Senate. It is important to have a strong show of opposition to the bill, even if it passes, since a large margin of victory would eliminate the possibility of a Presidential veto.

Although Bread for the World adamantly opposes reorganization proposals that compromise USAID's independence, we have long supported reform that would improve the quality and efficiency of U.S. development aid in reducing poverty and promoting fair, democratic development. The agency has made significant progress toward this goal under current Administrator Brian Atwood. Yet the task is far from complete. Thus, we urge the committee to exercise greater oversight over USAID's internal reform initiatives.

Finally, we encourage the committee to return to the critical task of redefining the broad purposes of U.S. foreign aid for the post-Cold War world, rather than to focus simply on slashing foreign aid budgets and eliminating aid agencies. Last year, the committee, under your able leadership, made significant headway in rewriting the 1961 Foreign Assistance Act. Regrettably, the process was never concluded. But far-reaching global economic and political changes and recurring crises demand that it not be further delayed.

Sincerely,

DAVID BECKMANN,
President.

BANKERS' ASSOCIATION FOR FOREIGN TRADE,
Washington, DC, December 13, 1995.

POSITION PAPER ON SECTION 604 OF S. 908

The Committee's final proposed version of Section 604 of S. 908 does not mitigate the threat to U.S. exports implicit in this special interest legislation.

The current version of Section 604 continues to change established letter of credit law and practice by proposing to grant holders of advised letters of credit the status of secured creditors, which under present letter of credit law inures only to holders of confirmed letters of credit.

This outcome is bad public policy not only because it would give preference to a small, select group of unsecured creditors as against others similarly situated. More importantly, it would inevitably increase the cost of trade finance for U.S. exporters relative to their foreign competitors.

This unfortunate result flows from the fact that even in its final form, Section 604 sets the damaging precedent of giving advised letters of credit holders the same security status as holders of confirmed letters of credit.

If banks are forced by Section 604 to face unanticipated risks by issuing advised letters of credit, they will have to charge more for this method of trade finance to guard against similar loss in the future. The increase in cost will be substantial and would be an added burden for U.S. exporters that their overseas competitors will not have to pay.

This is why the Treasury Department continues to oppose Section 604 and has stated so for the record. It is also why OMB has indicated its opposition on behalf of the Administration.

Trying to find a compromise version on Section 604 is like trying to compromise the difference between certified checks and ordinary checks. The only solution is to delete the provision from the bill.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I know the Senator from Wyoming is waiting, and I will just take a couple of quick moments, if I may.

Mr. SIMPSON. Please.

Mr. KERRY. First of all, I thank the Senator from Maryland for his kind comments about the difficult task with respect to this. He has been there before many times on a number of pieces of legislation. There is nobody more skilled than the Senator from Maryland at dealing with that.

I think the comments from the Senator from Maryland and the Senator from Delaware are extremely important. As manager for this side, I in no way dismiss or diminish the concerns that they have expressed. Those concerns underscore the difficulties that not only we faced in getting here, but they also make very, very clear the limitations on where we can travel in the course of the conference. I want to underscore that to my colleagues.

If this legislation moves in any way in the direction that the Senator from Maryland and Delaware have described, then this Senator is going to be disposed to find great difficulty in not only passing a conference report but, if a conference report comes to the Senate, in seeing this legislation pass the Senate. That is a very large hurdle indeed which it yet faces.

So it is my hope we will work to continue the process of improving it. I have that assurance from the Senator from North Carolina. It is with that understanding and hope—''hope springs eternal,'' for at least this Senator—it is my hope we will be able to continue improving this legislation as we go forward from here, and I look forward to doing that.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Wyoming.

Does the Senator from North Carolina yield time to the Senator from Wyoming?

Mr. HELMS. I certainly do, Mr. President.

Mr. SIMPSON. Mr. President, I thank my friend from North Carolina. I will not transgress greatly on the time remaining to him.

Let me speak clearly, I hope, on an issue which is, I think, very critical, and it comes up in the House version of this legislation and at this level with regard to the present legislation.

I call to my colleagues' attention a front-page article in the November 4 issue of the Washington Times, a piece by Michael Hedges describing a pattern of the most serious abuse in the admission of refugees under the so-called Lautenberg amendment.

First, let me say my friend, Senator FRANK LAUTENBERG, is a very able legislator, a friend, a person I very much enjoy working with. I have tried to resist this legislation from its inception. But, nevertheless, the Senate felt we should go forward. And now it has been for more than 6 years since the so-called Lautenberg amendment first provided a very dramatic exception to the definition of a refugee in the Refugee Act of 1980.

The Refugee Act of 1980 was sponsored by Senator TED KENNEDY of Massachusetts. I was rather new on the scene in those years and found it to be a great learning experience to watch it crafted, to see what occurred as it was put on the statute books.

The provision of the law, the Lautenberg amendment, created a presumption—now, this may be inside baseball and I know how that works in this place, but this is big-time understanding. If we cannot get this understood by the American people, we will not get it unraveled.

The provision provided a presumption of refugee status for certain groups in the Soviet Union—this is the former Soviet Union—who ''assert'' a claim of persecution or discrimination and that would make them a ''refugee.'' That has been now extended three times since 1989 and is due to sunset at the end of this fiscal year, September 30, 1996.

In the House-passed State Department reauthorization, there is yet a further 2-year extension of the so-called Lautenberg amendment. When I speak of the amendment, I do not speak of its sponsor, I speak of its intent and what has happened with it.

What we have now is the fact there is no longer any Soviet Union. They are our finest friends, the former Soviet Union. So we are going to continue now, according to the House version, this rather embarrassing mockery of our refugee laws until the end of fiscal year 1998.

The Soviet immigration program has become terribly distorted. There is even evidence that Russian mafia members and other criminals are now beginning to use this system, and why would they not? It is in disarray. But, most importantly, Mr. President, how in the world can we explain our posturing around the world about our rare and wonderful friendship and alliance with the present Russian Government and the present independent states and the Commonwealth and the present affection between President Yeltsin and President Clinton—and we do that everyday—while pretending in some cruel way that somehow people coming out of there are still refugees? That cannot fit. It simply makes absolutely no sense. But, of course, it would not be the first time in this remarkable city.

I would not suggest in any possible way that we are forgetting the lessons of the past or the persecution of Jews in the former Soviet Union and throughout the world or the lessons of the Holocaust, but please know—and if we cannot understand this, we are all in trouble—please know that each and every one of those people will be processed on a case-by-case basis in an orderly way, all in accordance with the 1980 Refugee Act, the creation of Senator KENNEDY and other innovative legislators, and a piece of very humane and responsible legislation.

What does it do? It provides that if one is a refugee—that is a person fleeing persecution or having a well-founded fear of persecution based on race, religion, national origin, membership in a political organization or social group—a very clear description; it is the U.S. description; it is the U.N. description. Such a person would then be designated as a refugee and that would be done on a case-by-case basis.

All of those in the former Soviet Union, whether they be Jews or Pentecostals, Christians, Evangelicals, or persons persecuted for their political views, will have the same opportunity as all other true refugees around this world to enter the United States as a refugee. But the Lautenberg amendment and that program must end.

With absurdities like this being extended year after year, it is no wonder that people scoff at our immigration and refugee laws. Let us end it now.

Mr. President, I ask unanimous consent that this article I referred to be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Nov. 4, 1995]

VAST SOVIET REFUGEE FRAUD DETAILED—INS MEMOS CATALOG MISUSE OF LAUTENBERG AMENDMENT

(By Michael Hedges)

A U.S. policy of granting refugee status to Jews, Pentecostals and other religious minorities in the Soviet Union and its successor states has been widely abused, according to confidential government documents.

Internal Immigration and Naturalization Service memos indicate that by 1993 only about 0.5 percent of those entering the United States as refugees under the Lautenberg Amendment met the classic persecution requirements.

As early as 1991, INS officials in Moscow detailed serious problems with the amendment, which gave religious minorities refugee status, putting them ahead of the millions seeking to immigrate to the United States.

A ''cottage industry'' developed to defraud the United States under the relaxed refugee standard, according to memos obtained by Scripps Howard News Service. One says that by 1993 ''astronomical fraud'' was occurring.

About 300,000 refugees have entered the United States under the amendment since 1989.

Law enforcement experts say they fear the lenient standards have contributed to a burgeoning criminality in the United States on the part of the immigrants.

A high-ranking INS official wrote in March 1992, ''There is a tremendous sense of injustice adjudicating claims under the Lautenberg amendment.''

Some standard immigration applicants have been waiting more than 15 years, according to Richard Day, chief Republican counsel for the Senate Judiciary Committee's subcommittee on immigration and refugee affairs. For example, there are Filipinos with family in the United States who were granted immigrant visas in 1977 who are still waiting to enter the country.

To be declared a refugee is to jump to the head of the line and have taxpayers pay your air fare and resettlement costs—an average of $7,000 per refugee.

The standard procedure for being declared a refugee requires a well-documented fear of persecution—torture, death or jail. Relatively few who met those requirements made it into the United States after 1980 because a ceiling limited the number each year to around 100,000.

In 1989, as the Soviet Union began to crumble, Sen. Frank Lautenberg, New Jersey Democrat, proposed a change to protect Jews, Pentecostals and other religious minorities by denoting them refugees from religious persecution.

One high-ranking federal official involved says it was a good policy in the beginning because there were deserving refugees. That former administrator grew disillusioned.

''Clearly, by 1991, fraud and abuse was rife, and our policy had become a rubber stamp,'' he said.

Critics of the law say one clear sign that many receiving such status are not genuine refugees fleeing imminent persecution is that 27,000 given visas as ''persecuted refugees'' haven't bothered to leave for the United States.

INS memos say the policy has blocked the escape of many who are truly persecuted.

''The irony is that there are plenty of cases from the former Soviet Union which could qualify [as persecuted refugees],'' noted a top INS official in Moscow in December 1993.

''However, these cases stand little chance . . . as they do not fit into one of the Lautenberg categories.''

The INS declined to discuss the memos. Requests for additional information were referred to the agency's Freedom of Information Act office. An FOIA request filed in August is pending.

At one point in 1992, INS officials in Moscow tried to toughen the standards.

''The reality . . . was there were some category applicants who were not able to assert a fear of persecution or a credible basis for such fear,'' an INS official from Moscow cabled Washington on March 31, 1992.

But, the memo noted, ''certain interest groups were not able to tolerate even a small percentage of denials and eventually INS succumbed to their demands.''

The standards were further relaxed, officials said.

Arnold Liebowitz, lobbyist for the Hebrew Immigration Aid Society, said he believed the INS and Jewish lobby groups just had an ''honest disagreement'' about the degree of threat facing Jews in the Soviet Union.

''I think there has always been in the INS a feeling that the Jews in the Soviet Union really didn't have much of a problem.'' he said.

Mr. Liebowitz denied his group or others pushed to have the standards relaxed to guarantee that no Jews would be denied refugee status. He said his group believes there is still a need for the Lautenberg Amendment.

Roy Godson, a counterterrorism expert, said, ''There were criminals entering the country and no one was doing anything about it. Some of the gangsters were Jewish, and they took advantage of [the amendment].''

Efforts to defraud the INS were widespread, officials said in internal memos.

''Category fraud is relatively easy to perpetrate,'' wrote Leonard Kovensky, INS director in Moscow, in a memo sent through Rome to Washington.

He said people showed up at INS offices with passports clearly indicating their family ties were all ethnic Russian, but by claiming ''one maternal grandmother was Jewish,'' they had to be offered visas.

''The leader of a Pentecostal group has informed INS that many of those scheduled as Pentecostals are not Pentecostals at all,'' Mr. Kovensky said. ''Many reliable sources have told us of a cottage industry which has sprung up which gives applicants classes on how to successfully pass their INS interview.''

A 1991 INS study showed ''a continued decline, indeed drastic decline, in the quality of refugee claims,'' according to an agency memo sent to Washington. Another study, in 1993, found that of 624 applying as refugees, ''only three cases would have qualified under worldwide standards, an approval rate of one half of one percent.''

Under the Lautenberg standards, ''ninety-one percent were approved, 4 percent were placed on hold and only 5 percent were denied.''

Mr. SIMPSON. Mr. President, this confirms the very serious concerns I have always had about the program. According to the article, INS memorandums and other communications describe the fraud and abuse in the program which, after only 2 years, became a rubber stamp for admission to the United States as a refugee of almost any person in the former Soviet Union who ''claimed'' or asserted to be a Jew or Pentecostal or persecuted Evangelical, Christian or other category.

The startling part of it is, the article notes, by 1993 only about one-half of 1 percent of those entering the United States as refugees under the Lautenberg amendment actually have a well-

founded fear of persecution on account of their religion.

The problem is if the INS had the audacity, or perhaps the gumption, to deny even a small percentage of the applicants, the ''groups,'' the interest groups would continue to demand an ever more lenient consideration of these so-called refugee claims. The result of these demands is that we see a lower standard being applied to applicants for this very special program.

Mr. President, many of the persons being admitted under this amendment are excellent immigrants. They bring diversity to our immigrant flow, many are well educated, and will be productive members of our society. We all like to hear that. I do, too.

However, many others will require public assistance, some for the rest of their lives. We now know of situations where people will bring aged parents here and immediately place them on the public support system.

Still others, according to Hedges' article, are frauds, complete frauds who should not be here at all, or criminals. But the important point I want to make for my colleagues is that all of these persons enter as refugees. This means, and there is a tremendous difference between a refugee and an immigrant, this means they can receive not only Federal assistance with the costs of their airline tickets to come here, they will also receive special refugee cash and medical assistance after they arrive.

Further, there are private agencies that receive them at the airport and are paid $670 per person for each of these 40,000 to 50,000 so-called refugees who arrive every year under this program. Those are called R&P grants. I do not think the people of America even understand that there is $670 per person from the taxpayers to receive and place these people. R&P: reception and placement. They do not understand at all.

Occasionaly it was not even all expended—take in the refugees, place them, spend $150, $200 or $300, put the rest of the money in the account of their group. Congressman MAZZOLI and I broke up that playhouse some years ago, and I would like to think that does not occur anymore. But they would stockpile refugee funds because they did not need all that money.

People do not understand that part of it. This is, as I say, inside baseball. But I would trust my colleagues, particularly those who are conferees on the State Department reauthorization and reorganization bill, will insist on the Senate position and strike any provisions which would further extend this now thoroughly discredited program. Its original intent may have been met. It surely does not serve us well now.

And if you still do not believe it, then here is a figure for you. There are 40,000 people in the former Soviet Union who have been designated as refugees, presumed to be so under the Lautenberg amendment, who have not come yet. They are still there. They are ''arranging things.'' They have been there for 6 months or a year or longer because they are still searching for the best deal for themselves to stay, or to come as a refugee. How do you come in a way where the Federal Government of the United States pays you the most money to get you here.

But, ladies and gentlemen, you cannot be a refugee and then hang around in your country. A refugee is a refugee is a refugee. It means a person fleeing persecution, and it means immediate fear. It does not mean you wait around to decide whether to go to southern California at your pleasure. That is not a refugee. And if Americans cannot understand that, we will have more such Proposition 187's and all that goes with it.

Mr. President, I would certainly call upon the Attorney General to take a very hard, close look at this program. I would like to have a report from them, from the Attorney General, from the Justice Department, from the INS and from the State Department. And I know what it will likely be. Hopefully, we will be able to get some breath of reality into the situation. To ensure that, there is a very simple thing, and the simple thing is a screening program, a case-by-case screening, just exactly what was called for in the 1980 Refugee Act, and put it in Moscow or elsewhere to ensure that persons with criminal records are not entering our country as refugees under this discredited program because if this article is at all accurate, it is well apparent that this program requires the most careful scrutiny.

I will be speaking on it from time to time. It will rise apparently like a Phoenix, as it does, and then you are not supposed to come and say anything against it because then you are against refugees, and you are really quite a foul fellow, and that is not who I am. But we are going to deal with that. We are going to deal with it realistically because you either are a refugee or you are an immigrant. And if you are a refugee, it will be a case-by-case determination under the Refugee Act of 1980. And if you are really a refugee, can you really be one from the present Commonwealth of the Newly Independent States, the former Soviet Union, because these are our finest allies, our friends.

It is like someone said to me the other day: What are we going to do with refugees from Mexico? I said if that is where the debate has gone, then everybody has rocks in their head or wax in their ears. There are no refugees from Mexico. How can one be a refugee from Mexico, a democracy, our remarkable neighbor to our south.

So those are the twisted terms we get to play with in this particular arena, and I hope that we can at least for the American public's edification and clarity try to describe what those terms are and what a refugee really is. And it certainly cannot be presumed that there are 40,000 of them coming per year from the former Soviet Union. That makes no sense whatsoever.

The PRESIDING OFFICER. Who yields time?

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I would like to yield myself 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I rise in support of the legislation before us. I have listened with some interest to the latest discussion here, particularly to the Senator from Maryland decrying the decision of the chairman of the Foreign Relations Committee to withhold action on several items prior to this, that have been before this committee.

I am fairly new at this thing, my first year on this committee. I have, however, paid some attention to it, with years in the House watching. And I guess I am a little surprised at the conversation. I recall others talking about this idea of holding hostages. It seems to me that the other side of the aisle, apparently at the insistence of the President, has made a conscious effort to avoid moving forward with this State Department authorization bill that they promised to filibuster to death.

Time and time again we have read internal memos from the administration declaring their intent to stall the bill at any cost. I think my colleagues will recall the phrases they have used—obfuscate, derail, delay. I certainly would have liked to have seen some of the Ambassadors in their posts. We have them before my subcommittee. I was anxious that they go forward, partly because I thought they were very excellent candidates, partly because I think we ought to have someone there.

Of the 18 nominations, the majority were designated to serve in countries within the jurisdiction of my subcommittee, Eastern Asia and Pacific Affairs. Indonesia, the People's Republic of China, and APEC were without representation. But as important as these posts are, Mr. President, passing a State Department authorization was and is more important. Yet, the Senate was denied the opportunity to vote one way or another on the issue because it was held hostage by the Democrats.

I guess I was a little surprised at this last discussion that has been going on. Hostage takers, Mr. President? What about the senior Senator from Massachusetts who took over 2 hours to speak about the minimum wage debate during the course of considering this bill in an effort to stall it. What about the White House that refused to meet with the chairman to discuss a compromise position? What about the officials at AID who, rather than rationally discussing the bill and offering their alternatives, instead waged guerrilla warfare against any compromise?

These are the hostage takers, Mr. President, not the senior Senator from

North Carolina. The American people, who deserve a bureaucracy that is cost conscious and responsive to the times and streamlined, were held hostage.

I remind my Democrat friends that it is probably not useful to cast blame on who is holding whom hostage. As I mentioned, I am fairly new to this thing, but I have to observe that it appears many who are not new are very, very resistant to change, to even considering change in the way we have been doing things.

When you take a look at the results of some of the things we have done in terms of reorganization of the State Department, in terms of the operation of some of these units, we obviously need to make some changes. If you do not make some changes, there is no reason to expect different results.

So, Mr. President, I am very much in favor of this bill. I am very much in favor of the efforts that are being made here to assign some responsibility, to assign more accountability, to make this State Department just like the rest of the departments —more responsive, more efficient, more effective.

For the first time in almost everything we do here in the Federal Government, we are having an opportunity to analyze what they are doing and make some evaluations in terms of how these things are working in terms of some oversight. That is part of the job of this Congress.

But too often we get built in to what happened because it is what happened 10 or 15 years ago; it has always been that way, so we cannot change it. You know we cannot change it; just put some more money in, that probably will do it. That has been the notion.

That is what is unique and exciting and different about this Congress. We are having an opportunity to do some evaluating, to set some priorities, to make some changes, to cause things to be changed, to expect different results from what is happening.

So, Mr. President, I strongly support this bill. I hope Members of this Senate will vote affirmatively and we can move out of this hostage-taking mode that we have been in. You can assign the hostages to whomever you choose. I assign mine to the other side of the aisle in holding this bill hostage.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG addressed the Chair.

Mr. HELMS. I yield such time as the Senator may require.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I thank the Senator from North Carolina, and I congratulate him on obtaining floor time for this bill and finally getting it to a point where it is going to pass. It really is an excellent initiative that deserves the support of the Senate and the House, and hopefully will end up being signed by the President. It has been a long time coming, as has been mentioned by a number of speakers, and it is long overdue.

We are, after all, almost 4 years into the post-cold-war period, and yet we still function with a State Department, an AID and ACDA organization, not to say anything of USAI and Voice of America, that are clearly creatures created and designed for responding to a worldwide ideological confrontation with the Soviet Union. As has been mentioned many times in this debate, that is no longer the case; and yet the momentum of those departments go forward as if it were the case, in many instances.

I come to this debate because I have the great good fortune to be, through no cause of my own, but luck basically, chairman of the Commerce-State-Justice Appropriations Committee, which basically must fund the ideas which come from the Foreign Relations Committee, which is so ably chaired by the Senator from North Carolina and so ably by such an able ranking member as the Senator from Rhode Island.

Therefore, as the person responsible for the appropriations activities relative to the State Department, I take seriously the proposals of the Foreign Relations Committee because they are obviously going to guide the actions of the appropriating committee. It is our intention and has been our intention as the Appropriations Committee to essentially support and work with the Foreign Relations Committee as they pursue and reform and reorganize the State Department.

I strongly support the basic concept which was created by, initiated by, and now has been instituted by the chairman of the Foreign Relations Committee in his proposal as presented in this bill, which is essentially that the State Department, ACDA, and AID must rethink their roles, so that, hopefully, we will see a bringing together of these various agencies in a manner which will lead to a more efficient, focused, and effective delivery of their mission.

I happen to strongly be of the view, as I know the chairman of the Foreign Relations Committee is—really I am of this view in large measure because of the education which I received while being on the Foreign Relations Committee, at the feet of the chairman and the ranking member—I am of the view that we need to give the Secretary of State more control over these various agencies so that we have a more coordinated policy.

It is not a unique view, actually, held by Republicans only. It happens to be a view that at least initially was held by, I believe, the Secretary of State, and, I suspect, in the quiet of his office when he is not being confronted by the requirement of public policy positions pressed upon him by other members of the administration, he still agrees with that view and agrees with it strongly.

It was a view which, initially at least, was supported by the Vice President in his proposals for reinventing government; that is, that we should give the Secretary of State, the person who logically is the prime spokesman and policymaker on behalf of the President of the United States, the authority to manage the foreign policy of the country. That means the authority to manage two major agencies which now function as independent satellites of the Department and, in some cases, extraordinary satellites.

But this bill does not go so far as to direct how it is done precisely. Rather, I believe this bill takes the very logical approach of allowing the Department to report back and design a program which accomplishes the goals which I think are well set out, which is that more focus be given through the Secretary of State in controlling and managing the various functions of our international policy. Also, it proposes that in this exercise of reorganization we save some money, not a request which is illogical.

There is no question but that there is a great deal of overlap, there is a great deal of duplication, there is a great deal of atrophied agencies within these various departments which were produced and created for the purposes of addressing issues of the cold war and which are no longer serving a viable function and which, in many instances, could easily be reduced or at least consolidated in a manner which would deliver more efficiency and refocus them more effectively and which would save dollars.

The proposal which has come forward is to save, I think, $1.7 billion over, I believe, 7 years, if I am correct. And if I am not, I will be happy to stand corrected. I guess it is 5 years. I would note that this is not a reach. In fact, in the appropriations bill which was just recently passed by this Senate, we saved $500 million just in the year 1996; $65 million through rescissions, $435 million by reducing spending activities within these various departments.

So we are clearly on the path to this level of savings. In fact, when it was reported at the initial proposal, which the Vice President's group, I believe, was dealing with and which had been put forward by various members of the administration, it would save, I think, approximately $5 billion during this same timeframe. I was supportive of that number and happened to believe that number is an attainable number, $5 billion rather than the $1.7 billion which is in this authorization bill.

I hope as we move down the road toward this reorganization, that should this $1.7 billion become the number that is focused on or settled on, that the Department might even, in a gesture of good will, try to exceed that number and go closer to the $5 billion which was originally thought of.

I can tell you right now, at least at the appropriating level, we are going to be looking for numbers at a little higher level because we think it is certainly doable. But I strongly congratulate the chairman of the committee for having gotten us on the road to what I think is a long overdue, but very effective as presently proposed, attempt to reorganize departments which were designed

to address one issue, the cold war, and which now are not functioning effectively addressing a new issue, which is the world as we know it today.

Today when we think of the threats that confront this Nation and the issues of international policy, we should be thinking about things like population excesses and thinking about things like environmental concerns. We should be thinking about things like availability of food. We have to worry about ethnic conflicts, and we have to worry about religious conflicts—totally different issues of philosophy, totally different issues of real threat to our country or real threat to stability around the world than what we confronted under the regime of the cold war. Thus, we need to reinvent the agencies which address that, and in this bill the chairman and the Committee on Foreign Relations has taken a major stride toward doing just that.

So I congratulate the committee. I look forward to continuing to follow the guidance of the committee as we move forward in the appropriations process.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from North Carolina.

Mr. HELMS. I thank the Chair. I am grateful to the chairman of the Subcommittee on State-Commerce-Justice appropriations, the distinguished Senator from New Hampshire, for his kind remarks. And I am very grateful to the distinguished Senator from Wyoming.

Mr. President, I had to take a telephone call on a very important matter involving North Carolina. But while I was talking, I heard Senator SARBANES. I like Senator SARBANES. I do not like everything he says. Sometimes he reminds me of a pregnant cobra, but I know he feels deeply what he has said, and I know he thinks it is correct. But the trouble is that it is not correct. I think Senator SARBANES, if he will forgive me, forgets that at the close of the Bush administration, the Democrats held up 12 ambassadors that President Bush had sent to the Senate. They were not given hearings. They were given no consideration for 6 months—6 months. They, frankly, said, ''We do not want any ambassadors appointed by a Republican President.''

So it is not exactly a novelty to hold up an ambassadorial nomination, or a group of them. But I know that Senator SARBANES did the best he could with his argument. But this business of fairness is in the eye of the beholder. You do the best you can in the Senate when you have a strong and effective opposition, such as Senator SARBANES. And, of course, it was Senator SARBANES who was micromanaging, to a certain extent, I believe, the negotiations between Senator KERRY and me. That is all right. I have no objection to that. Senator SARBANES has been around this Senate for a while, and he is entitled to be recognized for his seniority.

Now, President Clinton, let me remind anybody who heard Senator SARBANES' criticism that, just last week, after Senator KERRY and I reached our final agreement—and we reached a ''final'' agreement a number of times during these negotiations, but last week, when it was the final-final agreement, there came the White House saying, ''We have one little thing more we want to do.'' It was the White House, do you not see, Mr. President, that held the ambassadors hostage because they delayed any action on negotiations because they wanted to include a guarantee that a nominee to the Environmental Protection Agency be confirmed by the Senate in order for this agreement between Senator KERRY and me to occur. Well, I said, ''I have nothing to do with that nomination, and I will defer to the majority leader.'' I think they worked it out with Mr. DASCHLE and others.

Now, let me say again that I was ready at any time—and I said so repeatedly—to have a vote. I did not ask to be assured of this or that; just let the Senate vote. Senator SARBANES was unyielding on that. He did not do so publicly, but he was unyielding that I was not going to get a vote because, as he has said, he does not like this bill. He thinks we are not spending enough money on the foreign policy apparatus as it is. He is in contradiction of the opinion of the American people, who pay the taxes. Senator SARBANES and I only pay a small part. But the people who pay the bulk of it do not agree with him, and maybe they do not agree with me. I do not have any pull one way or another.

I suppose it ought to be said, in all fairness, that there are good ambassadors and there are some who are not so good. Various Senators have had various experiences with how embassies are not run by the ambassadors but are run by the ambassador's assistant. I have about reached the point that I wonder if having an Ambassador in Paris is essential, because is it not an anachronism in a day when we have such instant communication. When we sent Benjamin Franklin and Thomas Jefferson over to Paris, they had to go over on a ship, and they had to understand the administration's policy on this, that, and the other. But I do not think that the relations with China went to pot because Jim Sasser was held up. Somebody said that Jim Sasser is a nice guy and he was a good Senator. I like him and all that. But U.S. relations with Beijing did not go to pot because Jim Sasser was not over there. As a matter of fact, somebody commented that China was making a number of concessions while we had no Ambassador.

So it is OK to take a hit at HELMS. I am used to it, but those taking the hit better look at the history of what both parties have done when they have been in the majority.

Now, I confess that I may be the first chairman of the Foreign Relations Committee who does not really care what the editors of the New York Times feels about foreign policy. I do not run to the Washington Post to say, ''Please, is this all right?'' I try to use my own instincts and try to base my judgments on what I think the American people want in terms of decisions.

If Senator SARBANES does not like that, that is fine. The Council on Foreign Relations is not going to run the Foreign Relations Committee as long as I am chairman of it. I say that with all due respect to the organization.

As far as letters inserted in the RECORD, I could put 50 pages of letters into the RECORD right now, Mr. President, from people all over the country, who have written to me and said, ''Jesse, hang in there.'' So we can all play that game and insert letters from lots of organizations. I can insert letters from businessmen, who say, ''You are doing the right thing.'' So it is a matter of opinion. Some of it may be partisan, some of it may not be.

I do not know that it is entirely useful to excoriate another Senator with whom you disagree. I say again, I like PAUL SARBANES, and I thought our relationship was better than it apparently is. Foreign Service officers and ambassadors are expressing strong, unequivocal support for this bill.

So I do not want to hear all this ''moaning and puking,'' as Shakespeare put it, about how we are tromping on the Foreign Service. I have not done it, and I am not going to do it. They have been some of the loudest advocates of the reorganization of the State Department. Five former Secretaries of State have said this is a great piece of legislation. They helped us with various points on it. Warren Christopher went down and tried to sell it to AL GORE, who was busily announcing in press release after press release that he was going to ''reinvent'' Government.

So it is time we stopped talking and start doing something. I am not going to go any further. I think enough has been said on that.

END STRENGTHS

Mr. KERRY. Mr. President, section 141 of the bill deals with end strengths for the Foreign Service and the Senior Foreign Service in the State Department, USIA, and AID. We had similar language in the Foreign Relations Authorization Act for fiscal year 1994–95. However, the end strengths in section 141 of this bill are based on the original consolidation language which would have abolished AID, USIA, and ACDA, rather than the new language we have agreed upon. We addressed this problem in part in the managers amendment by deleting subsections (c) and (d) of section 141. However, to be consistent with the new consolidation approach, we need to revise the end strengths in subsections (a) and (b).

Mr. President, I would ask the distinguished chairman of the Foreign Relations Committee if he is willing to work with me to correct this problem in conference?

Mr. HELMS. Mr. President, I am prepared to do that. So the numbers reflect the intent of the conference report.

Mr. KERRY. Mr. President, I thank the chairman.

Mr. SARBANES. Mr. President, I understand that a colloquy was entered into earlier, which I believe misstates the legal status of a provision in this bill. May I inquire of the Democratic manager, who determines the validity of a claim submitted under section 604(a) relating to Iraq claims?

Mr. KERRY. It is my understanding that the Foreign Claims Settlement Commission determines the validity of all claims submitted to it regardless of past litigation.

Mr. SARBANES. I thank the Senator.

Mr. ROBB. Mr. President, will the Senator yield for a question?

Mr. HELMS. Mr. President, I will be happy to yield to the distinguished Senator from Virginia.

Mr. ROBB. Mr. President, under section 604(b), I understand that the Foreign Claims Settlement Commission is authorized to receive and determine the validity of claims of United States persons against the Government of Iraq and its instrumentalities. May I assume that claims which have been reduced to judgment in Federal district court are valid?

Mr. HELMS. Mr. President, yes. A judgment obtained in Federal district court will be considered a valid claim. Clearly there could be no more valid claim than a judgment received through the adjudication process.

Mr. ROBB. Mr. President, may I further assume that such judgments and their amounts, having been certified as valid, will receive expedited processing for payment?

Mr. HELMS. Mr. President, yes. It is our expectation that the Foreign Claims Settlement Commission will establish an expedited procedure to pay such claims, given that their validity is not in question.

Mr. ROBB. Mr. President, I thank the Senator from North Carolina and appreciate his management of this bill.

EXPROPRIATION IN THE DOMINICAN REPUBLIC

Mrs. HUTCHISON. Mr. President, I wish to discuss with the distinguished manager, the senior Senator from North Carolina, section 168 of S. 908. First, I want to commend the Senator for his leadership on behalf of all U.S. citizens who have suffered expropriations throughout the world. The Senator has been a great champion for these Americans whose rights have been trampled by foreign governments.

Mr. HELMS. Mr. President, I thank the distinguished Senator from Texas for her kind words, and I am happy to discuss section 168 of S. 908 with her. Section 168 would exclude from the United States aliens who have expropriated U.S. property or who traffick in such property. As the Senator knows, this provision has been deleted from the pending bill at Senator DODD'S request because it is included in the House-passed version of H.R. 927, and he would prefer that it be addressed in that bill. Senate conferees will be named for H.R. 927 immediately upon Senate passage of S. 908.

Mrs. HUTCHISON. Mr. President, I have been trying to help resolve an egregious expropriation executed by the Dominican Republic's military against Western Energy, Inc. Western Energy is headquartered in my State and operated an important liquid petroleum gas facility in the Dominican Republic until the military took over in April 1994.

Our Ambassador to the Dominican Republic should be commended for her efforts to resolve the expropriation suffered by Western Energy. The names of the persons involved are well known because the case is prominent and, I am told, has caused great outrage and shame over the Government's action. Would my distinguished colleague join me in encouraging the U.S. Ambassador to inform the affected persons that promptly upon enactment of section 168 in H.R. 927 they will be excluded from the United States until the Western Energy case is satisfactorily resolved?

Mr. HELMS. Mr. President, section 168 reflects the frustration with the lack of progress in resolving property claims, especially in the Western Hemisphere. The Dominican Republic is among the worst offenders, and the distinguished Senator from Texas can count on my support.

Mr. LEAHY. Mr. President, I intend to vote against the State Department authorization bill and I want to briefly explain why. But before I do, I want to commend the Senator from Massachusetts, Senator KERRY, for the herculean efforts he made to resolve an impasse that has prevented confirmation of over a dozen American ambassadors as well as Senate ratification of the Start II treaty.

Senator KERRY believes, as I do, that the foreign policy apparatus of this country needs reform. There is duplication, lack of coordination, and money has been wasted. I know the compromise we are voting on today reflects his best effort to address these problems, without doing grievous damage to the agencies that administer foreign policy.

But while I commend Senator KERRY for the thankless job of bringing to closure the tedious and often acrimonious negotiations over this legislation, I will vote against this bill because I do not believe that blackmail should be rewarded in the U.S. Senate. I will also vote no because although this managers' amendment is a significant improvement over the bill as reported by the Foreign Relations Committee, I believe it will weaken U.S. diplomacy, not strengthen it.

Senator SARBANES has spoken eloquently on this and I want to associate myself with his remarks. What we have seen is the immobilization of the Foreign Relations Committee for the better part of this year. The fact that there has not been a foreign aid authorization bill since the mid-1980's has not made any difference. But the committee does have certain important responsibilities, including ambassadorial nominations and reporting treaties for ratification.

I could list any number of Foreign Service officers who serve this country every day with incredible professionalism and bravery. Yet because the chairman of the Foreign Relations Committee could not force the Senate to support his effort to eviscerate portions of the foreign policy apparatus of the U.S. Government, he refused to permit the committee to carry out functions that are crucial to this country. It has caused countless problems for both American foreign policy, and American citizens who have needed assistance overseas.

There are other problems with this bill which do not merit our support. It contains authorization levels that will cause grave problems for U.S. leadership and U.S. representation overseas. It requires deep cuts in the operating expenses of the foreign policy agencies, including U.S. AID, in our contributions to the United Nations, and in our foreign exchange programs.

In conference, it is a virtual certainty that the bill will get worse, not better. Senator SARBANES has already pointed out that the same people who favor slashing resources for diplomacy voted to add $7 billion to the defense budget, over and above the quarter of a trillion dollars requested. This entire bill authorizes less than that increase to the defense bill.

Senator KERRY'S efforts resulted in significant improvements in the bill that was originally reported by the committee. I also want to say that I do not question the motives of the chairman of the Foreign Relations Committee. I agree with his goal to cut the cost of these agencies, and to reduce unnecessary bureaucracy. They need streamlining. But I cannot agree with these methods.

I vote to reject them, not reward them.

Ms. SNOWE. Mr. President, as chair of the International Operations Subcommittee, which has jurisdiction over the issues contained in the legislation, I rise in support of this bill.

It is regrettable that this bill is coming up today with a managers' amendment drafted by Senate Democrats that will have the effect of undoing the Foreign Relations Committee's main work on this legislation. Lacking a sufficent level of support to actually make these changes by a majority vote, the Senate minority has insisted in changes in this bill that could not pass under normal legislative procedures.

Although a freshman Senator, I have more than a decade of experience with these issues. I have worked on the State Department authorization bill

since 1985, when I became ranking member of the House International Operations Subcommittee. Continuing this role in the Senate, this is the sixth State Department authorization process in which I have served as a Republican manager of the legislation.

I would like to thank the chairman of the full committee, Senator HELMS, for his perseverance with this legislation. That we have this bill back before the Senate today is in large part due to his stalwart support of the legislative process.

I would like to also thank the ranking member of the Foreign Relations Committee, Senator PELL, for his graciousness, comity, and belief in the legislative process. I would note that Senator PELL—the former chairman of the Foreign Relations Committee—was the only member of the other party to support cloture when this bill was last before the Senate on August 1. This kind of steadfast support for the role of the authorizing committees will be sorely missed in the Senate after his retirement next year.

I would also like to thank the majority leader for his strong support for this bill, and the other Republican members of the Foreign Relations Committee for their votes and their support when it was most critically needed.

Finally, I would like to acknowledge the work of the staff, particularly the committee's staff director, Adm. Bud Nance. He has brought dedication and integrity to every aspect of his efforts, and he has greatly assisted the work of the committee.

The bill before us today authorizes the budget and operations of the foreign affairs agencies, establishes policies for our participation in international organizations, and strengthens U.S. standards for our participation in U.N. peacekeeping operations.

As reported out of the Foreign Relations Committee, this bill would have implemented an innovative restructuring plan first proposed at the beginning of this year by Secretary of State Warren Christopher. I note with regret that this is no longer the case. The original version of this bill would have terminated three independent foreign affairs agencies, and achieved $3 billion in savings over four years by consolidating the functions carried out by those agencies into the Department of State. The three independent foreign affairs agencies are: the U.S. Information Agency, which deals with the public relations aspects of our foreign policy; the Agency for International Development, which runs our foreign assistance programs; and the Arms Control and Disarmament Agency, which conducts diplomatic activities related to arms control and nonproliferation.

This bill no longer explicitly requires bringing under the direct control of the Secretary of State the activities of these three existing independent agencies. The bill, however, does mandate to the President that he achieve over five years $1.7 billion in savings at least 70% of which must come from the elimination of duplication and bureaucratic downsizing.

This is less than half of the savings contained in the committee bill, and about $500 million less in savings from Senator KERRY's own amendment that failed to pass during committee markup. I would also note that at committee Senator KERRY proposed the mandatory elimination of at least one agency, at the President's discretion. As I mentioned, this bill, with passage of the Kerry managers' amendment, no longer requires the consolidation of any agencies into the Department of State.

To any who believe that the bill's original $3 billion in savings over four years is excessive, or even the current $1.7 billion in savings over five years, I would to point out that on January 26 Vice President Gore issued a press release announcing the second phase of the ''National Performance Review.'' That press release announced, and I quote:

> It is anticipated that the overall review of international affairs programs and agencies will result in savings of at least $5 billion over 5 years and a substantially enhanced capacity to deliver more effective programs overseas and provide value to the American taxpayer.

The problem is that now, 11 months later, the Vice President still has not presented his plan for saving $5 billion over 5 years through restructuring and consolidation of our foreign affairs agencies. In fact, the Administration has refused to even present to Congress its normal legislative request for the foreign affairs agencies. And that is the first time this has happened in the 10 years I have worked on this legislation.

So in the absence of any positive Administration proposal, all we are mandating in this bill is that the Administration develop and implement a proposal for saving $1.7 billion over 5 years, not the $5 billion over 5 years that the Vice President promised at the beginning of this year. Frankly, I believe that we can do more, and the original bill did do more. But at least this is a first step toward that goal.

I hope that once the President is forced to begin looking at even this modest level of bureaucratic downsizing, even this Administration will recognize the wisdom of Secretary Christopher's original plan for consolidating the functions of all three independent foreign affairs agencies into the Department of State. Let me just give a small example of the reasons why the original consolidation would improve the formulation and conduct of American foreign policy.

On October 12 my office received a State Department inspector general report that reviewed the activities of the Bureau of Political-Military Affairs. That report discusses efforts to identify and eliminate redundancies between this State Department bureau and ACDA.

This is an effort that we should certainly all applaud, but without a formal consolidation between the two entities, a total elimination of duplication would either deprive the Secretary of State of any expertise over arms control issues, or rob ACDA of any diplomatic capabilities to conduct sensitive arms control negotiations. It would further isolate important arms control and nonproliferation considerations from the formulation of American foreign policy. Or, in the words of the State Department inspector general:

> If [the State Department] were to relinquish a significant portion of its nonproliferation functions, the overall effects could be counterproductive.

This is a perfect illustration why merging the functions of these three independent agencies into the Department of State is needed not just to save money, but to improve the flexibility and coordination of American foreign policy in the post-cold-war era.

And this is not just my own opinion, the opinion of Chairman HELMS, or the collective opinion of the other body, which has included Christopher's consolidation plan in its own State Department authorization bill. This consolidation proposal is also supported by five former Secretaries of State and two former National Security Advisers.

Mr. President, I would like to now discuss the reason for their support.

The world has changed dramatically in the last decade, and with it the demands on our foreign policy structure. Gone is the cold war—and the certainty of a single opposing force in our foreign relations. Gone, too, is the highly focused foreign policy we once waged against an expansionist and authoritarian Soviet Union and its satellites.

We face a new imperative: to maintain a strong and aggressive foreign policy, while streamlining our operations, achieving cost savings, and meeting the new criteria of a changing world. Consolidation among our foreign affairs agencies is an idea whose time has come.

In the aftermath of the collapse of the Soviet Union and the reigniting of ethnic strife that had been kept bottled up by the cold war, we live in a new world. But it is not necessarily a safer world. The reason five former Secretaries of State support this concept is the need to integrate the important public diplomacy, arms control, and foreign assistance aspects of American foreign policy into our basic policy formulation process.

For example, currently the independent Arms Control and Disarmament Agency is primarily responsible for nonproliferation policy. But concerns about nuclear proliferation frame our relations with a range of countries around the world, from North Korea, to Pakistan, to Iran. It would enhance, not detract, from this important goal of American foreign policy for it to be integrated into the policy formulation

process at State. It is far too important to be an afterthought considered only later in the interagency process.

And by better coordinating public diplomacy with policy, we can directly benefit the conduct of our Nation's foreign relations. Public relations play an increasingly important role in a world that is increasingly democratic. But currently, our public diplomacy expertise rests in the independent U.S. Information Agency. Does it enhance the formulation of American foreign policy to consider its impact on world public opinion only after the fact?

Similarly, there is a great need to more closely tie our foreign assistance programs to policy goals intended to directly advance our national interests. And there is a desperate need to cut back on AID's huge administrative structure that today consumes vast amounts of our humanitarian and developmental aid funds.

Out of a $2.3 billion developmental aid account, AID spends $600 million on its formal operating expenses account. This is 25 cents for every developmental dollar. But in reality, AID's administrative costs are much higher because AID's formal operating expenses only count 5,000 out of its 9,000 employees worldwide. The missing 4,000 are AID contract employees who are paid out of program funds, not operating expenses.

There are other important aspects to this legislation. The bill contains many management improvements sought by the administration. I regret that what State Department initiatives are included in this bill had to come to us informally, as the administration even to this day has refused to submit a formal legislative request.

The bill also puts into permanent law many of the international peacekeeping reforms that were first enacted in our last bill.

Let me also briefly mention a few of the initiatives I have included in this bill.

I have included the text of the Terrorist Exclusion Act, which I first introduced in the House 2 years ago, and which I have reintroduced this year with Senator BROWN as my original cosponsor. This provision will restore the pre-1990 standard allowing denial of a U.S. visa for membership in a terrorist group.

Another provision would codify existing embassy visa terrorist lookout committees. These committees were established by the State Department in 1993 under the Visas Viper Program. However, recent GAO and IG reports indicate that these committees have become moribund. My provision would require the terrorist lookout committees to meet regularly and become more active.

I have also included the requirement for two GAO studies. One would look at the extent to which the activities of four long-standing grantees duplicate activities carried out by the U.S. Government. These groups are the Asia Foundation, the East-West Center, the North-South Center, and the National Endowment for Democracy.

A second study would look at the question of whether the North-South Center used U.S. funds to engage in improper lobbying effort in support of the North American Free Trade Agreement. I am particularly concerned about a publication the Center sent to Members of Congress during the NAFTA debate, entitled ''Assessment of the North American Free Trade Agreement.''

Mr. President, as I have expressed in the past, I know that there has been a great deal of anxiety among the dedicated, hard-working employees of our foreign affairs agencies. That concern comes not just over this bill, but over the generally recognized need to downsize our Federal work force as we move to a balanced budget. I believe that all of us need to do everything we can to remember the human dimension of what we are trying to achieve.

This bill contains broad early retirement and buyout authorities, and we have taken every step we know how to take to make the transition as easy as possible to a streamlined foreign policy structure. This bill also gives the President extraordinary authority to formulate his own transition plan, limited only by the bill's mandated savings target.

Mr. President, the bill before us is an important bill, and I hope that in conference it will become even better. The Foreign Relations Revitalization Act gives credit to our Chairman, to our committee, and to all of the Senators who have supported it since its inception.

I urge its adoption, and I yield the floor.

Mrs. FEINSTEIN. Mr. President, I want to lend my support to the compromise version of S. 908, the State Department Authorization bill.

I would like to take this opportunity to thank the distinguished Chairman of the Foreign Relations Committee, Senator HELMS, and the distinguished Senator from Massachusetts, Senator KERRY, and their staffs, for the many hours they devoted to the long, hard negotiations that were necessary to reach this compromise.

In particular, I want to recognize the efforts of the Senator from Massachusetts. He inherited a difficult, perhaps even thankless, task, and pursued it with his usual diligence, dedication, and wisdom. He had to balance the concerns of many of his colleagues, and of the Administration, while negotiating a very controversial bill. I believe the consolidation compromise he has struck with the Chairman is a good one, a workable one, and a fair one. I want to thank him for his efforts and commend him for his work.

The plan that emerged from the negotiations is a reasonable one. It requires the Administration to submit a plan to consolidate the foreign affairs agencies, but it gives them flexibility to decide how to do so effectively and responsibly.

They are tough standards that the Administration must meet. Within six months they must submit a reorganization plan to the Congress which achieves $1.7 billion in savings over five years. If Congress deems the plan to be unsatisfactory, we can pass a resolution of disapproval and force the Administration to submit a more acceptable plan.

But most importantly, the compromise does not require the Administration to eliminate USAID, USIA, or ACDA. They may decide to do so. But this bill gives the Administration an opportunity to figure out a way to achieve real savings and reform, without necessarily abolishing three valuable agencies that do important work: development and disaster assistance, negotiating and monitoring of arms control agreements, and international broadcasting and exchanges. This flexibility is the key.

The passage of this bill today will produce some other positive developments, many of them long overdue. With the disposition of S. 908, the Senate will be able to confirm 18 ambassadorial nominations and hundreds of foreign service officer promotions. We will also be able to consider the START II treaty before the end of this session, and the Chemical Weapons Convention in the spring.

Of all embassies that are waiting for ambassadors, I think none is more important than the one in Beijing, China, where our former colleague, James Sasser, will become United States Ambassador. I am confident that our country will be well served by the job that he, and the other nominees, will do in their new posts.

Finally, I do want to note that even with the consolidation compromise, there remain a number of provisions in S. 908 that I find deeply troubling. Several of them have to do with China.

Section 606 declares that the Taiwan Relations Act should supersede the three U.S.-China joint communiques as the basis of U.S. policy toward China and Taiwan.

Section 608 calls Tibet an ''occupied sovereign country, and Section 609 requires that the President appoint a Special Envoy for Tibet.

Section 415 requires USIA to submit a plan to create a Radio Free Asia.

Section 611 erects an unnecessarily labyrinthine procedure for screening products that may have been produced by forced labor in China.

These provisions and others combine to create an unnecessary provocation in our relationship with China, at a time when the relationship is still recovering from a recent crisis. They threaten to undermine our One China Policy, which is the basis of the relationship, and to exacerbate tensions when we should be trying to ease tensions.

I look forward to working with my colleagues who will serve on the House-Senate conference on this bill, with the goal of removing or rewriting these provisions. I consider the successful resolution of these matters to be critical to my consideration of whether or

not to support the conference report on this bill.

I am also hopeful that the consolidation plan will not be modified in conference. I am aware that the plan in the House bill does require the elimination of USAID, USIA, and ACDA. If the Senate compromise agreement is substantially altered in conference to reflect the more draconian House plan, it will be difficult, if not impossible for me to support the conference report.

Having said that, I believe it is important to get the State Department Authorization bill to conference, and I intend to support the bill today.

Mr. HELMS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ABRAHAM). Without objection, it is so ordered.

Mr. HELMS. Mr. President, I have just been informed that the Acting Secretary of State has taken an action that seemed to me to be a direct affront to the Foreign Relations Committee and to the future of relations between the United States and Taiwan, the Republic of China. The Acting Secretary has just named three men to sit on the board of the American Institute in Taiwan, under a procedure that is not normal. Under a longstanding agreement between the Department of State and the committee, specifically between the then-chairman of the committee, Mr. Church, and then-Secretary of State Cyrus Vance, the Department of State is to notify the committee of appointments to the board. Under the terms of the agreement, the committee is to be able to voice its concerns about any of these appointments and these concerns are to be satisfied before the Department proceeds with the appointments. Today, the Acting Secretary of State abrogated that agreement, in my judgment. Now, since 1979, the committee's role in the appointment process was that the committee could have an opportunity to voice its concerns about any individuals appointed to the board of the American Institute in Taiwan, our de facto embassy. We do not recognize Taiwan as a nation. I think we should, speaking as one Senator, but we do not. The American Institute in Taiwan is our de facto embassy.

These concerns were to have been worked out through the department before the appointees are identified. I have just been informed that the department has proceeded with three appointments the day before the committee was scheduled to meet these gentlemen, for the first time. Mr. President, this action, I believe, is an especially strong affront in light of the fact that this very week the Department of State is receiving confirmation of 18 of its ambassadorial appointees and four Foreign Service officer promotion lists.

I am astounded by this decision and have determined that the committee will hold a hearing on the role of the American Institute in Taiwan at which we will compare its role today to the role agreed to previously when it was established in the late 1970's or early 1980's, whenever it was.

AMENDMENT NO. 3100

(Purpose: To authorize the transmittal of a reorganization plan or plans streamlining and consolidating the Department of State and the independent foreign affairs agencies, to make technical amendments to the bill, and for other purposes)

Mr. HELMS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Carolina [Mr. HELMS] for himself and Mr. KERRY, proposes an amendment numbered 3100.

Mr. HELMS. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. (The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. HELMS. Mr. President, this amendment has been agreed to on both sides.

Mr. KERRY. Mr. President, let me just clarify with the Senator, it is my understanding the amendment is pending.

Mr. HELMS. Yes.

Mr. KERRY. With the amendment pending, once accepted, the order of business will be to pass the bill and immediately subsequent to the bill being passed we will proceed to the Ambassadors, is that correct?

Mr. HELMS. That is correct.

Mr. KERRY. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Massachusetts has 54 minutes and 45 seconds, and the Senator from North Carolina has 39 minutes and 44 seconds.

Mr. KERRY. Mr. President, I see two Senators on my side who are on their feet. We would like to yield back some time.

Mr. BIDEN. Mr. President, I ask the Senator to yield 2 minutes.

Mr. SARBANES. I ask that 5 minutes be yielded to me.

Mr. KERRY. I yield 2 minutes to the Senator from Delaware.

Mr. BIDEN. Mr. President, I listened with interest in the Cloakroom to my friend from North Carolina and what he had to say in response to the Senator from Maryland. The Senator from Maryland can surely take care of himself and respond in any way he thinks is appropriate, but at one point we all say things that we sort of slip and say and do not mean.

He made reference to our nominee to China, former Senator SASSER as ''needing a job.'' I inform the Senator that not only does Senator SASSER not need a job, he is doing financially much better now than he did when he was here. He needs no job. This is a public service to which he has agreed to return, and I am sure the Senator did not mean to imply anything by what he said, but I want the RECORD to make it clear. Senator SASSER does not need a job—it is for those of us, including the President, who think we need Senator SASSER to come back to public service. I yield the floor.

Mr. KERRY. Mr. President, I yield 5 minutes to the Senator from Maryland.

Mr. SARBANES. I listened with a great deal of interest to the Senator from North Carolina.

First of all, let me say that in the last 6 months of the Bush administration we confirmed 63 ambassadorial nominees. The Senator said there were 12 that were not confirmed. So that would be 63 out of 75, which is 84 percent.

The Senator has allowed no ambassadors to be confirmed—not 10 percent, not 20 percent, not 40 percent, not 60 percent, not 80 percent, not 84 percent. None. None at all.

Some of the nominees that were not confirmed at the end of the Bush administration were not ambassadorial nominees, but nominees to commissions and boards. In any event, the Senator said there were 12 that were not confirmed. Sixty-three were confirmed over the last 6 months of the Bush administration, 84 percent.

The Senator from North Carolina has held everyone hostage. He will not allow any of them to go through, even though we have very important national interests with respect thereto.

The Senator was given two votes in the Senate in trying to get to his reorganization bill—votes of 54 to 45. The Senate refused to invoke cloture and to go to that legislation. Having been thwarted in that sense, the Senator then set out on his hostage strategy and held up the ambassadors and held up the treaties, in my view putting at risk very important national security interests.

Mr. President, I ask unanimous consent to have printed in the RECORD a column from the Arms Control Association newsletter following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. Mr. President, in that newsletter it says:

Prompt Senate approval of START II—the treaty that would reduce the Russian strategic threat to the United States from some 8,000 to 3,500 nuclear warheads—is becoming increasingly doubtful despite overwhelming bipartisan congressional support. Senator JESSE HELMS (R-NC), asserting his power as chairman of the Senate Foreign Relations Committee, is holding this important treaty, as well as the Chemical Weapons Convention, hostage to passage of unrelated legislation. Failure to complete Senate action promptly could delay for years the entry into force of these agreements with great disadvantage to U.S. security.

And I underscore that concluding phrase ''with great disadvantage to U.S. security.''

Finally, I say to my colleague from North Carolina that, as chairman of the committee, it seems to me, the Senator has certain responsibilities. To hold the balance of the work of a committee hostage because the Senator has not been able to get his way on a particular piece of legislation is not a very efficient way to carry out the work of the committee.

Obviously, it was a tactic used to heighten pressure, in a sense, a coercive tactic. And I very much regret that it occurred.

I yield the floor.

EXHIBIT 1

[From Arms Control Today, Oct. 1995]

HOLDING U.S. SECURITY HOSTAGE

(By Spurgeon M. Keeny, Jr.)

Prompt Senate approval of START II—the treaty that would reduce the Russian strategic threat to the United States from some 8,000 to 3,500 nuclear warheads—is becoming increasingly doubtful despite overwhelming bipartisan congressional support. Senator Jesse Helms (R-NC), asserting his power as chairman of the Senate Foreign Relations Committee, is holding this important treaty, as well as the Chemical Weapons Convention (CWC), hostage to passage of unrelated legislation. Failure to complete Senate action promptly could delay for years the entry into force of these agreements with great disadvantage to U.S. security.

By refusing to schedule any meetings, Helms has stopped all action before his committee in an effort to force the administration to accept his plan to integrate into the State Department three independent agencies, the Arms Control and Disarmament Agency (ACDA), the Agency for International Development and the U.S. Information Agency. Senate approval of START II, which Helms has not opposed, could be obtained with little or no opposition as soon as a formal committee markup of the resolution of approval can be scheduled. But until Helms relents, the United States cannot demonstrate to Russia and the world its support for reductions in strategic nuclear forces.

The multilateral CWC, which will ban development, production and stockpiling of chemical warfare agents as well as their use, may require a final hearing to resolve some questions. But, under the able leadership of Senator Richard Lugar (R-IN), the necessary resolution of approval should be easily obtained. Because many countries are awaiting U.S. ratification, Senate inaction prevents the early entry into force of this agreement, which universally bans possession and use of the ''poor man's nuclear weapon.''

Senator Helms is reportedly willing to reduce the ransom to only two of the three threatened agencies with the choice left to the administration. The White House has properly declined to bargain with hostage-takers and vowed not to yield on this issue. However, the longer this standoff lasts, the less likely any action will occur in time to influence favorable Russian action on either treaty.

The prospects for START II ratification in the Russian Parliament are much more precarious than in the U.S. Senate, notwithstanding Helms' maneuvering. A narrow window of opportunity for action appears to exist for the next month or two before the Russian Parliament adjourns to prepare for mid-December elections. While the makeup of the next Parliament cannot be predicted, it may well be even more nationalistic and more hostile than the present body to proposed NATO expansion, military action against the Bosnian Serbs and reduced U.S. economic support.

President Boris Yeltsin has strongly endorsed START II, subject only to the condition that the ABM Treaty remain in force. Although members of the Russian Parliament have attacked the agreement as biased against Russia, support for the agreement from the Russian military has helped counter much of the criticism. The military recognizes that it does not need and cannot afford its current strategic force structure and appreciates the value of maintaining strategic parity with the United States. Faced with a more nationalistic Parliament and U.S. endorsement of a national ABM system, the Russian military cannot be expected to carry the torch for START II into the post-Yeltsin era.

Delay invites unanticipated, disruptive events to intervene. Progress on a comprehensive test ban was interrupted by external events in the Eisenhower, Kennedy and Carter administrations. START I was signed by President George Bush in July 1991, but entry into force was delayed until December 1994. START II, signed by Bush in January 1993, has been delayed first by the problem of resolving the nuclear status of Belarus, Kazakhstan and Ukraine, and now by the actions of a single cantankerous senator. A future Russian Parliament may be the next barrier. But Russia's uncertain future is all the more reason to move promptly to pin down these gains for U.S. and international security before unanticipated events make START II's entry into force impossible.

These truly bipartisan treaties, which were negotiated and signed by former President Bush and nurtured by the Clinton administration, must not be casually sacrificed as hostages in guerilla political warfare. The Senate Republican leadership has a clear obligation to persuade Helms to release them without further delay so the Senate can perform its constitutional role in foreign policy. If the Republican leadership acquiesces in this exhibition of irresponsible personal politics, it will not only have relinquished its deserved share of credit for the treaties, but it will have to accept responsibility for this blow to U.S. security.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS. Mr. President, I am prepared to yield back my time if Senator KERRY could yield back his.

This back and forth like two sore-tailed cats in a room full of rocking chairs is not serving the Senate well, and I do not intend to participate in it any further. And I am a little bit sorry that I did at all.

But I accept the Senator's criticism. I know how he feels, and he knows how I feel, too.

So, tentatively, I yield the remainder of my time pending whether Senator KERRY yields his back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, it is my understanding that Senator HELMS yielded back his time.

The PRESIDING OFFICER. The Senator has indicated that he is prepared to yield back the remainder of his time pending the decision on the part of the Senator from Massachusetts to do so as well.

Mr. HELMS. Mr. President, I believe the business before the Senate is the amendment. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HELMS. I believe it is understood between us that this will be approved on a voice vote. Is that correct?

Mr. KERRY. Yes.

Mr. HELMS. I ask the Chair to put the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

The amendment (No. 3100) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KERRY. Mr. President, I yield the remainder of my time.

Mr. HELMS. I thought I had yielded mine back.

The PRESIDING OFFICER. All time is now yielded back.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order the Foreign Relations Committee is discharged from the consideration of the House companion bill, H.R. 1561.

The clerk will report.

The bill clerk read as follows:

A bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce authorization for appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause is stricken, the text of S. 908, as amended, is inserted in lieu thereof, and the bill is considered read a third time.

The question now occurs on passage of H.R. 1561, as amended.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 82, nays 16, as follows:

[Rollcall Vote No. 605 Leg.]

YEAS—82

Abraham	Exon	Lugar
Akaka	Faircloth	Mack
Ashcroft	Feingold	McCain
Baucus	Feinstein	McConnell
Bennett	Ford	Mikulski
Bingaman	Frist	Murkowski
Bond	Glenn	Nickles
Boxer	Gorton	Nunn
Bradley	Graham	Pell
Breaux	Grams	Pressler
Brown	Grassley	Pryor
Bryan	Gregg	Robb
Burns	Hatch	Rockefeller
Byrd	Hatfield	Roth
Campbell	Heflin	Santorum
Chafee	Helms	Shelby
Coats	Hollings	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Conrad	Inouye	Specter
Coverdell	Jeffords	Stevens
Craig	Kassebaum	Thomas
D'Amato	Kempthorne	Thompson
Daschle	Kerrey	Thurmond
DeWine	Kerry	Warner
Dole	Kohl	Wellstone
Domenici	Kyl	
Dorgan	Lott	

NAYS—16

Biden	Lautenberg	Murray
Bumpers	Leahy	Reid
Dodd	Levin	Sarbanes
Harkin	Lieberman	Simon
Johnston	Moseley-Braun	
Kennedy	Moynihan	

NOT VOTING—1

Gramm

So the bill (H.R. 1561), as amended, was agreed to.

(The text of the bill will be printed in a future edition of the RECORD.)

Mr. HELMS. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, S. 908 is indefinitely postponed.

The Senator from North Carolina.

Mr. HELMS. Mr. President, I do not see the distinguished Senator from Maine [Ms. SNOWE] in the Chamber, but I wish to thank her for her unwavering commitment to seeing this reorganization bill through to this point.

In fact, all of the Republican members of the Foreign Relations Committee have stood in unison throughout, from the very beginning, in support of this bill.

I wish to pay my respects to Admiral Nance, the chief of staff of the Foreign Relations Committee; Steve Berry and Elizabeth Lambird, Chris Walker, and Kristin Peck and, as always, the able floor staff for their help, Elizabeth Greene and the rest.

I thank Senator KERRY for his cooperation in these difficult times the past few weeks, and I especially thank his staff person, Nancy Stetson, for her continued work on this bill.

I thank the Chair.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, the other day when we completed the unanimous-consent agreements, I took the time to thank each of the staff. I would simply thank the distinguished chairman for his comments right now and for his expression of gratitude to my staff, and he knows I have reciprocated, joined with him in thanking all of them for a job well done.

I thank the Chair.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to executive session to consider en bloc the nominations listed in the order of December 7, 1995; that the nominations be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

A. Peter Burleigh, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Sandra J. Kristoff, of Virginia, for the rank of Ambassador during her tenure of service as U.S. Coordinator for Asia Pacific Economic Cooperation (APEC).

John Raymond Malott, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Malaysia.

Kenneth Michael Quinn, of Iowa, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

William H. Itoh, of New Mexico, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand.

Frances D. Cook, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Sultanate of Oman.

J. Stapleton Roy, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia.

Thomas W. Simons, Jr., of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan.

Richard Henry Jones, of Nebraska, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lebanon.

James Franklin Collins, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador at Large and Special Advisor to the Secretary of State for the New Independent States.

Charles H. Twining, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon.

Charles H. Twining, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

James A. Joseph, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Africa.

Don Lee Gevirtz, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nauru, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Tonga, and Ambassador Extraordinary and Plenipotentiary of the United States of America to Tuvalu.

Joan M. Plaisted, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati.

Jim Sasser, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China.

David P. Rawson, of Michigan, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali.

Gerald Wesley Scott, of Oklahoma, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia.

Robert E. Gribbin III, of Alabama, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic Rwanda.

Foreign Service nominations beginning Robert S. Gelbard, and ending Sandra L. Williams, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 5, 1995.

Foreign Service nominations beginning Paula O. Goddard, and ending Michael Ranneberger, which nominations were received by the Senate and appeared in the CONGRESSINAL RECORD of September 5, 1995.

Foreign Service nominations beginning Carol A. Peasely, and ending Sarah S. Olds, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of September 22, 1995.

Foreign Service nominations beginning Henry Lee Barrett and ending Harry L. Tyner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 31, 1995.

NOMINATION OF JAMES R. SASSER TO BE AMBASSADOR TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. DODD. Mr. President, I rise to speak in support of the confirmation of Senator James R. Sasser to be the next United States Ambassador to the People's Republic of China. In my opinion President Clinton could not have made a better choice.

During the last few months, relations between the United States and China have stumbled along a very rocky road. With increased tensions and frustrations between our two governments, we have sorely missed the presence of a U.S. Ambassador in Beijing to represent our policy and to facilitate much-needed communications. Unfortunately, the nominations process was held up here in our own Chambers. However, recent developments have encouraged me to believe that Senator Sasser will soon be able to take his post in Beijing.

I am anxious to reassure the Chinese Government that the delay here in the Senate is in no respect reflective of the sentiment of the Senate about the capabilities of Jim Sasser. In fact, I could not speak more highly of this nominee and his outstanding capacity to serve both of our countries well. The Chinese are very fortunate to receive a representative of the United States who is close to the President and can communicate directly with him on important issues. In addition to his valuable ties to the White House, Senator Sasser is a highly educated, articulate, and thoughtful man. He has approached this position with enthusiasm and a dedication to learning about his new host country. I have know Jim Sasser since I first arrived in this Senate body 15 years ago. Over the years, I have admired his outstanding commitment to public service and appreciate the efforts he has made to improve the lives of his constituents and the citizens of this country. I know that, in his new capacity as Ambassador to China, Jim Sasser will once again display this commitment with dignity and strength.

The Clinton administration has chosen wisely by nominating Senator Sasser to the important post of Ambassador to China. The People's Republic of China is an increasingly significant player in the international arena and in United States foreign policy. While our economic, political, and security ties with China have multiplied over the last decade, we are still facing many areas of disagreement. We should move quickly to install our Ambassador in Beijing, to demonstrate our good intentions to the Chinese. Swift Senate approval of Jim Sasser will offer new opportunities for communication and cooperation between our two countries.

Mr. BUMPERS. Mr. President, the Senate has just acquitted itself very well by approving a list of ambassadors, particularly that of our former colleague, Jim Sasser.

Jim Sasser came to the U.S. Senate in 1978. He acquitted himself immediately with his colleagues in a most admirable manner. We all knew shortly that Jim Sasser had a very keen mind and quick wit. He ingratiated himself very well with his colleagues and almost instantly became one of the most popular Senators; by the time he left here, in my opinion, he was the very best Senator in the U.S. Senate.

His tenure as chairman of the Budget Committee was exemplary. Hour after hour after hour he sat there in the manager's chair, dealing with the most complex and difficult legislation of the year, and that was the budget.

It is a real travesty that the confirmation of a man of his talents has been held up for so very long, at a time when American-Chinese relations need a good, strong Ambassador more than ever. I promise my colleagues—and of course most of you know this—that Jim Sasser will represent this country with great distinction. He will do it with dignity and with integrity.

The Chinese will find very quickly what all of us found very quickly, that he is a quick learner. His integrity is absolutely unimpeachable.

This is a great day for him and his family. His lovely wife Mary and their beautiful daughter Elizabeth will be accompanying him to China. They have waited a long time. They have been hanging by their thumbs, wondering whether they would be able to go to Beijing, for almost a year now.

So this is a great day for the Sasser family. It is a great day for the Chinese. Above all, it is a great day for America, that we can appoint somebody of his talent and his skills.

Finally, I want to personally, and I know I speak for almost all of my colleagues, wish him Godspeed and much luck. I yield the floor.

Mr. PRYOR. Mr. President, I am very grateful to the Senator for yielding me this time, because a few moments ago the Senate voted to confirm 19 ambassadorial nominees. I am very pleased, as I know my colleagues are, that these nominations are finally moving forward. I am especially happy to note that my friend, and I should certainly say our friend and former colleague, Jim Sasser, will soon be allowed to take his post as United States Ambassador to the People's Republic of China.

As we enter a new century, it is my belief no other international relationship is filled with more potential, or fraught with more dangers than the United States relationship with China. In recent years, China has become one of the world's fastest-growing economic and military powers. China is already a major player in Asia, and in the coming years we will likely see it assert itself as a full-fledged international power.

The Clinton administration has rightly concluded that it is in America's best interest to stay actively engaged with the Chinese. Although our two countries often have sharp differences on both economic and human rights issues, it is very important to maintain a constant dialogue between Beijing and Washington. Put simply, the future stability and prosperity of the Pacific rim are largely dependent on a cooperative U.S. relationship.

Mr. President, this administration has also rightly concluded that the best person, the very best person, to represent America in China at this moment, the right person to guide our foreign policy in China during this critical time, is our good friend and former colleague, James R. Sasser of Tennessee.

I want to congratulate Jim Sasser today. I recognize how fortunate our country is that he has agreed to accept this enormous challenge.

I also want to commend President Clinton for choosing such an outstanding person to represent our interests in Beijing. Like many of my colleagues, I had the pleasure of working with him during a large portion of his 18 years of service to the people of Tennessee and America.

During his time in this body, Jim Sasser earned a reputation as one of the Senate's most thoughtful and skillful Members. As my colleagues know, the dynamics of the Senate require that Members often put partisanship aside in order to get things done. Jim Sasser was someone whom Senators on both sides of the aisle could count on to roll up his sleeves and do the job right.

Mr. President, a prominent example of Senator Sasser's skill and dedication can be found in his work as chairman of the Budget Committee. As my friend from New Mexico, Senator DOMENICI, will tell you, leadership of the Budget Committee can be one of the Senate's most thankless tasks. It is a difficult job, requiring an ability to balance the priorities of colleagues from both parties. I think all of my colleagues will agree that Senator Sasser's chairmanship was notable for its honesty, patience, and above all, fairness. It is the characteristic of that fairness that is the hallmark in Jim Sasser's life.

In the coming days, Senator Sasser will begin to put his considerable talents to work as Ambassador to China. As he no doubt realizes, there is much work to be done. During the past year, United States-Chinese relations have been strained by continuing trade disputes and the Taiwan issue. The United States needs someone who can improve the dialog with China while at the same time holding firm to American principles. Jim Sasser is more than up to this challenge.

Mr. President, I want to close by wishing our firend Jim Sasser and his family the best of luck as he continues to serve his Nation as Ambassador to China. I have every confidence that his tenure will be marked by distinction and success. I thank the Chair and yield the floor.

Mr. BINGAMAN. Mr. President, I wanted to join both Senators from Arkansas in stating what an excellent choice Jim Sasser is for Ambassador to China.

I had the good fortune to be in Beijing this summer and to see firsthand the importance of that post which the President has chosen Senator Sasser to fill. I had the good fortune to serve here in the Senate for 12 years with Jim Sasser. I know of his great negotiating skills, his great leadership ability, and I believe his great advocacy skills, which will serve him well and serve this country well in this new position which he is about to take on.

So I think the Senate has acted very appropriately, the President has acted appropriately, and I look forward to the day when Jim Sasser is our representative, very soon, in Beijing. I again commend all Senators for voting for his nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

APPOINTMENT OF CONFEREES—H.R. 1561

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment to H.R. 1561 and requests a conference with the House.

The Chair appointed Mr. HELMS, Ms. SNOWE, Mr. BROWN, Mr. COVERDELL, Mr. ASHCROFT, Mr. PELL, Mr. KERRY, Mr. SARBANES, and Mr. DODD conferees on the part of the Senate.

CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY [LIBERTAD]

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the following message from the House of Representatives on H.R. 927, Cuban Liberty and Solidarity Act:

Resolved, That the House disagree to the amendment of the Senate to the bill to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes'', and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. Gilman, Mr. Burton of Indiana, Ms. Ros-Lehtinen, Mr. King, Mr. Diaz-Balart, Mr. Hamilton, Mr. Gejdenson, Mr. Torricelli, and Mr. Menendez be the managers of the conference on the part of the House.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment and agrees to the request by the House for a conference.

The Chair appointed Mr. HELMS, Mr. COVERDELL, Mr. THOMPSON, Ms. SNOWE, Mr. PELL, Mr. DODD, and Mr. ROBB conferees on the part of the Senate.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the conference report to accompany H.R. 2099, the VA–HUD appropriations bill, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of November 17, 1995.)

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Chair and my distinguished ranking member. We have before us the VA–HUD appropriations conference report. As I understand it, there is to be 30 minutes equally divided between the two managers, 10 minutes under the control of Senator BUMPERS, 10 minutes under the control of Senator BOXER, 10 minutes under the control of Senator HUTCHISON, 10 minutes under the control of Senator LAUTENBERG, and 10 minutes under the control of Senator MCCAIN.

Ms. MIKULSKI. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator is correct. The Senate will come to order. The Senator from Missouri has the floor.

Mr. BOND. I thank the Chair.

Mr. President, it is with some pride, some relief, and some frustration, I now present to the Senate the conference report on the appropriations bill for the Departments of Veterans Affairs, and Housing and Urban Development, and independent agencies for fiscal year 1996. Consideration of this bill has been a long, difficult process. While we should have been able to complete our work long before now, I do believe we have wasted little of this time in producing the best possible measure for consideration by the Senate.

Work on this measure began over a year ago, beginning with analyses of budgetary trends and programmatic needs for activities under the subcommittee's jurisdiction. It was obvious at that time, that our Federal low-income housing programs were out of budgetary control. Concerted policy reform was critical to avoid a disaster of unprecedented magnitude.

In January of this year, as the newly selected chairman of this subcommittee, I convened a series of special hearings on the budgetary and management crisis at HUD. We detailed the magnitude of our budgetary shortfall to maintain the existing multifamily subsidized housing inventory of the Department. We explored urgently needed reforms in the housing preservation program to reduce cost, avoid windfall payments, and reduce long- term rental subsidies. We also delineated policy changes in public housing to reduce bureaucratic overregulation and micromanagement, to increase local flexibility, decision-making, and efficiencies.

From these hearings we developed a strategy to begin these comprehensive changes in Federal housing programs. First, in the Disaster Supplemental and Rescission Act we initiated the first round of deregulation, and rescinded $6.5 billion of previously appropriated HUD funds to turn-off the spigot of unsustainable housing subsidy commitments. At that time we noted the urgency of comprehensive housing authorization legislation to complete this reform effort during fiscal year 1996.

Unfortunately, this legislation has been delayed, although we remain hopeful that early next year the measures reported by both the House and Senate authorizing committees will pass the Congress. In the absence of such legislation, however, we have used the appropriations process to establish a strong foundation in beginning the major reform and overhaul of HUD. The measure before us today reflects almost all of the reform proposals which passed the Senate in September. They include public housing and assisted housing rent reforms, including a minimum rent, repeal for onerous Federal resident selection criteria, free-market decontrol of section 8 lease terms, and flexibility in resident income mix and funds utilization.

This measure maintains the Senate-passed public housing demonstration initiative which will allow up to 30 public housing authorities to combine public housing and section 8 subsidies into a locally determined low-income housing assistance block grant. In addition, the bill also includes the Senate proposed multifamily mark-to-market demonstration, which is discretionary authority for the Department, and willing apartment development owners, the opportunity to explore workout strategies which reduce dependence on rental subsidies while preserving affordable housing. Coupled with the one-time, 1-year extension of expiring project-based subsidy contracts, the multifamily housing demonstration authority sets the stage for consideration and enactment of needed comprehensive reform legislation next year.

Mr. President, the measure before us also maintains the effort recommended

by the Senate to fund a reformed housing preservation program. As I noted earlier, the committee identified a number of very troubling defects and problems in the previously enacted Low Income Housing Preservation and Resident Homeownership Act [LIHPRHA]. In fact, the HUD inspector general labeled this program as a ''rip-off'' and urged reform or termination. But with as many as 150,000 affordable housing units at risk, the committee chose the more difficult task of identifying less costly and more efficient means of preserving this valuable housing resource. Working with residents, owners, nonprofit organizations, and the Department, a strategy to prioritize sales to non-profits and tenant-sponsored organizations utilizing capital grants was developed and is provided for in this conference agreement. This provides the best means of assuring long-term preservation of this housing without encumbering the government with expensive and continuing rental subsidy obligations.

It was our intent that the Department cut off any further use of section 8 assistance to finance these preservation arrangements. The Department has already initiated the use of capital grants to finance sales of these developments, and we expect that similar authority will be identified or enacted to utilize similar capital loans for refinancing preservation agreements when such projects become eligible for funding in July.

Because of technical budgetary rules, the committee was not able to delineate fully these program changes within the conference agreement. Moreover, in connection with the larger issue of maintaining the inventory of the newer-assisted section 8 new construction-substantial rehabilitation multifamily projects, Congress will be required to address these complex and difficult housing finance issues in a comprehensive authorization measure next year. At that time, we hope to enact a carefully targeted and efficient housing preservation program. Pending that action, the conference agreement provides the Department the authority and resources to minimize potential displacement of low-income families.

Mr. President, the housing preservation program included in this conference agreement also recognizes that the severe budgetary constraints on these housing activities will not permit preservation of all units under all circumstances. This measure will permit owners to prepay their existing mortgages, as was provided for in their original subsidy contracts, because we cannot afford to compensate every owner to maintain these developments as low-income housing. In those cases, however, existing law, and the conference agreement does provide for section 8 assistance to avoid involuntary displacement of families due to increased rent burdens, and moving expenses if these developments are converted to other uses.

Mr. President, the conference agreement affords the highest priority to veterans programs. The largest increase in the conference agreement—$400 million—goes to veterans medical care, for a total of $16.564 billion. The amount provided ensures that all veterans currently receiving care in VA medical facilities will continue to receive high-quality medical care. The conference agreement makes no reductions to patient care at the VA. It requires administrative improvements—which have been recommended by VA's own inspector general and the General Accounting Office—to make budgetary savings so that VA's medical dollars are spent on veterans, not on bureaucracy and administrative waste.

The conference agreement provides the full budget request for VA's research program, a program critical to ensuring VA recruits and retains top quality medical personnel. In addition the bill also provides full funding for the staff needed to process compensation and pensions claims, so that VA's claims backlog can be eliminated and veterans won't have to wait 6 months or longer to receive an answer on their claim. It provides funding for a study of VA's claims processing system by the National Academy of Public Administration, which we expect will provide specific recommendations for improving and expediting VA's antiquated system.

The conference agreement provides $136,155,000 for VA major construction, an increase of approximately $100 million over the Senate-passed level. The agreement provides funding for authorized construction projects only. No new hospital construction is funded, following the recommendations of the General Accounting Office, and in view of the need to curtail future budgetary commitments.

Mr. President, the conference agreement provides $9 million for the Court of Veterans Appeals, the same amount recommended by both the House and Senate for fiscal year 1996. As with all agencies and activities under this subcommittee's jurisdiction, the court is being required to absorb a reduction in funding in fiscal year 1996 in an effort to reach a balanced budget. While less than the amount requested, the amount provided should be adequate for the court's operations in fiscal year 1996.

Despite the fact that the court's budget has been reduced, I believe that the pro bono representation program should receive full funding in fiscal year 1996. This program has proven very successful in helping the court to address adequately the very large number of pro se cases.

I am troubled by reports that the chief judge does not intend to provide any funds for the pro bono program this year in view of budgetary reductions. I wish to remind the court of the Congress' support for this program, and the fact that the Senate committee report accompanying H.R. 2099 indicated that the program was to receive the full budget request. Any changes will be made only upon the notification and approval of the Committees on Appropriations.

While I certainly do not oppose private sector funding for this program, to my knowledge such funding sources have not been identified, and until there is adequate private sector funding, I do not believe it is prudent to withdraw Federal support.

Mr. President, for the Environmental Protection Agency, the conference agreement provides $5.7 billion, an increase of $48 million over the Senate-passed level and a reduction of just $235 million—4 percent—below the fiscal year 1995 post rescission level.

The largest reductions below fiscal year 1995 come from earmarked water and sewer projects—a reduction of $500 million below last year, and from Superfund, a program which everyone agrees simply is not working as it should, and one which desperately needs reforms before we provide significant additional funding.

Despite substantial reservations about funding a program which is as flawed as Superfund, the conferees found an additional $160 million for Superfund above the House- and Senate-passed levels, for a total of $1.163 billion. This is a reduction of $172 million below current spending, most of which is taken from management and support costs and lower priority activities. All Superfund sites posing an immediate risk to human health and the environment will be funded under the conference agreement.

The conferees funded EPA's drinking water State revolving fund program, which is not yet authorized, at the President's request of $500 million, of which $225 million is from previous year's appropriations. The Senate recently passed the legislation authorizing this important program, and I hope the House will pass similar legislation shortly so that the States may spend these funds in fiscal year 1996.

For clean water State revolving funds, the conferees provided $1.125 billion. In addition, if drinking water legislation is not enacted by June 1, 1996, the conference report stipulates that the $500 million in drinking water State revolving funds will become immediately available for clean water State revolving funds, for a total of $1.625 billion. This ensures that the States will be able to spend these funds in fiscal year 1996, regardless of whether drinking water legislation is enacted.

EPA's science and technology account is funded at $525 million, the same level of funding as fiscal year 1995. The conferees recognized the importance of ensuring adequate funding for the research activities which support EPA policy and decisionmaking. Additional funds are provided for research into the health effects of arsenic, so that we have the best science for a new standard for arsenic in drinking water.

EPA's environmental programs and management are funded at $1.55 billion, a reduction of approximately 7 percent below current levels. Reductions are taken from lower priority activities such as the environmental technology initiative, which has received substantial funding to date with very little to show for it.

As to the so-called EPA riders, the conference agreement does not include any of the 17 House riders. Instead, the conference agreement includes only six legislative provisions for EPA—most of which are completely non-controversial and several of which were included in previous VA-HUD bills.

Mr. President, while the statement of the managers accompanying the conference report includes some language on legislative issues which had been included as riders in the House bill, in no case does the statement of the managers limit spending or direct that a specific rulemaking or activity be discontinued. The conferees simply urge EPA to consider reviewing these issues.

It should be noted, that this conference agreement will provide the Environmental Protection Agency an 11½ percent increase over the funding levels currently stipulated by the continuing resolution. Anyone who is concerned about potential cutbacks in EPA enforcement activities should understand, in clear and unmistakable terms, that failure to enact this conference agreement means deeper and more devastating cut-backs in that Agency's activities.

Mr. President, the House, 2 weeks ago, recommitted our conference agreement on this bill. The second conference on the VA-HUD Appropriations Bill adopted a package of technical amendments and corrections. In addition it included an amendment to the National Service appropriation to reflect the Congressional Budget Office estimate of close-out costs. Finally, conferees amended the previous agreement to freeze administrative fees of the HUD section 8 program and thereby address concerns over the unintended consequences of attempting to institute a two-tiered reimbursement system.

As noted earlier, further increases for VA Medical Care would only mean much deeper cuts in the other agencies funded in this bill. No conferee advocated such an adjustment. Furthermore, I believe we must insist that the VA implement improvements and reforms before providing further funding increases. We all support the best possible medical care for those who have been injured or wounded in defense of our Nation. Unfortunately, even with all the money in the world, there is no assurance that VA's existing bureaucratic structure could deliver such services, and we must demand these corrections.

Mr. President, this is a good conference agreement which, within our very severe budgetary and legislative constraints, goes a long way toward needed reforms in HUD, VA, and EPA. It addresses the highest priority needs served by agencies within the subcommittee's jurisdiction, and it is fully in compliance with our fundamental goal of bringing the Government's budget into balance.

I hope that this bill will be enacted. It needs to be enacted soon, if only to begin the process of reforming HUD housing programs which will permit future year cost savings and efficiencies, to improve the quality of EPA regulatory decisionmaking so that it is based on sound science, and to infuse modern medical practices into the archaic and bureaucratic veterans health care system.

Mr. President, unfortunately I must report that despite our best efforts and repeated attempts, we have been unsuccessful in gaining the attention of the White House to negotiate a reasonable compromise on their demands for more spending, far more than what any balanced budget plan can accommodate. That is the source of my very deep frustration over this bill.

I have stated repeatedly that while some White House priorities are very different from my own and that of a majority of the Congress, we are prepared to sit down and seek a reasonable compromise on these issues. Matters such as the national service program, one of this administration's highest priorities, is an activity which I believe is very flawed in its approach and rife with misuse in its current management. I don't disagree with the fundamental goal of this program, but I cannot recommend more funding for the current program. Termination of this program is proposed in this conference agreement, but we have offered to consider additional funding if necessary reforms could be negotiated. Unfortunately, these offers have fallen on deaf ears in the White House, and only further threats of a veto have been communicated back to us.

Mr. President, this is no way to run a government. It certainly is no way to consider and enact legislation to assure the taxpayers that the sums we propose to spend are being devoted only to the most critical needs and in the most efficient manner possible. Unfortunately, unless the White House changes its tune, we have no alternative but to proceed with the agreement before us, despite the veto threats. We can only hope that by the end of this session some agreement with the administration can be struck, and the many critically needed reforms included in this bill will be enacted into law.

I think we were very successful in the conference. With the very able assistance of our ranking member, we prevailed on many of the issues. This measure is not an easy one because we took a 12-percent cut this year from the appropriated level last year. Nevertheless, we have tried to accommodate the various needs of the many agencies under the control of this subcommittee. I think this is a good measure. We have been advised by the President's representative that he does plan on vetoing it.

Earlier today, I made a very strong plea that the administration reconsider that decision. There has been a great deal of objection from the administration to the very low level of funding available for certain vital EPA functions, particularly in the enforcement area. Under the continuing resolution, there is only $320 million available for EPA enforcement in the current year, if the continuing resolution is in effect. Under this measure, we have raised that amount to $449 million.

I have also previously stated that we tried on numerous occasions to enlist the representatives of the administration in constructive negotiations with us as to how we might reallocate the funds within the budget allocation. The response has been solely that they want $2 billion more. It is beyond the ability of this committee to grant them that money. I would suggest very strongly that if the administration does not like the CR funding level for EPA and the other agencies, they can sign this bill and get about an 11.5 percent increase in funding for EPA. If at a later date in the process of negotiations between the congressional leadership and the White House a decision is made at that level to make available more dollars for the functions in this bill, then they could at that time add it in a continuing resolution.

There are certain measures that I know are very important to the administration. The ranking member has argued very strongly to continue funding of the national service. We were unable to find that money in the very narrow allocation that we had, although had the administration been willing to negotiate with us and support the bill, I am confident we could have. We would have not been able, however, to pass the measure with majority party support if we had put in a large amount for national service.

I remain hopeful that this measure can be signed, and at such appropriate time as the administration, the congressional leadership reach agreement on additional funding which may be available to these functions, they would include it in a continuing resolution.

With that, Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, this is the toughest year I have ever faced as a member of the Appropriations Committee. I would like to thank Senator BOND and his staff, who worked very hard, under difficult conditions, to bring this bill to the floor. I also want to thank my own staff for the hard work that they put in and their effort to try to create a VA-HUD appropriations bill that would pass the Senate and be approved by the President.

However, I believe that this bill will be vetoed, and I believe that the bill will be vetoed not because of the hard work of the chairman, not because of

our attempt to strategize on an effective allocation of funds, but this year was so tough simply because of the modest allocation we received, and that was due to the issues related to the budget.

The amount that this subcommittee was allowed to devote to so many important priorities is indeed skimpy. Under these conditions I believe Senator BOND has done a commendable job. I chaired this committee for 6 years and brought six bills to the floor. I know how much work it is, and, again, I am going to thank him for his cooperative effort. He tried very hard to bring about change. I believe this bill reflects this change.

I believe that this bill begins to reform HUD. It puts into action the recommendations of the National Academy of Public Administration to reform the structure of HUD and consolidate its maze of programs so we get a dollar's worth of services for the poor and homeownership instead of dollars going to a bureaucracy.

This bill also streamlines the EPA. It follows the National Academy of Public Administration's recommendations to streamline EPA management and get started on a strategy to put EPA's resources where they are most needed, to be based on the risk to human health and safety.

There are other things about this bill that I like. First is Mission to Planet Earth. The funding cut was limited to only $75 million. Ordinarily I would say, ''Wow, cutting $75 million,'' but given the fact that we faced a $300 million cut, I believe we preserved the Mission to Planet Earth. The House bill cut much of the crucial space science programs, and the House language was to close NASA space flight centers, and those things have been removed from the conference report.

Second, veterans medical research is fully funded at the President's request of $257 million, and a provision to deny benefits to vets who become mentally incapacitated has been removed.

Third, this bill will help those who want to help themselves. It contains a moving-to-work demonstration project for public housing residents, and rent ceilings and income disregards to help support the working poor.

Fourth, Federal housing preferences were moved, which I believe led to the ZIP codes of pathology in public housing. And I am pleased they, too, have been removed.

Lastly, the conference report removes House language to prevent HUD from enforcing fair housing laws on property insurance red lining.

But, Mr. President, unfortunately, serious problems remain in this bill. If these problems are not worked out, the President will veto this bill.

The first problem is that this bill contains no funding to continue national service. National service creates an opportunity structure in which young people can earn credit for higher education while serving their communities. It gives help to those who practice self-help and gives low- and middle-income young people access to the American dream.

National service makes voluntarism a fact of life and rekindles the habits of the heart. It fosters the spirit of neighbor helping neighbor that has made our country great.

The second concern that I have is in the area of veterans medical care. The bill reduces veterans medical care by $400 million below the President's request. With the cuts in Medicare and Medicaid that loom on the horizon, many vets will turn to the VA for medical care but will be turned away because there is not enough money. This, I know, the President cannot support.

Our Nation's veterans did not hesitate to risk their lives for our freedom. There should be no hesitation to fund their health care. When they went to war, we told them we would provide health care. I believe promises made should be promises kept.

The third serious problem is EPA funding. EPA must be funded to protect health and environment. This bill funds EPA $1.5 billion below the President's request, and it will hinder the EPA's ability to do its job in enforcement and in Superfund legislation.

Finally, this bill will transfer HUD's authority to enforce fair housing to the Department of Justice. On this side of the aisle we are opposed to this. Removing this authority from HUD is a step backward in time, and the transfer to Justice will hollow out fair housing enforcement efforts. This flies in the face of civil rights progress we have made over the last 25 years.

It is for these reasons that I oppose this bill. I know my colleagues on this side of the aisle will oppose it. It is regrettable that a budget agreement could not be arrived at so that Senator BOND and I, with the new allocation, could have moved forward to avoid a veto. I know that Senator BOND, and I must say Chairman JERRY LEWIS on the House side, have worked very hard and been open to further negotiations with the White House to avoid a veto. I thank them for that. I want to again thank Senator BOND for his willingness to listen to our concerns.

I think a better allocation would produce a better bill. I regret that we are heading for a veto. With these remarks, though, we could talk long into the night. I now yield the floor.

Mr. McCAIN addressed the Chair.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I yield myself just 1 minute, and then I would like to yield. But first, let me point out that occasionally we do get some humor in these proceedings, these very serious matters we are dealing with. I got this statement of administration policy. At the end of it, it said, ''The administration would like to work with the Congress to address the issues discussed above.''

Well, they have done a pretty good job of preventing working with us after spending 3 frustrating weeks trying to hear from them. I find out now in their written statement that they want to work with me. I have a telephone number. It is listed. I can be reached. Nobody called.

Let me just say that all of the items you can make an argument we need more money for. Nobody is willing to come forward and say where the cuts are made. We cut low-priority EPA items, useless funds in Superfund, earmarked or pork projects in waste-water treatment. I think we have done as good a job as we can under the circumstances.

Mr. President, if I may, I would like to yield 3 minutes to the Senator from North Carolina. I know that the Senator from Arizona is here. He has the longer statement. The Senator from North Carolina had asked for 3 minutes. I yield 3 minutes to him.

Mr. FAIRCLOTH. I thank Senator BOND.

Mr. President, the conference report provides $19 billion for the Department of Housing and Urban Development. Since HUD was created in 1965, spending for HUD has increased every single year. HUD's spending is increasing so rapidly that by the year 2000, spending on housing will be our largest domestic discretionary spending item. In fact, HUD has unused budget authority of over $190 billion—unused budget authority.

Mr. President, this conference report is significant because, for the first time, it begins to reverse the spending trend at HUD. For the first time in a long time, spending at HUD will decline, and the American people will be better off for it.

While I appreciate what the Appropriations Committee has done for the short term, I think the long-term future of HUD has to be decided and what direction we are going to move it in.

I have introduced legislation with Senator DOLE and Senator ABRAHAM that eliminates HUD.

The legislation we have introduced also provides a clear roadmap as to how HUD can be eliminated. Regrettably, HUD has become a mammoth bureaucracy with over 11,000 employees. It has 240 housing programs—so many that Secretary Cisneros did not even know he had that number. HUD has entangled the American taxpayers in 23,000 long-term housing assistance contracts that will not expire until well past the year 2000.

In short, HUD as it is currently constructed, cannot continue. We need to begin working on how it can be replaced.

Mr. President, let me also add that while there are significant cuts in this bill, there are still some that can be cut a lot more. For example, this bill provides $15 million for the Tenant Opportunity Program—whatever that is. Recently, the Washington Times reported that at least $70,000 from the Tenant Opportunity Program was used to essentially pay for a vacation to

Puerto Rico for public housing tenants from Detroit. Mr. President, that is taxpayers' money that people worked for that is paying for vacations for tenants. In all, we do not know how many people used taxpayers' money, the bookkeeping is so confused. But if one used it, that is one too many.

Mr. President, I support the bill, but we need to do a lot more to cut HUD. I yield the remainder of my time.

Mr. BOND. I yield to the Senator from Arizona 10 minutes.

Mr. MCCAIN. Mr. President, first let me praise the managers of this bill for all their hard work. Although I have concerns about this measure, it contains many good, worthwhile provisions.

Mr. President, as always I remain very concerned about items added in conference that were never considered in either the House or the Senate. It is wrong when pork barrel projects are added in the dark of night to the benefit of certain States and districts. The American public as a whole will benefit most when as distribution of discretionary funds are allocated through competitive bidding and on the basis of need as prioritized on a national level. I would hope we can move more in that direction in the future.

I want to raise two specific matters contained in the VA–HUD Appropriations Conference report.

Section 218 calls for debt forgiveness for the Secretary of Housing and Urban Development to cancel the indebtedness of the Hubbard Hospital Authority of Hubbard, TX, the Groveton, Texas Hospital Authority, and the Hepzibah Public Service in Hepzibah, WV.

I am very concerned about this mandate. The report that explains this action merely states: ''These loans were previously written off as uncollectible and will not increase the Federal debt.''

Unfortunately, this sheds little light on the subject. I would hope that the distinguished managers of the bill—who deserve praise for doing a great deal of good work—would explain why this language will added to the bill in conference and give a rationale for its apparent urgency.

I would also like to know why are we mandating this action. Might it not be more appropriate to authorized to the Secretary to take such action in a manner that treats all other similarly situated entities and localities in a fair and equitable manner?

I am sure there are other localities around this Nation that would like to have their indebtedness forgiven and doing so in conference greatly concerns me.

Mr. President, I am also interested in section 221 of the bill. Section 221 allows for funds to be used in California and Ohio for different purposes than they were originally proscribed. I would inquire of the managers why this language is necessary?

Mr. President, is this not the exact argument why earmarking does not truly serve the public interest. When we earmark and ignore national or regional priorities and then those priorities change, we are forced to change the law or further earmark funds. This clearly demonstrates micromanagement at its worst.

And it is this micromanagement, this endemic earmarking, that has caused us to waste billions of dollars. Are these projects I mentioned today costing the taxpayers millions of dollars? Maybe. But we must change our way of thinking. We must pass a truly balanced budget. We must pass this year the line item veto. And we must stop earmarking.

Unfortunately, it is entirely too easy to say ''yes'' around here and little courage demonstrated to say ''no''. It is much easier to say yes to a colleague who wants to bring home a little piece of pork. But we were not sent here to go along to get along. As Senator GRAMM noted earlier today on the floor in an outstanding statement regarding the budget, the American people sent us here in 1994 to change the way things are done. We were not sent here so that there would be new faces before the cameras voicing the same old fiscal practices of the past.

I am hopeful we will send the President line item veto legislation in the upcoming weeks. It will serve as further notice that the changes called for in 1994 are indeed becoming a reality. I would hope that we will continue to act in a manner that reflects this new thinking.

I congratulate the managers on a fine job, and it is my understanding that the distinguished manager will supply the responses to my concerns for the RECORD.

I yield the remainder of my time.

Mr. BOND. Mr. President, let me take a minute and thank the Senator from Arizona. Basically, as he indicated, the debt forgiveness was designed to clear the books. There is no prospect of recovery. We will provide a fuller answer for the RECORD. The two provisions relating to Texas were included in the House. The one with respect to West Virginia was added in the conference. We will provide the full information on that.

Mr. BUMPERS. Mr. President, am I recognized for 10 minutes under the order?

The PRESIDING OFFICER. The Senator is correct.

Mr. BUMPERS. Mr. President, I will not vote for the bill before us principally because it has the space station in it, $2.114 billion, while we cut EPA by about $1.5 billion and veterans medical services by somewhere between $300 and $600 million. The space station, which is now calculated by the General Accounting Office to cost $94 billion, still does not have one single redeeming value. Of the $94 billion it is going to cost, $90 billion of that is going to come from the United States. You hear the argument made this is now an international undertaking. That is some undertaking when we are putting up $90 billion of the $94 billion it is going to cost.

Now, for the past several days, we have been reading that even though NASA is giving the Russians $200 million a year to participate in this program—so much for international participation because they are participating and we are giving them the money to participate—they are saying they cannot afford to fulfil their part of the program because we are not giving them enough. So now they are proposing that we allow them to use a part of their existing *Mir* space station, hang it onto our space station and let that count as a contributory share.

Mr. President, I am not going to take up much time on that. I intend to vote against the bill. I am just saying what I have been saying on this floor for about 6 years now. The space station is going to be one disaster after another. This year it is the Russians. Next year, it will be something else.

My staff brought me a little squib on some company that said they had been able to use protein crystals that had been grown on one of the shuttles to develop a flu vaccine, which they hope to finish and perfect by the year 2000. I read the story closely since NASA keeps saying that we will cure all kinds of diseases if only we spend $94 billion on the space station. Well, what the president of the company said was that it was nice to have the space shuttle to develop these crystals, but they could do it on the ground, and they were going to do it anyway. The space shuttle happened to be handy so they used it at taxpayer expense.

None of the pharmaceutical companies in this country is willing to pay for any share of the shuttle or the space station as of this date. Yet, you keep hearing that the space station is going to cure warts, cancer, emphysema, and everything else.

So I am going to vote ''no'' on that.

As far as cuts to the environment, I think this body makes a very bad mistake. We act as if all environmental regulation is somehow bad. Nobody defends environmental regulations that are out of order and excessive. But many environmental regulations are absolutely necessary.

This morning, I picked up the paper and saw that the Washington, DC, sewage system is going kerplunk. It is dilapidated, worn out, and no one has the money to repair it. You are reading more and more stories about that all the time. Bear in mind, colleagues, that the environment determines our very existence, and to build a space station that is going to cost $94 billion while we have sewage running up and down the streets of this country is an absolute outrage.

So I repeat that I won't vote for this bill because the priorities it represents are all skewed-up.

Mr. BYRD. Mr. President, I rise to commend the tireless efforts of the chairman and ranking member of the

VA/HUD Appropriations Committee, Senators BOND and MIKULSKI, in bringing this 1996 VA/HUD conference report to the Senate. As Senators may recall, this is the second iteration of the VA/HUD conference report. The House recommitted the first conference agreement and several technical changes were made, resulting in a second conference report, which is now before the Senate.

This has been a most difficult year for many, if not all, of the thirteen appropriation subcommittees. The VA/HUD Subcommittee, for example, has had to make deep cuts in many critical areas totalling some $9.3 billion below the President's 1996 requests. Cuts in funding for veterans, public housing, the Environmental Protection Agency, NASA, and in a number of other independent Federal agencies, have been necessary.

I greatly appreciate the outstanding work of Senators BOND and MIKULSKI over many months in conducting the numerous hearings, the subcommittee and full committee markups, Senate floor consideration, and the conference on this very important and complex appropriation bill.

This is the first year of Senator BOND's chairmanship of the VA/HUD Subcommittee and he has carried out his responsibilities admirably, under extreme budgetary constraints. I recognize and compliment his efforts.

As for the ranking member of the VA/HUD Subcommittee, the distinguished Senator from Maryland [Ms. MIKULSKI], I am a great admirer. Senator MIKULSKI joined the Appropriations Committee in 1987 and chaired the VA/HUD Subcommittee from 1989 through 1994. She immediately took charge of this most complex subcommittee and never missed a beat. Each and every year, Senator MIKULSKI was able to accommodate whatever came her way in the form of subcommittee allocations which were clearly too small to adequately address the many critical needs under the subcommittee jurisdiction.

She never complained; instead, she went about the difficult task of making the hard decisions of where to cut in the most fair and equitable manner. I am certain that her experience and expertise have been most helpful to the new chairman, Senator BOND, on the bill that is now before the Senate.

I also thank the very capable and dedicated subcommittee staff: Stephen Kohashi, Carrier Apostolou, and Lashawnda Leftwich for the majority; and Rusty Mathews and Steve Crane for the minority. Their efforts are greatly appreciated.

Although this bill may be vetoed by the President, it is in no way a reflection upon the admirable work of the subcommittee members and staff.

LIHPP

Mr. KERRY. Mr. President, I want to recognize the chairman's successful efforts to not only continue the Low-Income Housing Preservation Program in fiscal year 1996, but provide $624 million in funding. This program is extremely important to my state and to many across the country. Thousands of Massachusetts tenants are threatened with displacement if the owners prepay their HUD-assisted mortgages and convert the property to uses other than affordable housing.

I am also generally supportive of the reforms to the program that are incorporated in the appropriations language. There is significant concern that the program may provide excessive incentives. I am hopeful that the authorizing committee on which I serve will take another look at the preservation program next year—with a particularly thorough review of the proposed capital grant approach—and make further refinements with the objective of preserving affordable housing and preventing displacement—without unnecessary costs to the taxpayer.

Unfortunately, the funding levels and program changes also mean that some owners will now choose to prepay. This raises the concern about the adequacy of protections for the residents of buildings in those circumstances where owners decide to prepay and convert their buildings to other uses.

The conference report language protects residents by preventing owners from prepaying their mortgage unless they agree not to raise rents for 60 days following prepayment. The language also raises the value of vouchers to a rent level necessary to allow the residents to stay in the buildings. These are appropriate protections.

Section 223 of the current Low Income Housing Preservation and Resident Homeownership Act [LIHPRHA] provides significant protections to residents who are faced with a prepayment action by an owner. It is my interpretation that nothing in the appropriations language would override the protections provided to residents under section 223 of LIHPRHA, and that these protections would still apply to residents in those buildings where the owners decide to prepay their mortgages. Is that also the understanding of the distinguished Senator from Missouri?

Mr. BOND. Yes, I agree with the Senator from Massachusetts' interpretation—particularly as it relates to eligibility for voucher assistance and moving expenses of residents who are involuntarily displaced. The appropriations bill is intended to restore the right of owners to prepay their mortgages. At the same time, I have argued throughout this process that it is important to retain a preservation program that preserves as much of the affordable housing as possible and protects the residents of the buildings from involuntary displacement.

The appropriations language does not override the protections in section 223. I must add, however, that section 223 may provide benefits to residents that may be inconsistent with the decision by Congress to restore the owner's right to prepay and to the degree that the nature of the section 8 assistance has been modified by the appropriations language. It is my view that the authorizing committee should review all of LIHPRHA—including section 223—over the next year in light of the new funding levels and the changes in the appropriations bill. I thank the Senator from Massachusetts for raising this concern.

Mr. KERRY. I thank the distinguished chairman of the VA–HUD Subcommittee for his remarks and I look forward to working with him on the preservation program in the Banking Committee in the coming year.

Mrs. MURRAY. Mr. President, I want to take a moment to commend the efforts made by Senators BOND and MIKULSKI to improve the fiscal year 1996 VA–HUD appropriations bill. Given the budget constraints, they have done an admirable job of trying to craft appropriate and acceptable language.

Unfortunately, I am still frustrated by what this legislation does to this Nation's veterans programs, housing assistance priorities, and environmental protection policies. This bill not only compromises successful programs like AmeriCorps and Youthbuild, it cuts our housing budget by more than 20 percent.

Mr. President, we have an obligation to improve each and every American's access to safe and affordable housing. Unfortunately, as I warned last spring, the bill before us weakens our ability to provide adequate housing, and it ultimately cuts valuable programs that work.

Mr. President, the HOPE VI Program is designed to replace this Nation's most desperate and distressed housing stock with new, sustainable housing communities that will instill a sense of pride and community. The fiscal year 1996 appropriations bill cuts the HOPE VI Program from $500 million to $280 million. Mr. President, this cut will make it very difficult for current HOPE VI projects to complete their work. Because of this, I want to emphasize how important it will be for the Secretary of the Department of Housing and Urban Development to comply with the Senate report language that expresses the Senate's intent to give priority funding to already-approved HOPE VI sites.

The Senate language allows us to follow through on our commitment to improving housing conditions and opportunities in a time of severe funding constraints.

Mr. President, I am also deeply concerned about the funding cuts the conference bill has imposed on the Environmental Protection Agency. While the conference opted to stay with the higher funding levels urged by the Senate, this level of $5.7 billion still results in a 22.5 percent reduction from the President's budget request and a 14 percent cut from 1995. However, I am most worried about the reductions in several important programs, including environmental and public health standards enforcement, drinking water and

wastewater treatment infrastructure projects for States, and hazardous waste site cleanup.

Mr. President, we are finally making real progress in environmental protection. Our rivers and lakes are cleaner, our air is more breathable, and our drinking water is safer. Now is not the time to slow that progress. Instead, we should move forward so that we leave our world a safer, healthier place for our children.

Mr. President, for these reasons, I must vote against this legislation. But, should the President veto this bill, I look forward to working with my colleagues to improve the bill.

SPELMAN COLLEGE OUTREACH

Mr. COVERDELL. I would like to commend the chairman for his skillful work in shepherding this bill through the Senate and Conference Committee. There are certainly more enviable jobs than having to direct a major portion of spending reductions necessary to reach our ultimate goal of a balanced budget.

Mr. BOND. I thank the Senator.

Mr. COVERDELL. Recognizing his accomplishment in this regard, I would like to bring to the chairman's attention the fine work of many like my constituents at Spelman College in Atlanta in the arena of public housing assistance.

Located near urban Atlanta, Spelman College has established a quality outreach program for public housing residents that seeks to address many of the housing needs and problems in Atlanta and other large cities throughout our country.

Mr. BOND. I am indeed aware of the fine work performed at Spelman and am interested in their progress.

Mr. COVERDELL. The distinguished chairman's comments are appreciated. I would ask the Senator if the committee recognizes the role institutions of higher education play in revitalizing economically distressed urban and rural communities.

Mr. BOND. The committee certainly recognizes the vital role that colleges and universities can play in alleviating many of our problems in these areas, particularly with housing.

Mr. COVERDELL. Recognizing the disproportionate representation of minority women in public housing, would the chairman be willing to consider funding for minority institutions in their efforts to assist with these programs.

Mr. BOND. The committee recognizes the indelible role minority institutions can play in providing outreach and supportive services for residents of public housing. Therefore, of the funds provided, HUD should consider giving to support qualified minority institutions, like Spelman College, that have established outreach programs for public housing residents.

Mr. SARBANES. Mr. President, I rise today in opposition to the conference report on the VA, HUD-independent agencies appropriations bill for fiscal your 1996. While this agreement is an improvement over the bill that passed the Senate earlier this fall, it still fails to provide adequately for a number of programs which are essential to the fulfillment of many of our national priorities.

First, the agreement before us today represents a major step backwards for the environment. This legislation proposes to cut the budget for the Environmental Protection Agency by $1.7 billion, fully 21 percent below the levels enacted in fiscal year 1995. This would significantly undermine the agency's ability to administer and enforce environmental laws and perform its critical mission of protecting public health and the environment. Although most of the harmful House riders in the bill have been stricken, language with similar intent remains in the conference report, including language which would attempt to undermine the Community right to Know Act of 1986.

Under this conference report, Maryland alone, would lose over $14 million in funding required for substantial upgrades to long outdated sewage treatment facilities—projects which will have a direct impact on the water quality of the Chesapeake Bay, our coastal beaches and bays, and other local waters.

Provisions in the underlying measure would cut EPA's enforcement and compliance assurance by 25 percent which would severely impact upon the agency's ability to inspect industrial and Federal facilities in Maryland and prosecute violations. Mr. President, it is my view that this bill unfairly singles our EPA to bear a disproportionate share of the deficit reduction burden. It will not just decrease the rate of increases, but will also severely reduce EPA's funding.

I am also very concerned that this legislation would terminate funding for the national service program. Signed into law on September 21, 1993, the National Service Act has helped to renew the ethic of civic responsibility and the spirit of community service while also providing critical assistance to needy communities throughout the Nation. The measure has encouraged and provided the opportunity for thousands of Americans to give of themselves for the greater good while earning money to further their education. In my view, the legislation effectively merges education and service, two critical components of a healthy society. Eliminating funding for this successful program reneges on our commitment and our responsibility to provide leadership and opportunity in national service.

AmeriCorps, the centerpiece of the national service program, is not one large Federal program, but a network of locally developed and locally managed service corps which gives thousands of young people the opportunity to serve their country while improving their own lives and those of their neighbors. Moreover, the initial investment we have made has encouraged increased private sector involvement in community service programs, including AmeriCorps.

It is my view that those who participate in national service represent the best of our Nation. At a time when we, as a society, are searching for ways in which to strengthen our families and our communities, it would be foolhardy to abandon the national service initiative. AmeriCorps volunteers are taking part in the oldest and best of America's traditions—the spirit of service—and they deserve our support.

Mr. President, this legislation also includes large cuts in Federal housing programs. The VA–HUD appropriations conference report before us contains significant reductions in public housing modernization, public housing operating subsidies, severely distressed public housing programs, homeless assistance programs, incremental housing assistance, programs for distressed multifamily housing, and salaries and expenses.

The funding levels for housing programs included in this bill are inadequate given the housing needs of low-income Americans and the community development needs of our Nation's communities. There is no evidence that the number of homeless people in our society is declining. In fact, available evidence suggests that the number of homeless families with children are increasing. Waiting lists for public and assisted housing remain years long in many places around the country. Too many of our neighborhoods are plagued with vacant homes, aging and decaying infrastructure, and high levels of social distress. HUD's programs, which are being cut severely in this conference report, address these important national needs.

The funding cuts included in this bill will make it that much harder to resolve some of HUD's problems and may, in fact, exacerbate these problems. HUD will need sufficient funds to rebuild the management capacity of the troubled public housing authorities, tear down and replace the aging stock, and address the housing needs of those who currently live in the buildings. Likewise, in order to address the embedded losses in the insured multifamily housing portfolio, the Federal Government should invest resources now in order to save money in the future. If the Federal Government walks away from its longstanding involvement in these buildings, there will be negative consequences for the residents, for the buildings, and for the surrounding neighborhood.

Finally, I am concerned that this bill provides nearly $55 million less than the funding level requested by the administration for staffing and management resources—even though HUD currently has severe staffing shortages. I am deeply concerned that these cuts will harm HUD's ability to meet its mission and, at the same time, resolve some of the management problems that confront them. Significant cuts in

staffing and management resources in advance of restructuring the Department's programs and reducing its workload are, at best, unwise when HUD employees are attempting to manage Government commitments of nearly $1 trillion on behalf of American taxpayers.

Mr. President, with respect to funding for the Department of Veterans Affairs, while I am pleased that the conference report eliminated a provision that would have limited the service-connected compensation paid to certain incompetent veterans who have no dependents, I remain deeply concerned about the overall funding levels provided in this legislation for veterans programs.

Although this measure provides an increase in funding for VA medical care above the fiscal year 1995 level, the $400 million increase does not come close to the level necessary to provide current services. Put simply, this would translate into a drastic cutback in services provided by VA and substantially fewer veterans being treated. We owe a considerable debt to our Nation's veterans and, in my view, the medical care funding in this measure reflects an abandonment of the Federal Government's commitment to them.

I also am concerned with the appropriation in the conference report for the general operating expenses [GOE] account which funds the administration of all VA benefits other than medical care, such as compensation, pension, and educational assistance. The funding level for GOE in this measure represents a reduction of more than $42 million from fiscal year 1995. This decrease in funding will seriously impair VA's ability to make progress in reducing the current backlog of pending claims and, in fact, may result in a reversal of the progress the VA has made already in this important area.

Finally, I note the discontinuation of the U.S. Court of Veterans Appeals pro bono representation program. For the past several years, this program has fulfilled a critical need, providing representation for hundreds of veterans who have appealed the denial of their benefit claims to the Court of Veterans Appeals, and who otherwise would have been without counsel. The elimination of this program would be a severe loss, leaving low-income veterans, the majority of all veterans who file appeals, to handle their cases without legal assistance.

Mr. President, it is clear that the conference report before us fails to provide adequate funding for many programs critical to the future of our Nation and the health and well-being of its citizenry. I would urge my colleagues to join me in opposition to this legislation.

Mr. LAUTENBERG. Mr. President, I rise in opposition to the conference report accompanying the VA, HUD, and independent agencies appropriations bill. This legislation would cut funding at the Department of Housing and Urban Development by more than one-fifth, and is yet another clear reflection of the misguided priorities that have driven the budget process this year.

Mr. President, HUD today provides housing assistance to over 4 million households, including working families, seniors, and people with disabilities. Yet this only makes a dent in the housing needs of lower income Americans. Millions of our citizens are living in substandard conditions or are paying more than half of their incomes for housing. Countless others are homeless entirely.

Unfortunately, this conference report not only fails to meet these pressing needs, but it is a step backward. And its proposed cuts will have a real impact on needy Americans throughout our Nation.

This legislation virtually eliminates funding for incremental housing assistance, and slashes funding for homeless programs by a quarter. As a result, hundreds of thousands of families will continue to languish on public housing waiting lists. Many will be forced to live in substandard housing or on the streets. Meanwhile, Congress is about to pull the safety net out from under them, with cuts in nutrition, health care, education and other critical programs.

The cuts in this legislation also will lead to the continued deterioration of our Nation's public housing stock, by cutting the modernization budget by one-third. Mr. President, this stock represents a $90 billion investment by our taxpayers. To allow it to deteriorate further is short-sighted. It also will mean that tens-of-thousands of our citizens will continue to live in substandard housing, as major repairs and renovations are canceled due to lack of funds.

The conference report also includes a nearly 50-percent cut in funding for severely distressed public housing. This will inhibit efforts to revitalize our Nation's most troubled and most dangerous public housing developments.

If there is one bright spot in the conference report, Mr. President, it is the inclusion of $290 million for the Public and Assisted Housing Drug Elimination Program, which I developed several years ago. This program has had great success in reducing crime in housing developments around the Nation. And I am encouraged that we are maintaining our commitment to this initiative in this legislation.

Still, Mr. President, the cuts in housing proposed in this legislation are deeply troubling. Not only because of their impact on ordinary Americans. But because they are being proposed as part of a Republican budget with seriously misplaced priorities.

Mr. President, the new majority in the Congress is committed to providing huge tax breaks for millionaires, $7 billion for the Pentagon that the generals don't even want, large subsidies for western ranchers and mining companies, and various other special interest giveaways. Meanwhile, they are slashing programs that provide assistance to the most vulnerable Americans, especially those in our cities.

In my view, Mr. President, this reverse Robin Hood approach is inconsistent with true American values. I am sympathetic to calls for a balanced budget, Mr. President. But the pain must be shared, not targeted at our cities and the poor.

Mr. President, the median income of households receiving Federal housing assistance is $8,000. This happens to be about the same amount that the Republicans want to provide in tax breaks to those with incomes over $350,000. What does this say about our priorities, Mr. President?

In the 1960's, our Government declared war on poverty. In 1995, it seems that our Government has declared war on poor people.

Mr. President, the millions of Americans with severe housing needs deserve better. And it is not enough to say that we don't have the money. If we have the money to provide huge tax breaks for millionaires, if we have the money to provide $7 billion to the Pentagon that our military does not even want, if we have the money to subsidize large mining and agricultural corporations, how can we say that we lack the money to ensure that ordinary Americans have a decent place to live?

So, Mr President, I cannot support this bill and will vote against it. I call on President Clinton to veto the legislation, and continue to stand firm until Congress agrees to provide adequate funding for housing programs.

Mr. KERRY. Mr. President, I want to express my admiration to a number of Senators who have struggled valiantly to produce a bill acceptable to the great majority of Senators and to the administration, that appropriates funds for the vital services provided to American citizens by the Veterans Affairs Department, the Department of Housing and Urban Development, the Environmental Protection Agency, and other agencies.

The challenge this posed, in a time when it seems too many in both parties have as their objective scoring political points off the other party rather than reaching reasonable middle ground on contentious issues, proved unfortunately to be an insurmountable challenge at least to this point. And despite the great and perhaps even herculean effort invested in this bill by the chairman of the subcommittee, the distinguished Senator from Missouri [Mr. BOND], and the ranking member, the distinguished Senator from Maryland [Ms. MIKULSKI], I regret very much I have concluded I have no choice but to oppose the bill, and urge the President to veto it, assuming as I do that it will reach his desk for his action. Its shortcomings are numerous, and they are not minor.

With regard to the budget for the environmental Protection Agency, the severe cuts of 22 percent from the President's request threaten public health and the environment. Of particular concern are the significant cuts to the enforcement budget, the Superfund Program and the State revolving funds that finance clean water and safe drinking water remedial action.

The conference agreement cuts the EPA's enforcement program by 25 percent—in effect allowing more polluters the freedom to continue to pollute our land and water without challenge. The bill also slashes the Superfund budget by 25 percent, which would slow existing cleanups and prevent new cleanup starts. That means that at least four cities in Massachusetts will have to live with continued exposure of thousands of their citizens to dangerous chemicals.

The agreement also reduces by $762 million from the President's budget the funding provided for water infrastructure improvements to States and needy cities across the country. For the past several years—under both the Bush and Clinton administrations—Congress has appropriated at least $100 million for Boston Harbor cleanup alone. However, this bill provides just a fraction of that amount—$25 million, thus neglecting to recognize the dire straits of communities such as those of the Greater Boston area which are grappling with the enormous water rate increases which result from Federal mandates.

In addition to inadequate funding levels for vital EPA efforts to ensure that public's health and safety, also of grave concern to me are legislative riders that eviscerate existing environmental safeguards, without the benefit of congressional hearings or any input from the general public. We as a nation have struggled valiantly over the past quarter century to identify and eliminate threats to our environment which directly or indirectly threaten our health, safety or well-being, and to begin to clean up the existing mess. I will not willingly participate in the thoughtless and hurried abandonment of these efforts.

Mr. President, I am also voting against this bill because it includes excessive cuts in our Federal housing programs. I am concerned that cutbacks of the magnitude visited on the Department of Housing and Urban Development in this bill and some of the changes it makes in housing policy represent a retreat from our Nation's goal to provide all Americans with decent, safe, and affordable housing, and undercut efforts we have been making to reform the agency and its programs.

The conference agreement contains significant cuts in HUD's overall budget and particularly deep cuts in public housing programs, incremental assistance, and homeless assistance. Yet, HUD's purpose has not gone away, and this bill provides no roadmap to meeting the pressing needs in our Nation that agency was established to meet. The unmet housing needs of our people are significant. Hundreds of thousands of Americans are homeless every night. Millions of Americans are still living in substandard housing or paying a painfully heavy portion of their income for rent. Too many young families find the barriers to homeownership insurmountable. The goal of a decent, safe, and affordable home for all Americans is still a valid goal for this country. The needs of our cities—large and small—are national in scope. The distressed neighborhoods around the country—like those in Lowell, Lawrence, Fall River, Springfield, Boston, and other Massachusetts cities and towns—rely on Federal community development assistance to battle the declines that face all of our older urban areas.

We also need to be concerned that the cuts in the bill will have serious consequences by making it much more difficult to resolve some of HUD's management problems. The bill, in fact, may exacerbate rather than ameliorate these problems by reducing funding levels for programs that maintain and operate public housing or prevent defaults on HUD-insured multifamily properties. Fixing some of HUD's programs, quite frankly, will require us to invest more resources, not less—because the the small percentage of public housing authorities that are troubled will require strong intervention by the Federal Government. It will require large sums to rebuild the management capacity of these authorities, tear down and replace the aging stock, and address the housing needs of those who currently live in the buildings. The severely distressed housing program—HOPE VI—is providing funding for innovative approaches to remedying distressed public housing around the country—including efforts to revitalize Mission Main and Orchard Park developments in Boston. The conference agreement, unfortunately, cuts this program just as we are showing signs of making progress.

I am also concerned that the bill before us establishes a policy that, beginning in 1997, we will only renew expiring section 8 contracts at fair market rents. At the same time, the bill codifies a cut in fair market rents from the 45th to the 40th percentile. Without question, Mr. President, we need to enact changes in the section 8 program that reduce rents where they are excessive and address the burgeoning long-term costs of the section 8 program. We must be careful, however, that a blanket approach does not undermine the viability of existing affordable housing projects. We are responsible for what happens to both the public and assisted housing inventory: the Federal Government walking away from its long-standing involvement in these buildings will have negative consequences for the residents, for the buildings, and for the neighborhoods that surround them.

Mr. President, I know the appropriators struggled with a wholly insufficient allocation from the 1996 Congressional budget. Their mission arguably was impossible from the outset. In my judgment, it is simply imperative that the overall budget negotiations provide a higher allocation to the VA/HUD subcommittee. Nonetheless, I do want to acknowledge the chairman's, ranking member's, and subcommittee's actions to help several key programs—and there are some example of their efforts that deserve mention. The subcommittee was able to find $20 million for the Youthbuild Program, though I am extremely disappointed that this level represents a significant cut, realitive to last year, in the resources for this valuable and successful program. I am pleased that the conference agreement preserves the funding levels for the HOME and CDBG Programs at 1995 levels. And finally, the agreement provides $624 million for the preservation of low-income housing; continuing this program is very important if we are to prevent the loss of affordable housing and the displacement of thousands of families across Massachusetts and the entire Nation.

There are other deficiencies—serious deficiencies—in this bill—for example, in provisions pertaining to veterans programs and services, about which others have eloquently remarked in this debate, remarks I will not take the Senate's time to replicate. The sum is a bill that is fatally flawed.

Mr. President, it disturbs me that this has occurred on yet another bill. It disturbs me greatly that, less than 3 weeks before the end of the calendar year, and nearly 3 months after the beginning of the current fiscal year, the Republican leadership of this Congress still is engaged in the political game of sending the President a bill he already has announced emphatically he must and will veto on the basis of deeply-held, principled conviction—before there have been any definitive negotiations to reach real middle ground. The American people don't understand what is going on, here, Mr. President, and with good reason. It defies rational explanation.

But, at the insistence of the intemperate Speaker of the House, the President and the Congress will be required to play out this charade. I thank the President for his courage and steadfastness to vital principles which will be the foundation for the veto he will cast. I remain very hopeful that all parties to the budget negotiations will engage in them diligently and in good faith, that one of the outcomes will be to provide a more realistic allocation of discretionary funding to this bill, and that in the near future we will be debating in this chamber a reasonable bill behind which Senators of good will from both parties can unite and which we can send to the President for his signature.

Mrs. BOXER. Mr. President, there are many aspects of this appropriations bill which I find deeply troubling. I am thankful we have a President who has

clearly said that he will veto this bill if presented to him in its current form.

I would like to take this opportunity to focus on two areas of the bill which are of particular concern to me—the unacceptable cuts to the Environmental Protection Agency [EPA], and the lack of funding for the VA medical center at Travis Air Force Base in Fairfield, CA.

ENVIRONMENTAL PROTECTION AGENCY

The EPA is the agency responsible for the implementation of our most fundamental environmental protection laws: The Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, laws that protect us from improper hazardous waste disposal, laws that protect us from exposure to radiation and toxic substances, laws that regulate the clean-up of hazardous waste sites all over the country, laws that ensure that every citizen in this country has a right to know about what kinds of toxics are being released into their environment.

And how much does it cost us to run the EPA? In 1995 we appropriated about $6.6 billion for the EPA. Let me put this into context. The whole EPA budget is the same as the cost of about three B–2 bombers. In the 1995 budget we appropriated over 40 times this amount—$241 billion—for the Department of Defense. The fiscal year 1996 defense appropriations bill that recently passed the Senate included $7 billion more than the Department of Defense says it needs. We are throwing an extra $7 billion at the Pentagon and the same time we are taking away vital funds that protect our health and safety. It simply does not make sense.

The cuts made in this bill to the EPA budget are unacceptable. This bill appropriates $5.7 billion for EPA—that is a 14-percent cut—or nearly $1 billion from the fiscal year 1995 level. It is a 22.5-percent cut—or $1.7 billion—from the President's fiscal year 1996 request.

Republicans seem to take great pride in their efforts to dismantle key social programs that Americans hold dear, but they have chosen to take their war against the environment underground. The cuts to the EPA budget show us the covert war that is being waged by Republicans against our environment.

It has to be covert because they have seen the results of poll after poll showing that the vast majority of Americans feel that our environmental laws should be strengthened, not stripped away. In my many years in public office not once has anyone told me, ''Senator, our air is too clean,'' or ''our water is too safe.''

The back door attack on our environmental laws seen here is cuts in EPA's budget that will cripple EPA's ability to set and enforce environmental standards.

This bill cuts enforcement of all environmental programs by 22 percent—$128 million—from the President's request and 14.6 percent—$77 million—from fiscal year 1995.

It hits at the heart of EPA administration and management in EPA's ability to set and enforce environmental and public health standards with a 17-percent cut—$310 million—below the President's request, and a 7-percent cut—$115 million—from fiscal year 1995.

Mr. President, these cuts mean that an already stretched EPA will not be able to carry out critically important work that ensures the health and safety of all Americans, and will result in a setback of national efforts to ensure that every American citizen breaths clear air, drinks clean water and is safe from the dangers of hazardous waste.

These are the EPA funds that are spent working with States and municipalities in the development of our air quality, water quality, lead abatement, and food safety standards; the funds that allow EPA to keep track of the levels of pollution in our air, our water, our food, our environment; that allow the EPA to work with States and with industries to help them discover the sources of pollution problems and help them comply with Federal safety standards; that allow the EPA to give technical assistance to State pollution control agencies and county air and water quality boards; that allow the EPA to carry out environmental impact statements on industry actions that may hurt the environment; that allow EPA to work all over this country to educate industry and small business and help them comply with the law so that enforcement actions are avoided.

In the long run this will mean more water pollution, more smog in our cities and countryside, more toxic waste problems.

EPA's budget is cut in many other areas to levels that are unacceptable.

A 30 percent—$462 million—cut from the President's request and a 9 percent—$110 million—cut from fiscal year 1995 in funds that go straight to the States to help cities all over the country build sewage treatment plants that keep raw sewage from flowing into our coastal waters, rivers, lakes and streams.

A 45 percent—$225 million—cut from the President's request and a 79 percent—$1 billion—cut from the pre-rescissions fiscal year 1995 level in funds that go to States to protect our drinking water nationwide.

A 25 percent—$400 million—cut from the President's request and 13 percent—$168 million—cut from fiscal year 1995 in funds that go toward cleaning up hazardous waste sites.

But, Mr. President, I would like to close my statement with a comment about the presence of riders in this conference report—in the face of the House vote to instruct conferees to omit riders that would limit EPA enforcement of existing environmental protections.

This conference report includes a rider that strips away EPA's veto authority over U.S. Corps of Engineers wetlands permits decisions. Although the EPA has only vetoed 11 permit requests since 1972, the power of EPA's veto has played a very important and constructive role in the reaching of compromises on innumerable proposed development plans to fill wetlands. I believe that EPA's vet power is absolutely essential in maintaining a balanced approach to making environmental permit decisions. Without this veto authority, we are opening the door to very serious potential losses of wetlands.

We have lost approximately 53 percent of our historic wetlands in the continental United States—and in my State of California, the loss is over 90 percent. We continue to lose wetlands at the alarming rate of about 300,000 acres per year, and there still seems to be a general lack of appreciation for the vital role that wetlands play in protecting our people's health, sustaining our Nation's natural systems and supporting America's economy.

Wetlands preservation is often seen as incompatible with economic growth. I believe that not only does wetlands conservation make good environmental sense, it makes good economic sense. The value of wetlands in flood control, groundwater storage, water purification and commercial and recreational uses has been estimated to be $1.4 trillion annually.

An economic analysis of the value of wetlands was prepared in 1993 under the direction of the School of Public Policy at the University of California at Berkeley. Using my State of California as an example, the study showed that the total annual benefit of wetlands to the State ranges from a low of $6 billion to almost $23 billion. Those are the amounts the State would lose annually if 100 percent of our wetlands were lost to filling and development.

Mr. President, in 1994, over 48,000 Americans sought approval to fill wetlands. The number of permit requests has increased by 27 percent since 1990. If this rider goes into law, every request will be submitted with the knowledge that the EPA has no veto authority. Old projects will be dusted off and resubmitted—we will lose wetlands that our Nation cannot afford to lose—we will lose wetlands that our Nation cannot afford to lose.

TRAVIS VA MEDICAL CENTER

I am deeply disappointed that the bill does not including funding to complete construction on the proposed VA hospital at Travis Air Force Base, in Fairfield, CA.

In 1991, a severe earthquake damaged northern California's only VA hospital in Martinez. That facility served over 400,000 veterans, and its closure forced many to drive up to 8 hours to receive medical care. The Bush administration recognized the tremendous need created by the Martinez closure and promised the community that a replacement facility would be constructed in Fairfield, at Travis Air Force Base. The conferees' action breaks that 4-year-old promise to the veterans of northern California.

Last year, Congress appropriated $7 million to complete design and begin

construction on the Tavis-VA medical center. Nearly $20 million has been spent on the project to date, and more than a year ago, Vice President GORE broke ground. Construction is now underway.

For fiscal year 1996, President Clinton requested the funds needed to complete construction, $188 million. Congress' refusal to fund the project seriously jeopardizes the prospect that the hospital will ever be built. The outpatient clinic proposed as an alternative by the conferees is entirely unacceptable to the veterans of northern California.

The decision not to fund the Travis-VA medical center breaks faith with California's veterans, and violates promises made by the past two Presidential administrations.

For the reasons I have stated above and many others, I have no choice but to oppose this conference report, and I will urge the President to veto this bill.

Mr. JEFFORDS. Mr. President, I am voting for this legislation with a number of reservations. This bill provides funding for important programs at the Department of Veterans Affairs [VA], Department of Housing and Urban Development [HUD] and the Environmental Protection Agency [EPA]. I supported this legislation when it passed the Senate in September, with the understanding that Senate negotiators would maintain funding for our Nation's veterans, maintain adequate levels for housing, protect funding for the EPA and oppose the 17 anti-environment legislative riders included in the House version of this bill.

After the most recent conference on this legislation between the Senate and House, it is my belief that the bill has emerged better than both the original House and Senate passed versions. Funding for veterans' health is now higher than last year's levels. EPA spending levels, originally slated for a 33 percent cut in the House bill, have been increased, resulting in only a 14 percent reduction. A number of other important programs and agencies received a similar reduction this year. Finally, almost all of the environmental legislative riders I found most objectionable have been dropped.

Mr. President, I believe the managers hands were tied in this situation. The allocation for this entire account was reduced to such an extent that they were forced to make some difficult choices. The overall allocation was reduced by close to 10 percent from fiscal year 1995. The fact that EPA received a 14 percent cut is very unfortunate but understandable considering the overall reduction for this bill. I hope that the ongoing budget negotiations will yield more funding for environmental protection.

I agree that Congress must reduce Federal spending in order to gain control of our growing budget deficit. We must reorder our spending priorities and makes every effort to cut wasteful expenditures throughout the Federal budget. Although savings can be found in the Department of Energy, Department of Interior and EPA budgets, I will strongly oppose a complete gutting of the funding for important environmental programs.

Finally, included in this legislation is an amendment which will remove EPA from the process of protecting many of our Nation's wetlands and rivers under section 404 of the Clean Water Act. Last year, under this section of the Clean Water Act, EPA assisted the State of Vermont in protecting one of our State's most valuable river ecosystems. I remain hopeful that during future consideration of funding for EPA we not further weaken EPA's ability to protect our Nation's rivers and wetlands.

Mr. President, I am voting for this legislation in order to move the process forward. In the event that the legislation is vetoed by the President, I would hope my colleagues would seriously consider some the few concerns I have raised here.

Mr. SIMPSON. Mr. President, this appropriation is a very good one for veterans. It fully funds veterans' benefits payments. And, unlike many of the non-veteran programs funded by this bill, veterans' health care funding would actually increase.

Mr. President, there is one provision in this conference report which affects a small sum of dollars, but which is important to VA and to America's veterans. Funding for staffing and travel in the office of the Secretary has been reduced.

Mr. President. I support that reduction.

The Secretary of Veterans Affairs has left no tub unpounded, no stump without a speech, in a campaign of propaganda misrepresenting the actions of this Congress. I tire of that.

He has continued to talk about budget ''cuts.'' Even when he knows so well that the budget is actually being increased.

He continues to talk about declines in VA health care services even after personally sitting through a hearing where the increases were quantified and illustrated by charts.

He took a discredited advocacy ''study'' from a liberal lobby group and tried to give it the stature of a ''government'' report. That action was an attempt to ''use''—yes that is the term—veterans as the point men in a political campaign to defeat reforms needed to preserve the Medicare and Medicaid programs.

In short, Secretary Brown has confused the responsibilities of a Cabinet Secretary with the role of a political lobbyist.

He has assumed the zealous mission of a political advocate without remembering the requirement to led and administer his Department.

And, as an article in today's Washington Post makes clear, he is wholly unrepentant in his course.

Yes, the conference report will restrict his political activities. But, and hear this, and hear clearly, it will not restrict his ability to lead his Department. In fact, if it causes him to stay right here in Washington and focus hard on the many heretofore unaddressed challenges facing the Department of Veterans Affairs, the reduced funding level could actually improve his stewardship over the Department.

The issue is not ''freedom of speech.'' That is pure bunkum. Those who make that argument are not really arguing that the Secretary has a right to speak. They are instead arguing that the taxpayers have an obligation to pay for whatever he wants to say. That is, or course, surely not the case.

Mr. President, this is not a perfect bill. No bill is. But the members of the subcommittee have done a very good job in protecting funding for veterans' programs.

I think it would be tragic if the President were to use funding levels for nonveteran programs as an excuse to veto a bill that increases veterans' medical spending and fully funds their benefits.

I am sure that my friend from Missouri will confirm that it will be very hard to craft a bill as favorable to veterans as this one and which also increases funding for other programs.

I commend Senators BOND and MIKULSKI. They work well together as managers of the bill. I thank them for their yeoman work and I do hope the Senate will join me in support of the bill.

Mr. CHAFEE. Mr. President, I would like to make a few remarks about H.R. 2099, the VA—HUD appropriations conference report. I want to commend the distinguished ranking member and the distinguished manager of the bill for their efforts in reaching an agreement on this measure.

The conferees had to make some tough choices, and I am pleased that they listened to the American people and decided to drop the controversial environmental riders in the House-passed bill. I am also delighted that the conference report provides the Environmental Protection Agency [EPA] with a higher level of funding than either the House or Senate bills.

Although the conferees eliminated most of the objectionable legislative riders, I am still troubled by two key provisions in the conference report. First of all, the conferees have decided to maintain the rider in the Senate bill that bars EPA from using any fiscal year 1996 funds to implement section 404(c) of the Clean Water Act.

Since its enactment in 1972, section 404 of the Clean Water Act has played an integral role in the progress we have made toward achieving the act's central objective, which is ''to restore and maintain the chemical, physical, and biological integrity of the Nation's waters.'' Section 404(c) authorizes EPA to prohibit a disposal of dredged or fill

material into U.S. waters, including wetlands, if such a disposal would have an unacceptable adverse effect on certain especially important resources.

The rider in the conference report would preclude EPA from ensuring against unacceptable adverse effects on these valuable resources for a full year. An article written by John Cushman in Tuesday's edition of the New York Times is especially instructive: It points out the many of the unknown adverse consequences this rider could have for our most valuable wetlands resources.

Mr. President, I ask unanimous consent that the article printed in the December 12, 1995, New York Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 12, 1995]

BRIEF CLAUSE IN BILL WOULD CURB U.S. POWER TO PROTECT WETLANDS

(By John H. Cushman, Jr.)

WASHINGTON, Dec. 11.—Buried deep in a spending bill now before Congress are two sentences that could give clear sailing to a highway project in New Hampshire, harbor dredging in South Carolina, a mine in Montana and many other projects around the country that have been threatened by the Government's environmental objections.

The terse provision would take away one of the Environmental Protection Agency's major tools for protecting the country's wetlands: the veto that the agency is allowed to cast against permits that the Army Corps of Engineers issues to developers for wetlands projects.

The change is set forth in one obscure passage in a vast $80 billion appropriations bill paying for veterans, housing, environmental and other programs in the current fiscal year. The bill passed the House on Thursday and is expected to come to the Senate floor shortly. President Clinton, objecting to many of its provisions, has said he will veto it.

Although it is hard to predict whether the wetlands clause will become law, the prospect worries conservationists, who call the continuing loss of wetlands a threat to water quality and wildlife. The provision would prohibit the E.P.A. from spending anything in the current fiscal year to exercise its power under the Clean Water Act to review and veto wetlands permits. Any vetoes that are pending would be nullified, giving the Corps of Engineers the final say.

The bill's 73 words on wetlands have rated only the briefest mention during a raging Congressional debate over Federal environmental priorities. But the effect of the provision could be felt nationwide.

Most immediately, the change may resurrect plans for a $200 million highway sweeping around Nashua, N.H. Last August, the state reluctantly agreed to scale back the project when threatened with a veto by the E.P.A. The reduced plans spare more than 40 acres of wetlands and other undeveloped wildlife habitat near the Merrimack River. James Rivers, a spokesman for Gov. Stephen Merrill, said that although the state plans to proceed with the scaled-back project for now, it would consider expanding it in the future if the Federal law is changed.

In Charleston, S.C., E.P.A. officials have warned the corps against dredging shipping channels near a paper plant because of possible dioxin contamination. But if the new law is passed, the E.P.A. would lose its legal leverage to persuade the corps to adopt an alternative for clearing shipping channels.

Similarly, the corps alone would rule on wetlands permits for the New World Mine in Montana, a disputed project that conservationist say would endanger the ecosystem in and around Yellowstone National Park, just two and a half miles away.

The wetlands review process has its roots in the 1970's, when lawmakers believed the corps, whose approval is needed for any construction that can affect navigable waters, was more interested in protecting navigation than the environment. But today it is the E.P.A. that is out of favor on Capitol Hill, where preserving wetlands is among the most unpopular of causes.

Although the E.P.A. has vetoed wetlands permits only 11 times, both sides in the dispute agree that the agency can greatly influence the scale of development projects by merely threatening a veto. Environmental groups cited case after case in which projects were scaled back to meet the agency's demands. Many of those projects were shelved indefinitely, raising the possibility that some might be revived if the legislation is enacted.

Carol M. Browner, the Administrator of the E.P.A., said her agency, not the corps, has both the expertise and the statutory authority to protect wetlands, which play a crucial role in minimizing floods, filtering water and providing wildlife habitat.

''The E.P.A. is the body that Congress has given the authority to deal with clean water issues,'' she said. ''The role we play is associated with the broader role of protecting the water quality of the people of this country.''

Despite the importance of this legislation, there has scarcely been any testimony or comment on the House or Senate floor about how it would affect specific construction projects or wetlands.

Even the provision's author, Senator Christopher S. Bond, a Missouri Republican, said in an interview that he had ''no idea'' what projects might be affected.

He said his objective was not to affect one project or another, but to make the Government more efficient by consolidating power over wetlands permits in a single agency.

''If there is one thing that constituents in my state are fed up with, it is being told two different things by two different Federal agencies,'' Senator Bond said on the Senate floor in September. ''They expect the Federal agencies who serve them to give them one answer and to give them the right answer.''

Administration officials and environmental groups say the E.P.A'S authority is essential to the protection of wetlands, especially since many projects affecting those areas are carried out by the corps itself.

''The Army Corps of Engineers authorizes itself to discharge millions of cubic yards of dredge or fill material into the waters of the United States each year,'' said John Flicker, president of the National Audubon Society, in a letter urging President Clinton not to sign the bill. ''Absent E.P.A.'s involvement in the review of the corps' water development projects, the corps would be in the untenable position of exercising sole regulatory review of its own development projects.''

Senator Bond and his staff respond that their proposal leaves much of the E.P.A.'s authority intact. The agency would continue to write the environmental guidelines for the corps.

But the E.P.A's questions about the dredging of navigation channels proposed by the corps around Georgetown Harbor near Charleston, one of the biggest commercial ports on the East Coast, show why the E.P.A. is fighting to keep its authority. The corps would extensively dredge sediments from the harbor bottom, including near the private berth of the International Paper Company, and then dump that refuse on shore and in nearby shallows.

Local E.P.A. officials, according to an agency document, are concerned that the project carries environmental risks. They fear that the sediment at the paper plant could be contaminated with dioxin, a toxin that could be spread in the Sampit River and the Upper Winyah Bay.

Sediments at the paper company's berth have not been tested for dioxin, but several years ago the paper plant's waste water was found to have among the highest dioxin levels of more than a hundred plants surveyed, and the state detected dioxins in sediment and fish tissues in the nearby Sampit River in 1989, leading to advisories against eating locally caught fish.

The agency is urging the corps to consider less damaging alternatives and better impoundments of the dredged wastes.

There are many other cases, like the Nashua highway, where the E.P.A.'s views prevailed over those of the corps and of local officials. The E.P.A. fought that project for 10 years, but the corps and the state approved it anyway. Only after the E.P.A. regional administrator, John DeVillars, warned of a veto did New Hampshire agree to a scaled-back highway.

New Hampshire's top environmental official said in an interview this week that he was pleased with the E.P.A.'s rule in the highway project and with other wetlands reviews by the Federal agency.

''My experience with the process has been that the concerns that have been raised have been reasonable concerns, that they are asking the right questions and forcing analysis of alternatives that otherwise would not be done,'' said Robert Varnum, the state's Environment Commissioner. He was appointed twice by Republican Governors, both of whom strongly favored the highway project that the E.P.A. blocked.

''I feel that E.P.A.'s mission is to protect the environment, and in this case to avoid unnecessary impacts to our wetlands resources,'' he said. ''They take that job very seriously, and have put in a great deal of time and effort, and stuck their necks out, to protect the environment, and I think that is a role they need to play. I think the general public expects nothing else.''

Mr. CHAFEE. Mr. President, to those who say that EPA's 404(c) authority reflects a significant waste of government resources, I point to the fact that the agency has used this authority only 12 times during the past 23 years.

One of these instances occurred in Attleboro, MA. A developer's plan to build a large shopping mall at a site called Sweeden's Swamp in Attleboro would have destroyed 45 acres of wetlands. Had EPA not stepped in to prevent the permit from going forward, the area would have lost a rich habitat for many birds, mammals, and amphibians. Mr. President, we simply cannot afford to relinquish the protection of critical natural resources afforded by 404(c).

I am also deeply concerned with the conferees' decision to provide only $12 million for the Montreal Protocol Facilitation Fund—a full 50 percent less than both the administration's request and the House approved figure of $24 million.

The Montreal Protocol, approved in 1987 during the Reagan administration,

addresses the damaging effect of chlorofluorocarbons—of CFC's—on the ozone layer. A statement made by President Reagan on April 5, 1988, demonstrates the significance of the program:

> The Montreal Protocol is a model of cooperation. It is a product of the recognition and international consensus that ozone depletion is a global problem, both in terms of its causes and effects. The protocol is the result of an extraordinary process of scientific study, negotiations among representatives of the business and environmental communities, and international diplomacy. It is a monumental achievement.

The treaty, now ratified by 150 nations, represents a consensus on the dangers of ozone depletion and provides for the eventual ban of CFC production. We later agreed to amendments to strengthen the ban in 1990, as part of the Clean Air Act, and again, in 1992, under the terms of the Montreal Protocol.

Throughout this effort there were those who called the ozone hole and the destruction of the ozone by CFC's a myth. However, several weeks ago, our actions were vindicated beyond question when the three scientists who first alerted us to the possibility that CFC's were destroying the ozone layer were awarded the Nobel Prize for chemistry.

During the debate on the VA-HUD appropriations bill, I sponsored an amendment, along with Senator JEFFORDS and Senator BINGAMAN, that would have given the Administrator the discretion to spend more than the $12 million now available under the conference report for the Montreal Protocol Fund. Although the amendment was approved by the Senate, it was not retained in conference. I must say I am disappointed. If our goal here is to encourage EPA to be mindful of good science, risk assessment, and management of scarce resources, then I cannot think of a more necessary endeavor than their efforts to reverse the destruction of the stratospheric ozone layer.

Mr. WELLSTONE. Mr. President, I want to speak in opposition to the VA/HUD appropriations conference report. There are many reasons why I believe that the report we have before us represents unhealthy priorities for the American public, and I am pleased that the President has expressed his intention to veto this bill should it pass the Senate.

First, this report provides $400 million less than the President's budget request for the VA medical care account. This will have a serious impact on veterans' access to quality health care. While there may be some doubt as to the validity of VA projections of the precise impact of such a cut on veterans health care, there is no question that it would result in some combination of substantial reductions in the number of veterans treated both as outpatients and inpatients as the number of VA health care personnel shrink. The impact, according to the VA, would be equivalent to closing three VA medical centers with an average of 300 beds each.

When these cuts are coupled with slashes in Medicare and Medicaid, many veterans could be faced with a triple whammy—forced out of Medicare and Medicaid while VA is unable to handle a large influx of new patients as the VA health care budget shrinks in real dollars. This will particularly have an impact on the soaring population of veterans over age 65 and veterans unable to afford private health insurance.

In the process of cutting funding for major medical construction projects, vital projects for renovating VA hospitals that do not meet community standards and are deteriorating are scrapped. How can we treat veterans who made sacrifices defending this country in facilities that do not meet fire and other safety standards? What a travesty this is. At a time when we are honoring the 50th anniversary of the end of World War II and the veterans who risked their lives defending our freedom, the least we can do is to ensure that they receive the health care they are entitled to in a safe and dignified setting.

This report also eliminates funding for the Corporation for National Service [CNS], which was established by the bipartisan National Community Service and Trust Act of 1993. The Corporation for National Service administers such programs as AmeriCorps, the National Civilian Community Corps, and even former President Bush's Points of Light Foundation. President Clinton has requested $817,476 million for CNS for fiscal year 1996. However, the report we have before us gives the National Corporation $15 million for necessary expenses to terminate programs, activities, and initiatives under the National Community Service Act.

In order to understand the severity of this action, I would like to use the AmeriCorps program as an example. AmeriCorps, which is funded and run by CNS, helps students pay for college in exchange for their service to American communities. AmeriCorps is a program which needs to be preserved. National Service addresses beliefs we all share: getting things done, strengthening communities, encouraging personal responsibility, and expanding opportunity. Despite the ideals realized by AmeriCorps, both the House and Senate individually denied funds to the program in their VA/HUD appropriations bills, and now the conference report kills the program outright. Fiscal year 1995 post/rescission funding was $219,000 million for AmeriCorps grants. The President requested $429,800 million for fiscal year 1996.

AmeriCorps has been a huge success. Members of law enforcement from police chiefs Willie Williams of Los Angeles to Carol Mehrling of Montgomery County, MD, (and many departments in between, have been unwavering in their support for the AmeriCorps Program. And this is a program which Republicans and Democrats alike support. Members of Congress, Governors, mayors, and businesses such as IBM, General Electric and American Express know the value of AmeriCorps, and of the Corporation for National Service.

AmeriCorps has exceeded expectations about its efficiency. One study, validated by the GAO, found AmeriCorps produced $1.60 to $2.60 in benefits for every invested Federal dollar. And the AmeriCorps is not solely dependent on Federal dollars. During AmeriCorps first year it was directed by Congress to raise $32 million. It actually raise three times that amount—$91 million, 41 million of which came from the private sector. We should not be misled by its success, however. AmeriCorps cannot raise private and foundation funds without Federal seed support.

AmeriCorps provides a large bang for education dollars while simultaneously getting results for real needs, strengthening communities, and encouraging responsibility. Education. Public Safety. Human Needs. The Environment. AmeriCorps is a program designed to do what we in Congress talk about all the time: bringing people from all backgrounds together to solve problems at the local level.

In Minnesota, AmeriCorps members are extremely valuable. AmeriCorps members serving within the Minneapolis Public School provide activities to support the education of special needs youth. Members tutor, provide after school education activities, and recruit volunteers for support programming. Members work to secure affordable housing for low-income families, assist domestic violence victims, and coordinate projects to prevent and lessen homeless. Minnesota has AmeriCorps members doing more different things than I have time to list here. Older Minnesotans work as foster grandparents, serving over 80,000 children statewide. Rural members teach pesticide safety. People work to restore our parks and trying to provide places for our children to play. Of course, Minnesota is not alone in its utilization of AmeriCorps volunteers. All of my colleagues come from States which benefit from them. All of us should continue to support their efforts, not tear them down.

I am also opposed to this conference report because of the devastating blow it delivers to funding for the Environmental Protection Agency.

This conference report cuts EPA by 14 percent overall from what we appropriated last year. The conference report continues to contain a number of riders that aid special interests at the expense of the health and safety of the American people. These riders include one which would halt EPA efforts to expand one of our country's most successful Right-to-Know programs, the Toxic Release Inventory.

Already this fiscal year, temporary continuing resolutions have resulted in a drastic cut in EPA's funding. As a result, EPA has been forced to cancel a

number of inspections involving all sorts of environmental hazards. As Carol Browner said today in the Washington Post, ''The environmental cop is not on the beat.'' The lack of inspections will only get worse under this conference report that cuts enforcement funding by 14.6 percent.

These funding cuts will make it impossible for EPA to carry out work that helps protect the health and safety of every American. This bill will make it more difficult, if not impossible, for EPA to carry out its responsibilities under the Clean Air and Clean Water Acts. We cannot allow this to happen and I don't believe the American people want it to happen. At least, no Minnesotan has ever approached me to ask for dirtier air and water, and that is exactly what slashing EPA's budget this way will yield.

There are other reasons to oppose this conference report. While I support the President's commitment to streamline HUD's programs and I understand the importance of cutting funding for wasteful programs, I believe that the housing cuts in the VA-HUD conference report have gone too far.

Cuts to the section 8 program mean that homeless families or individuals will be without the assistance they need to move to either transitional or permanent housing.

Cuts to public housing modernization will mean that fewer housing units will receive necessary repairs and maintenance. This maintenance is essential to ensure the quality of life of public housing residents and its neighbors.

This bill also cuts funding for the Homeless Assistance Grant Program, Indian housing development, and the Housing Counseling Grant Program.

All of these housing cuts will disproportionately harm low-income persons, the elderly, native Americans, and persons with AIDS. This funding is a safety net and cuts in housing programs will mean only one thing—more people will be living on the streets. I think we are making a mistake if we pass this package.

Given all these reasons—the irresponsible cuts to veterans programs, the decimation of the Corporation for National Service, the damage done to environmental programs, and the attack on housing programs for the working poor, I will oppose the VA-HUD Conference Report, and I urge my colleagues to do the same.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

Mr. LEAHY. Mr. President, I rise today to express my deep disappointment that funding for the Community Development Financial Institutions [CDFI] fund has been eliminated in the VA–HUD appropriations bill for fiscal year 1996.

The CDFI fund is an economic development initiative that was adopted with overwhelming bipartisan support several years ago. The program is a key priority for President Clinton, and an important investment tool for economically distressed communities. Unfortunately, partisan gamesmanship and shortsighted budget cutting will deny organizations around the country the opportunity to use this tool to better their own communities.

In a time of dwindling Federal resources, programs like CDFI that leverage private investment and stretch every Federal dollar, are more important than ever. The Fund is a small but very innovative program. For a modest $50 million budget, the fund could make a significant impact in communities struggling with unemployment and structural decline.

Investments from the fund would create new jobs, promote small business, restore neighborhoods, and generate tax revenues in towns desperate for community development. It is estimated that every $1 of fund resources would leverage $10 in non-Federal resources.

Equally important, is the fact that these dollars are controlled at the local level by financial institutions in the community which understand area needs and resources. Local control stimulates local investment as well. Area banks and local private donors are more willing to contribute to economic development when they can see the results in their own communities.

The CDFI fund has caught the interest of many community development organizations across the Nation. Already, over 1,500 groups have requested information about the fund, and informational seminars that have been held or are planned are expected to attract over 600 potential applicants. This bill leaves those organizations out in the cold.

Slashing investment in jobs and infrastructure is no way to balance the budget. I urge my colleagues to join me in voting against this bill.

Mr. DOMENICI. Mr. President, I rise in strong support of the conference agreement on H.R. 2099, the VA–HUD appropriations bill for 1996.

This bill provides new budget authority of $80.4 billion and new outlays of $46.2 billion to finance operations of the Departments of Veterans Affairs and Housing and Urban Development, the Environmental Protection Agency, NASA, and other independent agencies.

I congratulate the chairman and ranking member for producing a bill that is within the subcommittee's 602(b) allocation. When outlays from prior-year BA and other adjustments are taken into account, the bill totals $80.4 billion in BA and $92.1 billion in outlays. The total bill is under the Senate subcommittee's 602(b) nondefense allocation by $420 million for budget authority and by $7 million for outlays. The subcommittee is also at its defense allocation for BA and is under its outlay allocation by less than $500,000.

Mr. President, I ask unanimous consent to have printed in the RECORD a table displaying the Budget Committee scoring of the conference agreement on H.R. 2099.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

VA–HUD SUBCOMMITTEE SPENDING TOTALS—CONFERENCE REPORT

[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
Defense discretionary:		
Outlays from prior-year BA and other actions completed		78
H.R. 2099, Conference report	153	92
Scorekeeping adjustment		
Subtotal defense discretionary	153	170
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed		45,550
H.R. 2099, conference report	61,113	28,603
Scorekeeping adjustment		
Subtotal nondefense discretionary	61,113	74,264
Mandatory:		
Outlays from prior-year BA and other actions completed		133
H.R. 2099, conference report	19,362	17,213
Adjustment to conform mandatory programs with Budget:		
Resolution assumptions	−224	341
Subtotal mandatory	19,138	17,688
Adjusted bill total	80,404	92,121
Senate Subcommittee 602(b) allocation:		
Subtotal defense discretionary	153	170
Nondefense discretionary	61,533	74,270
Violent crime reduction trust fund		
Mandatory	19,138	17,688
Total allocation	80,824	92,128
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary	0	−0
Nondefense discretionary	−420	−6
Violent crime reduction trust fund		
Mandatory		
Total allocation	−420	−7

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. ROCKEFELLER. Mr. President, as the ranking member of the Committee on Veterans' Affairs, I wish to comment on title I of the conference report on H.R. 2099, the fiscal year 1996 VA–HUD appropriation bill.

Mr. President, I realize that this has been a very difficult year for funding actions. I also know that, when compared to other agencies covered by this bill, VA is treated relatively well. Having said that, I have to say that this appropriation conference report is bad news for VA which, in turn, means bad news for America's veterans, their dependents, and their survivors.

The medical care appropriation is $16.56 billion. This is better than the level passed by the Senate, but nearly $400 million below the amount proposed by the President. That amount is what VA needs to support the current level of health care services.

At the funding level in the conference report, VA will be forced to cut back on the level of services carried out in fiscal year 1995. In human terms, nearly 90,000 eligible veterans will be denied inpatient and outpatient care this year. The equivalent of three VA hospitals will have to be shut down, and 5,000 VA health care professionals will lose their jobs.

Mr. President, I ask my colleagues to focus on these repercussions. Too often we become numb when we just hear

such numbers and we lose sight of the human element in what we are doing. These are real people that will be affected—veterans who answered our country's call in her times of need, who now need real health care. They will be turned away from care or will be made to wait an inordinate period of time to receive the care they need—the care they deserve—the care they have earned.

In my State there are four VA medical centers. Each plays an important role in its community. Each furnishes vital care to veterans in the geographic region served. Funding cuts at the level contained in the conference report will lead to cuts in that service, and to a denial of service to my constituents who are veterans—some with disabilities from their service, others who managed to complete their service without injury, but who are now unable to afford health care. Such a result is wrongheaded. I deeply regret that we are about to accept and approve it.

I also find it disturbing that we are cutting VA below current services at the very time that cutbacks are being proposed in Medicare and Medicaid. There is every reason to suspect that, as individuals are pushed out of those programs by the changes being contemplated, veterans who have relied on either Medicare or Medicaid will turn to VA for needed care.

VA health care is at a crossroads, and many innovative and dynamic changes are happening within the system. It is possible—indeed likely—that some of the changes about to be enacted will yield some significant efficiencies in how VA furnishes health care in the years to come. I am deeply concerned, however, that these cuts in the funding needed by VA to furnish care in the coming fiscal year will actually undercut efforts that could allow VA to function more effectively in the future. This is the worst time to be making blind cuts in VA funding, with no appreciation of how such cuts can affect VA's future.

I have heard the suggestion that, since the number of veterans is declining, these cutbacks in VA health care are justified. While it is true that the overall veterans population is coming down—it is now just over 26 million—demand for VA care continues to increase, a phenomenon that is easy to understand when one realizes that, as the veterans population continues to age, the demand for health care services actually is on the rise. As our veterans age, we should not be allowing the promises a grateful Nation made to be undone in our headlong rush to balance the budget.

I am also deeply concerned about the cuts in the level of general operating expenses which fund the administration of the nonmedical activities of VA. While the Senate-passed level of $880 million was over $35 million below the President's request, it was significantly above the House-passed level and promised some opportunity for VA to continue to reduce the terrible backlog of claims in the Veterans Benefits Administration. Unfortunately, the level of GOE funding in the conference report, $843 million, will almost certainly mean that not only will VA fail to improve, the recent trend will be reversed and the backlog will grow.

I readily acknowledge that there are many problems that cannot be corrected by a simple infusion of funding. It is also true that VA's claims backlog is the result of far more than a simple lack of resources. However, it cannot be denied that the backlog problem can only worsen when there is insufficient funding to allow VA to meet the demand for services. The funding for GOE in the conference report is clearly insufficient, and I deeply regret that result.

I am very disappointed that the conference report includes onerous restrictions on overall funding and travel funding for the Office of the Secretary. I fear that this is little more than a petty assault on the person of the current secretary, Secretary Brown, and does not represent any reasoned policy decision. I think such an action in the context of an appropriations bill is unworthy of the Congress, and I deeply regret that conferees felt compelled to stoop to such a level.

The conference report includes funding for some construction projects which have not been authorized by the two Veterans' Affairs Committees. These include clinics at two sites—Brevard County, Florida, and Fairfield, California—where the Administration proposed to build medical centers, but the Appropriations Committees refused to fund them.

While the two medical centers were authorized, the freestanding clinics are not, and, pursuant to section 8104 of title 38, United States Code, VA cannot spend funds for these unauthorized projects. I am not clear what the intention of the conferees is on this issue, but I am confident that, without specific action by the Veterans' Affairs Committees to authorize these projects, VA will not be able to spend the funds appropriated in this bill.

I also note that, during a markup in the Veterans' Affairs Committee earlier this year, I offered an amendment which would have authorized all of the construction projects proposed in the President's budget, but my amendment was defeated.

I would be remiss if I failed to note one positive item in the conference report, namely, the absence of a provision passed by both Houses which would have limited compensation benefits to certain veterans disabled by mental illness. I fought very hard to have that provision dropped during Senate debate, and I am truly delighted that my goal was achieved in the conference.

As I noted at the outset, this is not a good bill for veterans. I am deeply concerned about its ramifications as we move forward in this fiscal year, and I intend to monitor closely the effects of the limited funding on VA's ability to meet the needs of our Nation's veterans. I will not hesitate to seek additional funding for various VA activities as the need arises in the coming year. We have tough choices to make as we seek to balance the budget. Veterans must be accorded special attention and protection in that effort.

Mr. President, in closing, I express my deepest gratitude to my esteemed colleague, Senator MIKULSKI, the ranking Democrat on the Senate VA–HUD Subcommittee, for her continued efforts with respect to veterans' programs. I truly appreciate the extraordinary spirit of cooperation between us, during the appropriations process and throughout the year. Consistently over the years, Senator MIKULSKI has shown strong, unwavering support for veterans' programs. Although she was not as successful as I know she wished to be this year, her advocacy never wavered. She is a true friend and champion of veterans.

Mr. LEAHY. I find a number of ironies this week as we consider the conference report on the appropriations bill for veterans programs.

As I speak, American troops are being deployed in Bosnia. They represent us in seeking to help secure the peace and put an end to the atrocities that have for too long plagued the people of that region. They serve to defend our national interest and to protect our liberties in a troubled part of the world.

Every Senator who came to this floor during our marathon session yesterday debating the deployment of our troops pledged support for them. That support should not end when they return out of harms' way. They deserve our continuing support and appreciation, just as the veterans of World War II, the Korean war, the Vietnam war, and those who have been deployed on our behalf in conflicts and missions around the world deserve our respect and support. The troops being deployed in Bosnia will be tomorrow's veterans.

I am also struck by the fact that we are only now proceeding with our work on the funding for veterans' programs. Although we are now in December, well past all statutory deadlines for appropriations bills, two months' past the beginning of the fiscal year, and fast approaching the expiration of our second continuing resolution, we are still without an appropriations bill for veterans' programs.

I must note that when we considered that bill initially in the Senate, Senator ROCKEFELLER offered an amendment, which I cosponsored, to restore more than $500 million that had been cut from the Veteran Administration's medical care account. The Senate rejected our effort. We tried, unsuccessfully, to protect exempt service-connected veterans benefits from further cuts to balance the budget. We wanted to preserve and protect the benefits we provide our veterans, who were there

when this Nation asked for their service.

We could not get support from enough of our Senate colleagues. If my colleagues are truly interested in our veterans, let them join us in our efforts to increase funding for veterans medical research. Let us provide the quality physicians needed in the veterans health care system. Let us fund the work that is so desperately needed in digestive diseases, prosthetics, lung cancer, diabetes and geriatrics. Last year, the President answered our call when, in response to a letter from me cosigned by 41 of my Senate colleagues, he increased his request for funds for veterans medical research to $257 million.

Join us by restoring the two new Veteran Administration hospitals that are so needed in California and Florida, but that are eliminated in this conference report. Join us by melting the ''freeze'' on veterans programs that the Republican budget would enact and that would result in the closing of 35 veterans hospitals nationwide.

We all want to be patriotic and show respect for our veterans. Let us remember the words of Abraham Lincoln that are chiseled on a plaque at the Veterans Administration building just a few blocks from the Capitol: ''To care for him who shall have borne the battle and for his widow, and his orphan.'' Let us use our votes when they really count on behalf of our veterans by restoring their benefits and protecting their medical services.

The final irony is that this is the week that we debated and voted upon a proposed constitutional amendment that would have restricted the Bill of Rights for the first time in our history. That effort failed and I detailed the reasons for my vote in a prior statement. For all those who voted in favor of the constitutional amendment on flag desecration and said that they did so in order to respond to the wishes of our veterans, I hope that they will show the respect and support that our veterans deserve by raising their voices and using their votes on behalf of our veterans by restoring their benefits and protecting their medical services.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I understand, by previous order, that I have 10 minutes available?

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUTENBERG. Mr. President, I doubt I will use all the time but I do want to take some minutes to discuss the VA/HUD conference report and some of the problems that I have with this bill.

The Senator from Missouri, Senator BOND, the chairman, and the distinguished ranking member from Maryland, Senator MIKULSKI, deserve commendation for their hard work on this legislation. It is a complicated bill, this one, because it contains several programs that could be described as critical by virtue of the respect and support that these programs have. When you talk about the Veterans Administration you talk environmental protection, you talk about housing—these are very, very important programs; FEMA, the disaster relief agency, and NASA. So, there is a lot of review. There is a lot of support for each one of the programs and the advocates fight hard for the programs that strike them as being the most important.

But it just does not do the job. It is not the fault of the chairman or the ranking member. They have done their best in a very tough situation, but they just do not have enough funding to do these important tasks. They also had to contend with demands from the House of Representatives which continues to insist on deep cuts in environmental programs and housing and other high-priority programs.

In the end, with regret, I am going to strongly oppose this conference report. It would cut funding at EPA by more than 20 percent. It is an area that I have done a lot of work in. Before the last election I was chairman of the Superfund committee, working on the environment, and I worked very hard on issues of clean air and clean water and various other environmental programs. The final bill reflects what, in my view, are skewed, grossly skewed priorities.

The majority has repeatedly argued that the balanced budget in some accounts, like Medicare and Medicaid, are not actually being cut. What is being cut, they say, is the rate of increase. In the case of EPA, these are real cuts that are being proposed, real decreases, real attempts to turn back the clock on environmental protection. This legislation would slash the budget of the Environmental Protection Agency by 21 percent. One-fifth of its budget just taken away. To me, it is very simple. The effects are dirtier air, dirtier water, fewer toxic waste sites being cleaned up.

I view the quality of our environment as a critical legacy for the generations that follow us: For my children, my grandchildren. If there is one thing I can do for them that will leave them a better America it is to help clear up the environment, to permit them to breathe the air that we take for granted and not be worried about contracting some respiratory condition; or drink the water and not jeopardize their health. To be able to fish in the streams and be able to swim in the ocean without debris floating all over the place. That is the way I see our environmental requirements. So, these are deep cuts that hurt.

And I also point out this legislation is just the tip of the iceberg. The Republican long-term budget plan would have a devastating impact on environmental protection over the next several years. It would destroy EPA's ability to protect our environment and the public health. It would cripple enforcement of environmental laws. The one criticism that we hear constantly: Oh, that bureaucracy, they are all over us. They are all over business and they are all over citizens and they are all over communities.

The fact of the matter is that environmental laws have worked surprisingly well for us. In a period of roughly 20 years, from 1973–1974 until now, instead of 40 percent of our streams and tributaries being fishable and swimmable, we have gone up to 60 percent. And even in places like the Hudson River, which separates New York from New Jersey, we have begun to see some salmon coming back. We see some striped bass coming up the river. I do not know whether they are ready for eating, but they are there, and the populations are growing because the water is cleaner.

Given half a chance, nature fights back, and very vigorously. But it does not take a lot of neglect for nature to return to a decrepit condition. So, if you do not have enforcement to make sure that compliance is honest, then the laws that are on the books as we all know here are worthless.

The long-term budget plan would destroy EPA's ability to protect our environment and public health. It would severely set back the progress I just indicated we have made in recent decades, to protect and preserve our natural resources.

The bill before us cuts EPA's enforcement function so deeply that it will give polluters a holiday from complying with the law. We have seen stories in the newspapers about EPA's inability to conduct the surveys that they have to, to see whether people are complying with the rules, or with the laws. We have seen situations where Superfund programs, Superfund cleanups are going to stop dead in their tracks. Enforcement programs are targeted for a cut of 27 percent.

Mr. President, EPA is the environmental cop on the beat, and we would not cut law enforcement by a quarter, thank goodness. We would not cut FBI by a quarter, thank goodness. But this bill will cut the resources provided to stop environmental crimes by 27 percent. The question raised is how many children's health will be jeopardized as a result of those pollution laws not being enforced?

Mr. President, some Members of the other body seem to believe that EPA's enforcement office does nothing more than sue innocent landowners. But if these cuts are enacted, those Members are going to come in for a rude surprise because EPA's enforcement office performs many functions that are important—not only for environmental protection, but for the efficient operation of many businesses. Beyond investigating allegations of violations in carrying out inspections, enforcement funding is used to approve permits for companies to take particular actions and that cut in enforcement funding is

going to cause severe dislocations in the private sector as they wait and wait for permits to take up a new product or a new location.

When companies change the way they produce products, their pollution emissions often change as well. And, if so, they have to obtain a permit from EPA.

Mr. President, what is going to happen when EPA's enforcement staff is cut by 27 percent? We can easily tell what is going to happen. There are going to be major delays in issuing permits. That is going to have a negative impact on many companies' balance sheets.

Mr. President, if this kind of cut is enacted, it can almost be guaranteed that next year Senators will come to the floor and blame this problem on an inefficient EPA. But EPA is not going to be the culprit. The culprit will be the Congress and the resource that it supplied for these functions.

To get some feel for what a 27-percent cut will mean in terms of weakened environmental enforcement, consider what happened at EPA since the recently enacted continuing resolution reduced funding temporarily by a comparable amount. No new criminal investigations were started, and some of the ongoing investigations into criminal activity were delayed because the staff from EPA could not travel to these locations.

EPA stopped a major investigation into the fraudulent sale of adulterated gasoline in Texas, and will be forced to halt all mobile source inspections and investigations.

EPA canceled all inspections of laboratories designed to ensure the integrity of health effects data.

There is just no getting around the fact that cutting the enforcement budget will have serious negative impacts. It will mean more pollution. It will mean responsible companies that comply with the laws will be at a competitive disadvantage with their less honorable competitors. It will mean a less healthy environment for our children.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUTENBERG. I ask the manager whether there are a couple more minutes available.

Ms. MIKULSKI. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator controls 8 additional minutes.

Ms. MIKULSKI. I yield an additional 3 minutes.

Mr. LAUTENBERG. That is very kind. I appreciate it. I will try to wrap up quicker than that because I also want to point out that this legislation will force State and local governments to bear extra burdens. The States will lose money that they badly need to protect the environment, and to comply with Federal requirements. Grants to clean up municipal sewage and industrial waste water emissions will be over $665 million less than the President requested. The administration's request for funding of safe drinking water initiatives will be cut by $225 million.

This bill also will make devastating cuts in programs that protect our citizens from the hazards of abandoned toxic waste. It would reduce funds for hazardous waste cleanups by 20 percent.

No new Superfund project starts would be allowed. Under this bill, toxic waste sites will be fenced and forgotten.

Cleanups are complete or underway at nearly 800 sites across this country, and the rate of site remediation has increased significantly over the last 3 years. This bill will halt this progress in its tracks, threatening the health of communities and increasing long-term cleanup costs. And surely this is not what the public wants.

Mr. President, when the House of Representatives initially approved this bill, it included 18 provisions designed to reverse or gut existing environmental law. The House has voted three times on these riders, ultimately reversing itself and removing these riders. It did so in the wake of a public outcry over the hijacking of this bill by special interests intent on weakening antipollution laws.

Yet, like the genie out of the bottle, some riders live on. They are back. There are eight of them in this bill, one that attempts to limit the reach of the community right-to-know law. Another reverses the language of the Clean Water Act to remove EPA's authority to protect wetlands. This wetlands amendment was the subject of a New York Times front page story on Tuesday.

Mr. President, our country has made enormous progress since the environmental movement was ignited by Earth Day in 1970.

It is with considerable regret that I urge my colleagues to reject this conference report, and if it is sent to the President and he vetoes it, as he said he would, I hope that we can muster enough votes to sustain his veto.

I yield the floor.

Mr. BOND. Mr. President, I ask unanimous consent that the vote on the adoption of the conference report occur at 6:45 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. PRYOR. Mr. President, reserving the right to object—I will not object—but if we reach the point, if I may ask this question of the distinguished manager through the Chair, where all time is not being requested, is it possible to even vote before the 6:45 period?

Mr. BOND. Mr. President, I think the setting of a time certain was necessary to accommodate Members who had other commitments. While it may not be efficient, I think it may be easier to schedule other activities than to have to go on at this time of the evening. That is why I would suggest we stay with the 6:45 time.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BOND. Mr. President, I think the Senator from Texas has been waiting to be recognized. She has 10 minutes under her control.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Thank you, Mr. President. I do not intend to take 10 minutes. I just wanted to respond to some of the things that were said by the distinguished Senator from Arkansas who has not supported the space station, and who raised a question about the Russian participation using some of the *Mir* hardware.

I think it is very important that we look at the importance of space research and the space station, and look at the contribution that it has made to our economy.

The Senator said that out of $94 billion, $90 billion is going to be put forward by America. In fact, the costs we are talking about are the development costs. That is what we are in now. The development costs are right at $30 billion of which $9 billion is being contributed by Europe, Japan, and Canada. Our Russian partners are contributing hardware for the *Mir* that works into the space station.

It is certainly true that they are looking at other proposals which, of course, we all want to look at to see if they are going to save money, and if it is going to be in everyone's best interest to do it. I think that is what NASA is certainly going to do, and it is the right thing for them to do. But I think it is important that we look at what the space station has contributed for our country.

First, it has been cut 35 percent from its original target budget. That has saved the taxpayers of America $40 billion. They are working in an efficient way to do this space research that is so important for our future technology, and our future jobs in a way that the taxpayers can afford.

In fact, aerospace is the single strongest export sector of the United States economy. In 1993, exports topped $40 billion. When we look at exactly what the space station is going to do, there are certain things that can only be done in microgravity conditions. You cannot duplicate microgravity conditions on Earth. You must be in space.

Senator MIKULSKI and I have been working on women's health issues, and it is women's health issues that will get the greatest gain from the microgravity research. They are going to be able to look into osteoporosis, bone mass loss, which particularly attacks women. And breast cancer cells are able to be duplicated and grown in the microgravity conditions. They find that is the very best way they are able to study breast cancer cells.

So I think we are looking at tremendous contributions to women's health

care by the use of the microgravity conditions that can only be done in space and not on Earth. You cannot duplicate microgravity on Earth no matter what you do. So this is a unique capability that is very important for our future.

This is the largest cooperative science program in history. We have 13 nations now participating in this science project. I think that is the wave of the future. If we are going to go into the big science technology and research, we should have other countries able to contribute, not only because it saves our taxpayer dollars, but these are things that should be shared with other countries so that we can get the most benefit from this kind of research.

So I think it is very important, as we close this debate, to say that space research produces $2 for every $1 invested—$2 into our economy. That means 40,000 direct and indirect jobs that come from this. But most of all, Mr. President, it is a commitment to the future. It is a commitment that was made by President Kennedy because he could see that there was so much more technology and science available if we had the vehicle to go into space and collect it. In fact, he would never even have dreamed of the successes that we have had because he was willing to take that chance and put America in the forefront and leadership of technological research.

We cannot step back from that. It would not be in our best interest to do so. It would not allow us to stay at the forefront of creating jobs and creating new industries and new products that will keep our economy thriving and able to bring in people who are going to be growing into the job market.

So I am very pleased to support this project. I am pleased to support this conference report. I have worked with Senator BOND and Senator MIKULSKI to try to make sure that the space station does have what it needs to do the job that it must do. I am very impressed with the problems they had. Having VA and HUD and space, NASA research and all of the independent agencies and making the difficult choices was something to behold, and they did an excellent job.

This is probably going to be a close vote. I cannot imagine that they could have divided up a bill any more fairly than they did on this one.

So I commend them for their hard work. It was hard to get a consensus on these difficult issues. They did a terrific job, and I am pleased to support them.

Thank you, Mr. President. I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Missouri.

Mr. BOND. Mr. President, I express my sincere thanks to the Senator from Texas. She has been a very articulate, very forceful spokesperson for space exploration.

Mr. President, I do not wish to prolong this debate, but I feel that it should be pointed out that the appropriation for the National Aeronautics and Space Administration [NASA] represents a $352 million reduction from the level provided in fiscal year 1995. This is an overall cut of 2.5 percent. The conference agreement, however, provides the full amount of the budget request to continue development of the space station: $2.1 billion.

Despite the overall reduction in the NASA budget, and full funding of the space station, the committee was able to restore funding for a number of important space science programs, fully fund the space shuttle program, maintain the X–33 next generation launch vehicle development, and continue the Earth Observing System Program to study global climate change.

In addition, the conference agreement removed the fence on space station obligations which assures that there will be no funding disruptions during developmental activities during the balance of this fiscal year. The space station program is on track, on budget, and on time. Fabrication of large components of actual flight equipment have been completed. Each week more equipment is being produced, and is undergoing final engineering testing in preparation for launch and deployment beginning in November 1997.

No one should be confused on this point: We can and will proceed with development, and operation of this international space station. Through careful management, intense budgetary review, and hard-nosed priority setting, we will do it without impairing other vital science missions of NASA and other Federal agencies. And we will succeed in this bold initiative, despite our commitment and efforts to bring the Federal budget into balance.

This conference agreement is a clear and unequivocal demonstration that each of these important goals can and will be accomplished. Despite all the naysayers and doubters, the international space station program is succeeding, and shows that the United States is committed to maintaining its leadership in space.

I am pleased to yield the Senator from Alaska 2 minutes.

Mr. STEVENS. Mr. President, I want to thank Chairman BOND and the ranking member of the committee, Senator MIKULSKI, for their support on this bill. I come to the floor because a member of the Alaska State Senate has told me there is a rumor in Alaska that this bill is cutting the VA very severely and is going to cause reductions in the VA offices in Alaska.

I want to reassure him and other veterans that that is not the case. The truth is, as I understand this bill, it increases VA funding, it does not cut it. This is disturbing news that the VA is contemplating a major reorganization which would eliminate pension and benefits personnel in Alaska. That would mean that our people would have to write or call or go to Reno, NV, or Phoenix, AZ, when trying to seek help on their pensions or their benefits. That is like asking the people of Maine to go down to Dallas, TX.

I think sometimes people forget the vast distances we deal with in my State. The bill does not require the elimination of VA offices in Alaska. I do hope to get more details on this plan, and I hope the Senate will join us in opposing moving functions from Alaska to what we call the lower 48 States, thousands of miles away from our veterans.

I want to congratulate my two friends, who managed this bill for, once again, including money for the rural water and sewer programs in Alaska. This is a program to eliminate the honey buckets in the villages of our State. There are 132 villages that lack modern facilities. We want to bring water and sewage facilities to them. This bill will help EPA continue to participate in that.

We have a provision in this bill that also prohibits the EPA from requiring the city of Fairbanks to use MTBE, the substance that goes into gasoline, to meet clean air targets under the Clean Air Act for the period of this bill.

It also includes $2 million to initiate a new program to clean up leaking above-ground bulk-fuel storage tanks in rural Alaska. Most of those tanks, Mr. President, cannot be buried because of the permafrost, and people in the area do need a new system. We have to devise a new plan. This bill will start that plan.

I thank my friend and again congratulate the two managers of this bill. It is a good bill, and I hope the President will sign it. I thank my friend, Senator BOND.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, in wrapping up discussions on this measure, I just have to say, for my colleagues, I will be submitting for the RECORD the information on how this bill does meet our environmental needs.

As I predicted when I spoke earlier today, there has been a lot of vocal pollution about what this bill does. The Vice President and the Administrator of the EPA had a big news conference, and they cited these outlandish figures of a 27-percent cut in enforcement of environmental programs. Mr. President, that is 20 percent off of the pie-in-the-sky budget that the President proposed when he was asking for a $300 billion deficit.

This is the biggest spending binge that the President could conceive of. And when we cut back to reach a balance, which the President now says he is willing to join us in reaching, there is no way that you can increase funding for everything as he wished. Let me make clear that the final amount in this bill for EPA is $5.7 billion, a reduction of just about 4 percent from the

fiscal year 1995 postrescission funding level, just about $235 million. The reductions which came about came from two areas: Superfund, a program mired in litigation, and bureaucracy, which must be fixed. There is money to start cleanups where human health is involved, and we directed them to do that.

Sewer treatment construction earmarks were reduced. That was the pork in last year's bill. This committee has followed the nonpartisan National Academy of Public Administration's directions to move more responsibility to the States, and 40 percent of the appropriation, $2.3 billion, goes directly to the States for grants to meet environmental mandates.

The press release and the Senator from New Jersey say that this threatens the safety of water quality because it cuts by 45 percent State loan funds. That is just simply wrong, as were most of the other statements made about this bill.

It provides $500 million for drinking water State revolving funds. Not a penny of the funds appropriated last year were spent. We stipulated that the remaining funds, $225 million from last year, in addition to the new funds, totaling $275 million go to the drinking water State revolving funds. If the fund is not authorized, the money will be used for waste water revolving funds. This is an insurance policy that the money appropriated will be utilized to ensure the health of our Nation's water bodies.

There are tremendous misstatements about this measure. I will correct those in the material I submit for the RECORD. I point out that if this bill is vetoed, as some on the other side wish, it will be an 11.5 percent cut below this bill under the continuing resolution. Environment will be much worse off if this bill is vetoed. For that reason, I would urge my colleagues, all of my colleagues on this side, to support the bill.

I hope that we can work together and have the support of some of our colleagues on the other side because, if additional funds are made available above our current 602(b) allocation, they may be added by a continuing resolution which I hope would be agreeable on both sides of the aisle.

Mr. President, I express my greatest thanks to my ranking member, the distinguished former chair of this committee, for her invaluable assistance. She and I wish that we had had more money available. But she has been extremely helpful and very capable and a great asset in moving this process forward.

Mr. President, I have spoken once today on how well we have treated EPA in this year's appropriation, despite overall budget reductions, and I will not repeat my entire statement. But I will say once again that the conference agreement makes clear that Republicans support protecting and cleaning up the environment—but that we do not support duplicative, wasteful spending and micromanaging States' environmental efforts.

Despite the fact that the House had reduced EPA by one-third in its original VA–HUD bill, in conference we were able to find an additional $49 million above the Senate-passed bill which had $770 million more than the House for EPA.

The final amount for EPA is $5.7 billion, a reduction of just $235 million or 4 percent below the fiscal year 1995 post-rescission funding level.

The largest reductions below last year come from two key areas—Superfund—a program mired in litigation and bureaucracy which must be fixed, and sewer treatment construction earmarks, which were reduced by $500 million below last year's level.

The committee's recommendation closely parallels recommendations made to this committee by the National Academy of Public Administration, and are intended to streamline the agency, eliminate duplication, ensure a flexible approach to working with industry, and full support to the States.

More than 40 percent of the appropriation—$2.3 billion—goes directly to the States for grants to meet environmental mandates. This is an increase of approximately $300 million over last year.

The largest programmatic reduction in the bill is from Superfund—a reduction of $170 million below fiscal year 1995. There is no need to throw money at a program which virtually everyone agrees does not work. However, despite serious concerns about the program, we found $160 million in conference above the House and Senate-passed spending levels for this program. This amount ensures that all projects in the pipeline receive funding and that risks to human health and the environment will be addressed.

Mr. President, compared to the current continuing resolution, this conference agreement provides a 11.5-percent increase. So I cannot understand why the President wants to veto this bill. I imagine a full year CR would be even tighter than the current one. Unfortunately, the White House has indicated an unwillingness to negotiate a reasonable compromise on the VA–HUD bill.

I made reference in this morning's floor statement about the press conference the Vice President and Ms. Browner would be holding later in the day. I have just received the press release from EPA and I am very troubled by the factual inaccuracies contained in it. Let me provide one example of how this administration is misrepresenting what this budget does.

The press release says the Republican budget threatens the safety of water quality because it cuts by 45 percent State loan funds that would help communities protect their drinking water. Mr. President, this just is not true.

This bill provides $500 million for drinking water State revolving funds—the President's full budget request. There were no dollars spent on this program last year because it was not authorized. Not a penny of the funds appropriated last year has been spent. We have stipulated in the bill that the amount remaining from last year's appropriation, $225 million, in addition to new funds totaling $275 million, go to drinking water State revolving funds if there is an authorization by June 1. And if not, those funds would be provided for wastewater State revolving funds. We've provided an insurance policy that if no authorization occurs, the States will still be able to spend these funds on water infrastructure to ensure the health of our Nation's water bodies.

In the previous two appropriations for drinking water State revolving funds, those funds were not available unless a drinking water bill was enacted.

Finally, let me mention the so-called riders. The conference agreement includes only six legislative riders for pertaining EPA, most of which are completely noncontroversial and several of which were included in previous VA–HUD bills authored by Democrats. In fact, the Senator from New Jersey was a supporter, I am told, of one of the so-called rider pertaining to radon in drinking water in previous years.

I think it is time we start talking straight and fairly about what this bill does and does not do to the environment. I urge those on the other side of the aisle once again to quit the grandstanding and factual inaccuracies.

I yield the floor.

Ms. MIKULSKI. Mr. President, I have nothing to add to all that has been said. My opening statement summarized everything. I yield back such time that I might have. Our side of the aisle is ready to vote.

The PRESIDING OFFICER. The hour of 6:45 having arrived, the Senate will proceed to vote on agreeing to the conference report accompanying H.R. 2099. The yeas and nays having been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 606 Leg.]

YEAS—54

Abraham	Dole	Jeffords
Ashcroft	Domenici	Johnston
Bennett	Faircloth	Kassebaum
Bond	Frist	Kempthorne
Burns	Gorton	Kerrey
Byrd	Grams	Kyl
Campbell	Grassley	Lott
Chafee	Gregg	Lugar
Coats	Hatch	Mack
Cochran	Hatfield	McCain
Coverdell	Heflin	McConnell
Craig	Helms	Moynihan
D'Amato	Hutchison	Murkowski
DeWine	Inhofe	Nickles

Pressler	Smith	Thomas
Santorum	Snowe	Thompson
Shelby	Specter	Thurmond
Simpson	Stevens	Warner

NAYS—44

Akaka	Exon	Lieberman
Baucus	Feingold	Mikulski
Biden	Feinstein	Moseley-Braun
Bingaman	Ford	Murray
Boxer	Glenn	Nunn
Bradley	Graham	Pell
Breaux	Harkin	Pryor
Brown	Hollings	Reid
Bryan	Inouye	Robb
Bumpers	Kennedy	Rockefeller
Cohen	Kerry	Roth
Conrad	Kohl	Sarbanes
Daschle	Lautenberg	Simon
Dodd	Leahy	Wellstone
Dorgan	Levin	

NOT VOTING—1

Gramm

So, the conference report was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. D'AMATO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate concurs in the House amendment to Senate amendment No. 63.

The Senator from Missouri.

Mr. BOND. Mr. President, I want to thank those Members who supported us in this very difficult measure. I have already mentioned the absolutely vital assistance and support of the distinguished ranking member, the Senator from Maryland, Senator MIKULSKI. She has been most helpful.

I would say also that I am most appreciative of her staff, Rusty Mathews and Steve Crane, who have been of great assistance to us in this measure.

On my side, Stephen Kohashi, who is the lead clerk, Carrie Apostolou. We had the help of Steve Isakowitz on NASA matters, and of course Lashawnda Leftwich has worked with us. This was not a bill. This seemed to be more like a multiyear protect.

I express my sincere thanks to all of the people, the staff, who worked so hard on it. I express particular thanks to the people in the administration, particularly Dan Golden, James Lee Witt, and Henry Cisneros, who worked very cooperatively with us to help implement the very difficult decisions we had to make.

As I mentioned earlier, there has been a tremendous amount of misinformation and disinformation put out about this bill. I will be preparing a full explanation of some of the misstatements that were issued in the news conference held earlier today. It is regrettable that we cannot have an honest debate, using figures that are actual figures from last year and actual figures in this bill, but that, unfortunately, does not seem to be the rule.

Mr. President, I believe there is a remaining amendment which we need to dispose of?

The PRESIDING OFFICER. There is no further amendment. It has been adopted.

Mr. BOND. Mr. President, there seems to be no further comments from my ranking member.

MORNING BUSINESS

Mr. BOND. Mr. President, I ask unanimous consent there be a period for the transaction of routine morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOSNIA

Mr. BAUCUS. Mr. President, last night I voted in support of the Bosnia resolution offered by our distinguished majority leader, Senator DOLE. and President Clinton for putting their principles above politics. We have a great national tradition of bipartisanship in foreign policy. The world must know that, when it comes to America's role in the world, we stand together—Republicans, Democrats, and independents alike—as Americans. In that regard, Senator DOLE and President Clinton have served us very well.

While I have deep concerns about this country's Bosnia policy, I also believe it is our moral and patriotic duty to stand by our troops already on the ground in Bosnia. These brave men and women deserve a strong showing of support for their work and their mission. And that is exactly what an overwhelming and bipartisan majority of the Senate gave them last night. We owed them nothing less.

Yet I remain deeply concerned about the wording of Senator DOLE's resolution and our mission in the former Yugoslavia. First and foremost, our troops are being sent to Bosnia as peacekeepers. They are there to enforce the terms of the peace agreement negotiated in Dayton, OH. And I firmly believe—for their own safety and the success of this mission—they must remain neutral. They must not be perceived as taking sides in the regional and ethnic conflict that has torn the former Yugoslavia apart.

Unfortunately, I fear the resolution we voted on last night sends a message that our troops will not be neutral; that they will be called upon to help train and rearm the Bosnian Moslems; that they will be engaged in enterprise of nation building that failed so badly in Somalia. And if that happens—if our troops are anything more than neutral peacekeepers—this mission is destined to failure. We must not let that happen.

In closing, I urge the President and our military leaders to do everything possible to assure the safety, neutrality, and success of our troops and their mission in Bosnia. And I urge everyone to say a prayer that they make it home soon.

BOSNIA

Mr. DODD. Mr. President, yesterday I did not speak on the pending Bosnia resolutions in order to permit the Senate to finish its consideration of this important matter prior to the formal signing of the Dayton Agreement in Paris early this morning.

However, I wanted to take this opportunity to express my thoughts on what transpired yesterday.

Yesterday, Mr. President, the Senate went on record as to whether this institution supports the President's decision to participate in the Bosnian peace initiative. In fact, I believe that we went on record on matters much broader and more significant than that. We went on record as to whether we in the United States Senate support peace in Bosnia or war? Whether we support the continuation of American leadership in the world or the abdication of that leadership? Whether we support a post-cold-war international order that is governed by the rule of law or the force of arms?

To some, this may seem a rather simplistic summary of what the debate over the last several days was all about. But, I would say to my colleagues, when you boil it all down, that is what we were really talking about.

The war that has raged in Bosnia for nearly 4 years has been one of unspeakable atrocities; of torture, internment, rape, execution, of ethnic cleansing and genocide. More than a quarter of a million people have lost their lives. Millions more have been made refugees—many within the borders of their own country. Once stable multiethnic towns and villages have become flaming infernos as opposing Moslem, Serb, and Bosnian forces have sought revenge against one other.

Regardless of one's views on the various resolutions we will vote on, I know that our shared hopes and prayers are that the Dayton peace accord—brokered by the United States, and agreed to by all the warring factions—will once and for all bring to a close this bloody chapter of Bosnia's history.

I believe that the Dayton peace agreement contains the essential ingredients to facilitate the writing of a new, hopefully brighter chapter for the people of Bosnia.

These elements include: Bosnia preserved as a single State, within its present internationally recognized borders; the country subdivided into two juridical entities—the Federation of Bosnia and Herzegovina and the Republic of Srpska; an agreed cease-fire line, the separation of opposing forces on either side of this line, and the establishment of a demilitarization zone; the creation of a 60,000-person peace implementation force, under NATO command, to monitor and enforce the military aspects of the agreement; internationally supervised democratic elections for President and Parliament to be conducted within a year; freedom of movement of all Bosnian citizens; independent monitoring of human rights of all Bosnians; the establishment of an internationally trained civilian police force; and a commitment by all parties

to cooperate with the activities of the War Crimes Tribunal.

Clearly the implementation of the military aspects of this agreement are critical to the success or failure of the other elements of the peace plan. And, U.S. participation in the implementation force is pivotal in that regard. But, it is important to keep in mind that while U.S. participation is essential, we will not be alone in the effort to implement the agreement—more than 25 countries have pledged to participate as well and will provide two-thirds of the 60,000-person implementing force.

While the Dayton Agreement has been well crafted, it is by no means 100-percent guaranteed to be successful—no agreement of this kind falls into that category. However, every effort has been made to minimize the chance of failure. Each and every American soldier who goes to Bosnia will be well trained and well armed to face any eventuality. The leaders of Bosnia, Croatia, and Serbia have also pledged to ensure the safety and security of the implementing force.

However, Mr. President, I think it would be unrealistic to promise the American people that there will be no casualties incurred during Operation Joint Endeavor. That is a promise that is not, unfortunately, totally within our power to fulfill.

Ultimately the success or failure of the Bosnian peace agreement will depend upon the willingness of the governments of Bosnia, Croatia, and Serbia to live up to their commitments to each other and to the international community. Without question, U.S. involvement will heighten the prospects for compliance by all parties and lessen the possibility that the Balkans will once again become engulfed in war. On the other hand, if the United States stands on the sidelines at this crucial moment, the renewal of armed conflict is all but assured.

Many of my colleagues have mentioned in the course of this debate that public opinion polls suggest that the American people do not currently support the deployment of United States troops to Bosnia. To them I would say, there is nothing novel about that. The public was initially quite negative about U.S. participation in the Persian Gulf war and only when Operation Desert Storm was up and running did the public mood shift.

It is no secret that the American people have always cared more about what happens at home than abroad and have sometimes been slow to appreciate the ramifications of international events on their own domestic security and prosperity. It is the responsibility of the President and other political leaders to explain to our citizens why a particular course of action is ultimately in the interest of this country.

President Clinton has endeavored to explain the various United States interests at stake in the Bosnian peace process. I believe he has done a very credible job of making the case for the difficult decision he has made. On November 27, President Clinton went directly to the American people to explain why he is prepared to participate in the quest for peace in Bosnia.

During that address he put the matter very succinctly:

> In Bosnia, a terrible war has challenged our interests and troubled our souls. Our interests are plain. The cause is right. Our mission will be clear, limited and achievable. The people of Bosnia, our NATO allies and people around the world are looking to America for leadership. Let us lead. That is our responsibility as Americans.

I agree with the President that the rest of the world looks to the United States for leadership. We cannot and should not answer every call for U.S. assistance. It is up to us, of course, to decide whether it is in our national interest to assume a leadership role in any particular situation. In the case of Bosnia, the situation is clear—United States leadership is essential.

I commend this body for taking the action that it did yesterday, in voting in support of the Dole/McCain resolution. We did what was critical—we sent a clear signal to the world that we are united as a nation in our resolve to support peace in Bosnia, and that we stand full square behind the men and women of our Armed Forces as they commence their mission of peace in the coming days.

With that affirmative vote we did not simply give peace a chance in Bosnia. We did far more. We reaffirmed our position as a world leader and strengthened the rule of law in the post-cold-war era. I am proud of what the Senate accomplished last night.

HAITI—A MULTI-BILLION-DOLLAR FOREIGN POLICY FAILURE

Mr. HELMS. Mr. President, U.S. policy regarding Haiti is another example of throwing good money after bad. In order to keep a sinking foreign policy ship afloat, the Clinton administration has handed over, in less than a year and a half, more than $2 billion of the American taxpayers' money in propping up the regime of President Jean-Bertrand Aristide.

This enormous sum of money has gone to a tiny, corrupt country representing less than 1 percent of this hemisphere's population.

Within the past month, I have received new requests from the administration to send additional millions of dollars to Haiti.

President Clinton's enormous spending spree in Haiti has not produced the stability, security, and democracy promised by the Clinton administration. I possess no crystal ball but it was apparent to me then, and still is, that politically motivated assassinations and increased mob violence would result if Aristide were reinstated as President to be propped up by American soldiers. But, just as was the case early in the 20th century when the United States Marines occupied Haiti for 19 years and did not bring democracy to Haiti, the present military occupation has not transformed Aristide into a leader who believes in and practices democratic ideals.

Mr. President, whatever Aristide and his cronies are committed to, it certainly isn't democracy. Their primary interest is U.S. dollars.

Aristide has flatly refused to implement free market reforms, and has warned that the first person who ''dares sell the state's possessions on behalf of privatization'' will be ''arrested immediately.'' In fact, Aristide's hostility toward free market economic reform resulted in a political crisis which led to the resignation of his Prime Minister in October and the suspension of all World Bank programs.

In June's legislative elections, fraud was rampant, and several opposition candidates were threatened and intimidated. Poll workers were largely untrained, voting secrecy was rare, ballots were burned or dumped, and tally sheets were widely doctored.

Even with 6,000 international troops and a new U.S.-trained police force in place, dozens of politically motivated murders have occurred since the Clinton administration restored Aristide to power last October. In March, a woman was gunned down in retaliation for criticizing President Aristide.

Another Port-au-Prince murder is reminiscent of the Old Testament account of King Abel who coveted the property of his subject, Naboth. When Naboth refused to sell, King Abel had him poisoned and took the property.

History is repeating itself in Haiti. Michel Gonzalez and his American wife were Aristide's neighbors in the Port-au-Prince suburbs. When Aristide wanted to add on to his villa, several neighbors accepted his offer to buy their property. However, despite several offers from Aristide, Mr. Gonzalez declined to sell his home. So, on May 22, as Mr. Gonzalez entered his driveway with his teenage daughter, he was gunned down. Sources in Haiti assert that soon after the assassination, the wall dividing the properties was knocked down. Aristide got his way.

On November 11, President Aristide incited mobs to violence at a funeral of a political crony and relative. His bloodthirsty syncophants responded immediately, and across Haiti, buildings were burned, houses were ransacked, and dozens were murdered. Yet violence has not abated. Recently, the bodies of seven men and women were found in a dump near Port-au-Prince, gagged and shot in the head.

Mr. President, not one person has been prosecuted and sentenced for any of at least 22 politically motivated murders committed between January and October of this year. In fact, I am unaware of any serious investigation into these assassinations, much less into the more recent murders last month.

When asked by a Creole newspaper about killings sparked by his speech,

Aristide said that ''If Jesus was so angry when he entered the temple that he took up a whip, turned over the tables and talked harshly to the hypocrites, all the more reason for us to do so who are Jesus' servants.'' For this man to compare himself to Jesus is disgustingly blasphemous.

Aristide opposes every principle for which our country stands. For the United States to spend over $2 billion in taxpayer dollars to prop up this man is unconscionable.

Mr. President, Aristide threatened to send a flood of refugees to the United States if additional millions of the American citizens' dollars are denied him. And the Clinton administration has capitulated to this blackmail. But this Senator, for one, cannot stomach using U.S. tax money to sponsor a tyrant who has demonstrated no concern for justice or democracy.

If the December 17 elections proceed, Aristide's hand-picked successor, Rene Preval, will almost certainly win, inasmuch as 10 of the 12 largest political parties are boycotting the election. Aristide declares that he and Preval are twins—an allusion to their ideological similarity. It is, to be sure, an indication of what a Preval president will be.

The deteriorating situation in Haiti is clear: Unless Aristide and his successor fulfill their promises to the Haitian people, to the United States Government, and to the international community, neither United States troops nor additional billions of United States taxpayers' dollars can ever bring democracy to Haiti.

BOSNIA

Mr. LEAHY. Mr. President, I have spoken several times on the Senate floor about the situation in Bosnia. Just last night, the Senate voted in support of our troops.

Time and again, I have listened to Senators cite the amount of phone calls and letters they have received from their constituents both for and against sending American ground troops to Bosnia.

I, too, have heard from a number of Vermonters about this issue. Over the past several weeks, opponents of President Clinton's Bosnia policy have outnumbered supporters by a 3 to 1 margin.

I think it is appropriate, however, that on the day the Bosnian peace agreement is signed in Paris, I share with the Senate a letter I received from my friend, Colonel R.W. van de Velde USA (Ret.).

I ask unanimous consent to insert his letter in the CONGRESSIONAL RECORD after my statement and yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOVEMBER 15, 1995. R.W. van de Velde Ridge Road, RR 2 Cornwall Middlebury, Vermont 05753

TO THE EDITOR: It is unfortunate, but foreign policy is paid attention to by other nations only when it has economic or military clout. It would be a nicer world if some other reason, such as logic or kindness, had similar clout, but in a world of humans rather than of angels, that is very rarely the case.

So when the President of the United States says the military must be used, he is backing up policy with muscle. Sometimes the mere threat of that kind of muscle is enough. The situation in the Balkans surely has gone beyond that possibility.

It is also a fact of life that a leader, or a nation that will not lead is bound to lose his or its ability to lead.

It is another truth that whether we like it or not, the world looks on the United States for leadership. We are the richest and strongest in the world in peace as well as war. We are a peaceful people, but we maintain a well trained and well equipped military force; and it is all volunteer. There is no draft—no unfairness—everyone in the military service of this Nation is a person who chose that service presumably with his/her eyes open and mindful that there might someday be some dangers, some risks, to life and limb. How we, a nation, got the notion that military force can be exerted without risk, I don't understand.

Let us not be ''skeptical'' or fearful of using our military strength when we can't do otherwise. Anyone who says ''let Europeans clean up their own mess'' simply does not understand the condition of Europe or the Balkans. Both need American leadership and strength, and so do we if we are to continue as the ideal of what a big nation should be.

R.W. VAN DE VELDE
Colonel, U.S. Army (Ret.).

NOTE

(In the RECORD of December 12, 1995, beginning on page S18387, an improper version of the statement by Senator COHEN was reflected. The permanent RECORD will be changed to reflect the following correct statement.)

Mr. COHEN. Mr. President, I have lamented on a number of occasions the erosion of civility in our public discourse. This is a trend that has had a negative impact on our politics and on the relationship between the government and the citizenry. The heightened level of rhetoric, the slash-and-burn tactics, and the accusations of bad faith, have made it more difficult for politicians to communicate with each other and to communicate with those we represent. It has made it more difficult for reasonable people to reach agreement and far too easy for unreasonable voices to dominate the debate.

The breakdown in the tone of our discourse is symptomatic of a wider problem which many have described as a deterioration of civil society. Our civil society is the collection of public and private institutions, and accepted moral principles, that bind us together as a community of citizens. Civil society is what makes us a nation of community, rather than merely a group with common voting rights.

There is abundant evidence that our civil society is fraying around the edges. People lack faith in the capacity of government to act in the interest of the people. There is a growing lack of confidence in our public schools—one of the great unifying forces in our country. Americans are less engaged in fewer communal activities than we once were. We are much more apt to stay at home to rent a video, communicate on the faceless Internet, or channel-surf on cable TV, than we are to attend a PTA meeting, march in a parade—or even join a bowling league, as one Harvard professor's study revealed.

It is against this background that today we consider the constitutional amendment to prohibit desecration of the U.S. flag. The argument for protecting the flag is a weighty one: The U.S. flag is a unique symbol of our nationhood. When our troops go to battle to fight for our Nation, they march under the banner of the flag; each day when our children go to school, they pledge allegiance to the flag; when a national leader or world dignitary dies, the flag is flown at half mast; when one of our athletes wins a gold medal at the Olympic Games, the flag of the United States is raised; when a soldier or police officer dies, his or her coffin is draped with the flag; when immigrants are naturalized, they salute to the flag.

In this diverse Nation, respect for the flag is a common bond that brings us together as a nation. Our common reverence for the flag is part of what makes us citizens of a country, not just individuals that happen to live in the same geographic area.

There is also no denying that when the flag is burned, desecrated, despoiled, or trampled upon, the potency of the flag as a symbol is denigrated. When the flag is burned, whether by Iranian fundamentalists during the hostage crisis or by American protestors here at home, we are rightly outraged because these acts represent a direct affront to our Nation. By tolerating flag desecration, we are condoning actions that undermine the fabric of our national life.

Critics of the flag amendment have reminded us that because flags owned by the Government are still protected under current law, this amendment will only restrict what individuals can do with flags that they own personally. But the flag is not a mere piece of property like a car or television, it is more than the fabric and dye and stitching that make it up. The design of the American flag and the values it represents belong to all of us; in a sense, it is community property. We the people maintain part ownership of that flag and should be able to control how our property may be treated.

This is not a very radical principle. Federal law already controls what we can or cannot do with our own money. Anyone that mutilates, cuts, defaces, disfigures, or perforates a dollar bill can be fined or put in jail for 6 months. Similarly, in O'Brien versus United States the Supreme Court upheld the

conviction of a protestor that burned his draft card on the ground that the Government had a substantial interest in protecting a document necessary for the efficient functioning of the selective service system. Why is our interest in protecting currency or Government documents any stronger than protecting our greatest national symbol?

Opponents of the flag amendment also maintain that it trivializes the Bill of Rights by carving out an exception to the first amendment. This argument is based on the classic libertarian belief that truth can only emerge from complete freedom of expression and that the Government cannot be trusted to distinguish between acceptable and unacceptable forms of action or speech.

This first amendment absolutism, however, is contrary to our constitutional tradition. The list of types of speech that may be regulated or banned by the Government according to our Supreme Court precedents is lengthy: libel, obscenity, fighting words, child pornography, deceptive advertising, inciteful speech, speech that breaches personal privacy, speech that undermines national security, nude dancing, speech by public employees, infringements of copyright, and speech on public property, to name a few.

And consider how narrow the flag amendment's restriction of speech really is and how little it limits our ability to protest against the Government. Even if the amendment is enacted one could still write or say anything about the Government; one could still burn a copy of the Constitution or effigies of political leaders; indeed, one could put a picture of a flag being burned on the Internet and circulate it to millions of people across the world with the push of a button.

Recall the words the protestors chanted while Gregory Lee Johnson set a flag on fire and gave rise to this entire controversy:

> Reagan and Mondale, which will it be? Either one means World War III. Ronald Reagan, killer of the hour, perfect example of U.S. power. America, the red, white, and blue, we spit on you, you stand for plunder, you will go under.

So regardless of whether we have a flag amendment, there are a multitude of ways to heap contempt on the Government, should one choose to do so. The effect of the amendment on free expression would be negligible.

But if the impact of the restriction is so minimal, why do we need to raise this issue to such a level of importance? The answer is because the flag remains the most powerful symbol capable of unifying a diverse, disparate nation. It is a centrifugal, galvanizing force in our lives—and it will remain so only as long as it is not trashed, despoiled, or debauched by those who insist that one is free to indulge in any act to give expression to his or her thoughts.

I also want to take issue with the contention that our liberal tradition prohibits us from ever making substantive value judgments about what is good speech and what is not or that we must always remain indifferent or neutral with respect to the ideas and images that bombard us over the airwaves or through the media. For when freedom is defined by the absence of all restraint, then liberty descends to license and license yields to disorder and dysfunction. As someone once observed, a river without its banks is not a river, but a flood.

Senator DOLE touched on this theme in a speech he gave earlier this year criticizing the violent movies being produced in Hollywood these days. It isn't inconsistent with the first amendment to speak out against movies that contain dozens of shootings, or gruesome acts of violence that are then copied in real life only days after the initial screening. It isn't an act of Government censorship for politicians to criticize music containing lyrics that denigrate women, glorify cop-killers as role models, and promote racial divisiveness.

Likewise, it is not Government censorship when the people amend the Constitution to prohibit one narrow, repulsive form of expression. The process of amending the Constitution does not consist of a dictatorial tyrant or imperial monarch exercising its power over enslaved subjects; rather it is the act of free people exercising their sovereign power to impose rules upon themselves. By enacting this amendment through the process set forth in article V of the Constitution, ''We the people'' will be determining that the message being expressed by those who burn the flag is not worthy of legal protection. The amendment represents a subjective, value-laden judgment by ''the people'' that our interest in preventing the damage that flag desecration inflicts upon our national character outweighs the meager contribution that flag burning makes to the advancement of knowledge and understanding of ideas. The Supreme Court balances interests in this manner in almost every constitutional case it decides. Why is it that we have no qualms about deferring to the value-judgments made by unelected jurists but we become squeamish when making such judgments through our most solemn act of self-government—amending the Constitution?

I do not believe this flag amendment sets a bad precedent by carving out an exception to the first amendment or that ''the people'' will act irresponsibly by amending the Constitution in a frequent or cavalier fashion. For one thing, the Constitution, in its wisdom, makes that too difficult to do. Also, I trust the people. They understand the value of liberty. I am confident that it will be the rare occasion that the people make an exception to our general tolerance for free expression by targeting a form of expressive activity for special treatment. And I am confident that our national character will be improved, not weakened, by the protection of our unique symbol of nationhood.

I agree with Justice Stevens' opinion in Texas versus Johnson. He said:

> The value of the flag as a symbol cannot be measured. Even so, I have no doubt that the interest in preserving that value for the future is both significant and legitimate.
>
> Similarly, in my considered judgment, sanctioning the public desecration of the flag will tarnish its value, both those who cherish the ideas for which it waves and for those who desire to don the robes of martyrdom by burning it. That tarnish is not justified by the trivial burden on free expression occasioned by requiring an available, alternative mode of expression, including words critical of the flag, be employed.

So I support this resolution to send the flag protection amendment to the States for ratification. And I urge my colleagues to support it as well.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 4:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 325. An act to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles traveled in ozone nonattainment areas designated as severe, and for other purposes.

H.R. 1240. An act to combat crime by enhancing the penalties for certain sexual crimes against children.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURE PLACED ON THE CALENDAR

The following measure was read a second time and placed on the calendar:

S. 1472. A bill to provide for one additional Federal judge for the middle district of Louisiana and one less Federal judge for the eastern district of Louisiana.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1698. A communication from the Director of Selective Service, transmitting, pursuant to law, a report relative to the Inspector General Act; to the Committee on Governmental Affairs.

EC–1699. A communication from the Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the report under the Inspector General Act for the April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1700. A communication from the Chairman of the U.S. International Trade Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30,

1995; to the Committee on Governmental Affairs.

EC–1701. A communication from the Chairman of the Board of Directors of the Panama Canal Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1702. A communication from the Chairman of the Federal Housing Finance Board, transmitting, pursuant to law, the Inspector General's report for the six-month period ending September 30, 1995; to the Committee on Governmental Affairs.

EC–1703. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1704. A communication from the Administrator of the General Services Administration, transmitting, a draft of proposed legislation to amend the Federal Property and Administrative Act of 1949, as amended, (40 U.S.C. 484(j)) to authorize the Administrator of General Services to transfer title surplus personal property the State agencies for surplus property for donation to eligible donees without Federal restrictions; to the on Governmental Affairs.

EC–1705. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the semiannual report of the Inspector General and the Management Response for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1706. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1707. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1708. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1709. A communication from the Chairman and General Counsel of the National Labor Relations Board, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1710. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

EC–1711. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report under the Inspector General Act for the period April 1 through September 30, 1995; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 650. A bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes (Rept. No. 104–185).

By Mr. WARNER, from the Committee on Rules and Administration, without amendment:

H.R. 2527. A bill to amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.

H.J. Res. 69. A joint resolution providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 110. A joint resolution providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 111. A joint resolution providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 112. A joint resolution providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.

By Mr. WARNER, from the Committee on Rules and Administration, with an amendment and with a preamble:

S. Con. Res. 34. A concurrent resolution to authorize the printing of ''Vice Presidents of the United States, 1789-1993''.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance:

Joshua Gotbaum, of New York, to be an Assistant Secretary of the Treasury.

Jeffrey R. Shafer, of New Jersey, to be an Under Secretary of the Treasury.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Merrick B. Garland, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

(The above nomination was reported with the recommendation that he be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAMS:

S. 1478. A bill to facilitate the ability of a private consortium to site, design, license, construct, operate, and decommission a private facility for the interim storage of commercial spent nuclear fuel, subject to licensing by the Nuclear Regulatory Commission, to authorize the Secretary of Energy to contract with the consortium for storage services, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. 1479. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to improve control of acid mine drainage, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mr. HARKIN):

S. 1480. A bill to provide for the comparable treatment of Federal employees and Members of Congress and the President during a period in which there is a Federal Government shutdown; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 1478. A bill to facilitate the ability of a private consortium to site, design, license, construct, operate, and decommission a private facility for the interim storage of commercial spent nuclear fuel, subject to licensing by the Nuclear Regulatory Commission, to authorize the Secretary of Energy to contract with the consortium for storage services, and for other purposes; to the Committee on Energy and Natural Resources.

THE PRIVATE INTERIM STORAGE FACILITY AUTHORIZING ACT OF 1995

• Mr. GRAMS. Mr. President, on the heels of today's Senate Energy and Natural Resources Committee hearing on legislation to amend the Nuclear Waste Policy Act, I am introducing legislation to privatize the Federal spent fuel interim storage program. It is my understanding that the House plans to act on similar legislation before the Christmas recess. Today's hearing, coupled with the introduction of my bill should provide the impetus for timely action in the full Senate.

When the Energy Committee held a hearing on various nuclear waste policy proposals earlier this year, all of our witnesses agreed that the ''1998'' date is critical in this debate. With 1996 only a few weeks away, the deadline is rapidly approaching and we are no closer to resolving this issue than the last time Congress enacted nuclear waste legislation [1987].

But it is not like we haven't seen this deadline coming. For 16 years, the Department of Energy has been charged with the responsibility of our civilian spent fuel. In that time, DOE has spent nearly $5 billion of ratepayers' money—including over $250 million from Minnesota's electric customers. And yet here we sit, debating the issue of exactly what to do with America's civilian nuclear waste.

But the Department of Energy just continues to go round in circles. First, they said we can store waste at Yucca Mountain; then they tell us we can't force it on Nevada. Then DOE says they can't meet the 1998 deadline—and even claim they aren't legally bound to do so; then they tell us they can, if only Congress would ''untie'' their hands. The latest was that an interim facility couldn't be complete for 7 years at a cost of nearly $400 million; then their testimony says it could be

done in 4 at a third of the cost. It is hard to tell what is truth and what is fiction for the DOE anymore. It is my hope that today's hearing will help us find out.

For the past few months, I have met with and carefully reviewed reports and studies by the General Accounting Office, independent groups, former DOE employees, and even former Energy Secretary Watkins on this issue. I found there is strong support for removing the civilian waste program from DOE—and that support grows even stronger when we focus specifically on privatizing the interim storage program.

After years of working on this issue with Minnesota's ratepayers, utilities and State officials, I am convinced that privatizing the interim storage program remains our last, best hope for getting waste out of Minnesota and the other 30 plus States which are struggling with this issue.

Later today, I will be introducing the Private Interim Storage Facility Authorizing Act of 1995. My legislation targets one small—but key—component of the overall Federal nuclear waste program.

Privatizing the interim waste storage program offers three key benefits—it saves money, it provides relief to States such as Minnesota that are faced with on-site storage restrictions, and it protects the environment.

And as with most initiatives, privatizing the interim storage program would improve efficiency and lower costs to the taxpayers. Based upon the business plan for the Mescalero private initiative, a private interim facility could be completed for approximately $135 million and done in time to meet the 1998 deadline.

That is hundreds of millions of dollars less than what the Office of Civilian Radioactive Waste Management originally quoted earlier this summer. And while DOE has revised its estimates downward in recent weeks, it is only because of the undisputable cost data for the Mescalero project.

Competition always reduces costs, particularly when it is with the Federal Government—the Mescalero project is proof of that. With the Mescalero initiative moving forward while congressional action has stalled—some have asked if this venture could resolve the interim issue. The short answer would be ''yes,'' in fact, 20 utilities are now participating in this private venture.

But Congress and the DOE have the legal responsibility to resolve this issue. And we have the responsibility of ensuring it is done by 1998.

Mr. President, I believe focusing on the interim storage privatization not only represents a workable option, but it also provides a ''win-win'' for ratepayers, for States, and for the environment. Therefore, I would encourage my colleagues to join with me in cosponsoring the Private Interim Storage Facility Authorizing Act of 1995.●

By Mr. SARBANES (for himself and Ms. MIKULSKI):

S. 1479. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to improve control of acid mine drainage, and for other purposes; to the Committee on Energy and Natural Resources.

THE ACID MINE DRAINAGE ABATEMENT ACT OF 1995

Mr. SARBANES. Mr. President, today I am introducing legislation, together with my colleague, Senator MIKULSKI, to help address a serious pollution problem—acidic runoff from abandoned coal mines—which continues to degrade the water quality of our Nation's rivers and streams. My legislation would provide States with increased flexibility to utilize their allocations under the Abandoned Mine Reclamation Fund for environmental remediation activities.

Abandoned mine drainage is the unfortunate legacy of coal mining in the years before environmental laws were enacted requiring coal companies to reclaim mined land. After the coal was extracted, the land was left riddled with coal waste, known as gob piles, and pock-marked with holes. The mining activity also unearthed sulfur compounds and metals such as aluminum, manganese and iron. When exposed to the elements, the sulfur compounds produce sulfuric acid which in turn leaches metal loads into the streams, poisoning the water and killing fish and plant life. There are in excess of 7,600 miles of streams in 11 States that are adversely affected by abandoned mine drainage.

In the Appalachian region, which suffers the most serious mine drainage problems, the acidic runoff has left a major segment of our Nation's river, the Potomac River, virtually devoid of life. Much of the North Branch of the Potomac, from its headwaters near Kempton, MD, to the Jennings Randolph Lake, is biologically dead. Nearly 700 miles of the North Branch's streams are currently incapable of supporting fish and other aquatic life because of the drainage. Along this stretch of the Potomac there are over 4,000 acres of abandoned mine lands, including the worst offender, Kempton Mines, which discharges approximately 3 million gallons of abandoned mine drainage each day.

The Surface Mining Control and Reclamation Act of 1977 [SMCRA] established a regulatory program for current mining activities requiring land reclamation and control of acid drainage at active mine sites to assure that today's mines do not become tomorrow's abandoned mines. It also established an abandoned mine land reclamation [AML] fund, paid for by a fee imposed on current mining production, to address problems caused by abandoned coal mines. Current law and regulations require that priority be placed on alleviating public health and safety problems posed by abandoned mine lands. However, States are authorized to set aside up to 10 percent of their allocations under the AML fund annually into a special account for addressing adverse environmental effects caused by abandoned mine acid drainage. These funds are insufficient to clean up the acid mine drainage problems.

My bill would provide greater flexibility for States to use existing abandoned mine reclamation funds for acid mine drainage, as well as health and safety problems. Specifically, it would increase from 10 to 30 percent, or $1 million, whichever is greater, the portion of a State's AML funds that could be set aside for addressing environmental problems caused by acid drainage.

Mr. President, great progress has been made in restoring the health of America's rivers in the 3 decades since President Lyndon Johnson vowed to make the Potomac a national model for restoring the Nation's waters. Today, much of the Potomac is a haven for fish and wildlife and provides tremendous recreational and economic opportunities. However, the North Branch of the Potomac remains in marked contrast to these improvements. The States of Maryland and West Virginia and the Interstate Commission on the Potomac River Basin have been working together in a cooperative effort to restore the North Branch's health, thereby improving the quality of life and opening new opportunities for economic development, tourism and outdoor recreation. Unfortunately, the job cannot be accomplished without the assistance made available under this legislation. The North Branch of the Potomac is only one of many areas that could greatly benefit from improved environmental conditions made possible by this measure.

I urge my colleagues to join me in supporting this bill in order to provide States with the flexibility and additional resources needed to better address environmental problems associated with acid mine drainage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1479

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Acid Mine Drainage Abatement Act of 1995''.

SEC. 2. ACID MINE DRAINAGE.

Section 402(g) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)) is amended—

(1) in paragraph (6)—

(A) by striking ''either'' and all that follows through ''trust fund'' and inserting ''a special trust fund''; and

(B) by striking ''1995,'' and all that follows through the end of the paragraph and inserting ''1995.''; and

(2) by striking paragraph (7) and inserting the following:

''(7)(A) Any State may receive and retain, without regard to the 3-year limitation referred to in paragraph (1)(D), amounts up to the greater of $1,000,000 or 30 percent of the total of the grants made annually to the State under this subsection if the amounts are deposited in an acid mine drainage abatement and treatment fund established under State law under which the amounts (together with all interest earned on the amounts) are expended by the State to undertake acid mine drainage abatement and treatment projects.

''(B) A project that is funded out of an acid mine drainage abatement and treatment fund under subparagraph (A) shall provide for the abatement of the causes of the treatment of the effects of acid mine drainage from lands and waters that are eligible under section 404.''.

ADDITIONAL COSPONSORS

S. 953

At the request of Mr. CHAFEE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 953, a bill to require the Secretary of the Treasury to mint coins in commemoration of black revolutionary war patriots.

S. 969

At the request of Mr. BRADLEY, the names of the Senator from Iowa [Mr. GRASSLEY] and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child, and for other purposes.

S. 1212

At the request of Mr. COATS, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1212, a bill to provide for the establishment of demonstration projects designed to determine the social, civic, psychological, and economic effects of providing to individuals and families with limited means an opportunity to accumulate assets, and to determine the extent to which an asset-based welfare policy may be used to enable individuals and families with low income to achieve economic self-sufficiency.

S. 1251

At the request of Mr. HATFIELD, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Illinois [Mr. SIMON], the Senator from Nebraska [Mr. KERRY], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 1251, a bill to establish a National Fund for Health Research to expand medical research programs through increased funding provided to the National Institutes of Health, and for other purposes.

S. 1344

At the request of Mr. HEFLIN, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1344, a bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, and for other purposes.

S. 1470

At the request of Mr. MCCAIN, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1470, a bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes.

AMENDMENTS SUBMITTED

THE FOREIGN RELATIONS REVITALIZATION ACT OF 1995

HELMS (AND KERRY) AMENDMENT NO. 3100

Mr. HELMS (for himself and Mr. KERRY) proposed an amendment to the bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes; as follows:

On page 27, strike lines 4 through 13.

On page 27, line 14, strike ''(e)'' and insert ''(c)''.

On page 28, line 7, strike ''(f)'' and insert ''(d)''.

On page 28, line 9, strike ''(a) through (c)'' and insert ''(a) and (b)''.

Beginning on page 46, strike line 21 and all that follows before line 15 on page 50.

On page 58, line 18, strike ''that effectively'' and insert ''designed to''.

On page 58, line 25, strike ''that'' and insert ''designed to''.

On page 59, line 6, insert ''relevant'' after ''other''.

On page 61, line 21, strike ''15'' and insert ''5''.

On page 61, line 22, strike ''authorize'' and insert ''initiate, expand, or modify''.

On page 61, line 24, strike the parenthesis and all that follows through the parenthesis on page 62, line 2.

On page 62, line 17, strike ''15'' and insert ''5''.

Beginning on page 69, strike line 1 and all that follows through line 5 on page 73 and insert the following:

SEC. 216. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

''SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

''(a) PROVISION OF INTELLIGENCE INFORMATION TO THE UNITED NATIONS.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of Central Intelligence (in this section referred to as the 'DCI'), in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

''(2) Paragraph (1) may be waived upon written certification by the President to the appropriate committees of Congress that providing such information to the United Nations or an organization affiliated with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

''(b) PERIODIC AND SPECIAL REPORTS.—(1) The President shall report semiannually to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. The President shall also report to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives within 15 days after it has become known to the United States Government that there has been an unauthorized disclosure of intelligence provided by the United States to the United Nations.

''(2) The requirement for periodic reports under the first sentence of paragraph (1) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

''(c) DELEGATION OF DUTIES.—The President may not delegate or assign the duties of the President under this section.

''(d) RELATIONSHIP TO EXISTING LAW.—Nothing in this section shall be construed to—

''(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(5)); or

''(2) supersede or otherwise affect the provisions of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

''(e) DEFINITION.—As used in this section, the term 'appropriate committees of Congress' means the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives.''.

Beginning on page 73, strike line 6 and all that follows through line 5 on page 74.

On page 74, line 6, strike ''**SEC. 218.**'' and insert ''**SEC. 217.**''.

On page 75, line 13, strike ''**SEC. 219.**'' and insert ''**SEC. 218.**''.

On page 77, line 14, strike ''**SEC. 220.**'' and insert ''**SEC. 219.**''.

On page 84, strike lines 23 and 24.

On page 85, line 1, strike ''(2)'' and insert ''(1)''.

On page 85, line 3, strike ''(3)'' and insert ''(2)''.

On page 85, line 4, strike ''(4)'' and insert ''(3)''.

On page 85, line 6, strike ''(5)'' and insert ''(4)''.

Beginning on page 87, strike line 8 and all that follows through line 17 on page 88 and insert the following:

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Human Rights Committee established under the International Covenant on Civil and Political Rights should revoke its General Comment No. 24 adopted on November 2, 1994.

On page 93, line 19, strike ''$10,000,000'' and insert ''$20,000,000''.

Beginning on page 108, strike line 13 and all that follows through line 3 on page 109.

On page 109, strike line 4 through 14 and insert the following:

SEC. 604. AUTHORIZED PAYMENTS.

(a) PAYMENT OF LETTERS OF CREDIT.—(1) In addition to licenses required to be issued under section 575.510 of title 31, Code of Federal Regulations, the Secretary of the Treasury shall direct that licenses be issued to permit payments, as certified under subsection (b), from blocked Iraqi accounts involving an irrevocable letter of credit issued or confirmed by a foreign bank for the benefit of a United States person of amounts owed to such person with respect to goods or services lawfully exported to Iraq before August 2, 1990, whether or not such letter was confirmed by a United States bank.

(2) Licenses shall be issued under paragraph (1) not later than 120 days after the date on which the Foreign Claims Settlement Commission certifies an award pursuant to subsection (b).

(3) Payments made in compliance with this subsection or any regulation, order, instruction, or issued under this section, shall, to the extent of such payment, fully acquit and discharge for all purposes the obligation of the person making the payment. No person may be held liable for or with respect to anything done or omitted in good faith pursuant to and in reliance on this section or any such regulation, order, instruction, or direction.

(b) DETERMINATION OF CLAIMS.—(1) The Foreign Claims Settlement Commission of the United States is authorized to receive and determine the validity of any claims of United States persons against the Government of Iraq (including its agencies, instrumentalities, and controlled entities).

(2) The Foreign Claims Settlement Commission shall certify awards under this subsection to the Secretary of the Treasury not later than 270 days after the date of enactment of this Act.

(c) VESTING AUTHORITY.—The President is authorized to vest and liquidate as much of the assets of the Government of Iraq in the United States that have been blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et. seq.) as may be necessary to satisfy claims under subsections (a) and (b).

(d) DEFINITIONS.—For purposes of this section:

(1) BLOCKED IRAQI ACCOUNTS.—The term ''blocked Iraqi accounts'' means funds on deposit in United States financial institutions in which the Government of Iraq has an interest and which were blocked under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) on or after August 2, 1990.

(2) UNITED STATES PERSON.—The term ''United States person'' means a person subject to the jurisdiction of the United States, including—

(A) any person, wherever located, who is a citizen or resident of the United States,

(B) any person actually within the United States,

(C) any corporation organized under the laws of the United States or of any State, territory, possession, or district of the United States, and

(D) any partnership, association, corporation, or other organization wherever organized or doing business which is owned or controlled by persons described in subparagraph (A), (B), or (C),

and does not include the United States Government or any officer or employee thereof acting in an official capacity.

Beginning on page 125, strike line 7 and all that follows through line 11 on page 127 and insert the following:

SEC. 1002. PURPOSES.

The purposes of this division are—

(1) to reorganize and reinvent the foreign affairs agencies of the United States in order to enhance the formulation, coordination, and implementation of United States foreign policy;

(2) to streamline and consolidate the functions and personnel of the Department of State, the Agency for International Development, the United States Information Agency, and the United States Arms Control and Disarmament Agency in order to eliminate redundancies in the functions and personnel of such agencies;

(3) to assist congressional efforts to balance the Federal budget and reduce the Federal debt;

(4) to ensure that the United States maintain adequate representation abroad within budgetary restraints;

(5) to ensure that programs critical to the promotion of United States national interests be maintained;

(6) to strengthen the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions in order to enhance the ability of the ambassadors to deploy such personnel and resources to the best effect to attain the President's foreign policy objectives;

(7) to encourage United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent United States citizens serving in the United States Government while downsizing significantly the total number of people employed by such agencies; and

(8) to ensure that all functions of United States diplomacy be subject to recruitment, training, assignment, promotion, and egress based on common standards and procedures while preserving maximum interchange among such functions.

On page 127, line 16, strike ''(a) SECRETARY OF STATE.—''.

Beginning on page 128, strike line 5 and all that follows through line 2 on page 169 and insert the following:

SEC. 1102. ASSUMPTION OF DUTIES BY INCUMBENT APPOINTEES.

An individual holding an office immediately prior to the date of enactment of this Act—

(1) who was appointed to the office by the President, by and with the advice and consent of the Senate; and

(2) who performs duties substantially similar to the duties of an office proposed to be created under a reorganization plan submitted under section 1501,

may, in the discretion of the Secretary of State, assume the duties of such new office, and shall not be required to be reappointed by reason of the implementation of the reorganization plan.

On page 169, line 3, strike ''**SEC. 1109.**'' and insert ''**SEC. 1103.**''.

Beginning on page 171, strike line 17 and all that follows through line 2 on page 172.

On page 172, line 3, strike ''(g)'' and insert ''(f)''.

On page 172, line 8, strike ''(h)'' and insert ''(g)''.

On page 172, line 11, strike ''(i)'' and insert ''(h)''.

Beginning on page 173, strike line 6 and all that follows through line 21 on page 174.

On page 184, strike lines 17 through 22 and insert the following:

''shall take effect only in the event of the abolition of the independent foreign affairs agencies specified in section 1501(e)''.

Beginning on page 209, strike line 22 and all that follows through line 3 on page 210 and insert the following:

''shall take effect only in the event of the abolition of the independent foreign affairs agencies specified in section 1501(e)''.

Beginning on page 215, strike line 15 and all that follows through line 9 on page 221 and insert the following:

''shall take effect only in the event of the abolition of the independent foreign affairs agencies specified in section 1501(e).

TITLE XV—PLANS FOR CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

SEC. 1501. REORGANIZATION OF THE DEPARTMENT OF STATE AND THE INDEPENDENT FOREIGN AFFAIRS AGENCIES.

(a) SUBMISSION OF REORGANIZATION PLANS.—

(1) IN GENERAL.—The President is authorized to transmit to the appropriate congressional committees a reorganization plan or plans providing for the streamlining, consolidation, and merger of the functions of the foreign affairs agencies of the United States in order to carry out the purposes of section 1002.

(2) SPECIFIC OBJECTIVES.—Pursuant to paragraph (1), the President is authorized to transmit a reorganization plan meeting the following objectives:

(A) The elimination in the duplication of functions and personnel between the Department of State and the independent foreign affairs agencies, which may include the abolition of any such agency.

(B) The reduction in the aggregate number of positions in the Department of State and the independent foreign affairs agencies which are classified at each of levels II, III, and IV of the Executive Schedule.

(C) The reorganization and streamlining of the Department of State.

(D) The achievement of $1,700,000,000 in savings over 5 years through the streamlining, consolidation, and merger of the functions of the foreign affairs agencies.

(E) The enhancement of the formulation, coordination, and implementation of policy.

(F) The maintenance, to the maximum extent possible, of a United States diplomatic and consular presence abroad.

(G) The maintenance of programs vital to the national interests of the United States.

(b) PLAN ELEMENTS.—A reorganization plan transmitted under subsection (a)(2), consistent with the provisions of this Act, shall—

(1) identify the functions of the independent foreign affairs agency or agencies that will be transferred to the Department of State or any other agency under the plan, as well as those that may be abolished under the plan;

(2) identify the personnel and positions of the agency or agencies (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department or any other agency, separated from service with the agency or agencies, or be terminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department or any other agency, separated from service with the Department, or terminated under the plan and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations, mergers, and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the independent foreign affairs agency or agencies that will be transferred to the Department or any other agency under this Act as a result of the implementation of the plan;

(6) specify the proposed allocations within the Department of the funds specified for transfer under paragraph (5);

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the independent foreign affairs agency or agencies resulting from the abolition of any such agency and the transfer of the functions of the independent foreign affairs agencies to the Department or to any other agency;

(8) specify a proposed consolidation of administrative functions to serve the Department of State and all independent foreign affairs agencies; and

(9) contain a certification by the Director of the Office of Management and Budget that the Director estimates that the plan will save $1,700,000,000 in budget authority during fiscal years 1996 through 2000 from the initial level appropriated for fiscal year 1995 for the following agencies (including appropriations made to accounts administered by such agencies): the Department of State, the United States Information Agency, the United States Agency for International Development, and the United States Arms Control and Disarmament Agency.

(c) LIMITATIONS.—

(1) LIMITATION ON REDUCTIONS IN PROGRAM LEVELS.—Not more than 30 percent of the savings required under subsection (b)(9) may be realized from reductions in program levels.

(2) LIMITATION ON SAVINGS FROM ADMINISTRATIVE EXPENSES OF THE DEPARTMENT OF STATE.—Not more than 15 percent of the savings required under subsection (b)(9) may come from the administrative expenses of the Department of State.

(3) LIMITATIONS ON CONTENTS OF PLAN.—Sections 1606 and 1607 of this Act shall apply to a plan transmitted under subsection (a).

(d) EFFECTIVE DATE OF PLAN.—(1) A plan transmitted under subsection (a) shall become effective on a date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan.

(2) Any provision of a plan submitted under subsection (a) may take effect later than the date on which the plan becomes effective.

(e) ABOLITION OF SPECIFIED INDEPENDENT FOREIGN AFFAIRS AGENCIES.—If the President does not transmit to Congress within six months after the date of enactment of this Act a reorganization plan meeting the objectives of subsection (a)(2), then the United States Arms Control and Disarmament Agency, the United States Information Agency, the Agency for International Development, and the International Development Cooperation Agency (exclusive of components expressly established by statute or reorganization plan) shall be abolished six months after the expiration of the period for submission of the plan, and the functions of such agencies shall be transferred in accordance with section 1601.

(f) DEFINITIONS.—As used in this section—

(1) the term ''foreign affairs agencies'' means the Department of State and the independent foreign affairs agencies; and

(2) the term ''independent foreign affairs agencies'' means such Federal agencies (other than the Department of State) that solely perform functions that are funded under major budget category 150 and includes the United States Arms Control and Disarmament Agency, the United States Information Agency, the Agency for International Development, and the International Development Cooperation Agency.

On page 221, line 10, strike ''**TITLE XVII**'' and insert ''title xvi''.

On page 221, line 12, strike ''**SEC. 1701.**'' and insert ''**SEC. 1601.**''.

On page 223, line 20, strike ''**SEC. 1702.**'' and insert ''**SEC. 1602.**''.

On page 224, line 2, strike ''**SEC. 1701.**'' and insert ''**SEC. 1601.**''.

On page 224, line 12, strike ''**SEC. 1701.**'' and insert ''**SEC. 1601.**''.

On page 224, line 13, strike ''**SEC. 1703.**'' and insert ''**SEC. 1603.**''.

On page 224, lines 16 and 17, strike ''Not later than March 1, 1997,'' and insert ''In the event of the abolition of the independent foreign affairs agencies specified in section 1501(e), not later than 90 days before their abolition,''.

On page 226, lines 23 through 25, strike ''the date Congress enacts a joint resolution, in accordance with section 1708, approving the plan'' and insert ''the date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan''.

On page 227, line 1, strike ''The'' and insert ''In implementation of any plan submitted under subsection (a), the''.

On page 227, line 3, after ''necessary'' insert '', including actions''.

On page 227, line 13, strike ''February 28, 1997'' and insert ''the effective date of the plan submitted under subsection (a)''.

On page 227, line 25, strike ''**SEC. 1708.**'' and insert ''**SEC. 1608.**''.

On page 228, line 9, strike ''**SEC. 1704.**'' and insert ''**SEC. 1604.**''.

On page 228, lines 11 and 12, strike ''Not later than March 1, 1997,'' and insert ''In the event of the abolition of the independent foreign affairs agencies specified in section 1501(e), not later than 90 days before their abolition,''.

On page 229, line 1, strike ''1701(b) and 1701 (d)(1)'' and insert ''1601(b) and 1601(d)(1)''.

On page 230, lines 23 through 25, strike ''the date Congress enacts a joint resolution, in accordance with section 1708, approving the plan'' and insert ''the date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan''.

On page 231, line 2, after ''(2),'' insert the following: ''in implementation of any plan submitted under subsection (a),''.

On page 231, line 3, after ''necessary'' insert '', including actions''.

On page 231, line 13, strike ''February 28, 1997'' and insert ''the effective date of the plan submitted under subsection (a)''.

On page 232, line 7, strike ''1708'' and insert ''1608''.

On page 232, line 16, strike ''**SEC. 1705.**'' and insert ''**SEC. 1605.**''.

On page 232, lines 18 and 19, strike ''Not later than March 1, 1997,'' and insert ''In the event of the abolition of the independent foreign affairs agencies specified in section 1501(e), not later than 90 days before their abolition,''.

On page 233, line 7, strike ''1701(c) and 1701(d)(2)'' and insert ''1601(c) and 1601(d)(2)''.

On page 235, lines 5 through 7, strike ''the date Congress enacts a joint resolution, in accordance with section 1708, approving the plan'' and insert ''the date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan''.

On page 235, line 9, after ''(2),'' insert the following: ''in implementation of any plan submitted under subsection (a),''.

On page 235, line 10, after ''necessary'' insert '', including actions''.

On page 235, line 20, strike ''February 28, 1997'' and insert ''the effective date of the plan submitted under subsection (a)''.

On page 236, line 13, strike ''1708'' and insert ''1608''.

On page 237, line 16, strike ''or''.

On page 237, line 18, strike the period and insert ''; or''.

On page 237, between lines 18 and 19, insert the following:

(6) terminating any function authorized by law.

On page 237, line 1, strike ''**SEC. 1706.**'' and insert ''**SEC. 1606.**''.

On page 237, line 4, strike ''1703, 1704, or 1705'' and insert ''1501, 1603, 1604, or 1605''.

On page 238, line 14, strike ''1703, 1704, or 1705'' and insert ''1501, 1603, 1604, or 1605''.

On page 238, between lines 16 and 17, insert the following new subsection:

(d) TRANSMITTAL OF REORGANIZATION PLANS.—Section 903(b) of title 5, United States Code, shall apply to each reorganization plan submitted under section 1501, 1603, 1604, or 1605.

On page 238, line 17, strike ''**SEC. 1707.**'' and insert ''**SEC. 1607.**''.

On page 238, line 21, strike ''1703, 1704, or 1705'' and insert ''1501, 1603, 1604, or 1605''.

On page 238, line 24, strike ''1708'' and insert ''1608''.

On page 239, line 3, strike ''1703, 1704, or 1705'' and insert ''1501, 1603, 1604, or 1605''.

On page 239, line 7, strike ''1708'' and insert ''1608''.

On page 239, line 10, after Congress, insert the following: '', except that the President may only withdraw a plan if a revised plan is immediately substituted for that plan''.

On page 239, line 11, strike ''**SEC. 1708.**'' and insert ''**SEC. 1608.**''.

On page 239, line 13, insert ''(1)'' immediately after ''(a) PROCEDURES.—''.

On page 239, between lines 17 and 18, insert the following:

(2) For purposes of this title and title XV—

(A) continuity of session of Congress is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

On page 239, line 21, strike ''approves'' and insert ''disapproves''.

On page 240, line 2, strike ''1707'' and insert ''1607''.

On page 240, strike line 5 through 19 and insert the following:

(c) INTRODUCTION AND REFERENCE OF RESOLUTION.—(1) A joint resolution described in subsection (b) is only entitled to expedited procedures set forth in this section if the resolution is introduced in a House of Congress by a Member of that House within 10 calendar days of continuous session of Congress of the transmittal of a reorganization plan under section 1501, 1603, 1604, or 1605.

On page 240, line 20, strike ''A'' and insert ''Any''.

On page 240, line 23, strike ''(and all resolutions'' and all that follows through ''committee)'' on line 25.

On page 241, strike lines 6 through 16 and insert the following:

(d) MOTION TO DISCHARGE COMMITTEE CONSIDERING RESOLUTION.—(1) If the committee to which is referred a resolution introduced pursuant to paragraph (1) of subsection (c) has not reported such resolution at the end of 30 calendar days of continuous session of Congress after its introduction, it shall be in

order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same plan which has been referred to the committee, except that no motion to discharge shall be in order after the committee has reported a resolution with respect to the same plan.

(2) A motion to discharge under paragraph (1) may be made only by a Senator favoring the resolution, is privileged, and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution, the time to be divided equally between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

On page 241, lines 19 and 20, strike ''deemed to be''.

On page 243, line 25, strike ''1703, 1704, or 1705'' and insert ''1501, 1603, 1604, or 1605''.

On page 244, line 10, strike ''**SEC. 1709.**'' and insert ''**SEC. 1609.**''.

On page 246, line 22, strike ''1710'' and insert ''1610''.

On page 247, line 10, strike ''1710'' and insert ''1610''.

On page 247, line 16, strike ''1710'' and insert ''1610''.

On page 250, line 3, strike ''**SEC. 1710.**'' and insert ''**SEC. 1610.**''.

On page 251, line 9, strike ''1709'' and insert ''1609''.

On page 252, line 1, strike ''**SEC. 1711.**'' and insert ''**SEC. 1611.**''.

On page 255, line 3, strike ''**SEC. 1712.**'' and insert ''**SEC. 1612.**''.

On page 257, line 3, strike ''**SEC. 1713.**'' and insert ''**SEC. 1613.**''.

On page 258, line 8, strike ''**SEC. 1714.**'' and insert ''**SEC. 1614.**''.

On page 258, line 19, strike ''**SEC. 1715.**'' and insert ''**SEC. 1615.**''.

On page 258, line 23, strike ''1701'' and insert ''1601''.

On page 259, line 1, strike ''1701'' and insert ''1601''.

On page 259, line 9, strike ''**SEC. 1716.**'' and insert ''**SEC. 1616.**''.

On page 259, line 17, strike ''**SEC. 1717.**'' and insert ''**SEC. 1617.**''.

On page 260, line 6, strike ''**SEC. 1718.**'' and insert ''**SEC. 1618.**''.

On page 261, line 17, strike ''**SEC. 1719.**'' and insert ''**SEC. 1619.**''.

On page 262, line 4, strike ''1701'' and insert ''1601''.

On page 263, line 8, strike ''1701'' and insert ''1601''.

On page 264, line 1, strike ''**SEC. 1720.**'' and insert ''**SEC. 1620.**''.

On page 264, line 6, strike ''**SEC. 1721.**'' and insert ''**SEC. 1621.**''.

On page 264, line 15, strike ''**SEC. 1722.**'' and insert ''**SEC. 1622.**''.

On page 264, line 22, strike ''**SEC. 1723.**'' and insert ''**SEC. 1623.**''.

On page 265, line 2, before the period insert the following: '', and a projection of the personnel end-strengths of the Foreign Service and the Senior Foreign Service as of September 30, 1999''.

On page 265, line 3, strike ''**SEC. 1724.**'' and insert ''**SEC. 1624.**''.

On page 265, line 21, strike ''1701'' and insert ''1601''.

On page 265, line 24, strike ''1701'' and insert ''1601''.

On page 266, line 3, strike ''1701'' and insert ''1601''.

On page 266, line 6, strike ''1701'' and insert ''1601''.

On page 266, line 12, strike ''1701'' and insert ''1601''.

On page 266, line 16, strike ''1701'' and insert ''1601''.

On page 266, line 20, strike ''1701'' and insert ''1601''.

On page 266, line 25, strike ''1701'' and insert ''1601''.

On page 267, line 3, strike ''1701'' and insert ''1601''.

On page 267, line 7, strike ''1701'' and insert ''1601''.

On page 267, line 11, strike ''1701'' and insert ''1601''.

On page 267, line 15, strike ''1701'' and insert ''1601''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, December 14, 1995, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 1271, the Nuclear Waste Policy Act of 1995.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Thursday, December 14, 1995, beginning at 10 a.m. in room SD–215, to conduct a mark up on the Social Security Earnings Limit and on two nominees pending before the Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, December 14, 1995 at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, December 14, for a hearing on Federal Government Financial Management.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, December 14, 1995 at 10 a.m. in SD 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate Committee on Rules and Administration be allowed to meet during the session of the Senate Thursday, December 14, 1995 beginning at 9:30 a.m. until business is completed, to conduct a mark up of H.J. Res. 69, H.J. Res. 110, H.J. Res. 111, and H.J. Res. 112—Smithsonian Institution Board of Regents citizen appointments, S. 246, Martin Luther King Memorial legislation; H.R. 2527, FEC legislation and S. Con. Res. 34, a resolution to authorize the printing of ''Vice Presidents of the United States, 1789–1993.'' The Committee will also consider a Senate Internet Policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence by authorized to meet during the session of the Senate on Thursday, December 14, 1995 at 2 p.m. to hold a closed briefing regarding intelligence matters.

The PRESIDING OFFICER. Without objection it is so ordered.

ADDITIONAL STATEMENTS

SENATE QUARTERLY MAIL COSTS

• Mr. WARNER. Mr. President, in accordance with section 318 of Public Law 101–520 as amended by Public Law 103–283, I am submitting the frank mail allocations made to each Senator from the appropriation for official mail expenses and summary tabulations of Senate mass mail costs for the second and third quarters of fiscal year 1995 to be printed in the RECORD. These reports were not submitted for the RECORD at the appropriate time. The official mail allocations are available for frank mail costs, as stipulated in Public Law 103–283, the Legislative Branch Appropriations Act for fiscal year 1995. The second quarter of fiscal year 1995 covers the period of January 1, 1995, through March 31, 1995, and the third quarter covers the period of April 1, 1995, through June 30, 1995.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING 03/31/95

Senators	Total pieces	Pieces per capita	Total cost	Cost per capita	Fiscal year 1995 official mail allocation
Abraham	600	0.00006	$218.90	$0.00002	$140,289
Akaka	0	0	0.00	0	29,867
Ashcroft	0	0	0.00	0	83,043
Baucus	0	0	0.00	0	34,694
Bennett	0	0	0.00	0	30,689
Biden	0	0	0.00	0	28,591
Bingaman	0	0	0.00	0	30,834
Bond	0	0	0.00	0	108,312
Boxer	15,805	0.00051	5,856.86	0.00019	582,722
Bradley	0	0	0.00	0	151,392
Breaux	0	0	0.00	0	82,088
Brown	0	0	0.00	0	74,406
Bryan	0	0	0.00	0	45,030
Bumpers	0	0	0.00	0	48,743
Burns	0	0	0.00	0	34,694
Byrd	0	0	0.00	0	34,593
Campbell	0	0	0.00	0	74,406
Chafee	0	0	0.00	0	30,524
Coats	0	0	0.00	0	111,738
Cochran	0	0	0.00	0	48,596
Cohen	6,898	0.00559	2,722.62	0.00220	37,937
Conrad	58,800	0.09245	10,837.38	0.01704	25,438
Coverdell	0	0	0.00	0	137,674
Craig	0	0	0.00	0	31,846
D'Amato	0	0	0.00	0	335,341

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING 03/31/95—Continued

Senators	Total pieces	Pieces per capita	Total cost	Cost per capita	Fiscal year 1995 official mail allocation
Daschle	0	0	0.00	0	27,650
DeWine	0	0	0.00	0	168,128
Dodd	0	0	0.00	0	66,615
Dole	0	0	0.00	0	51,907
Domenici	1,000	0.00063	226.53	0.00014	30,834
Dorgan	62,500	0.09827	11,191.75	0.01760	25,438
Exon	0	0	0.00	0	32,516
Faircloth	0	0	0.00	0	140,612
Feingold	0	0	0.00	0	97,556
Feinstein	0	0	0.00	0	582,722
Ford	0	0	0.00	0	74,054
Frist	0	0	0.00	0	78,686
Glenn	0	0	0.00	0	219,288
Gorton	0	0	0.00	0	106,532
Graham	2,397	0.00018	1,940.83	0.00014	323,488
Gramm	16,000	0.00091	3,992.34	0.00023	352,339
Grams	0	0	0.00	0	67,423
Grassley	0	0	0.00	0	56,381
Gregg	35,256	0.03173	28,252.50	0.02543	34,552
Harkin	0	0	0.00	0	56,381
Hatch	0	0	0.00	0	30,689
Hatfield	0	0	0.00	0	62,019
Heflin	6,800	0.00164	1,207.20	0.00029	81,113
Helms	0	0	0.00	0	140,612
Hollings	0	0	0.00	0	72,302
Hutchison	0	0	0.00	0	352,339
Inhofe	0	0	0.00	0	52,475
Inouye	0	0	0.00	0	29,867
Jeffords	0	0	0.00	0	23,830
Johnston	0	0	0.00	0	82,088
Kassebaum	0	0	0.00	0	51,907
Kempthorne	0	0	0.00	0	31,846
Kennedy	0	0	0.00	0	121,391
Kerrey	0	0	0.00	0	32,516
Kerry	0	0	0.00	0	121,391
Kohl	0	0	0.00	0	97,556
Kyl	0	0	0.00	0	63,581
Lautenberg	0	0	0.00	0	151,392
Leahy	3,714	0.00652	1,082.36	0.00190	23,830
Levin	0	0	0.00	0	182,978
Lieberman	0	0	0.00	0	66,615
Lott	0	0	0.00	0	48,596
Lugar	0	0	0.00	0	111,738
Mack	0	0	0.00	0	323,488
McCain	0	0	0.00	0	82,928
McConnell	0	0	0.00	0	74,054
Mikulski	3,800	0.00077	866.55	0.00018	91,956
Moseley-Braun	0	0	0.00	0	216,454
Moynihan	0	0	0.00	0	335,341
Murkowski	0	0	0.00	0	23,179
Murray	5,558	0.00108	1,298.40	0.00025	106,532
Nickles	0	0	0.00	0	68,442
Nunn	0	0	0.00	0	137,674
Packwood	6,300	0.00212	1,469.89	0.00049	62,019
Pell	0	0	0.00	0	30,524
Pressler	0	0	0.00	0	27,650
Pryor	0	0	0.00	0	48,743
Reid	12,139	0.00915	6,607.64	0.00498	45,030
Robb	0	0	0.00	0	124,766
Rockefeller	61,850	0.03413	10,705.35	0.00591	34,593
Roth	0	0	0.00	0	28,591
Santorum	0	0	0.00	0	182,834
Sarbanes	0	0	0.00	0	91,956
Shelby	0	0	0.00	0	81,113
Simon	0	0	0.00	0	216,454
Simpson	0	0	0.00	0	19,826
Smith	0	0	0.00	0	34,552
Snowe	0	0	0.00	0	29,086
Specter	0	0	0.00	0	238,468
Stevens	0	0	0.00	0	23,179
Thomas	0	0	0.00	0	15,200
Thompson	0	0	0.00	0	94,111
Thurmond	0	0	0.00	0	72,302
Warner	0	0	0.00	0	124,766
Wellstone	0	0	0.00	0	87,939

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING 06/30/95

Senators	Total pieces	Pieces per capita	Total cost	Cost per capita	Fiscal year 1995 official mail allocation
Abraham	0	0.00000	$0.00	0.00000	$140,289
Akaka	0	0.00000	0.00	0.00000	29,867
Ashcroft	0	0.00000	0.00	0.00000	83,043
Baucus	1,532	0.00186	1,249.93	0.00152	34,694
Bennett	18,550	0.01023	3,275.70	0.00181	30,689
Biden	0	0.00000	0.00	0.00000	28,591
Bingaman	0	0.00000	0.00	0.00000	30,834
Bond	0	0.00000	0.00	0.00000	108,312
Boxer	15,405	0.00050	3,227.71	0.00010	582,722
Bradley	0	0.00000	0.00	0.00000	151,392
Breaux	1,625	0.00038	401.79	0.00009	82,088
Brown	0	0.00000	0.00	0.00000	74,406
Bryan	0	0.00000	0.00	0.00000	45,030
Bumbers	0	0.00000	0.00	0.00000	48,743
Burns	25,000	0.03034	4,811.82	0.00584	34,694
Byrd	0	0.00000	0.00	0.00000	34,593
Campbell	0	0.00000	0.00	0.00000	74,406
Chafee	0	0.00000	0.00	0.00000	30,524
Coats	0	0.00000	0.00	0.00000	111,738

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING 06/30/95—Continued

Senators	Total pieces	Pieces per capita	Total cost	Cost per capita	Fiscal year 1995 official mail allocation
Cochran	0	0.00000	0.00	0.00000	48,596
Cohen	667	0.00054	546.76	0.00044	37,937
Conrad	0	0.00000	0.00	0.00000	25,438
Coverdell	0	0.00000	0.00	0.00000	137,674
Craig	11,500	0.01078	2,542.72	0.00238	31,846
D'Amato	0	0.00000	0.00	0.00000	335,341
Daschle	0	0.00000	0.00	0.00000	27,650
DeWine	0	0.00000	0.00	0.00000	168,128
Dodd	851	0.00026	709.80	0.00022	66,615
Dole	0	0.00000	0.00	0.00000	51,907
Domenici	2,055	0.00130	550.98	0.00035	30,834
Dorgan	11,650	0.01832	2,146.29	0.00337	25,438
Exon	0	0.00000	0.00	0.00000	32,516
Faircloth	0	0.00000	0.00	0.00000	140,612
Feingold	0	0.00000	0.00	0.00000	97,556
Fienstein	0	0.00000	0.00	0.00000	582,722
Ford	0	0.00000	0.00	0.00000	74,054
Frist	0	0.00000	0.00	0.00000	78,686
Glenn	0	0.00000	0.00	0.00000	219,288
Gorton	181,460	0.03533	39,655.61	0.00772	106,532
Graham	0	0.00000	0.00	0.00000	323,488
Gramm	0	0.00000	0.00	0.00000	352,339
Grams	33,925	0.00757	8,698.24	0.00194	67,423
Grassley	0	0.00000	0.00	0.00000	56,381
Gregg	0	0.00000	0.00	0.00000	34,552
Harkin	0	0.00000	0.00	0.00000	56,381
Hatch	0	0.00000	0.00	0.00000	30,689
Hatfield	0	0.00000	0.00	0.00000	62,019
Heflin	0	0.00000	0.00	0.00000	81,113
Helms	0	0.00000	0.00	0.00000	140,612
Hollings	0	0.00000	0.00	0.00000	72,302
Hutchison	0	0.00000	0.00	0.00000	352,339
Inhofe	0	0.00000	0.00	0.00000	52,475
Inouye	0	0.00000	0.00	0.00000	29,867
Jeffords	0	0.00000	0.00	0.00000	23,830
Johnston	96,450	0.02250	17,923.62	0.00418	82,088
Kassebaum	0	0.00000	0.00	0.00000	51,907
Kempthorne	0	0.00000	0.00	0.00000	31,846
Kennedy	0	0.00000	0.00	0.00000	121,391
Kerrey	0	0.00000	0.00	0.00000	32,516
Kerry	0	0.00000	0.00	0.00000	121,391
Kohl	0	0.00000	0.00	0.00000	97,556
Kyl	0	0.00000	0.00	0.00000	63,581
Lautenberg	0	0.00000	0.00	0.00000	151,392
Leahy	1,410	0.00247	361.35	0.00063	23,830
Levin	0	0.00000	0.00	0.00000	182,978
Lieberman	0	0.00000	0.00	0.00000	66,615
Lott	0	0.00000	0.00	0.00000	48,596
Lugar	0	0.00000	0.00	0.00000	111,738
Mack	0	0.00000	0.00	0.00000	323,488
McCain	0	0.00000	0.00	0.00000	82,928
McConnell	0	0.00000	0.00	0.00000	74,054
Mikulski	0	0.00000	0.00	0.00000	91,956
Moseley-Braun	0	0.00000	0.00	0.00000	216,454
Moynihan	0	0.00000	0.00	0.00000	335,341
Murkowski	0	0.00000	0.00	0.00000	23,179
Murray	6,945	0.00135	1,649.73	0.00032	106,532
Nickles	0	0.00000	0.00	0.00000	68,442
Nunn	0	0.00000	0.00	0.00000	137,674
Packwood	18,300	0.00615	4,198.16	0.00141	62,019
Pell	0	0.00000	0.00	0.00000	30,524
Pressler	0	0.00000	0.00	0.00000	27,650
Pryor	0	0.00000	0.00	0.00000	48,743
Reid	1,015	0.00076	823.00	0.00062	45,030
Robb	0	0.00000	0.00	0.00000	124,766
Rockefeller	9,802	0.00541	6,368.58	0.00351	34,593
Roth	0	0.00000	0.00	0.00000	28,591
Santorum	0	0.00000	0.00	0.00000	182,834
Sarbanes	0	0.00000	0.00	0.00000	91,956
Shelby	0	0.00000	0.00	0.00000	81,113
Simon	0	0.00000	0.00	0.00000	216,454
Simpson	0	0.00000	0.00	0.00000	19,826
Smith	23,700	0.02133	4,607.24	0.00415	34,552
Snowe	0	0.00000	0.00	0.00000	29,086
Specter	0	0.00000	0.00	0.00000	238,468
Stevens	282,600	0.48143	45,559.29	0.07761	23,179
Thomas	3,619	0.00777	2,082.68	0.00447	15,200
Thompson	0	0.00000	0.00	0.00000	94,111
Thurmond	0	0.00000	0.00	0.00000	72,302
Warner	0	0.00000	0.00	0.00000	124,766
Wellstone	0	0.00000	0.00	0.00000	87,939•

DAUGHTERS OF MIRIAM CENTER'S 75TH ANNIVERSARY

• Mr. LAUTENBERG. Mr. President, I rise today to salute the upcoming 75th anniversary of Daughters of Miriam Center for the Aged in Clifton, NJ, a much beloved and honored institution that provides important health care services to New Jersey's elderly.

Mr. President, Daughters of Miriam Center was founded as a shelter for aged persons and orphaned children in the city of Paterson, where I grew up. Since its establishment in 1921, DMC has been inspired by its founder, Nathan Barnert, a former mayor of Paterson, whose public spiritedness and concern for the most vulnerable in society shaped the philosophy that has long guided DMC's programs.

Over 700 New Jersey residents each day benefit from the center's services. In addition to providing high quality medical care, Daughters of Miriam Center provides patients with a sense of community. The center's programs, such as medical day care for Alzheimer patients, congregate services, a respite program, and a sheltered workshop, bring warmth and purpose to participants' lives.

On a personal note, I would note that my own mother, as a nursing home resident, benefited greatly from the friendship and care offered at the center.

Mr. President, the anniversary of Daughters of Miriam Center is more than anything an opportunity to celebrate the people who have shaped this great institution—the doctors, nurses, staff, friends, and patients who have made the center what it is today. Their energy and commitment have helped make the center a leading facility for the care of the elderly on the east coast.

I ask my colleagues to join me today in congratulating Daughters of Miriam center for reaching an important milestone, and I wish the Center continued success in its valuable service to New Jersey and the Nation.•

AMENDING THE PUBLIC HEALTH SERVICE ACT

Mr. BOND. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 1747, just received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1747) to amend the Public Health Service Act, to permanently extend and clarify malpractice coverage for health centers, and for other purposes.

Mr. BOND. I ask unanimous consent the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1747) was deemed read three times and passed.

AMENDING THE DOUG BARNARD, JR. 1996 ATLANTA CENTENNIAL OLYMPIC GAMES COMMEMORATIVE COIN ACT

Mr. BOND. I ask unanimous consent the Banking Committee be discharged from further consideration of H.R. 2336, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2336) to amend the Doug Barnard, Jr. 1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.

Mr. BOND. Mr. President, I ask unanimous consent the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2336) was deemed read three times and passed.

POSSESSIONS AND TERRITORIES CRIMINAL LAW CLARIFICATION

Mr. BOND. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 243, S. 1332.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (S. 1332) to clarify the application of certain Federal criminal laws to territories, possessions and commonwealths, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Possessions and Territories Criminal Law Clarification Act''.

SEC. 2. APPLICATION OF VARIOUS OFFENSES TO POSSESSIONS AND TERRITORIES.

(a) Sections 241 and 242 of title 18, United States Code, are each amended by striking ''any State, Territory, or District'' and inserting ''any State, Territory, Commonwealth, Possession, or District''.

(b) Sections 793(h)(1) and 794(d)(1) of title 18, United States Code, are each amended by adding at the end the following: ''For the purposes of this subsection, the term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(c) Section 925(a)(5) of title 18, United States Code, is amended by striking ''For the purpose of paragraphs (3) and (4)'' and inserting ''For the purpose of paragraph (3)''.

(d) Sections 1014 and 2113(g) of title 18, United States Code, are each amended by adding at the end the following: ''The term 'State-chartered credit union' includes a credit union chartered under the laws of a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.''.

(e) Section 1073 of title 18, United States Code, is amended by adding at the end of the first paragraph the following: ''For the purposes of clause (3) of this paragraph, the term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(f) Section 1715 of title 18, United States Code, is amended by striking ''State, Territory, or District'' each place those words appear and inserting ''State, Territory, Commonwealth, Possession, or District''.

(g) Section 1716 of title 18, United States Code, is amended—

(1) in subsection (g)(2) by striking ''State, Territory, or the District of Columbia'' and inserting ''State'';

(2) in subsection (g)(3) by striking ''the municipal government of the District of Columbia or of the government of any State or territory, or any county, city, or other political subdivision of a State'' and inserting ''any State, or any political subdivision of a State''; and

(3) by adding at the end the following:

''(j) For purposes of this section, the term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(h) Section 1761 of title 18, United States Code, is amended by adding at the end the following new subsection:

''(d) For the purposes of this section, the term 'State' means a State of the United States and any commonwealth, territory, or possession of the United States.''.

(i) Section 3156(a) of title 18, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period and inserting ''; and'' at the end of paragraph (4); and

(3) by adding at the end the following new paragraph:

''(5) the term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(j) Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) by amending paragraph (26) to read as follows:

''(26) The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''; and

(2) by redesignating paragraph (43), as added by section 90105(d) of the Violent Crime Control and Law Enforcement Act of 1994, as paragraph (44).

(k) Section 1121 of title 18, United States Code, is amended by adding at the end the following new subsection:

''(c) For the purposes of this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(l) Section 228(d)(2) of title 18, United States Code, is amended by inserting ''commonwealth,'' before ''possession or territory of the United States''.

(m) Section 1546(c) of title 18, United States Code, is amended by adding at the end the following: ''For purposes of this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(n) Section 1541 of title 18, United States Code, is amended—

(1) in the first undesignated paragraph, by striking ''or possession''; and

(2) by adding at the end the following new paragraph:

''For purposes of this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

(o) Section 37(c) of title 18, United States Code, is amended in the final sentence by inserting before the period the following: '', and the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States''.

(p) Section 2281(c) of title 18, United States Code, is amended in the final sentence by inserting before the period the following: '', and the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States''.

(q) Section 521(a) of title 18, United States Code, is amended by adding at the end the following: ''(''State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States''.

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply to offenses committed on or after the date of enactment of this Act.

Mr. BOND. Mr. President, I ask unanimous consent the committee amendment be agreed to, the bill be considered read a third time and passed as amended, the motion to reconsider be laid upon the table, and any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, as passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BOND. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar, Nos. 404, 405, 406, and nominations placed on the Secretary's desk in the Air Force, Army, and Navy.

I further ask unanimous consent the nominations be confirmed en bloc, the motions to reconsider be laid upon the table en bloc, any statements relating to the nominations appear at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

ARMY

The following U.S. Army Reserve officers for promotion in Reserve of the Army to the grades indicated under title 10, United States Code sections 3371, 3384 and 12203(a):

To be major general

Brig. Gen. Jorge Arzola, 000–00–0000.
Brig. Gen. William E. Barron, 000–00–0000.
Brig. Gen. Tommy W. Bonds, 000–00–0000.
Brig. Gen. William N. Clark, 000–00–0000.
Brig. Gen. George W. Goldsmith, Jr., 000–00–0000.
Brig. Gen. Ralph L. Haynes, 000–00–0000.
Brig. Gen. William B. Hobgood, 000–00–0000.
Brig. Gen. Curtis A. Loop, 000–00–0000.
Brig. Gen. James M. McDougal, 000–00–0000.
Brig. Gen. William C. Mercurio, 000–00–0000.
Brig. Gen. Evo Riguzzi, Jr., 000–00–0000.

To be brigadier general

Col. Patricia J. Anderson, 000–00–0000.
Col. William S. Anthony, 000–00–0000.
Col. David R. Bockel, 000–00–0000.
Col. Robert W. chestnut, 000–00–0000.
Col. Richard E. Coleman, 000–00–0000.
Col. James M. Collins, Jr., 000–00–0000.
Col. Perry V. Dalby, 000–00–0000.
Col. William N. Kiefer, 000–00–0000.
Col. Robert M. Kimmitt, 000–00–0000.

Col. Robert A. Lee, 000–00–0000.
Col. Paul E. Lima, 000–00–0000.
Col. Richard D. Lynch, 000–00–0000.
Col. Robert G. Mennona, Jr., 000–00–0000.
Col. H. Douglas Robertson, 000–00–0000.
Col. Jon R. Root, 000–00–0000.
Col. John L. Scott, 000–00–0000.
Col. Gerry G. Thames, 000–00–0000.
Col. Thomas A. Wessels, 000–00–0000.

NAVY

The following named officer for appointment to the grade of Vice Admiral in the United States Navy while assigned to a position of importance and responsibility under title 10 United States Code section 601:

To be vice admiral

Rear Adm. Alexander J. Krekich, 000–00–0000.

The following named officer to be placed on the retired list of the United States Navy in the grade indicated under section 1370 of title 10, United States Code:

To be admiral

Adm. Henry G. Chiles, Jr., 000–00–0000.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE, ARMY, AND NAVY

Air force nominations beginning Monkia K. Botschner, and ending Nora E. Townsend, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of November 7, 1995.

Army nominations beginning Raymond W. Carpenter, and ending Donald G. Ward, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 27, 1995.

Army nominations beginning Nelson M. Alverio, and ending Arthur S. Pua, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 31, 1995.

Army nominations beginning Virgil A. Abel, and ending James A. Zernicke, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 31, 1995.

Army nominations beginning Travis L. Hooper, and ending Fredrick B. Seeger, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of November 8, 1995.

Army nominations beginning Bobby T. Anderson, and ending John F. D'Agostino, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of November 8, 1995.

Navy nominations beginning Bobby Z. Abadi, and ending Benjamin D. Zittere, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 31, 1995.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR FRIDAY, DECEMBER 15, 1995

Mr. BOND. Mr. President, I ask unanimous consent, when the Senate completes its business today it stand in adjournment until the hour of 9:30 a.m. on Friday, December 15; that following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, the time for the two leaders be reserved their use later in the day; there then be a period for morning business until the hour of 11 a.m., with Senators permitted to speak up to 5 minutes each, with the following exception: Senator NUNN, 25 minutes; Senator COATS, 45 minutes; Senator GRAHAM, 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BOND. Mr. President, for the information of all Senators, it is the intention of the majority leader to begin consideration of the House Message on the Foreign Operations appropriations bill during Friday's session. It is also possible that the Senate will consider the D.C. appropriations conference report, as well as a continuing resolution during tomorrow's session. Therefore, rollcall votes are possible on Friday.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BOND. Mr. President, if there is no further business to come before the Senate, I ask the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Friday, December 15, 1995, at 9:30 a.m.

CONFIRMATIONS

Executive Nominations Confirmed by the Senate December 14, 1995;

DEPARTMENT OF STATE

A. PETER BURLEIGH, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

SANDRA J. KRISTOFF, OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS U.S. COORDINATOR FOR ASIA PACIFIC ECONOMIC COOPERATION [APEC].

JOHN RAYMOND MALOTT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA.

KENNETH MICHAEL QUINN, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF CAMBODIA.

WILLIAM H. ITOH, OF NEW MEXICO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THAILAND.

FRANCES D. COOK, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

J. STAPLETON ROY, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDONESIA.

THOMAS W. SIMONS, JR., OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF PAKISTAN.

RICHARD HENRY JONES, OF NEBRASKA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LEBANON.

JAMES FRANKLIN COLLINS, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR AT LARGE AND SPECIAL ADVISER TO THE SECRETARY OF STATE FOR THE NEW INDEPENDENT STATES.

CHARLES H. TWINING, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

CHARLES H. TWINING, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EQUATORIAL GUINEA.

JAMES A. JOSEPH, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH AFRICA.

DON LEE GEVIRTZ, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FIJI, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAURU, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF TONGA, AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TUVALU.

JOAN M. PLAISTED, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KIRIBATI.

JIM SASSER, OF TENNESSEE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF CHINA.

DAVID P. RAWSON, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

GERALD WESLEY SCOTT, OF OKLAHOMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

ROBERT E. GRIBBIN III, OF ALABAMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF RWANDA.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

IN THE ARMY

THE FOLLOWING U.S. ARMY RESERVE OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, UNITED STATES CODE SECTIONS 3371, 3384 AND 12203(A):

To be major general

BRIG. GEN. JORGE ARZOLA, 000–00–0000.
BRIG. GEN. WILLIAM E. BARRON, 000–00–0000.
BRIG. GEN. TOMMY W. BONDS, 000–00–0000.
BRIG. GEN. WILLIAM N. CLARK, 000–00–0000.
BRIG. GEN. GEORGE W. GOLDSMITH, JR., 000–00–0000.
BRIG. GEN. RALPH L. HAYNES, 000–00–0000.
BRIG. GEN. WILLIAM B. HOBGOOD, 000–00–0000.
BRIG. GEN. CURTIS A. LOOP, 000–00–0000.
BRIG. GEN. JAMES M. MC DOUGAL, 000–00–0000.
BRIG. GEN. WILLIAM C. MERCURIO, 000–00–0000.
BRIG. GEN. EVO RIGUZZI, JR., 000–00–0000.

To be brigadier general

COL. PATRICIA J. ANDERSON, 000–00–0000.
COL. WILLIAM S. ANTHONY, 000–00–0000.
COL. DAVID R. BOCKEL, 000–00–0000.
COL. ROBERT W. CHESTNUT, 000–00–0000.
COL. RICHARD E. COLEMAN, 000–00–0000.
COL. JAMES M. COLLINS, JR., 000–00–0000.
COL. PERRY V. DALBY, 000–00–0000.
COL. WILLIAM N. KEIFER, 000–00–0000.
COL. ROBERT M. KIMMITT, 000–00–0000.
COL. ROBERT A. LEE, 000–00–0000.
COL. PAUL E. LIMA, 000–00–0000.
COL. RICHARD D. LYNCH, 000–00–0000.
COL. ROBERT G. MENNONA, JR., 000–00–0000.
COL. H. DOUGLAS ROBERTSON, 000–00–0000.
COL. JON R. ROOT, 000–00–0000.
COL. JOHN L. SCOTT, 000–00–0000.
COL. GERRY G. THAMES, 000–00–0000.
COL. THOMAS A. WESSELS, 000–00–0000.

IN THE NAVY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL IN THE U.S. NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. ALEXANDER J. KREKICH, 000–00–0000.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST OF THE U.S. NAVY IN THE GRADE INDICATED UNDER SECTION 1370 OF TITLE 10, UNITED STATES CODE:

To be admiral

ADM. HENRY G. CHILES, JR., 000–00–0000.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING MONKIA K. BOTSCHNER, AND ENDING NORA E. TOWNSEND, WHICH NOMINATIONS WERE RECEIVE3D BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 7, 1995.

IN THE ARMY

ARMY NOMINATIONS BEGINNING RAYMOND W. CARPENTER, AND ENDING DONALD G. WARD, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 1995.

ARMY NOMINATIONS BEGINNING NELSON M. ALVERIO, AND ENDING ARTHUR S. PUA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 31, 1995.

ARMY NOMINATIONS BEGINNING VIRGIL A. ABEL, AND ENDING JAMES A. ZERNICKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 31, 1995.

ARMY NOMINATIONS BEGINNING TRAVIS L. HOOPER, AND ENDING FREDERICK B. SEEGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 8, 1995.

ARMY NOMINATIONS BEGINNING BOBBY T. ANDERSON, AND ENDING JOHN F. D'AGOSTINO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 8, 1995.

IN THE FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING ROBERT S. GELBARD, AND ENDING SANDRA L. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 5, 1995.

FOREIGN SERVICE NOMINATIONS BEGINNING PAULA O. GODDARD, AND ENDING MICHAEL RANNEBERGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 5, 1995.

FOREIGN SERVICE NOMINATIONS BEGINNING CAROL A. PEASLEY, AND ENDING SARAH S. OLDS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 1995.

FOREIGN SERVICE NOMINATIONS BEGINNING HENRY LEE BARRETT, AND ENDING HARRY L. TYNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 31, 1995.

IN THE NAVY

NAVY NOMINATIONS BEGINNING BOBBY Z. ABADI, AND ENDING BENJAMIN D. ZITTERE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 31, 1995.

EXTENSIONS OF REMARKS

IN HONOR OF GIRMA ZAID, FOUNDER AND CHAIRMAN EMERITUS OF THE GRACE WAITING HOME FOR CHILDREN

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. DIXON. Mr. Speaker, today I rise to pay tribute to Girma Zaid, a caring, committed man who has dedicated his life to improving the plight of abused and neglected children.

Girma began to acquire the educational tools needed for his crusade for children at Long Beach City College and California State University-Long Beach, where he earned his associate and bachelor of arts degrees in sociology. Zaid continued his education at the University of California, earning his master of social work degree in 1984.

In 1975 Girma combined his education with a compassion for children as a children's services worker with the Los Angeles County Department of Public Social Services. Here he counseled at-risk children awaiting reunification with their families and developed therapeutic programs for them. Girma's hard work and dedication were rewarded in 1981 when he was promoted to supervisor of children's treatment counselors, a job in which he supervised a residential facility for neglected and at-risk children. His star continued to rise in 1985 with his elevation to deputy children's services administrator for the Los Angeles County Department of Children's Services. As administrator Girma was responsible for the supervision of children's services for more than 2,000 abused and neglected children. He also supervised 100 social workers, caseworkers, and related personnel.

Zaid's crusade took him to the Bay area in 1988 as program manager for the Black Adoption Placement and Research Center, where he developed, implemented, and supervised a therapeutic foster care program and helped review ethnically-matched and culturally-appropriate homes for dependent children. While in the Bay area Zaid also served as assistant director of the Department of Social Services for the city and county of San Francisco. He returned to the Los Angeles County Department of Children's Services in 1991 as the deputy administrator for the adoptions division.

One of Girma's crowning achievements came in January 1992, when he founded the Grace Home for Waiting Children and assumed the role of executive director. On behalf of Grace Home Girma worked with the Los Angeles County Department of Children's Services, community leaders, and elected officials to ensure a safe, nurturing environment for abused and neglected children. He provided in-service training as well as foster parent training, and monitored clinical program activities. Today Grace Home has three offices in Los Angeles County—Inglewood, Long Beach, and Panorama City. Offices will soon be opened throughout the State in San Bernardino, Riverside, and Sacramento.

Under Girma's leadership, Grace Home is also expanding its operations nationwide, with offices opening in Washington, DC; Atlanta, GA; Las Vegas, NV; and Milwaukee, WI. Girma has also traveled to Ethiopia and Eritrea in East Africa to set up programs for displaced children. He is currently utilizing his experience and talents as CEO of Management Services International, a consulting firm which plans, develops, and implements innovative child welfare programs both in the United States and abroad.

Despite his busy work schedule, Zaid has found time to serve on several boards, including the International Foster Care Organization, the PROVIDERS South Central Los Angeles Residential Facility, and the Martin Luther King Drew Community Advisory Counsel.

Mr. Speaker, California and the Nation owe a debt of gratitude to Girma Zaid's pioneering work with foster children. His deep commitment to improving the lives of abused and neglected children greatly benefits all of us. I ask that you join me, Mr. Speaker, in paying tribute to this tireless and compassionate crusader for children.

THE REPUBLICAN ASSAULT ON MEDICARE AND MEDICAID

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. STOKES. Mr. Speaker, I rise in strong opposition to the Republicans' $270 billion cut in Medicare, and $163 billion cut in Medicaid. Cuts of this magnitude will not only devastate these programs, but most importantly, they will seriously threaten the health status of the people which Medicaid and Medicare were designed to improve and to protect—children and seniors.

To jeopardize the quality of life—for millions of the most vulnerable in our society—for the sake of giving a tax break to the wealthy, is unconscionable. This tax cut giveaway will add millions of additional Americans to the already swollen ranks of the uninsured.

To gut critical quality of life health care services at a time when the health status of Americans is already compromised is irresponsible. Health status statistics confirm that now is not the time to destroy the Nation's health safety net system. This year alone nearly 1.3 million Americans will be diagnosed with cancer, over 500 thousand will die from the disease. Only about 40 percent of those who get cancer this year will be alive 5 years after diagnosis. Cardiovascular disease including heart attack and stroke, cause a death every 34 seconds in the United States, killing more than 900 thousand Americans each year. Nearly half of the 14 million Americans suffering from diabetes are not even aware that they have the disease. The gap in minority health continues to widen. The reemergence and spread of infectious diseases is on the rise. AIDS has become the leading cause of death for all Americans ages 25 to 44. Medicaid is especially critical to women and children suffering from AIDS.

It appears that the Republicans did not factor the adverse impact of these devastating diseases into their Medicare and Medicaid restructuring equation. If the Republicans are allowed to gut $270 billion from Medicare and $163 billion from Medicaid, the health status of the American people will deteriorate further. We must not tolerate the Republicans' blatant disregard for the needs of the American people.

Mr. Speaker, the GOP assault on health status and health care services must stop. I applaud the President for his veto of the Republican budget, and I strongly urge my colleagues to stand up for the American people—vote ''no'' on measures to gut Medicaid and Medicare.

TRANSFER OF TWIN CITIES RESEARCH CENTER

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. OBERSTAR. Mr. Speaker, on Tuesday, December 5, the House unanimously passed H.R. 308, a bill to transfer certain surplus Federal land in Hopewell Township, PA, to the Beaver County Corporation for Economic Development. The goal of the corporation, a nonprofit entity, is to utilize the transferred land, in cooperation with Hopewell Township, as the centerpiece of a Hopewell Aliquippa Airport Industrial Park, and thereby promote economic development and create needed jobs for the people of Hopewell Township.

Mr. Speaker, as I stated during debate on this legislation, the Federal Government should be alert to opportunities like Hopewell that link property transfers to airports, industrial park opportunities and other core infrastructure facilities to create and promote jobs. The fact is that the only way to create job opportunities to succeed those that no longer exist because of industry closing or dislocations is to make property available for new business to locate there.

The transfer of Federal property, when done effectively, can reap untold benefits in terms of employment, economic development, and economic stimulus.

Such is the case with the U.S. Bureau of Mines' Twin Cities Research Center in Minneapolis, MN. The 225 outstanding and dedicated employees have provided world-class research capabilities for the mining industry for over 85 years. Their research has resulted in the development of advanced technologies that: First preserve and enhance the quality and integrity of the environment; second, mitigate health and safety in the work place; third, improve efficiencies and economics of current mining practice; and fourth, develop new and more environmentally-friendly mining systems.

With the impending closure of the facility, the Twin Cities Research Center Transition Task Force has been developing a vision to transform the center into an applied engineering and physical sciences research institute. In order to accomplish their mission, the title of the land, buildings and equipment must be transferred at no cost to the State of Minnesota so that the new institute is able to lease the facility from the State to work in conjunction with the University of Minnesota. In this new arrangement, it may be necessary to transfer the equipment to the Natural Resources Research Institute in Duluth, sell some of the property, and/or manage the facilities in an innovative and cost-effective manner.

This no-cost transfer of public property will preserve the research capabilities of the Bureau of Mines' Twin Cities Research Center, continue the University's partnership with the State, and create economic opportunities for Minnesotans and the mining industry.

Mr. Speaker, for the reasons stated, this property transfer is important. That is why in the report accompanying H.R. 308 (House Report 104–372, p. 2) language is included directing the General Services Administration to expedite negotiations to transfer the U.S. Bureau of Mines, Twin Cities Research Center, in Minneapolis to be used in conjunction with the University of Minnesota. I am pleased with the inclusion of this language and look forward to the transfer.

TRIBUTE TO GERTRUDE MAXWELL

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. FOLEY. Mr. Speaker I rise today to pay tribute to the founder and lifetime Chairman of Save a Pet, Mrs. Gertrude Maxwell. Dedicated to protecting the rights of animals, Mrs. Maxwell and Save a Pet have saved over 50,000 pets. And on the upcoming commemoration of Save a Pet Day this weekend, I want to share with my colleagues in the House of Representatives and Senate, and the entire Nation, the remarkable work of Mrs. Maxwell and Save a Pet.

Founded in 1972 in Illinois, Save a Pet provides funds for surgery, transport, therapy, placement of pets in responsible homes to provide people with companionship. The organization promotes the idea that relationships between people and animals benefit both parties. It has a 100% adoption rate, does not support euthanasia, and promotes the widespread use of spaying or neutering to end overpopulation and neglect. Save a Pet is strongly committed to educating us to treat animals humanely with love and respect.

When a 1-year old nameless mutt was found paralyzed on South Dixie Highway, in South Florida, Nancy Mizelle found it difficult to fund treatment. She contacted Mrs. Maxwell who immediately funded the treatment. ''I wasn't going to let an animal die because of money,'' she said.

Mrs. Maxwell has connected her organization with various other volunteer agencies to enhance service to pets. In 1994, a 5-year-old Labrador was shot by a Palm Beach County sheriff's deputy, the dog needed to be transported to the University of Florida veterinary facility. Mrs. Maxwell arranged for the dog's surgery and transportation.

Maxwell's philanthropies began long before she founded Save a Pet. As a teacher and social worker, she served her community and was able to form interrelationships between people and pets. Every week for 25 years, between 1949 and 1974 she would drive 60 miles to teach underprivileged children. She taught them about the love and responsibility involved in owning a pet and the proper way to treat animals. As a social worker she set up programs to bring the love of pets into the homes of inmates and retirees. Mrs. Maxwell provided loving companionship for people everywhere she went.

Her interest in solving community problems including prison reform, therapeutic policies for troubled children and adolescents, and for improving senior citizen lifestyles earned her the appointment of honorary State's Attorney for the 15th Judicial Circuit of Florida in September, 1981.

Gertrude Maxwell's philosophy can be a lesson to us all. In her words,

> We do not live alone on Planet Earth. There are other living things here, too. The other living things are the animals whose useful service shares our homes and hearts, the pets and the wild creatures who are part of our daily lives.

This compassion for animals including promoting their freedom from want, from suffering, and from pain is commendable and will not be forgotten.

Mrs. Maxwell has been a true servant to my community and I thank her for a lifetime of dedication to such a noble cause. On this year's Save a Pet Day, and during this holiday season, let us all take time to thank valuable members of our local communities like Mrs. Maxwell, and give them the credit they deserve.

A TRIBUTE TO MALCOLM AND MARY FARRELL FOR 68 YEARS OF SERVICE TO THE BOY SCOUTS OF AMERICA

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. SOLOMON. Mr. Speaker, I've been involved in Scouting for most of my adult life, and few things have given me more satisfaction. Scouting has always been and continues to be an apprenticeship in life, a preparation for citizenship and a source of our future leaders.

That's why I take great pride in drawing your attention to Malcolm ''Mac'' Farrell and Mary Farrell of Schuylerville, NY in my congressional district. One would be hard pressed to find a couple who have done more to fulfill these missions of the Boy Scouts of America throughout their lifetimes. In fact, Mac and Mary have each contributed 34 years of service to scouting. That's a total of 68 years worth of guidance for the youth of Schuylerville.

Through their years of service, Malcolm has held the position of cub master for pack 13 in Schuylerville, while Mary has been the secretary and treasurer of the pack. Their leadership in these positions has certainly shown through considering the success and direction of the entire Boy Scout community in Schuylerville. In addition, their commitment of 34 years has brought a great degree of continuity and success to cub scout operations. In fact, after undergoing this apprenticeship in life with Mac and Mary, generations of boys and young men have become valued members of their families, communities, and Nation.

Mr. Speaker, I would add that those who worry about the direction of this country can take comfort in the sound guidance offered by people like Malcolm and Mary who have promoted the popularity of Scouting along with its principles of community service and moral values. In that regard, I have always been one to judge people based on what they return to their community. By that measure, Malcolm and Mary Farrell are truly great Americans.

This Sunday, friends and family will join the Farrell's in celebration and tribute to their decades of selfless sacrifice and service to Scouting. Mr. Speaker, knowing that many other Members of this body are also products of Scouting and share my high admiration for the Boy Scouts of America, I proudly ask them and all Members to join me in paying tribute to Mary and Malcolm Farrell and wishing them many more happy years, they have certainly earned it.

A SALUTE TO LIONEL HAMPTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. RANGEL. Mr. Speaker, I rise to pay tribute to Lionel Hampton, a great artist, a great American, a great ambassador, and one of the greatest musicians America has ever known.

In tribute to Lionel Hampton, I would like to share with you and this House, some of he highlights of the life of this extraordinary man.

Lionel Hampton, the reigning king of the vibraphone for over half a century, and one of the few surviving internationally renowned jazz talents of the swing era, was born in Birmingham, AL on April 20, 1908. He was a member of the Benny Goodman Quartet which was the first racially integrated group of jazz musicians in the Nation, but left the group to form his own big band in the early 1940's.

His original ballad, Midnight Sun, written with Johnny Mercer and Sonny Burke, has become an American jazz and popular classic. His two major symphonic works, the King David Suite and Blues Suite have been performed by many leading symphonic orchestras throughout the world.

Nevertheless, whether you are familiar with his musical accomplishments, over the years, Lionel Hampton has known no status where he was not eagerly accepted, as he has been well received the world over by Presidents, politicians, kings, and queens. His very music has caused the walls of Communist nations to come tumbling down.

Allow me now to share with you Lionel Hampton, the constituent, the friend, the community leader. His frame and greatness have not let him forget the homeless and the hopeless. Long a supporter of public housing, he developed the Lionel Hampton Houses in the early 1970's, and upon completion, built the

Gladys Hampton Houses, named for his late wife. To this day, those projects are considered among the best in the Nation.

The Lionel Hampton Community Development Corp. has built more than 500 low- and moderate-income apartments in my congressional district of Harlem alone.

Lionel Hampton holds more than 15 honorary doctorates and received the gold medal of Paris, its highest cultural award, from its mayor, Jacques Chirac.

He was appointed to the board of trustees of the Kennedy Center in 1991 by President George Bush, and in December 1992, he was awarded a prestigious Kennedy Center honor for his lifetime career achievements as a musician and teacher. Since then, he continues to produce educational events and considers the real highlight of his career as having the music school at the University of Idaho named for him, the Lionel Hampton School of Jazz.

Whether you are black or white, Democratic or Republican, liberal or conservative, Lionel Hampton represents the very best of America.

TRIBUTE TO RUTH VARNADO

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. BARRETT of Wisconsin. Mr. Speaker, it is with great pride that I pay tribute today to Ruth Varnado of my hometown of Milwaukee. Her many years of community service and dedication to making a difference in the lives of people are truly deserving of our appreciation and praise.

Ruth was raised in Jasper, AL where she completed her high school education. During her young adult years, she moved to Milwaukee to further her education.

We all know that Jasper, AL is a long way from Milwaukee. But I am very grateful that Ruth made the journey. Her years of community service span more than three decades, and the people of our community have benefited from her tireless service, dedication, and hard work.

Ruth has been a leader of efforts to save people from the ravages of guns, drugs, violence, and crime. Recognizing the importance of reaching out to people in despair, Ruth founded the Lincoln Park Community Center in 1989 and still serves as its director. Through her work at the center, she has helped to expand opportunities for people who have often felt hopeless. And she has helped to instill in them the values they need to succeed and endure in this society.

Ruth's efforts to reach out to inmates in penal institutions for insight into the root causes of crime have caught the attention of local, State, and national leaders including the President of the United States. For the first time in Wisconsin history, inmates nominated Ruth for a volunteer award sponsored by J.C. Penney, the Volunteer Center of Greater Milwaukee, and WTMJ–TV Channel 4.

Ruth's civic involvement and her countless contributions have earned her many other acclamations and awards. In 1991, she was named Citizen of the Year by the National Association of Social Workers.

''Boundless energy'', ''fearless'', ''determined'', ''compassionate'' and ''tough'' are terms the Milwaukee Times newspaper used to describe Ruth when she was honored as the 1990 Woman of the Year.

Just as significant as all of the Ruth's achievements is the spirit of community service she represents. Her willingness to help individual community members of our society as a whole is what makes her especially deserving of our recognition and praise.

The spirit of service she actively portrays is something we see far too little of in this society. And we all would do well to follow the shining example that Ruth has given us.

I know that Ruth will continue to play an important role in our community for decades to come, and that America will continue to benefit from her dedication, service and hard work.

Mr. Speaker, I urge you and my colleagues in the U.S. House of Representatives to join me in saluting Ruth Varnado and in applauding this remarkable citizen for all she has done, and for all she has meant, to those of us whose lives she has touched.

TRIBUTE TO CHARLES ''KEN'' ZISA

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. TORRICELLI. Mr. Speaker, it is with great respect and admiration that I address my colleagues today to extend my heartfelt congratulations and warmest wishes to Charles ''Ken'' Zisa. On December 18, 1995, Ken will be inaugurated as chief of police of the city of Hackensack, NJ.

For many years, the name ''Ken Zisa'' has been synonymous with a tradition of community service, dedication, and love of the city of Hackensack. Chief Zisa has dedicated his professional life to his career in law enforcement. He joined the force in 1975, was promoted to sergeant in 1983, lieutenant in 1989, and captain in 1993.

Chief Zisa is a man of the utmost integrity who cares about his neighbors, his community, and his country. He is a man of vision who will continue to make the city of Hackensack proud of their police department.

Ken has been a member of HAPADA, the Bergen County Youth Services Commission, PBA Local #9, Knights of Columbus Trinity Council 747, B.P.O.E. Lodge 658, and Hackensack UNICO. Ken and his wife, Mary, reside in Hackensack and have two children, Anthony and Kristen, who attend the Hackensack public schools.

Mr. Speaker, I extend my best wishes to Chief Charles K. Zisa on this most special occasion.

SECURITIES LITIGATION REFORM

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. DINGELL. Mr. Speaker, on December 6, 1995, the House passed the conference report on H.R. 1058, the Private Securities Litigation Reform Act of 1995. I am disappointed that the House approved this legislation. Many experts predict that it will only marginally deter frivolous lawsuits while causing significant harm to investors with meritorious claims.

By this time next week, President Clinton will have had to veto the bill or sign it. At this point, I would like to submit for the RECORD two articles that point out the serious flaws in this bill and why it should be vetoed.

[From the Bond Buyer, Dec. 5, 1995]

CALIFORNIA COUNTIES ASK CLINTON TO VETO SECURITIES BILL

(By Joe Bel Bruno)

LOS ANGELES.—The California State Association of Counties on Friday elected a new president—San Mateo County supervisor Mike Nevin—whose first action was sending a letter to President Clinton opposing the Securities Litigation Reform Act.

CSAC, a nonprofit corporation that promotes the interests of California's 58 counties before the state legislature and Congress, contends the reform act will severely hinder local governments' ability to recover losses related to securities fraud.

''We need to have the ability to recover losses in the case of securities fraud,'' Nevin said yesterday. ''We just wanted to let the President know that this bill, if he signs it, would make things tough on local governments and the taxpayers. It would be sending the wrong message.''

The letter to Clinton was signed by 106 county and other local government officials.

In addition to CSAC, signers of the letter include the California Association of County Treasurer/Tax Collectors, the city and county of San Francisco and the counties of Sacramento, San Diego, San Mateo, Riverside, Alameda, Kern, and Fresno. The letter was also signed by administrators of several county retirement systems.

A House-Senate conference committee has cleared the way for final congressional action on the bill. The Senate and House are slated to vote on it on Dec. 5 and Dec. 6. As currently worded, the bill would limit the type of securities-related lawsuit that could be filed, as well as the dollar amount of damages requested.

Steve Szalay, executive director of CSAC, said the legislation would have a dramatic impact on local governments. The legislation was a much-discussed topic at the association's 101st annual meeting in San Jose last week, he said.

''Local governments are victims of securities fraud; they need access to the courts to recover their losses,'' he said in a press statement. ''Orange County, on behalf of 187 independent California governments, is suing to recover about $1.5 billion on the grounds that the investments made on its behalf were unsuitable and violated the California constitution and statutes.''

''This bill makes it very difficult for local governments and taxpayers to recover their losses in securities fraud cases, and it will give wrongdoers a green light to commit more fraud,'' Szalay said.

The letter was drafted and signed by the association's new board on Friday. Also elected to the association's board was Yolo County supervisor Helen Thomson, first vice president; and El Dorado County supervisor John Upton, second vice president.

Nevin represents urban counties, while Thomson and Upton represent suburban and rural counties, respectively. One of the association's goals is educating the public about the value and need for county programs and services. Founded in 1895, CSAC is headquartered in Sacramento and has a research office in the District of Columbia.

[From USA Today, Dec. 8, 1995]

SECURITIES LAWSUIT BILL MAY HURT INVESTORS

(By Christine Dugas)

A securities law aimed at reducing frivolous lawsuits also may make it harder for investors with legitimate claims.

The bill, approved by Congress this week and awaiting President Clinton's signature, means ''investors are going to have to take a lot more responsibility for their own welfare,'' says Philip Feigin, Colorado Securities commissioner. ''It will be harder to get a case started and more difficult to prevail.''

Among the bill's provisions:

Companies would be able to say anything about future performance if they include some cautionary statements.

The amount of damages reckless wrongdoers would pay generally would depend on their share of liability. So a victim may not fully recover his or her damages if the main lawbreaker has claimed bankruptcy. In the case of Charles Keating's savings-and-loan fraud, Keating claimed bankruptcy, so damages to victims were paid mainly by accountants and lawyers who might not pay so much under this bill.

A judge would require investors or their lawyers to pay defendant's legal fees if a lawsuit were considered frivolous.

Investors would have to have specific evidence of fraud before they could go to court.

Investors still would have only one year after fraud was discovered, or three years after it occurred, to file suit.

''Now more than ever, investors must go beyond what companies tell them, and do some independent checking,'' says Maureen Thompson, legislative adviser for the North American Securities Administrators Association.

Because efforts to stretch the statute of limitations failed, investors still would have to check their investment account statements promptly for irregularities. They also would have to carefully document problems and consult a lawyer quickly, says Gerri Detweiler, policy director of the National Council of Individual Investors.

But it might be hard to find a lawyer to take investor fraud cases. ''The law tells us we can't just have a good case, we must have a great case,'' says Matthew Kelly, a lawyer who represents investors at Roemer, Wallens & Mineaux in Albany, N.Y.

The Securities and Exchange Commission, mean-while, is unlikely to pursue investors' cases. ''It doesn't have the resources,'' says Kim Schweitzer, counsel for the National Association of Securities and Commercial Lawyers. ''Its mandate is enforcement, not recovery for victims.''

The measure would benefit investors because companies would have to disclose more information, says Louis Thompson Jr., president of the National Investor Relations Institute.

And some investors support the bill because they are fed up with lawsuits that mainly enrich lawyers. The bill is aimed at a small number of ''professional investors'' and lawyers who file class-action lawsuits and take most of the proceeds.

''The money spent by corporations on frivolous lawsuits would better serve all shareowners if it remained in the company, resulting in higher net profits and earnings per share,'' says Kenneth Janke, president of the National Association of Investors.

But the legislation doesn't only stop frivolous lawsuits. ''It's a balancing act,'' Feigin says. ''Even good cases might not make it.''

TRIBUTE TO GENERAL MAXWELL R. THURMAN

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. SKELTON. Mr. Speaker, I rise with a heavy heart to announce that our country has lost a great soldier and friend, General Maxwell Reid Thurman. General Thurman, a soldier whose career spanned more than 37 years, died on December 1, 1995, at Walter Reed Army Medical Center after a 5-year struggle with leukemia.

General Thurman was a principal architect of the all-volunteer Army and served as the Commander-in Chief of United States Southern Command during Operation Just Cause in December 1989. He learned that he had an aggressive form of leukemia in July 1990, and retired from the Army 8 months later in March, 1991.

Born in High Point, NC, General Thurman attended North Carolina State University, graduating with a degree in Chemical Engineering in 1953. While at North Carolina State, he enrolled in the Reserve Officer Training Corps and was commissioned an officer in the Ordnance Corps. Early in his career, General Thurman applied for, and received, a regular army commission in the field artillery. His professional military education included attendance at the ordnance and field artillery basic courses, the field artillery advanced course, the Army Command and General Staff College, and the Army War College.

General Thurman held a variety of staff and command positions, both in Europe and the United States. In Europe, he commanded light artillery and rocket units with the 11th Airborne Division, and he saw service in the 1958 Lebanon Crisis. He served in Vietnam, first as an intelligence advisor, and later as commander, 2d battalion, 35th field artillery, during the Tet Offensive. Returning to the United States, he commanded the 82d Airborne Division Artillery. Other assignments included duty as an instructor at the U.S. Military Academy, the Army Field Artillery School, and the Army Training and Doctrine Command.

In 1979, General Thurman was assigned as the Commanding General of the U.S. Recruiting Command. It was during this assignment that he helped shaped the post-Vietnam Army and helped transform it into the high quality, ready-to-flight force we have today. Under his leadership, General Thurman advertised the Army as a place where men and women with lots of drive and potential could be all that they could be, not a safe haven for underachievers. This is still the Army's basic recruiting slogan: ''Be All That You Can Be.''

Promoted to the rank of lieutenant general in 1981, General Thurman became the Deputy Chief of Staff for Personnel for the U.S. Army. In 1983 he was promoted to full general and appointed Vice Chief of Staff of the Army. He assumed command of the U.S. Training and Doctrine Command at Fort Monroe, VA in 1987. During these years it was largely through General Thurman's inspiration and leadership that the Army's new recruiting and training programs were implemented and the modern, volunteer professional Army fully came into existence.

In September 1989, General Thurman was named Commander-in-Chief of the U.S. Southern Command, responsible for all American military national security policy and strategy in the region. It was under his leadership that the United States prepared and launched Operation ''Just Cause'' in Panama, which successfully removed dictator Manuel Noriega, and helped restore democracy to that strategic nation.

General Thurman held numerous awards and honors. His U.S. military decorations include two awards of the Defense Distinguished Service Medal; two Distinguished Service Medals; two Legions of Merit; the Bronze Star Medal with Valor Device (with Oak Leaf Cluster); four Air Medals; Meritorious Service Medals; Army Commendation Medals; and the Joint Service Achievement Medal. Additionally, General Thurman was decorated by the Governments of France, Germany, and Venezuela. He was a master parachutist and held the Army General Staff and the Joint Chiefs of Staff identification badges.

Since his retirement, General Thurman has been a Senior Fellow of the Association of the United States Army's Institute of Land Warfare and an executive-in-residence at North Carolina State University. General Thurman also served on the President's Commission on Women in the Armed Forces and the President's Commission on Panama. In 1992, he received the North Carolina Award for Public Service for a native North Carolinian living outside the State. In 1995, General Thurman was awarded an honorary doctor of humane letters degree from North Carolina State University.

Mr. Speaker, General Thurman was the epitome of selfless service to nation. He was always enthusiastic, and unstoppable tinkerer, sometimes abrasive, and yet humorous and warm when the pressure was off. He was a leader who truly made a difference, and his legacy can be found in the magnificent men and women who make up our trained and ready Army. He has our thanks—he served our Nation well. We will truly miss his leadership and friendship.

THE COALITION BUDGET

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 13, 1995 into the CONGRESSIONAL RECORD.

THE COALITION BUDGET

Budget negotiations between Congress and the White House have been difficult, but I am pleased that all parties have agreed to a common goal—balancing the budget in seven years and protecting Medicare, Medicaid, education, and the environment. Thus, the central question to the debate is not ''when'' the budget is balanced, but ''how''.

Both sides in this debate deserve credit for making progress on the deficit. Under the leadership of House Speaker Newt Gingrich, Congress passed one budget version, which was vetoed by the President. The President has presented an alternative proposal, and negotiations will continue on a final agreement. Throughout the debate, both sides have moved slowly towards a proposal put forward by the conservative ''Coalition'', a group of centrist House Democrats.

The Coalition budget is a tough and remarkably sensible budget plan. It meets the

stringent test of balancing the budget in seven years by cutting spending by more than $850 billion, and it results in even less debt than the plan vetoed by the President. The Coalition budget does not borrow money to pay for tax cuts and it better protects important priorities such as health care, nutrition, job training, education, and infrastructure. Because it does not postpone tough spending cuts, the Coalition plan would leave a national debt of almost $100 billion less than the Speaker's budget.

I support the Coalition budget for several reasons:

1. It puts deficit reduction first: The Coalition budget makes spending cuts immediately, and postpones tax cuts until the budget is balanced. In contract, the Speaker's budget would give out $245 billion in tax cuts early on and delays unpopular spending cuts until after the 1996 and 1998 elections. Under that plan, deficits would actually increase in 1996 and 1997. Congress has passed balanced budget plans before, but most failed because they made popular short-term tax cuts while postponing the tough medicine until many years later. This means that we borrow money to give ourselves a tax cut, leaving our children with the bill. Surely we have learned from recent history that when dessert comes first, we never get to the spinach. The coalition budget begins spending cuts immediately, and makes gradual cuts until the budget is balanced in 2002.

2. It spreads the sacrifice more fairly: The Coalition budget takes a balanced, fiscally responsible approach to major entitlement programs. It trims Medicare costs by allowing recipients to choose private insurance plans and charging upper-income enrollees higher premiums, but it takes $100 billion less from Medicare than the vetoed budget. These Coalition savings are equal to those necessary to keep the program solvent for the foreseeable future, keeping promises made to both today's and tomorrow's seniors. Medicaid, the program of health insurance for the poor, survives at lower levels than under current law, and with a spending cap that adjusts for inflation and the number of enrollees. It preserves the guarantee of assistance to nursing home residents, the disabled, and lower-income women and children. The Speaker's budget proposal calls for much larger Medicaid cutbacks and takes no account of future enrollment, inflation, or recessions. This approach often hits states like Indiana extremely hard with cumbersome block grant formulas that favor larger states with less efficient health care delivery. Without the Medicaid guarantee, state taxes, local governments, and the middle-class children of nursing home residents will bear the brunt of longterm health care costs The Coalition plan also proposes cost-of-living adjustments for social security and other federal benefits, but designs those changes so that modest income families will not suffer.

3. It invests in the future: The Coalition budget rejects cutbacks in student loans and job training, choosing instead to create new opportunities for younger Americans. It does not make cuts in research, technology, and export promotion, and it restores funding for education, rural health, research, and economic infrastructure. Overall, the cuts in the Coalition budget are 25 percent less severe than the harsh reductions proposed by the Speaker's budget.

4. It makes work pay, and welfare recipients work: The Coalition budget makes major welfare reform that balances compassion with a sense of personal responsibility. It requires people to move from welfare to work in two years, and provides limited job training and child care to those entering the workforce. The Coalition plan also eliminates the vetoed budget's tax increase on lower-income working families. Welfare should not pay more than work, and this plan helps families make that transition.

5. It enforces strict compliance: The Coalition budget provides the only meaningful enforcement of spending cuts to be found in any of the budget proposals. It uses nonpartisan Congressional Budget Office estimates and includes a line-item veto and tough enforcement measures to make it difficult for any future Congress to violate this plan. This honest approach does not rely on ''smoke and mirrors'' to achieve a balanced budget. It rejects gimmicks like ''unspecified cuts'', as in the alternative plans.

Conclusion: I am pleased we have agreed to balance the budget in seven years. Congress and the President must now decide how we balance the budget. To have the long-term support of the American people, a balanced budget plan must make tough budget choices while reflecting the values Americans cherish: responsibility, honesty, fairness, compassion, and the promise that the future will be better for our children. Only a budget that is politically and economically sustainable over a period of years will actually achieve balance.

Although differences are large, I believe the American people want us to reach an agreement on the budget. It is the responsibility of Congress and the President to put aside partisan differences for the common good of the nation.

The Coalition plan offers Congress and the President a real opportunity to find common ground and unite the American people behind a tough, honest, compassionate, and fair balanced budget that reflects basic American values and invests in our future. The Coalition plan may not be perfect, but it is a good starting point for real progress on the budget.

MAYOR TIERNEY DEFENDS NEW BEDFORD ECONOMY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, I have been disappointed recently to read a number of very uninformed attacks on Indian-run casinos. A number of people have extrapolated from their own personal opposition to gambling to make unfounded criticisms of Indian casinos, to denigrate the very important economic advantages these casinos have represented for American Indians and to inaccurately claim that they have been a source of legal problems. In addition, in some cases casinos can be a very important source of economic opportunity for people in addition to Indians who live in areas which have suffered economic losses beyond their control.

One such area is the city of New Bedford, MA, which I am privileged to represent in Congress. The proposal to establish a casino run by the Wampanoag Tribe in New Bedford has been overwhelmingly supported by the people of that city, who recently voted for it by a 3-to-1 margin in a referendum. It has unfortunately been the subject of a good deal of unfounded criticism. I was therefore very pleased to read in the Boston Globe for December 12 a very well argued essay by New Bedford Mayor Rosemary Tierney, in which she states the case for allowing New Bedford and the Wampanoag Tribe to go forward with this casino in very persuasive terms.

I have worked closely with Mayor Tierney, with labor representatives, with business leaders, and with a wide range of citizens to support economic development for New Bedford. All of these groups share the mayor's and my opinion that the casino is a very important part of this effort. The very hard working people of New Bedford have been hit by unfavorable international trade trends, and by the conservation driven restrictions on fishing. As we deal with these issues, we agree that the economic development that would result from the casino is essential in our effort to overcome the negative effects of these other trends. As the mayor notes in her well-documented and thoughtful essay,

New Bedford does not look upon gaming as a cure-all or quick fix for the local economy. The impact of the casino falls in two categories: employment and tax revenues. New jobs create new earnings and new spending. New spending, in turn, increases demands on suppliers, vendors, merchants, contractors. Thus new jobs create the need for yet more employment throughout the economy.

Mr. Speaker, because Mayor Tierney speaks with great authority on the need for economic development in the city of New Bedford, and because on this issue in particular she articulates a viewpoint that is shared by virtually all of us who are seriously concerned within the New Bedford area about economic improvement, and because the merits of Indian-run gambling operations are now a subject of some debate in this body, I ask the Mayor Tierney's article from the Boston Globe of Tuesday, December 12 be printed here.

[From the Boston Globe, Dec. 12, 1995]

GAMING AND NEW BEDFORD'S FUTURE

(By Rosemary S. Tierney)

The City of New Bedford is not unique among older New England cities when considering the economic challenges it is confronting as the 21st century approaches. As mayor of this proud and historic city, I believe it is unique in demonstrating a frank willingness to acknowledge those challenges and to develop a systematic, long-term plan for overcoming them.

Throughout its long history, New Bedford has been bound to both national and international economic trends. Whaling and shipbuilding dominated the local economy in the early and mid-1800s. As the whaling industry declined, textiles became the dominant industry. Companies with such household names as Hathaway and Wamsutta made New Bedford their corporate homes. The manufacturing base was broadened by glass and metal-working factories, such as Revere Copper and Pairpoint Glass. In more recent times, the city's economic fate returned to the sea. For several years, New Bedford was the nation's No. 1 fishing port in the dollar value of its fleet's catch. New Bedford also became a site for quality needle trade industries, Polaroid, Aerovox and the Acushnet Co.'s Titleist golf ball plant.

Today New Bedford faces a challenge from the continuing decline in manufacturing, coupled with a fishing industry in crisis. These factors may be beyond local control, but the city can have an impact on the regional economic environment by employing its potential resources to maximum advantage.

Let me cite a few of those advantages being developed in New Bedford: a harbor with potential to handle increased shipping traffic; a location close to major transportation routes; and airport with a foreign trade zone and plans for a $30 million expansion; a coastal resource laboratory and aquaculture center at the University of Massachusetts at Dartmouth. In addition, plans

are in the works for establishment of a New Bedford national park and a commuter-rail link to Boston.

These projects are being over-shadowed today by the debate over casino gaming in Massachusetts and, in particular, the Wampanoag proposals to develop a casino/-entertainment complex in New Bedford. Critics argue that gaming will only provide short-term economic gains, while the cost to society in regulation, diversion of funds, crime and related social problems will outweigh the benefits. Implicit in these arguments is that New Bedford is susceptible to promises by developers of a better tomorrow because of the plight of its local economy. Nothing could be further from the truth.

The Wampanoag gaming proposal is the most comprehensive economic development initiative in the history of southeastern Massachusetts. It will provide some 5,000 jobs (plus 3,000 construction and temporary jobs), spur tourism, generate millions of dollars in revenues for the state and cities and towns, and allow Massachusetts vendors the opportunity to contract for services and goods to support the gaming and entertainment complex.

This is not just a New Bedford issue. It is a Worcester issue, a Springfield issue, a Fall River issue, a Taunton issue, a Brockton issue, a Lowell issue. It is an issue each mayor understands: job creation and economic development go hand-in-hand. New jobs can give hope and opportunity to thousands of hard working men and women—and can help build a stronger economic future for generations to come.

New Bedford does not look upon gaming as a cure-all or quick fix for the local economy. The impact of the casino falls in two categories: employment and tax revenues. New jobs create new earning and new spending. New spending in turn increases the demands on suppliers, vendor, merchants, contractors. Thus new jobs create the need for yet more employment throughout the economy.

If the local unemployment rate of 9.3 percent can be reduced to the statewide average of 5.1 percent, business in New Bedford and the area will certainly benefit. It has been the failure to reduce unemployment through new or expanded industry that has plagued this area for years. The Wampanoag project offers the city the opportunity to couple the project to other initiative, such as the harbor, airport and rail, to make them a reality.

It is estimated 25 percent of the gross revenue at the Foxwoods casino in Connecticut comes from Massachusetts residents. Those are revenues that leave this state by the busload every day. As Congress shifts federal responsibilities to the states, I urge the Legislature not to reject revenue sources that will be sorely needed in the not-too-distant future. Twenty-three states across the nation are beneficiaries of 130 compacts with 115 tribes. Massachusetts would not be reinventing the wheel.

Aside from minimizing or dismissing the economic potential of gaming, opponents employ the strategy of fear based upon threats of increased crime. As mayor of the host community, I am mindful of this threat. But there is no better prevention for crime than a job. The Wampanoag tribe not only supports strong regulation and has indicated a willingness to find its cost, it has encouraged the Legislature to maintain strict oversight over the new regulatory agency to ensure that it is composed of top professionals with knowledge of accounting and law enforcement. Instead of attempting to undermine a proposal legitimately put forward under federal law that will benefit this state and its people with economic opportunities, law enforcement personnel and prosecutors should insist the Gaming Commission be staffed by people who will have impeccable reputations and integrity and be supported by a staff adequate to meet the job.

The task of rebuilding New Bedford and the region is vital to southeastern Massachusetts. The Legislature has an opportunity to make an important contribution to this effort by approving the compact between the state and the Wampanoag tribe. The area has always had an enormous potential for economic growth and development. The gaming/entertainment complex offers New Bedford a catalyst for the full economic recovery. I urge the Legislature to approve the compact expeditiously and to avoid arguments that seem more focused on scoring short-term political points than on seeking pragmatic solutions to bring to this state a well regulated and managed gaming industry.

COMMEMORATION OF HUMAN RIGHTS DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. GILMAN. Mr. Speaker, by Presidential proclamation, December 10–16 has been designated Human Rights Week. As Americans prepare to celebrate the holidays and the coming new year, I hope that each of us will reflect upon the blessings we reap because of the deep commitment to human rights that America stands for. Indeed the world looks to us as a beacon or hope because of our tradition of respect for and continual effort to bring to life the freedoms enshrined in our Constitution.

Those who have suffered from a denial of the basic human rights and fundamental freedoms, that we, in this country, often take for granted, known how important the achievement of human rights really is. In countries such as North Korea, China, Vietnam, Cuba, Burma, and Bosnia, people struggle to win the liberty that we have enjoyed for over 200 years.

In the United States, respect for international human rights has long been supported on a bipartisan basis. We have enjoyed many successes in advancing human rights, evidenced by the collapse of communism in Europe, the defeat of Communist subversion in Central America, and in the defeat of aggression in the Persian Gulf. We understand the role that human rights can play in advancing democracy and economic development with free markets. For instance, in the collapse of communism in the Soviet Union and its satellites, human rights was a key aspect of the difference between the quality of life in Western and Communist societies, and therefore became decisive as the people of the Communist bloc rose against their governments.

The importance of restoring human rights has been recognized in the Dayton peace agreement for Bosnia. We hope and pray that as our troops are deployed, the Bosnian people will seize the opportunity for justice and reconciliation, so that all the people of Bosnia can rejoin the community of nations as a free people. In Rwanda, success in restoring an acceptable standard of human rights will determine whether Rwandan refugees can return home in peace and safety, and rebuild shattered lives.

Maintaining international standards for human rights, promoting these standards, and encouraging their adoption where necessary remain a key aspiration of our Nation's policy. Let us resolve to continue our efforts to ensure for all the enjoyment of human rights.

HUMAN RIGHTS

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. RICHARDSON. Mr. Speaker, I want to submit for the RECORD Ambassador Madeleine Albright's remarks on the human rights situation in Burma to the U.N. General Assembly Third Committee. I join Ambassador Albright's endorsement of the U.N. resolution to urge the Government of Burma to cease its violations of internationally recognized human rights.

I also want to take this opportunity to commend Ambassador Albright for her tremendous work on this issue. I encourage all Members to support the work of our U.N. Representative as she relentlessly pursues the cause of Burmese democracy leader Aung San Suu Kyi. Ambassador Albright had a great meeting in Burma this fall Aung San Suu Kyi.

Recent developments in Burma have given us cause for great concern. It is imperative that the governing State Law and Order Restoration Council understand that the United States and the international community will not tolerate threats or actions that suppress the advancement of the democratic movement in Burma.

STATEMENT BY AMBASSADOR MADELEINE K. ALBRIGHT, U.S. REPRESENTATIVE TO THE UNITED NATIONS, UNITED NATIONS GENERAL ASSEMBLY, THIRD COMMITTEE, HUMAN RIGHTS SITUATION IN BURMA, DECEMBER 11, 1995

Mr. Chairman, I appreciate this opportunity to discuss my Government's decision to join consensus on the resolution concerning the human rights situation in Burma, despite some reservations that prevented us from cosponsoring.

The resolution reflects a tremendous effort by the Swedish mission to develop a strong consensus text, and my government endorses strongly the purposes and recommendations contained in that text,.

We join with the other members of this Assembly in urging the Burmese Government to cease its violations of internationally recognized human rights. And we urge the government to begin a substantive political dialogue with Aung San Suu Kyi, other democratic leaders and representatives of ethnic groups concerning the future of the country. These recommendations are at the heart of the Assembly resolution, and we believe the Government of Burma should respond favorably to them.

The Unites States was not able to cosponsor the resolution because of three issues that we believe could have been dealt with more precisely or urgently.

First, we would have tempered the language in paragraph 17, which welcomes the cessation of hostilities between the Government of Burma and various ethnic groups, because the Burmese Army has not fully honored those ceasefires.

Second, we believe the resolution should have included language similar to that adopted by the UN Human Rights Commission last spring, encouraging the Secretary-General to hold discussions with the Burmese Government for the purpose of stimulating progress towards democratization and national reconciliation.

Third, we believe specific mention should have been made of the International Labor Organization's decision last June to condemn Burma's continued use of forced labor and forced porterage, especially of members of ethnic minorities, for military and civilian infrastructure projects. The ILO recommends, and my government strongly agrees, that Burma should bring both its laws and its practices into compliance with internationally recognized standards of workers' rights.

Finally, we believe that more specific and urgent attention should have been given in the resolution to important events that occurred in Rangoon near the end of last month. I refer, of course, to the withdrawal and subsequent expulsion from the National Convention of delegates from the National League for Democracy.

The governing State Law and Order Restoration Council, or SLORC, has asked the world to view the Convention as a representative mechanism for drafting a new constitution and facilitating a transition to democracy. Clearly, it is not that if the National League for Democracy, which received 60 percent of the votes in the 1990 election, is not free to participate openly, freely and without fear of intimidation. We must remember that the SLORC handpicked all the delegates, greatly under-representing those from the democratic movement.

Following the release from detention last July of Aung San Suu Kyi, there were hopes that the National Convention would, in fact, become a meaningful forum for discussion about Burma's future. Instead, the Government has maintained its habit of rigid control, and the few representatives of the democratic movement and of the various ethnic groups have been prohibited from voicing dissenting views.

The SLORC has said that its goals for Burma include economic prosperity and multiparty democracy. Burma's democratic leaders share those goals. The General Assembly should continue to express strong and unyielding support for actions that would close the great divide that now exists between what the SLORC professes to want and what it has thus far been prepared to do.

In this connection, my Government also wants to express its very great concern about recent statements from Rangoon that brand Aung San Suu Kyi and her supporters as ''traitors'' and speak of ''annihilating'' those who criticize the National Convention. The SLORC should have no doubt that it will be held responsible for any actions that result in physical harm or unjust punishment against those who have simply engaged in the peaceful exercise of internationally recognized rights.

In closing, Mr. President, let me once again congratulate the Swedish mission for its leadership on this resolution. Let me restate my Government's strong endorsement of its core recommendations in support of human rights and a substantive political dialogue. And let me re-emphasize my Government's concern about recent events and its hope that the Government of Burma will reconsider its policies and begin now to move down a democratic path.

LET'S HEAR IT FOR QUEEN ISABELLA

HON. JON D. FOX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. FOX of Pennsylvania. Mr. Speaker, I would like to share with my colleagues the following letter to the Editor in the Trenton Times on November 26, 1995.

LET'S HEAR IT FOR QUEEN ISABELLA

Nov. 26, 1504, is a milestone in history that should never be forgotten, especially by New Jerseyans and Pennsylvanians.

Why? Because that's the date that Queen Isabella of Castile, the great woman who was instrumental in the discovery of America, passed away at her castle in Medina del Campo, Spain.

A year ago, Nov. 6—yes, that far back and the news just reaching our shores—the worldwide BBC/TV in London aired a documentary for their ''Time-Watch,'' its peak-audience program, in which their scholarly panel exonerated Queen Isabella of Spain from historical lies attributed to her regarding the Inquisition.

That Queen Isabella did not act out of any anti-Semitic, racial or religious hatred or bigotry can be firmly substantiated by her unequivocal condemnation and personal interventions to stop riots and acts of violence against Spaniards of Jewish descent even before her formal accession to the throne, and sometimes at the loss of support of wealthy and influential partisans.

Lastly, an intelligent response to the long-time assault upon Queen Isabella and her legacy requires knowledge of the actual history of her now celebrated reign.

So, on this 491st anniversary of her death, let's tip our hats, and on April 22, her birthday, let's let loose with a big ''Ole.''—John Paul Paine, Philadelphia, PA.

EXPRESSING SORROW AT THE PASSING OF MRS. ELLA H. BECTON

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. STOKES. Mr. Speaker, It is with great sadness that I rise to announce the passing of Mrs. Ella H. Becton on December 11, 1995. Mrs. Becton formerly served as executive director of the Phillis Wheatley Association. At the time of her death, she was an associate on the staff of the Murtis H. Taylor Multi Services Center. With her passing, the Cleveland community suffers the loss of a dedicated human being. I want to share with my colleagues and others throughout the Nation some information concerning a special individual who touched the lives of many.

Ella Becton was the daughter of Ella H. Wilson and the late Kalep Wilson. She was reared in Birmingham, AL, and went on to earn a bachelor of arts degree in physchology from Wilberforce University. Ella earned a master's degree in psychology and rehabilitation counselling at Wayne State University. After completing her education, Ella Becton began her professional career at the Lapeer State Home and Training School for the Mentally Retarded in East Lansing, MI. She relocated to Cleveland, OH where she married Leroy Becton, and began working for Vocational Guidance Rehabilitation Services.

Ella Becton's most significant career challenge came when she was selected as executive director of the Phillis Wheatley Association. The association is one of the oldest social service organizations in the area. Under Mrs. Becton's leadership, the Phillis Wheatley Association reached out to the elderly population, families, and the youth of the community with services and programs to assist them. During her tenure, the organization developed a summer camp, an elderly meals program, a day care program, a music school, and the Youth Computer Center created in conjunction with Case Western Reserve University. Ella Becton was a dedicated individual who sought to improve the lives of others.

During her lifetime, Ella Becton also earned the respect and admiration of her colleagues and others throughout the community. She was the recipient of numerous awards and honors which recognized her commitment and dedication to service.

Mr. Speaker, the passing of Ella Becton brings to a close a life of love and compassion. Those of us who were the beneficiaries of her unselfish devotion will miss our friend and colleague. She was a woman of grace and dignity, and she was very special to all who knew her. I take this opportunity to express my sympathy to Ella's mother, Ella H. Wilson, and her loving husband, Leroy. I also extend my sympathy to her sons, Leroy, Jr., and Aaron, and other members of the Becton family. God has called Ella Becton home to rest, but she will always be in our hearts.

INTRODUCTION OF THE MEDICARE PREVENTIVE BENEFITS IMPROVEMENT ACT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 1995

Mr. CARDIN. Mr. Speaker, today I rise to introduce the Medicare Preventive Benefits Improvement Act. This bill seeks to amend Medicare by adding new preventive benefits to the program—benefits that not only save lives, but improve quality of life, and will save Medicare expenditures in the long run.

My bill would improve Medicare by adding the following new benefits:

Mammography: The benefit would be expanded so that all women over age 50 would be eligible for yearly mammographies and the deductible is waived.

Screening pap smears and pelvic exams: Expands the benefit from the 3-year limitation so that women of childbearing age or at high risk of developing cervical cancer are eligible for yearly pap smears and cervical exams. The deductible is also waived.

Colorectal cancer screening: Adds procedures for the purpose of early detection of colorectal cancer. These tests would include: screening fecal occult blood test, screening flexible sigmoidoscopy, and colonoscopy for high risk individuals. The Secretary also would make a decision within two years about covering screening barium enemas as an alternative to flexible sigmoidoscopy or colonoscopy. In addition, changes in technology would be taken into account to update the benefit in future years.

Prostate cancer screening: Adds procedures for the purpose of early detection of prostate cancer in men. The tests would include a digital rectal examination and a prostate-specific antigen blood test. In addition, changes in technology would be taken into account to update the benefit in future years.

Diabetes screening benefits: Adds two new diabetes benefits. First, coverage of diabetes

outpatient self-management training services which teach people with diabetes how to properly care for their disease and avoid unnecessary medical complications. Second, Medicare would cover the costs of blood-testing strips as durable medical equipment.

Many of you should recognize this package of preventive benefits. It is the same as the benefits we included in the Democratic alternative Medicare proposal that was considered on the House floor earlier this year. In addition, the coalition budget proposal includes a similar package of benefits. President Clinton has also included a preventive benefits package in his new Medicare proposal.

Congress is currently facing the daunting task of making the most dramatic changes to Medicare ever contemplated. We keep hearing the words ''Medicare reform'' in relation to the variety of plans being put forth at this time. My contention is that if we are to accomplish real Medicare reform, we must make needed improvements to the program

Medicare is 30 years old and its benefit package shows its age. What I am proposing with these new benefits is not a major cost item for the program. Of course there will be an upfront investment in these new screening procedures—and we expect that cost to be around $2 billion over the next 7 years based upon CBO analysis of earlier versions of the bill. However, this is a small price to pay at the beginning compared to the benefits Medicare will reap in the long run by covering such procedures. As we all know, preventive medicine saves money as well as lives. Early identification of a disease allows less costly, more effective treatment techniques to be used.

For example, in the area of colorectal cancer, the second deadliest cancer in this country, 138,000 new cases will be diagnosed and 53,300 people will die from this disease this year. Most of these people will be Medicare beneficiaries. These patients often suffer through years of chemotherapy, surgery and hospitalization. In fact, the most recent data has shown that colorectal cancer has led to over 125,000 Medicare hospital admissions in one year. Each of these admissions led to costly diagnostic, surgical and medical therapeutic interventions. Surely, it is both more cost effective and more medically appropriate to prevent than to treat this disease.

To continue using colorectal cancer as the example, this disease is one of the most preventable and curable types of cancer when detected early. Most colorectal cancers develop from benign polyps. Finding and removing these polyps reduces the risk of developing cancer by 90 percent.

Screening for colorectal cancer and other preventive services included in this bill must be covered by Medicare if we hope to stem rising health care costs. We must not continue to be ''penny wise and pound foolish'' by covering the expensive treatments and ignoring preventive services. These efforts are supported by broad-range of organizations representing consumers and health professionals. The following organizations have endorsed our bill: the American Cancer Society, the American College of Gastroenterology, the American Gastroenterological Association, the American Nurses Association, the Digestive Disease National Coalition, the American Diabetes Association, the American Association of Clinical Urologists, the American Foundation for Urologic Disease, the American Urological Association, the American Society for Gastrointestinal Endoscopy, the Cancer Research Foundation of America, the Association of American Cancer Institutes, the Association of Pediatric Oncology Nurses, and the United Ostomy Association. I have also attached a letter to the congressional leadership signed by 15 organizations supporting the identical provisions included in my bill.

It is my hope that this legislation will be used as a model for the preventive benefit package that should be added to Medicare as we seek to reform the system. I encourage my colleagues to join me in support of this bill and look forward to continuing to work on this important issue as Congress grapples with the difficult task of reforming Medicare.

NOVEMBER 16, 1995.

Hon. ROBERT DOLE,
Majority Leader U.S. Senate, Washington, DC.

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

DEAR SENATOR DOLE AND SPEAKER GINGRICH: In crafting the future Medicare system, the 104th Congress would be remiss to overlook the most significant key to the future health status of our nation's citizens—preventive health services. The undersigned organizations urge you to include preventive services coverage for Medicare recipients during the Reconciliation Conference.

When details of the draft Republican health plan first became known this summer, we applauded the foresight of Congressional policymakers for including Medicare payments for a small number of proven preventive health services. While we recognize the fiscal constraints dominating this first round of Budget Reconciliation decisionmaking, we urge your reconsideration of the critical omission of colorectal cancer screening, mammography expansions, pap smears and pelvic examinations, prostate cancer screening and reimbursement for diabetes care and education. We believe strong bipartisan support exists for including these limited preventive benefits under Medicare.

In revamping Medicare, now is the time to provide reimbursement for:

Annual mammography screening services for all women over the age of 49, without a twenty percent copayment.

Pap smear and pelvic exam screenings as well as clinical breast examinations for female Medicare beneficiaries, without copayments.

Colorectal screening services for Medicare beneficiaries, including screening of fecal-occult blood testing, flexible sigmoidoscopies and colonoscopies.

Prostate cancer screening for men.

Diabetes care and education, specifically the coverage of outpatient self-management training services and blood testing strips for diabetics.

We strongly urge that you include the above screening services as part of the revamped Medicare program. In the long run, providing preventive services to Medicare beneficiaries will save not only money, but more importantly lives. The Senate and House are uniquely poised to better the lives of millions of Medicare beneficiaries who stand so much to lose or gain from this historic legislative opportunity.

We respectfully request the opportunity to meet with you at your earliest convenience to discuss including these preventive benefits in the final package.

Sincerely,

American Cancer Society, American College of Gastroenterology, American Diabetes Association, American Foundation for Urologic Disease, American Public Health Association, Cancer Research Foundation of America, Digestive Disease National Coalition, Families Against Cancer Terror (FACT).

National Breast Cancer Coalition, National Coalition for Cancer Survivorship, The Oncology Nursing Society, The Association of Pediatric Oncology Nurses, The Susan G. Komen Breast Cancer Foundation, United Ostomy Association, The V Foundation.

A TRIBUTE TO HEMAYETUDDIN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. ACKERMAN. Mr. Speaker, I rise to pay tribute to one of the very finest diplomats with whom I have had the pleasure of working during my tenure as former chairman of the House Foreign Affairs Committee on Asia and the Pacific.

Hemayetuddin is truly an outstanding diplomat. He represents his country with dignity, pride, and warmth. His knowledge of the workings of the U.S. Congress and the American body politic would be impressive for a citizen of this country, nonetheless for a foreign diplomat. It was through cooperation with His Excellency Ambassador Humayun Kabir and his very able Minister Hemayetuddin that our Subcommittee on Asia and the Pacific held the very first hearing ever on ''The Other South Asia—Bangladesh, Sri Lanka, Nepal, Bhutan, and Afghanistan.''

Perhaps Hemayet's greatest contribution to diplomatic life in Washington is his passion for his native Bangladesh. It was through Hemayet and Ambassador Kabir that my staff and I first learned of the tremendous economic reforms and opportunities for American business in Bangladesh. It was from Hemayet and his colleagues that I learned of Bangladesh's commitment to a secular, pluralistic society. And it was from Hemayet and Ambassador Kabir that I learned of the tremendous commitment Bangladesh has made to improve child labor practices in a nation struggling to develop.

While Hemayetuddin is unquestionable a diplomat of the highest caliber, he is also one of the finest gentlemen it has been my pleasure to work with in Washington. He, his lovely wife, Zeenat Jahan, and their beautiful children have indeed left their mark on this town.

I know my colleagues and I on the House International Relations Committee will miss Hemayetuddin and Zeenat. We wish them well at their new post in Beijing. All of us who know and admire Hemayet fully expect to see him back in Washington as his Nation's Ambassador some day.

FOOD AID MUST CONTINUE, H.R. 2775

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. GILMAN. Mr. Speaker, I have worked long and hard on the issue of world hunger. Key U.S. Government initiatives, like the Food for Peace and Food for Progress

Programs, are the cornerstones of our efforts to wipe out hunger.

Recently, the Department of Agriculture and the Agency for International Development approached my committee, asking to extend the authorities of these programs which are set to expire at the end of this year. While a new farm bill would be the preferred way of extending the life of these programs, it is becoming clear that will not be possible during this session of Congress. I have been working with Chairman ROBERTS and Chairman LUGAR hopefully to preserve these programs while a new farm bill is finalized.

Mr. Speaker, today I am introducing a bill that has been cosponsored by the ranking Democratic member of our committee, Mr. HAMILTON of Indiana. It protects authorities for programs that directly save lives. For example, one-third of all Bosnians depend on this program for food. We can all agree that keeping the food flowing to Bosnia is a key part of our peace efforts in that region of the world.

This bill will extend the authority of the title II minimum tonnage requirements, the Food Consultative Group, the Food for Progress Act, and the authorities for Agricultural Exports to Emerging Democracies under the Food, Agriculture and Conservation Trade Act of 1990.

This bill is needed to keep these life-saving programs functioning while a new farm bill is finished. As chairman of the International Relations Committee, I will call on my committee to mark up this bill shortly. I will also work with the Agriculture Committees of both House and Senate as well as the administration to seek its swift passage in the Congress.

I request that the full text of H.R. 2775 be inserted at this point in the RECORD.

H.R. 2775

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

SECTION 1. EXTENSION OF AUTHORITIES UNDER PUBLIC LAW 480.

(a) LEVELS OF ASSISTANCE FOR TITLE II.—

(1) MINIMUM ASSISTANCE.—Section 204(a)(1)(E) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)(1)(E)) is amended by striking ''for fiscal year 1995'' and inserting ''for each of the fiscal years 1995 and 1996''.

(2) MINIMUM NON-EMERGENCY ASSISTANCE.—Section 204(a)(2)(E) of such Act (7 U.S.C. 1724(a)(2)(E)) is amended by striking ''for fiscal year 1995'' and inserting ''for each of the fiscal years 1995 and 1996''.

(b) FOOD AID CONSULTATIVE GROUP.—Section 205(f) of such Act (7 U.S.C. 1725(f)) is amended by striking ''1995'' and inserting ''1996''.

(c) EXPIRATION DATE FOR ASSISTANCE.—Section 408 of such Act (7 U.S.C. 1736b) is amended by striking ''1995'' and inserting ''1996''.

SEC. 2. EXTENSION OF AUTHORITIES UNDER THE FOOD FOR PROGRESS ACT OF 1985.

(a) EFFECTIVE AND TERMINATION DATES.—Section 1110 of the Food Security Act of 1985 (known as the ''Food for Progress Act of 1985''; 7 U.S.C. 1736o) is amended in subsection (k) by striking ''1995'' and inserting ''1996''.

(b) ADDITIONAL ASSISTANCE IN ADMINISTRATION OF FOOD ASSISTANCE PROGRAMS.—Section 1110 of such Act (7 U.S.C. 1736o) is amended in subsection (l)(1) by striking ''1995'' and inserting ''1996''.

SEC. 3. EXTENSION OF AUTHORITIES FOR AGRICULTURAL EXPORTS TO EMERGING DEMOCRACIES UNDER THE FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990.

Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note) is amended by striking ''1995'' and inserting ''1996''.

CROATIA'S VIOLATION OF HELSINKI PRINCIPLES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. SMITH of New Jersey. Mr. Speaker, after nearly 4 years of war, the leaders of Bosnia and Herzegovina, Croatia, and Serbia have made a tangible commitment to peace. The Dayton peace agreement is, as Bosnian President Alija Izetbegovic stated, an unjust peace, but less unjust than the continuation of war. We can be hopeful, though, that the peace can be more just if there is international resolve to keep the signatories to the agreement in line with the commitments they have undertaken, not only in Dayton but, more broadly, in the OSCE and in international law.

Most of us recognize that the chief concern in this regard will be the adherence to the agreement on the part of the Serb militants who have engaged in aggression and genocide against non-Serbs, and have undertaken a massive propaganda campaign to garner support from the Bosnian Serb population. However, there is a real cause for concern regarding the recent policies and actions of Croatia, and the Bosnian Croats over whom it exercises control.

For example, since retaking last summer territory occupied by Serb militants, Croatian authorities have tolerated and even encouraged the harassment of fleeing Serbs, the looting and burning of their property, and the killing of dozens of Serbs—many elderly—who remained behind, in their homes. I commend my colleague and fellow Helsinki commissioner, FRANK WOLF, for taking the lead in raising this issue here in Congress.

Croatia held elections in October of this year in an effort to capitalize on military successes. By severely cutting back the representation of the Serb community in the parliament, the electoral process sent departed Serbs the message that they are not welcome back. At the same time, they sought to sway the loyalties of Croats from Bosnia and Herzegovina by giving them large representation in parliament. While observers concluded the elections to be free, controls on the media and other subtle manipulations of the electoral process made them less than fair.

Croatia states its readiness to cooperate with the International Tribunal in the Hague where alleged war criminals from the former Yugoslavia are to be tried, but in reality the Croatian Government has refused to do so. One indicted Bosnian Croat general, Tihomir Blaskic, was transferred to the Croatian Army rather than surrendered to the court, while Ivica Rajic, a Bosnian Croat commander indicted for his role in the slaughter of civilians at the village of Stupni Do; was just released from custody by Bosnian Croat authorities who were holding him for unrelated reasons.

Last Sunday's newspaper reported on the massive burning and destruction of property in Croat-controlled parts of Bosnia and Herzegovina that are to become parts of the Serb entity under the Dayton agreements.

These actions, Mr. Speaker, are an outrage. As chairman of the Helsinki Commission, and as a Member of Congress who condemned the Serb aggression to which the international community allowed Croatia to be a victim, I nevertheless find these acts in violation of Helsinki principles to be inexcusable. Tactically, they do more to validate the fears of the average Serb than the most efficient propaganda machine, and damage Croatia's image abroad. Strategically, they feed on a cycle of hate, and ensure that Croats will again someday be the victims of that cycle. Morally—above all, morally—they are reprehensible, and deserve our condemnation.

Beyond this expression, we should consider, for the new year, the implications of these policies on our relations with Croatia. If the burning, looting, and killing go on; if the indicted are not surrendered; if intolerance continues to dominate Government policy; then we cannot maintain the good, friendly relations with Croatia that we may nevertheless want. Our State Department may want to consider diplomatic action, such as the recalling of ambassadors, and possible economic actions as well.

Let there be no mistake about it, Serb aggression remains the main problem in the former Yugoslavia. That does not mean we can turn a blind eye to the violations of others.

VETERANS HOUSING, EMPLOYMENT PROGRAMS, AND EMPLOYMENT RIGHTS BENEFITS ACT OF 1995

SPEECH OF

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. FARR. Mr. Speaker, yesterday the House of Representatives voted for legislation to ensure continued assistance to our Nation's veterans. I voted for this bill, the Veterans Housing and Employment Rights Benefits Act, which would permanently extend programs which provide invaluable assistance to our Nation's veterans and military retirees.

The bill would extend a number of important home-loan programs. One such program permits veterans to negotiate for favorable interest rates and terms for mortgages. Another service allows veterans to get mortgage loans with interest rates fixed by the Department of Veterans Affairs. A third program extended by the bill allows veterans to secure mortgages for energy-saving improvements to their homes.

All of these services allow veterans, who often do not have the collateral or financial resources normally needed to purchase a home, a chance to pursue the American dream of owning and maintaining their own home.

Other programs reauthorized by the bill include the Homeless Veterans Employment Program, and the VA program providing housing assistance to homeless veterans. It also makes changes to current law to help veterans further and prevent discrimination against veterans—such as a measure ensuring that employers cannot force employees to use their vacation time to participate in military training programs.

I thank my colleagues, Chairman BOB STUMP and Representative SONNY MONTGOMERY, for bringing this important legislation to

the House floor. It is my hope that we shall soon see this bill signed into law.

THE STERLING FOREST

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. MARTINI. Mr. Speaker, I am pleased today to introduce, along with my colleagues RICHARD POMBO and FRANK LUCAS, the Federal Lands Prioritization Act of 1995. This legislation will sell idle public lands deemed pointless for Federal ownership and will use the proceeds to purchase Sterling Forest; therefore ending the funding deadlock that has existed in Congress with regard to Sterling Forest.

With the help of Representatives POMBO and LUCAS, I now introduce a bill that, not only saves Sterling Forest, but also specifies a funding source for its acquisition. Last week I heard of Representative FRANK LUCAS' desire to sell public lands in Oklahoma and approached Representative POMBO of the House Resources Committee to propose that Sterling Forest be the beneficiary of funds from those Federal lands being reverted to private ownership.

Together, we were able to propose a bill that makes the Federal land acquisition process more fiscally responsible, and sets a precedent that the Federal Government reprioritize its land holding policies and streamline its inventory to better target budget resources and meet environmental goals.

As a Passaic County Freeholder, I understood early on the need to take action to protect Sterling Forest. In fact, during my service on the Passaic County Board of Freeholders, the board was the first entity to secure part of Sterling Forest in 1993—purchasing 2,000 acres. I have since been looking forward to the day that the reserve would have complete Federal protection. Selling dead-weight public lands to buy Sterling Forest is a fiscally responsible solution to a decade-old stalemate.

Located in southern New York and bordering northern New Jersey, Sterling Forest, in its current undeveloped State, is important to the residents of both States for a variety of reasons.

Sterling Forest is a 17,500-acre water and recreational reserve that area residents and public officials have repeatedly requested the Federal Government protect. Stalls in the actual purchase have been attributed to budget-cutting times and the concern about adding more public land to the already bloated Federal Government inventory.

As a recreational area for New York and New Jersey, Sterling Forest offers a haven for families and individuals interested in leaving behind stresses of everyday life. The picturesque beauty of this natural sanctuary provides a wide variety of outdoor activities for the enjoyment of everyone. Sterling Forest even serves as a connections to the Northeast with the Appalachian trail winding its way through the forest's rough terrain.

Most importantly, however, Sterling Forest is a watershed for most of northern New Jersey and the surrounding area. It provides nearly 2 million New Jersey residents with clean and safe drinking water.

Proposed development and urbanization of this area will destroy a great bounty of natural resources to the entire Northeast. Furthermore, if the land is developed, the water that flows from Sterling Forest could become polluted. The only viable solution at that point would be to build a water treatment center at the cost of $150 million to New Jersey taxpayers. Not only would this cost the taxpayers revenue they just don't have, but it is, at best, a second-rate solution. Truthfully, Mr. Speaker, there is just no comparison between treated water and water from a natural watershed such as Sterling Forest.

Sterling Forest is an issue of national significance, involving one of Government's most essential functions: the preservation of a vital, life-sustaining resource—water. As stated before, Sterling Forest provides clean water for 2 million Americans in New Jersey alone—a fact that transcends any suggestion of parochial interests.

For this reason, an alliance of governmental agencies and public interest groups have joined together in the fight to save this vital resource. This legislation sets up a management and fiscal partnership between all levels of Government. In fact, purchasing this land is just a one-time expense. The Department of the Interior will not be burdened by the costs of managing and maintaining the forest, for this will be done jointly by New York and New Jersey. A partnership such as this of local, State, and Federal Government is positive for all involved and should serve as a model for future land acquisition. It is our responsibility to protect Sterling Forest and assure an ample water supply for generations to come.

It is important to note that there is a bipartisan consensus to save Sterling Forest. Senator BILL BRADLEY of New Jersey has already sponsored a bill in the U.S. Senate, Gov. Christine Todd Whitman of New Jersey signed the appropriation and authorization of $10 million toward the project, and Gov. George Pataki of New York approved the 1995–96 budget including $18 million for land conservation. Many members in the New Jersey delegation have been active in the collective pursuit of this achievement, and I commend them for all they have done.

The States and the Federal Government have been working to preserve this vital resource to insure that Sterling Forest is around to meet both the recreation and environment needs of the area. It is time that we realize our goals.

No matter how you look at this project, saving the forest yields no negative repercussions. The preservation of a vital source of water to one of the most populated areas of the country is not simply a laudable aspiration, but rather a necessary undertaking. Furthermore, the residents are opposed to development; the local governments are opposed to development; and the taxpayers are opposed to development.

Three sites totalling 56,000 acres will be put up for sale to the private sector: Optima ''Lake''—the failed flood control project, which now consists of a 17,000-foot earthen dam and a dry lake bed (13,500 acres), Black Kettle National Grasslands (30,710 acres), and Rita Blanca National Grasslands (13,576 acres). Both Black Kettle and Rita Blanca are odd-lot Federal tracts. These proceeds will be earmarked for the purchase of the Washita National Battlefield and Sterling Forest.

Please support this budget-friendly preservation of land that actually needs the Federal Government protection. Support the Federal Lands Prioritization Act of 1995.

EXTENDING AU PAIR PROGRAMS, H.R. 2767

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. GILMAN. Mr. Speaker, today I am introducing a bill to extend the authorization for a program important to many American families. This measure renews the authority for the Au Pair program that expired on September 30. This bipartisan measure includes as original sponsors the ranking Democrat on the International Relations Committee, the gentleman from Indiana, Mr. Hamilton, the chairman of the International Operations and Human Rights Subcommittee, Mr. Smith of New Jersey the gentlelady from Maryland, Mrs. Morella, the gentleman from Virginia, Mr. Moran, the gentleman from California Mr. Baker, the gentleman from Virginia, Mr. Wolf, and the gentleman from Virginia, Mr. Davis.

This measure will: Extend the authority for the program for 2 years; open it up to world wide participation; lift the limitation on the number of organizations that may participate and manage an au pair program; and, require the U.S. Information Agency to report on the compliance of the au pair organizations with recently adopted regulations.

Many families rely on the au pair program for their child care and particularly welcome the opportunity to broaden their children's experience by having someone from another country live with them for a year. The lapse in the program has caused untold inconvenience to many families turning their child care plans upside down. It is time to fix this problem.

Accordingly, I am pleased to be able to introduce this bipartisan bill and will seek rapid consideration by both Houses of Congress.

I request that the entire text of H.R. 2767 be inserted at this point in the RECORD.

H.R. 2767

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

SECTION 1. EXTENSION OF AU PAIR PROGRAMS.

(a) REPEAL.—Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101–454) is repealed.

(b) AUTHORITY FOR AU PAIR PROGRAMS.—The Director of the United States Information Agency is authorized to continue to administer an au pair program, operating on a world-wide basis, through fiscal year 1997.

(c) REPORT.—Not later than October 1, 1996, the Director of the United States Information Agency shall submit a report regarding the continued extension of au pair programs to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives. This report shall specifically detail the compliance of all au pair organizations with regulations governing au pair programs as published on February 15, 1995.

AMERICA'S FORGOTTEN ATOMIC HEROES

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. RICHARDSON. Mr. Speaker, today, I would like to talk about forgotten heroes. As we contemplate sending United States troops to Bosnia, we would be well-served to remember the fates of those men and women known as Atomic Veterans. Most Americans, and maybe many of us here in Congress, are not aware that there exists today a group of veterans who were exposed to ionizing radiation while in the U.S. military in Hiroshima and Nagasaki, in the nuclear and thermonuclear tests in the Pacific, and the Nevada nuclear tests. Some were directly exposed, some were exposed by cleaning up contaminated sites, ships, or aircraft. Some, sadly, lost their lives. And, in the 50 years since nuclear testing began, many of our Atomic Veterans have fallen ill from exposure and, today, probably more than half of them are dead.

Our Government has recognized more than 40 cancers and conditions that are caused by exposure to ionizing radiation, but only the 13 named in PL100–321 and 2 in PL102–578 are deemed presumptive. Many of the Atomic Veterans don't think these laws go far enough. They tell me that the law we passed in 1984, PL93–542, under which most radiation claims are adjudicated, do not go far enough. They say, in fact, that we have a double standard. The Marshall Islands Nuclear Claims Tribunal Act of 1987, as amended, gives compensation to Marshall Islanders, presumptively, for cancers and conditions that are denied to U.S. servicemen. These veterans are exposed at the same time and places as the Marshall Islanders. Does that sound fair to you?

The President's Advisory Committee on Human Radiation Experiments issued their final report of over 900 pages on October 3, 1995. President Clinton apologized on behalf of the United States for the human experiments performed on both civilians and the military. The report brought some long-overdue recognition by the executive branch of Government. Today, I would like to ask Congress to recognize the Atomic Veterans, throughout the country, for their valor and service. I know many of my colleagues join me in thanking them for their sacrifice, and I know many of you will join me in working with the Veterans Administration to equalize the standards for those veterans with radioactive cancers and diseases.

UNICEF: 49 YEARS AND COUNTING

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. BARRETT of Wisconsin. Mr. Speaker, for those of us lucky enough to grow up in an environment free of civil war and famine, it can be difficult to imagine the hardships that confront millions of children every day in places like Bosnia and Rwanda. At least 40 conflicts are currently raging throughout the world, and as a result, approximately 1.5 million children have been killed, more than 4 million disabled, 5 million forced into refugee camps, and 12 million rendered homeless.

The United Nations Children's Fund [UNICEF], a special program of the United Nations established on December 11, 1946, is dedicated to the health and welfare of children, who represent the future of our world. UNICEF's annual report on the State of the World's Children, released this week, highlights its success in combating disease, hunger, and death among the world's children.

UNICEF's immunization, sanitation, and nutrition programs have helped reduce child mortality rates by 50 percent in the last 30 years. Every year, UNICEF provides oral vaccines and other medicines that save the lives of 3 million children. In 1994, UNICEF's close cooperation with various international food programs helped feed 57 million hungry people.

Given the tight budgetary constraints presently facing the United States, we need to use our limited resources wisely. I believe that our interests include UNICEF programs benefitting millions of children in developing nations. I am pleased that this year's Foreign Aid appropriations bill would create the Child and Disease Program's Fund, to include such programs as AIDS prevention, nutrition, polio eradication, an infectious disease surveillance system, and funding for blind children.

One of the central principles behind the creation of UNICEF is that action taken today to prevent disease and malnutrition will save us money in future years. An example is the fight to eradicate polio. Although there have been no reported cases of polio in the Western hemisphere or in Europe for 3 years, experts estimate that funding for immunizations must continue for another 5 years to ensure that the disease is eliminated. Failure to contribute to this effort could lead to a resurgence of polio, and a drastic increase in the cost of combating the spread of disease.

UNICEF will celebrate its 50th anniversary in 1996. We should honor the successes of the last 50 years, but we must also prepare for the next 50 years. As we work for a better world for our children, UNICEF's programs are worthy of our continued support.

AMERICAN PUBLIC HEALTH ASSOCIATION ENDORSES MEDICAL USE OF MARIJUANA

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, recently I introduced legislation which would allow physicians to prescribe marijuana when in their judgment it is medically appropriate to do so. I first became a supporter of this legislation more than a decade ago, when it was introduced by our late colleague, the gentleman from Connecticut Mr. McKinney. I was recently advised of a resolution passed by The American Public Health Association which supports the concept embodied in the legislation I have introduced and I ask that this resolution be printed here.

ACCESS TO THERAPEUTIC MARIJUANA/CANNABIS

The American Public Health Association:

Being aware that cannabis/marijuana has been used medicinally for centuries and that cannabis products were widely prescribed by physicians in the United States until 1937; and

Being aware that ''marijuana'' prohibition began with the Marijuana Tax Act of 1937 under false claims despite disagreeing testimony from the AMA's representative; and

Being further aware that the Controlled Substances Act of 1970 completely prohibited all medicinal use of marijuana by placing it in the most restrictive category of Schedule I, whereby drugs must meet three criteria for placement in this category: 1) have no therapeutic value, 2) are not safe for medical use, and 3) have a high abuse potential; and

Being cognizant that the Drug Enforcement Administration's own administrative law judge ruled in 1988 that marijuana must be removed from Schedule I and made available for physicians to prescribe; and

Knowing that 36 states have passed legislation recognizing marijuana's therapeutic value; and

Also knowing that the only available access to legal marijuana which was through the Food and Drug Administration's Investigational New Drug Program has been closed by the Secretary of Health and Human Services since 1991; and

Understanding that while synthetic Tetrahydrocannibinol (THC) is available in pill form, it is only one of approximately 60 cannabinoids which may have medicinal value individually or in some combination; and

Understanding that marijuana has an extremely wide acute margin of safety for use under medical supervision and cannot cause lethal reactions; and

Understanding that marijuana has been reported to be effective in: a) reducing intraocular pressure in glaucoma; b) reducing nausea and vomiting associated with chemotherapy; c) stimulating the appetite for patients living with AIDS (acquired immunodeficiency syndrome) and suffering from the wasting syndrome; d) controlling spasticity associated with spinal cord injury and multiple sclerosis; e) decreasing the suffering from chronic pain; and f) controlling seizures associated with seizure disorders; and

Understanding that marijuana seems to work differently than may conventional medications for the above problems, making it a possible option for persons resistant to the conventional medications; and

Being concerned that desperate patients and their families are choosing to break the law to obtain this medicine when conventional medicines or treatments have not been effective for them or are too toxic; and

Realizing that this places ill persons at risk for criminal charges and at risk for obtaining contaminated medicine because of the lack of quality control; and

Realizing that thousands of patients not helped by conventional medications and treatments, may find relief from their suffering with the use of marijuana if their primary care providers were able to prescribe this medicine; and

Concluding that cannabis/marijuana was wrongfully placed in Schedule I of the Controlled Substances depriving patients of its therapeutic potential.

Recognizing the APHA adopted a resolution (7014) on Marijuana and the Law which urged federal and state drugs laws to exclude marijuana from classification as a narcotic drug; and

Concluding that greater harm is caused by the legal consequences of its prohibition than possible risks of medicinal use; therefore

1. Encourages research of the therapeutic properties of various cannabinoids and combinations of cannabinoids; and

2. Encourages research on alternative methods of administration to decrease the harmful effects related to smoking; and

3. Urges the Administration and Congress to move expeditiously to make cannabis available as a legal medicine where shown to be safe and effective and to immediately allow access to therapeutic cannibis through the Investigational New Drug Program.

WORLD HAS A CHOICE: FAMILY PLANNING OR CHAOS

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. WILSON. Mr. Speaker, as the ranking minority member of the Appropriations Committee on Foreign Operations I wanted to bring to everyone's attention once again an issue which we cannot ignore and which figured prominently in floor debate yesterday.

We cannot keep putting money toward economic assistance in developing countries without first addressing the population problem through family planning funding. Continuing to turn our backs on this issue and relying solely on development aid is like pouring water in a leaky bucket.

The Houston Chronicle recently ran an op-ed piece that address these concerns very well. I submit it now, for your consideration.

[From the Houston Chronicle, Dec. 11, 1995]

WORLD HAS A CHOICE: FAMILY PLANNING OR CHAOS

(By Werner Fornos)

As the year draws to a close, the consequences of rapid population growth in a world that already has more than 5.7 billion—79 percent of them living in the world's poorest countries and regions—are being brought into sharp focus.

Some 600,000 square miles of forest have been cut in the last 10 years, much of it attributable to the need for more living space and firewood, still the main source of cooking and heating fuel in the developing world.

Twenty-six billion tons of topsoil have been lost.

Regional fresh water supplies are dangerously low. Rivers are drying up and many lakes are at their lowest levels in history.

All 17 of the world's major fisheries are being exploited at or beyond their capacity.

Eighty-eight nations have been classified by the United Nations World Food Program as low-income, food-deficit countries, unable to grow or buy enough food to accommodate their inhabitants.

There are nearly 960 million illiterates in the world today, but 130 million children—including 90 million girls—are denied access to primary schooling.

About half a million women die every year of pregnancy-related causes.

All this in a world growing by nearly 100 million people a year.

Meanwhile, a myopic majority in the U.S. House of Representatives, overlooking these facts regarding the interrelationship between overpopulation, poverty, maternal and child mortality and environmental degradation, continues to confuse—either by design or denial—family planning with abortion.

The House has voted twice this year to deny funding to the United Nations Population Fund, the largest provider of multilateral population assistance to poor countries, so long as it continues to support voluntary family planning programs in the People's Republic of China. The rationale behind these votes is rooted in allegations that the Chinese national population program relies on coercive abortion, though not a dime of U.N. assistance to China has ever been found to finance abortion, forced or voluntary, there or anywhere else.

Ironically, the net effect of withdrawing U.S. assistance to the fund (the 1996 contribution request for that agency is $35 million) does little to penalize China. But it does needlessly punish women and children in the world's poorest countries that seek agency support and who are placed in harms way as potential victims of pregnancies that occur too soon, too frequently and too closely spaced.

In fact, there are an estimated 350 million couples in the world who do not have access to a full range of family planning services, and it has been conservatively estimated that 120 million of these couples would use these services if they were available.

But the irony does not stop there. The U.N. Population Fund's assistance to China and 140 other countries is primarily in the areas of establishing and strengthening the delivery of conventional modern family planning information, education and services. Under its mandate, the fund cannot be involved in the delivery of abortion services.

It should be remembered that China with 1.2 billion people, is the most populous country in the world. By the year 2030, the population of China is expected to consume an amount of grain equivalent to the entire world grain production of 1994.

The U.S. Senate, contending there is a sufficient safeguard in the existing prohibition against the U.N. agency using any funds in China that have been contributed by the United States, has rejected both efforts of the House of Representatives to cut off the contribution to the Population Fund.

The Senate apparently understands what the House cannot seem to grasp: Family planning is the first line of defense against abortion.

REPORT ON RESOLUTION PROVIDING FOR DEBATE AND CONSIDERATION OF THREE MEASURES RELATING TO U.S. TROOP DEPLOYMENTS IN BOSNIA

SPEECH OF

HON. SAM BROWNBACK

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. BROWNBACK. Mr. Speaker, I continue to oppose President Clinton's plan to deploy 20,000 United States troops to Bosnia. While I want to end the genocide that has plagued the Balkan Peninsula for the last 4 years, the administration's plan for achieving peace in Bosnia is severely flawed, and, I fear, destined to fail.

We would not be debating whether the United States should send troops to Bosnia if Presidents Bush and Clinton had not supported the misguided international arms embargo imposed upon Bosnia. If we had lifted the arms embargo several years ago and imposed a no-fly-zone over Bosnia, the outnumbered Bosnian Serb forces would never have achieved military superiority over the Bosnian Government troops.

Instead, we prevented the Bosnian Government forces from defending themselves while Serbia armed the Bosnian Serbs. This policy led to more than 200,000 deaths and created more than 2 million refugees.

Having suffered the consequences of one bad policy decision, we now face another. However, this time, we are risking not only more Bosnian lives, but American lives as well.

The greatest flaw in the administration's current strategy is that peace has not yet been achieved. There will be no peace as long as there are 4,000 or more foreign Moslem fighters in Bosnia. There will be no peace as long as the Bosnia Croats refuse to fully cooperate with the International War Crimes Tribunal. In addition, there will be no peace as long as rank-and-file Bosnina Serbs continue to oppose the peace plan.

All sides in this conflict have a considerable amount of work to do before peace can be achieved. Until all of the parties demonstrate their commitment to ending the bloodshed, long-term peace will not be possible, regardless of the number of troops that are used to separate the warring parties.

As long as there is no meaningful peace, United States troops deployed in Bosnia will serve as convenient targets for rogue units frustrated by their inability to attack their real enemy. Even though, as Commander in Chief, the President has the constitutional authority to commit United State soldiers to Bosnia, I cannot support a plan that does not minimize the risks to, and maximize the security of, our troops, especially a deployment that is not vital to our national security interest.

I fully support every man and woman who has volunteered to serve in our armed services. I have the greatest admiration for these men and women, and they enjoy my unequivocal support, whether they are here or abroad. By deciding to deploy our troops in Bosnia under the current plan for a mission that is not vital to our national security interests, the President has not properly minimized the risks in military duty, and has jeopardized the credibility that our political leaders enjoy with our Armed Forces.

TRIBUTE TO MARCIN GORA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. BONIOR. Mr. Speaker, I rise today to recognize a young and talented individual from my home State of Michigan, Marcin Gora of Shelby Township. Marcin recently traveled to Lyon, France, where he competed in the International Vocational Training Competitions [IVTC] as part of Team USA.

Team USA was fielded by the Vocational Industrial Clubs of America [VICA]—a national organization of students in public high schools

and college vocational-technical institutions. This year's team was composed of 14 of America's best future workers and they competed against 28 other countries in the Biennial IVTC. They achieved the highest overall team score in the history of the United States' participation—a world-class standing.

At a time when some are questioning America's ability to compete, our placement at this competition illustrates that American workers can and will compete with any nation. Without a doubt, Marcin Gora is indeed exceptional, but he epitomizes the abilities and skill level that all Americans can and should achieve. With the support of organizations like VICA and the efforts of people like Marcin Gora, we will continue to lead the world in the development of new technologies and the production of world-class products and services.

I congratulate Marcin Gora and all the members of Team USA for their outstanding performance at the International Vocational Training Competitions. I urge my colleagues to support them as they work to ensure that America remains the industrial leader of the world.

PENN HILLS HIGH SCHOOL 1995 AAAA FOOTBALL CHAMPIONS

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. DOYLE. Mr. Speaker, I wish to congratulate the Penn Hills High School Indians who won the 1995 Pennsylvania AAAA Varsity Football Championship. This past Saturday, December 9, at Altoona's Mansion Park Stadium, they defeated Lower Dauphin High School by a score of 35 to 14. The team was undefeated, 15 and 0, this season and this is the first time in history that this high school football team, which is located in the 18th Congressional District in western Pennsylvania, won the State championship.

Not to take sides between last year's champions, the McKeesport High School football team, also in my district, but what makes this championship especially important is that USA Today ranks the Penn Hills team as the No. 5 high school football team in the United States.

Congratulations to the players, the coaching staff, the supportive student body and families, and the Penn Hills community. I share your pride and claim the appropriate bragging rights on Capitol Hill. Keep up the team spirit and the motivation to succeed.

RADIO PIONEER BILL ZAK RETIRES FROM KTRH

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. FIELDS. Mr. Speaker, I would like to take a moment to salute Bill Zak, radio pioneer who will soon retire after 45 years as a newscaster and host of ''Gardenline,'' a 6 day-a-week call-in gardening show on radio station KTRH Houston, TX.

Bill Zak joined the staff of KTRH in 1951—a year before I was born—after graduating from Texas A&M University, which I now proudly represent. Early in his career, Bill was assigned to the KTRH news department, and for a time he anchored the ''KTRH Morning News'' show with another budding journalist: Dan Rather.

But it was gardening knowledge that Bill had, and it was gardening advice Houstonians needed. Few relationships have been so mutually beneficial.

As you may know, gardeners in the greater Houston era endure torrential rains that can last for days; flooding; hurricanes; harsh heat and high humidity; and, occasionally, freezing cold. This variety creates a great many potential gardeners, but prevents many more from ever turning a spade of soil.

For many, many years Bill Zak has rescued frustrated gardeners from botanical catastrophes, and has turned potential gardeners into actual gardeners. His expert advice and guidance have helped tens of thousands of Houstonians turn bare, sun-scorched lawns into oases of beauty.

But Bill has done far more during his four and a half decades of broadcasting. During Hurricane Alicia, which hit Houston hard in 1983, Bill served as one of KTRH's primary voices—providing hundreds of thousands of listeners with life-saving information that enabled our community, and its residents, to get through that disaster. It was just one more instance of journalistic excellence that has made KTRH the authoritative radio news station in the Texas Gulf coast region, and it was just one more example of Bill Zak's commitment to his station and his community.

I'm not sure how he managed to find the time, but Bill is also an author. His book, ''Critters,'' is a popular pictorials encyclopedia of the native insects of Texas—and there are plenty of them. He also has authored a similar publication in Florida.

Mr. Speaker, Bill Zak's last day on the air at KTRH will be Friday, Dec. 22. I know that you join with me in wishing Bill and his wife of many years, Jean, well in the years ahead as they enjoy their retirement in the Houston area. I understand that following his retirement, Bill plans to spend his time reading, traveling, possibly writing another book and—not surprisingly—gardening. While he claims to be retiring, there are many Houstonians who know that old habits are hard to break and who suspect Bill's voice may yet be heard again on KTRH—providing news or gardening advice to his tens of thousands of loyal, longtime listeners.

SWEARING IN OF JESSE L. JACKSON, JR.

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. RUSH. Mr. Speaker, today is a great day for myself, the 2nd Congressional District of Chicago and all of America. Jesse L. Jackson, Jr. has the resounding qualities of humility, honesty, a willingness to work in behalf of those who cannot fight for themselves. He can walk proudly with kings and with the same ease walk humbly with the common man.

I am proud and appreciative of the Jackson family. Many years ago, his father Jesse L. Jackson, Sr. stood beside me tirelessly during a time of my own personal tribulation. The son of a man who so gallantly stood by me can be nothing less than a warrior and a man of impeccable spirit.

Greatness is a by-product of working with the disenfranchised. One who has worked and fought so diligently for the less fortunate will naturally develop a sense of compassion, commitment, and integrity. Thus, I am certain that Jesse L. Jackson, Jr. will serve not only as a capable Representative but will also be a shining example of statesmanship.

Without equivocation or hesitation, I give my whole-hearted welcome and praise to Jesse L. Jackson, Jr., who I am certain will serve the people of the 2d Congressional District of Illinois with passion, zeal, and integrity.

Jesse, I look forward to working with you and beside you in representing the people of Illinois. May God continue to bless you.

PERSONAL EXPLANATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Ms. VELÁZQUEZ. Mr. Speaker, due to the death of a close personal friend, I was absent during the following rollcall votes. Had I been present I would have voted as follows: On 847 ''yea'', 846 ''nay'', 845 ''yea'', 857 ''nay'', 856 ''nay'', 855 ''yea'', 854 ''nay'', 853 ''yea'', 852 ''nay'', 851 ''nay'', 850 ''nay'', and 849 ''nay''.

I would ask unanimous consent that these votes be placed in the appropriate place in the permanent RECORD.

PERSONAL EXPLANATION

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. HERGER. Mr. Speaker, on Wednesday, December 13 on rollcall vote No. 850, H.R. 1868, the conference report making appropriations for Foreign operations for fiscal year 1996, I was inadvertently recorded as a ''yes'' vote.

CONGRATULATIONS TO GEORGE AND MABEL SHREVES ON THEIR 75TH WEDDING ANNIVERSARY

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. POSHARD. Mr. Speaker, I rise today to mark a truly special occasion. George and Mabel Shreves, of Karnak, IL, will celebrate their 75th wedding anniversary on December 18. It is with great admiration that I offer them my best wishes.

A diamond anniversary is not a common event. Such an occasion is more than just a testament to the Shreves' commitment to each other. Their life together exemplifies the beauty that marriage is meant to symbolize, and gives real meaning to words such as dedication and devotion. Since their wedding day in

1920, they have witnessed the changing of our Nation—a World War, the challenge of the Last Frontier, 15 Presidents, and the anticipation of a new century. However, through these many transformations, their union has been a brilliant fixture.

Mr. Speaker, the Shreves are a shining example to all Americans about the value of a loving family, and I am proud to represent them in Congress. It is my hope that they have many more years of happiness.

MEDICARE AND THE ILLUSIONS OF PROTECTION

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. HASTERT. Mr. Speaker, the following article by Robert Goldberg ran in the Washington Times on December 6, 1995. Mr. Goldberg does an excellent job of explaining why the current Medicare system is in dire need of an injection of quality-based competition and incentives. As the Medicare debate continues, I commend this article to my colleagues:

MEDICARE AND THE ILLUSIONS OF PROTECTION

(By Robert M. Goldberg)

For all the rhetoric about how the Republican plan will bring misery and financial hardship to millions of Medicare beneficiaries, the fact is you couldn't design a better system than the current one to achieve that goal.

Medicare's financial problems are largely the direct result of its subpar treatment of the chronically ill. In particular, seniors bear an unnecessary financial and medical burden in the form of higher out-of-pocket expenses and costly supplemental health insurance.

Worse, because Medicare pays for all care regardless of its quality and outcome, the elderly—thinking that Medicare offers them health security—are actually spending billions on health care services that add nothing to their well-being. Those who are fighting Medicare reforms are perpetuating a system that makes the elderly sicker than they have to be for longer periods of time than they should.

At the heart of the problem are Medicare's price controls which get people out of hospitals quicker (so providers can keep the difference between what they spend and what Medicare pays for), but leaves them sicker as a result. For example, a University of California at Los Angeles medical school study of seniors hospitalized for depression found that Medicare's price controls led to more care without any additional benefit to patients. The income doctors and hospitals lost because of price controls was made up by increasing the volume of services provided.

Similarly, sub-optimal care has contributed to the 20-percent-a-year growth in home health services under Medicare. For instance, studies show that Medicare regulations increase the number of elderly with hip fractures that were discharged before they were fully well. As a result, more people had to rely on home health care or be sent to nursing homes for longer periods of time after the fracture. And a Rand Corp. study found that Medicare's regulations increased by 50 percent the chances that patients will be sent home in an unstable condition. The number of patients remaining in nursing homes one year after the fracture suggests that their quality of care had deteriorated. Overall, a study of a national sample of Medicare patients found that patients are more likely to be sick or die after discharge than they were before the current set of Medicare regulations were imposed.

In fact, because premiums and deductibles have not increased for more than a decade, Medicare only provided the illusion of protection. And, the elderly pay a hidden tax in the form of higher out-of-pocket expenses and supplemental insurance coverage called Medigap, due to Medicare's mismanagement of medicine.

There is a little evidence that the additional coverage increases well-being. Seniors with Medigap spend up to 70 percent more on health care than seniors with Medicare coverage alone, regardless of their health status. These are the dirty little secrets that defenders of the current Medicare system will never reveal to America's seniors.

Medicare can be and is being made less expensive with medical innovations that make it more humane and more responsive. One such effect is the Healthy Seniors Program, created by The Carondolet Health Plan, in Tucson, Ariz. Gerry Lamb, the director of the program notes it is designed for the ''elderly with serious chronic illness, those who constitute the highest costs, fastest growing health service group.'' Healthy Seniors provides examinations, service and individual assistance to reduce the incidence of serious and expensive episodes of illness. The result is dramatic: Participation in the Healthy Seniors program use fewer medical services than those who do not, saving nearly $6,000 per patient each year. Notes Mr. Lamb, who is a nurse practitioner: ''There are huge dollars to be saved from dealing with chronic illness early, rather than in the hospital and emergency rooms''.

In fact, the proposition that better care saves money is the foundation for transforming entire private sector health care system. The Business Heath Care Action Group (BHCAG), a coalition of 21 of the largest employers in Minnesota, provides a dramatic example of such initiatives. Starting in 1997, BHCAG's 1.5 million employees and retirees will be given vouchers that will be used to purchase health care from different groups. Medical providers will have to furnish consumers with patient-level information on how they improve the health of people with chronic conditions which afflict the elderly most such as stroke, hip fractures, heart disease and arthritis. BCHAG projects that with a greater investment in quality, the voucher system will be able to reduce the rate of spending 5 percent to 15 percent each year compared to other managed care approaches.

Rhetoric and emotion aside, quality-based competition and incentives are at the heart of the GOP plan. Such quality-driven reductions in spending are possible if Medicare is dramatically changes. Providers need to be placed at risk for making such savings while at the same time they are required to compete for business in terms of the quality of care they can offer. The Republican Medicare plan isn't perfect, but it does take health care for seniors in this direction.

As for Democratic and federally funded senior group efforts to save Medicare as we know it, they condemn this generation of elderly and the next to substandard care. House speaker Newt Gingrich is right: The faster the government-run Medicare program withers on the vine, the sooner it will stop taking dollars out of the pockets of seniors in order to prop up an obsolete health plan that undermines their quality of life.

REPORT ON RESOLUTION PROVIDING FOR DEBATE AND CONSIDERATION OF THREE MEASURES RELATING TO U.S. TROOP DEPLOYMENTS IN BOSNIA

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. COSTELLO. Mr. Speaker, I rise today to articulate my position on the President's policy of sending 20,000 American troops to Bosnia.

I oppose, and have voted consistently in Congress to oppose, the introduction of United States ground troops into Bosnia. I do not believe that American soldiers should be on the frontlines of a multiethnic, quasi-religious conflict that dates back several hundred years. My position has been that we should have lifted the arms embargo against the Bosnians long ago, so that they could have defended themselves against Serbian aggression and helped put an end to the slaughter. It was clear that one reason the three parties came to the table in Dayton was the increasing strength of the Bosnian resistance.

I believe that this war, which has raged for 3 years with massive losses of life, is in the heart of Europe and is primarily a European responsibility. That is why I have opposed sending our soldiers into the heart of Bosnia to police the peace agreement signed in Dayton.

Let me make it clear, however, that I do believe the United States has a responsibility to our NATO allies and the world to assist in this effort. This terrible slaughter can and should end, and our diplomatic efforts to bring about a peace agreement have been admirable. With a real, signed agreement at hand, our European allies would use our air support, intelligence capability, and humanitarian efforts to accomplish this mission.

Unfortunately, the President believes the United States has a responsibility to put our soldiers—along with the French and the British—on the Bosnian frontlines. It is a policy I do not agree with.

Today, we are voting on three different resolutions.

The Dornan resolution would cut off funding to the troops stationed in Bosnia, some of which are already in or on their way to that country.

The Skelton resolution would express opposition to this policy, in particular the introduction of ground troops into Bosnia, but would also express support for our troops there.

Finally, the Hamilton resolution would express approval for the President's policy of sending ground troops to Bosnia and unequivocal support for the men and women of the United States Armed Forces who have been stationed there by their Commander in Chief, President Clinton.

I oppose the Dornan resolution for two reasons: First, our troops are on their way to Bosnia with some already in the Balkans, and to cut off their funding while they are in Bosnia would put them in serious danger; and second, the President has said he would veto the legislation if approved by the Congress, and given that fact, passage of this particular resolution would tell our troops, our soldiers, that they do not have the full support of the American people or their representatives. That is

reminiscent of Vietnam and a wrong message to send to our troops.

However, given my opposition to ground troops in Bosnia, I will support the Skelton-Buyer resolution. The President has the authority to dispatch these troops just as President Bush dispatched troops to the Middle East in 1990. However, I have an obligation to let the President know that I disagree with this policy. I have voted consistently against this policy and believe it is not in the best interest of our Nation.

Finally, I cannot support the Hamilton resolution, which expresses support for the President's Bosnia policy.

Mr. Speaker, I do not agree with the President's policy. I believe the United States should lend air and other support to our European allies, to enforce this peace agreement. However, as our troops are now stationed or en route to Bosnia, I believe the Congress has a responsibility to let the President know that public opinion is extremely wary of his policy. He should also know that at the first opportunity, we should bring home our troops and let Bosnian soldiers take their place, a policy I believe we should have implemented all along.

REPORT ON RESOLUTION PROVIDING FOR DEBATE AND CONSIDERATION OF THREE MEASURES RELATING TO U.S. TROOP DEPLOYMENTS IN BOSNIA

SPEECH OF

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. FRELINGHUYSEN. Mr. Speaker, for me, the most important priority is to support our servicemen and women. The President has made the decision, and while I am angry that he made it without consultation with Congress and the American people, we need to back them 100 percent.

Our actions tonight should send this message loudly and clearly to them as they prepare to go. Because 25 years ago, I was one of them in Vietnam. I was sent on a mission that bitterly divided this country and this House.

But I learned then, as I know now, that our troops deserve nothing less than the undivided support of this House and all the resources necessary to support their mission.

Please support the Buyer resolution.

We have all seen vivid and shockingly graphic pictures from Bosnia, but my visit there made the issue intensely human. I spoke with our troops on their way to the region from Germany, met with the Balkan leaders, wore a flak jacket, and took a bumpy bus ride into war-torn Sarajevo. No doubt, watching CNN and seeing things live are completely different. No longer is this a civil war in a faraway land, it is 32,000 American troops going into a historically troubled region as peacemakers.

President Clinton made that decision. He made it without congressional approval, but as Commander in Chief he has the authority to do this. In fact, it became clear that he made this decision long ago, since we learned from our troops that their training for this mission began more than 6 to 8 months prior to the Dayton peace talks. We are going to Bosnia, and in some areas our soldiers are already there.

On November 30, I was selected to join a bipartisan congressional delegation to survey the Bosnian situation. Our trip was organized in response to concerns in Congress that the White House had not kept us informed of this major policy decision in a proper and timely manner. Indeed, State Department and Pentagon officials were dispatched to Capitol Hill just 1 day before we boarded our plane to Serbia.

We went with objectives—ours was a true fact-finding mission. Before leaving, we were briefed by Ambassador Richard Holbrooke, the chief U.S. negotiator at the Dayton peace accords. We were to meet with Serbian, Bosnian, and Croatian leaders to solidify their support for the peace accord and to get their assurances that United States forces would be protected. Our foremost objective was to verify that our troops would have the training, equipment, and resources necessary to defend and protect themselves.

We met with Serbian President Milosevic, Croatian President Tudjman and Bosnian President Izetbegovic. They remain committed to the peace agreement, pledged their support of protection for U.S. troops, and shared the fact that their citizens were truly weary from war. They said Americans were considered to be even-handed and that our military presence was vital for peace. Despite their words, they remain suspect due to past broken promises, and because facts show that these were indeed the very warmakers that caused 250,000 deaths in over 3½ years of ethnic and religious strife. As President Reagan used to say, ''trust but verify.''

Our trip to Sarajevo is one I'll never forget. We landed at the airport which was little more than a small pitted concrete platform surrounded by sandbags and bunkers. After an escort of U.N. armored vehicles was assembled, we boarded a bus and headed toward the city. We went through four Bosnian Serb armed checkpoints and saw defused land mines along the roadside which had previously lined our path. Along our well-protected route, the pictures came to life—buildings blown apart, people milling around, and everywhere burned out buses, trolleys, and cars. The 8-mile trip took almost 45 minutes.

What was left of the architectural beauty of structures from the time of the Austro-Hungarian Empire, or the towering high-rise buildings built during Marshall Tito's 30-year-reign, was now a twisted combination of bombed-out building shells, collapsed factories, or acres of roofless and pockmarked houses. Sarajevo is undoubtedly a scarred survivor.

I remember, too, the stories of no food, heat, or fresh water, and the chilling testimonials of snipers killing pedestrians in the street and marketplace. There were constant reminders of the 2½ million refugees who were either burned and bombed out of their houses and communities, or simply fled the area with terror.

After this eye-opener, we flew to Naples, Italy, for a briefing by the U.S. Southern Commander of NATO forces, Adm. Leighton Smith. He told us that our troops would be able to defend themselves, would be fully equipped, and that the military mission was limited to a year. ''American troops would be enforcing a peace'', he said, ''not fighting a war.'' He was honest, however, and reminded us that this mission was not without risk.

Our final stop was the most moving—meeting with our young soldiers in Germany who will go to Bosnia in mid-December. I had lunch with two soldiers from New Jersey, one a very young woman, perhaps early 20's, from Burlington County and the other a slightly older man from Bergen County. Both were professional, well-trained, and motivated. Still, I sensed apprehension—the same apprehension I felt 25 years ago as a young private headed to Vietnam.

This encounter placed everything in perspective and literally put a human face on this situation. For me, the most important priority for us is to support our servicemen and women. They are Americans, with over 80,000 family members on the homefront.

No question, the President should better define our national interest in Bosnia and explain what our total commitment will be. I feel he has an obligation to the families of our troops and all Americans to outline the specific objectives of this mission.

But while we can argue about his policy, which I do remain skeptical about, the fact is that the decision has been made and American soldiers, our soldiers, are going. And since they are going, we need to support them 100 percent. They deserve nothing less.

TRIBUTE TO THE LATE WILLIAM B. HARVARD, SR.

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mr. BILIRAKIS. Mr. Speaker, it is with sadness that I rise today to pay tribute to a great architect and an even greater man. On December 11, the citizens of St. Petersburg, FL, lost William B. Harvard, Sr., a warm and devoted family man and an extremely talented architect who left his unique mark on the skyline of west central Florida.

William Harvard left his home building business in 1941 to serve his country and fight for freedom during World War II. Upon returning, he reopened his offices in St. Petersburg and quickly established himself as a valued member of the community, joining several church and service organizations.

In 1959, he became a founding partner of Harvard, Jolly, Clees and Toppe Architects. Mr. Harvard and his associates proceeded to design many of the major structures in the St. Petersburg area. Colleagues stated that he was a remarkable man, always considering Florida's environment in his designs.

His environmentally conscious architecture is embodied in his design of the pier in St. Pete, the incredibly unique inverted pyramid, that became the focal point for the view down Second Avenue north towards Tampa Bay. As in all of his structures, people marveled at the uniqueness of the design of the pier.

Though unique, the design was also quite functional. He was quoted as saying that his goal was to ''preserve the open views from pier level and have an open, tropical feeling and yet be protected from the elements.'' Anyone who has seen the pier knows he was successful in this endeavor.

He said his buildings should have a certain uniqueness, ''otherwise they would just be warehouses.'' His design of the Williams Park Bandstand won national awards, including the award of merit from the American Institute of Architects, the highest court of American architecture.

The blue and green glass canopy, designed to provide shelter while letting the natural light shine through, also received the test of time award from the Florida Association of the American Institute of Architects.

Mr. Speaker, William Harvard lost his battle with cancer this week at the age of 84. His legacy, however, will be with us for many years to come, as the monuments he built will stand as a tribute to a man who used his numerous talents to enrich the lives of many.

REPORT ON RESOLUTION PROVIDING FOR DEBATE AND CONSIDERATION OF THREE MEASURES RELATING TO U.S. TROOP DEPLOYMENTS IN BOSNIA

SPEECH OF

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. REED. Mr. Speaker, I rise in support of the Hamilton resolution, and in opposition to H.R. 2770 and H. Res. 302. I, like most Americans, still have concerns about the deployment of United States troops in Bosnia-Herzegovina, but I believe that we need to support our troops.

I visited the former Yugoslavia in 1993. That visit alerted me to the dangers of American involvement in the conflict that has consumed the former Yugoslavia for the last 4 years. The animosities are profound, the terrain is difficult, and the underlying problems are political rather than simply military. Nevertheless, the Dayton Agreement is the last chance for a peaceful resolution of this war, and that Agreement rests on the participation of NATO as the implementation force. As a member of NATO, the United States is faced with a choice between making peace work or letting the contending forces slip inexorably back into the abyss of war.

I believe that the vast majority of Americans want us to choose peace. But they also want us to ensure that our involvement is limited in scope, complementary to the efforts of our European allies and not a substitute for their involvement, militarily prudent, and consistent with our national security interests.

Over the past few weeks, I have expressed these concerns to the administration. In particular, I have stressed the need for a more detailed exit strategy for disengagement of our forces, the need to ensure that we do not shoulder a disproportionate burden, the need to clearly identify our interests in the region and, most importantly, the need to take every reasonable precaution to protect our forces.

The administration has responded with a more focused and compelling discussion of their plans. They have laid out a more detailed exit strategy. They have made a more convincing case that the scale of American involvement is justified by the mission and by the comparative strengths of United States Military Forces versus those of our allies. Although I remain skeptical of claims that our national interest is implicated because our prestige is on the line or the survival of NATO is at stake, I do feel that a resumption of fighting could precipitate an expansion of the conflict. Such a development, with its very real potential to involve Greece and Turkey, would pose a significant threat to our national interest.

The administration and our military leaders have made repeated assertions that the forces are well trained, the mission is well defined, the rules of engagement are clear and permissive of preemptory action, and that more than adequate resources are available for our forces. Moreover, they have stressed that the primary mission of our forces is self-protection. These factors, and particularly the testimony of professional military officers, strengthens the claim that we have taken all reasonable precautions to protect our forces. Nevertheless, given the nature of this mission and the hostile environment of the former Yugoslavia, no one can rule out the possibility of casualties.

Although the foregoing efforts by the administration to justify the deployment of American ground forces have allayed opposition to the commitment of American forces, significant concerns remain. It will be incumbent upon the Congress to ensure that the limited scope and definite duration of the mission is maintained. It will be incumbent upon the Congress to ensure that our forces are continuously protected. These concerns will persist beyond this vote until our forces are withdrawn from Bosnia.

The Hamilton resolution clearly expresses our support for our forces while signaling our concerns. It is the right message to send to our forces and to those in the former Yugoslavia that may wish them harm. It stands in stark contrast to H.R. 2770 which would cut off all funding for United States Forces in Bosnia. This measure would put our forces already in Bosnia at risk. It would end any chance of a peaceful settlement of the conflict. It is a reckless and politically expedient measure unworthy of the American soldiers who are ready to do their duty. The Hamilton resolution is also in contrast to H. Res. 302 which opposes the President's policy while purporting to support the troops. Serious and sincere opposition to a policy requiring the deployment of American forces is incompatible with wishing them well on their mission. Rather, it represents a political straddle.

Finally, it is important to note that today's vote is not about authorizing the commencement of offensive operations by United States Forces. It is about peacekeeping. Our forces are entering a dangerous arena, but one in which the parties have already initiated a peace agreement. The President's constitutional authority to order our forces into Bosnia has not been seriously challenged. Thus, this vote is about our support of peacekeeping and our support of our forces. I believe that both are worthy of our support and, in the days ahead, our hard and unyielding scrutiny to ensure that neither the peace nor our soldiers are sacrificed needlessly.

CONFERENCE REPORT ON H.R. 2099, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 1995

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong opposition to the VA–HUD appropriations conference report.

Unfortunately, the conferees wasted their opportunity to improve this bill and once again present us with legislation that makes dangerous and unnecessary cuts to environmental and housing programs that protect American families and communities.

For example, the bill cuts environmental program funds by 21 percent, crippling the EPA's ability to enforce laws which help ensure the safety of the water we drink and the air we breathe.

The bill also cuts housing program funding by 21 percent, including cuts to many vital public housing programs and homeless services.

The cuts in public housing operating and modernization funds, will significantly hamper the ability for housing providers to deliver safe housing for American families.

Furthermore, by reducing the number of newly available section 8 housing vouchers, the bill increases the potential for increased homelessness among the thousands of families and children who are waiting for housing assistance.

I urge my colleagues to reject this bill and the potential pain and suffering it will inflict on many American families. Vote ''no'' on the conference report.

OPENING OF EVERGREEN COURT SENIOR HOUSING PROJECT

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 14, 1995

Mrs. ROUKEMA. Mr. Speaker, as of tomorrow, Bergen County will be a better place to live. Our community's quality of life will take another step forward when the Christian Health Care Center in Wyckoff cuts the ribbon and lays the cornerstone on its new 33-unit supportive senior housing project at Evergreen Court. For more than a few people participating in the ceremony, this marks the culmination of a long time dream of the Christian health care community.

We are all very much aware that New Jersey has more senior citizens than just about every other State in the Union. Indeed, the number of Americans over age 65 is the fastest growing segment of our population. With Evergreen Court, the Christian Health Care Center is adapting to meet the needs of our community.

This is an innovative independent living project that allows our older neighbors to maximize the enjoyment and vitality of their later years. From my long work in senior housing and health care reform, I know that independent living enhances the quality of life and

allows older citizens to continue to contribute and enjoy a community of their peers.

And this is truly a community effort. The county of Bergen provided over $1 million through funds provided by U.S. Department of Housing and Urban Development's Home Program. This Federal-county partnership funding included a challenge that the private sources match the funds. Of course, our community responded as it always does, with generous donations and the support of NatWest Bank.

On this occasion, the words of former Vice President and Senator Hubert Humphrey come to mind: ''The moral test of government is how the government treats those who are in the dawn of their life, the children, and those who are in the twilight of life, the elderly.''

With this ribbon-cutting, our community and the Christian Health Care Center, specifically, is meeting this standard. Moreover, these actions should be an example to all civic groups and, I submit, to our national leadership.

In Washington today, we are engaged in a great national debate about the quality of life for our children and their children. In fact, this may be the defining moment for our generation. We all recognize that we can and we must make our government live within its means. But this must not be done at the expense of the most vulnerable in our society—those in the dawn of life and those in the twilight of life.

We can accomplish historic budget reforms, restore good jobs, create a bright future for our children and still show heart to the most needy in our society. To do less would be to violate some of the moral beliefs we hold most dear.

Our Lord, Jesus Christ, warned of the consequences of failure to feed the hungry, clothe the naked, and care for the sick. ''Inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it unto me.''

Mr. Speaker, the Christian Health Care Center is realizing its dream today with the formal opening of its Evergreen supportive senior housing project. I would urge my colleagues to take note and join me in commending the leadership of the center and the citizens of Wyckoff.

Today, Bergen County is a better place to live because our seniors have another place to call home.

REPORT ON RESOLUTION PROVIDING FOR DEBATE AND CONSIDERATION OF THREE MEASURES RELATING TO U.S. TROOP DEPLOYMENTS IN BOSNIA

SPEECH OF

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 13, 1995

Mr. EVERETT. Mr. Speaker, Caspar Weinberger, Secretary of Defense under the Reagan administration, developed a much touted six-point test that must be satisfied before the use of military force is warranted. The first, and perhaps most important point of the test is ''does the United States have vital, national interests at stake.'' The answer in Bosnia is clearly no. The international community has allowed the most recent fighting of this centuries-old civil war to carry on for nearly 3 years before air strikes directed by the United Nations were ordered. Now, some 4 years later, President Clinton has decided to assume Europe's responsibility and help bolster NATO's standing by sending United States troops into a tentative and unwarranted peacekeeping mission.

To conduct a peacekeeping mission successfully and safely, the peacekeepers must be perceived as neutral by the warring parties. How can United States forces be seen as neutral when U.N. air strikes against Serb positions have largely been conducted by the United States for the past year? To add fuel to the fire, President Clinton has promised that the United States would be simultaneously involved in training and equipping Bosnian Moslem forces so that they may be better able to defend themselves against possible Serb attacks.

Other dangers facing American service men and women serving as peacekeepers in the Balkans involves the very real threat of terrorism from Islamic fundamentalists, thousands of land mines—most of which are unaccounted, and the risks of traveling over the snow- and ice-covered mountainous terrain of this area.

Although the President has determined that U.S. peacekeepers will be withdrawn from this mission area in 1 year, I find the exit strategy to be lacking and full of holes that could leave U.S. forces bogged down in this effort for a much longer period of time.

Mr. Speaker, the United States cannot conduct foreign policy by deploying our troops around the globe to interject our morals, values, and way of life upon warring nations. It won't be successful, and we could lose the credibility that we currently enjoy as the lone superpower. There are many ways we can support peace in the Balkans without putting young Americans in harms way. It is not too late to halt any further troop movements to this region, so I urge all of my colleagues to support the Dornan legislation.

CONFERENCE REPORT ON H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. BARBARA-ROSE COLLINS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Miss COLLINS of Michigan. Mr. Speaker, we must recognize mining subsidies for what they are—corporate welfare. In light of the several extremist appropriation bills put before this Congress, cutting back essential programs that improve the quality of life for all Americans; we cannot spend another tax dollar to give big businesses a free ride. This Congress cannot with a clear conscience, stop assisting mothers with buying milk for their infants; while at the same time giving away more than $15 billion worth of publicly owned minerals. How can we claim not to find the funds to protect elderly citizens from going into complete poverty because of out of pocket medical expenses, yet we can give away precious minerals at bargain basement prices?

To eliminate programs that meet human needs and that provide tangible results, under the guise of conserving Government funds, without terminating wasteful programs such as mining subsidies, is hypocritical. This is yet another example of the butchery of social and environmental progress, while corporate welfare is being spared the budget ax. To allow this hypocrisy is not only fiscally irresponsible, it is unforgivable. The American voters will not forget.

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

Daily Digest

HIGHLIGHTS

Senate agreed to Interior and VA/HUD Appropriations Conference Reports.

Senate passed State Department Authorizations/Reorganization.

House Committees ordered reported 21 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S18583–S18671

Measures Introduced: Three bills were introduced, as follows: S. 1478–1480. **Page S18662**

Measures Reported: Reports were made as follows:

S. 650, to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, with an amendment in the nature of a substitute. (S. Rept. No. 104–185)

H.R. 2527, to amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports.

H.J. Res. 69, providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 110, providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 111, providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 112, providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.

S. Con. Res. 34, to authorize the printing of "Vice Presidents of the United States, 1789–1993", with an amendment. **Page S18662**

Measures Passed:

Federally Supported Health Centers Assistance Act: Senate passed H.R. 1747, to amend the Public Health Services Act to permanently extend and clarify malpractice coverage for health centers, clearing the measure for the President. **Page S18668**

Commemorative Coin Act Amendment: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 2336, to amend the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and the bill was then passed, clearing the measure for the President. **Pages S18668–69**

Possessions and Territories Criminal Law Clarification Act: Senate passed S. 1332, to clarify the application of certain Federal criminal laws to territories, possessions, and commonwealths, after agreeing to a committee amendment in the nature of a substitute. **Page S18669**

Interior Appropriations Conference Report: By 58 yeas to 40 nays (Vote No. 604), Senate agreed to the conference report on H.R. 1977, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996. **Pages S18595–S18616**

State Department Authorizations/Reorganization: Committee on Foreign Relations was discharged from further consideration of H.R. 1561, to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; and to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and by 82 yeas to 16 nays (Vote No. 605), the bill was passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 908, Senate companion measure, after taking action on amendments proposed thereto, as follows: **Pages S18616–37**

Adopted:

Helms/Kerry Amendment No. 3100, to authorize the transmittal of a reorganization plan or plans streamlining and consolidating the Department of

State and the independent foreign affairs agencies, and to make technical amendments. **Pages S18635–36**

Withdrawn:

Dole Amendment No. 2025, to withhold certain funds for international conferences if funds were expended for U.S. participation in the United Nations Fourth World Conference on Women while Harry Wu was being detained in China. **Pages S18616–17**

Helms Amendment No. 2031, to authorize reduced levels of appropriations for foreign assistance programs for fiscal years 1996 and 1997.

Pages S18616–17

Kerry (for Boxer) Amendment No. 2032 (to Amendment No. 2025), to express the sense of the Senate regarding the arrest of Harry Wu by the Government of the People's Republic of China.

Pages S18616–17

Helms Amendment No. 2041, to express the sense of the Congress regarding the consolidation and reinvention of the foreign affairs agencies of the United States. **Pages S18616–17**

Helms Amendment No. 2042 (to Amendment No. 2041, in the nature of a substitute.

Pages S18616–17

Senate insisted on its amendment, requested a conference with the House thereon and the Chair appointed the following conferees: Senators Helms, Snowe, Brown, Coverdell, Ashcroft, Pell, Kerry, Sarbanes, and Dodd. **Page S18639**

Subsequently, S. 908 was returned to the Senate calendar. **Page S18637**

Cuban Liberty and Solidarity Act—Conferees: Senate insisted on its amendment to H.R. 927, to seek international sanctions against the Castro government in Cuba, and to plan for support of a transition government leading to a democratically elected government in Cuba, agreed to the request of the House for a conference thereon, and the Chair appointed the following conferees: Senators Helms, Coverdell, Thompson, Snowe, Pell, Dodd, and Robb.

Page S18639

VA/HUD Appropriations—Conference Report: By 54 yeas to 44 nays (Vote No. 606), Senate agreed to the conference report on H.R. 2099, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996. **Pages S18639–58**

Senate concurred in the amendment of the House to Senate amendment No. 63. **Page S18658**

Nominations Confirmed: Senate confirmed the following nominations:

A. Peter Burleigh, of California, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Sandra J. Kristoff, of Virginia, for the rank of Ambassador during her tenure of service as U.S. Coordinator for Asia Pacific Economic Cooperation (APEC).

John Raymond Malott, of Virginia, to be Ambassador to Malaysia.

Kenneth Michael Quinn, of Iowa, to be Ambassador to the Kingdom of Cambodia.

William H. Itoh, of New Mexico, to be Ambassador to the Kingdom of Thailand.

Frances D. Cook, of Florida, to be Ambassador to the Sultanate of Oman.

J. Stapleton Roy, of Pennsylvania, to be Ambassador to the Republic of Indonesia.

Thomas W. Simons, Jr., of the District of Columbia, to be Ambassador to the Islamic Republic of Pakistan.

Richard Henry Jones, of Nebraska, to be Ambassador to the Republic of Lebanon.

James Franklin Collins, of Illinois, to be Ambassador at Large and Special Advisor to the Secretary of State for the New Independent States.

Charles H. Twining, of Maryland, to be Ambassador to the Republic of Cameroon.

James A. Joseph, of Virginia, to be Ambassador to the Republic of South Africa.

Don Lee Gevirtz, of California, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nauru, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Tonga, and Ambassador Extraordinary and Plenipotentiary of the United States of America to Tuvalu.

Joan M. Plaisted, of California, to be Ambassador to the Republic of the Marshall Islands, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati.

Jim Sasser, of Tennessee, to be Ambassador to the People's Republic of China.

David P. Rawson, of Michigan, to be Ambassador to the Republic of Mali.

Gerald Wesley Scott, of Oklahoma, to be Ambassador to the Republic of The Gambia

Robert E. Gribbin III, of Alabama, to be Ambassador to the Republic of Rwanda.

Charles H. Twining, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-

Counselor, to serve concurrently and without additional compensation as Ambassador of the United States of America to the Republic of Equatorial Guinea.

29 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Navy. **Pages S18637–39, S18669–71**

Messages From the House: **Page S18661**

Measures Placed on Calendar: **Pages S18585, S18661**

Communications: **Pages S18661–62**

Executive Reports of Committees: **Page S18662**

Statements on Introduced Bills: **Pages S18662–64**

Additional Cosponsors: **Page S18664**

Amendments Submitted: **Pages S18664–67**

Authority for Committees: **Page S18667**

Additional Statements: **Pages S18667–68**

Record Votes: Three record votes were taken today. (Total–606) **Pages S18616, S18637, S18657–58**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:15 p.m., until 9:30 a.m., on Friday, December 15, 1995. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S18670.)

Committee Meetings

(Committees not listed did not meet)

NUCLEAR WASTE POLICY ACT

Committee on Energy and Natural Resources: Committee concluded hearings on S. 1271, to provide for the storage and disposal of spent nuclear fuel and high-level nuclear waste from the nation's defense program and commercial nuclear power plants, after receiving testimony from Idaho Governor Philip E. Batt, Boise; Hazel R. O'Leary, Secretary of Energy; Robert B. Pirie, Jr., Assistant Secretary of the Navy (Installations and Environment); Gary Gates, Omaha Public Power District, Omaha, Nebraska, on behalf of the American Public Power Association; William K. Sherman, Vermont Department of Public Health, Montpelier, on behalf of the Northeast High-Level Radioactive Waste Transportation Task Force; Dick Snell, Pinnacle West Capital Corporation, Phoenix, Arizona; and Corbin A. McNeill, Jr., PECO Energy Company, Philadelphia, Pennsylvania.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

S. 1470, to provide for increases in the amounts of allowable earnings under the social security earnings limit for individuals who have attained retirement age, with amendments; and

The nominations of Joshua Gotbaum, of New York, to be Assistant Secretary of the Treasury for Economic Policy, and Jeffrey R. Shafer, of New Jersey, to be Under Secretary of the Treasury for International Affairs.

SOUTH AFRICA

Committee on Foreign Relations: Committee held hearings to examine the status of United States assistance programs in South Africa, receiving testimony from John F. Hicks, Assistant Administrator for Africa, Leslie Dean, South African Mission Director, and William Ford, former South African Mission Director, all of the Agency for International Development.

Hearings were recessed subject to call.

FEDERAL FINANCIAL MANAGEMENT

Committee on Governmental Affairs: Committee held hearings on proposed legislation to improve financial management in the Federal Government, receiving testimony from Charles A. Bowsher, Comptroller General of the United States, and Gene Dodaro, Assistant Comptroller General, and Jeffrey Steinhoff, Director of Planning and Reporting, both of the Accounting and Information Management Division, all of the General Accounting Office; G. Edward DeSeve, Controller, Office of Federal Financial Management, Office of Management and Budget; California State Auditor Kurt R. Sjoberg, Sacramento; William R. Phillips, Coopers & Lybrand, McLean, Virginia; and Ted Sheridan, Sheridan Management Corporation, Washington, D.C., on behalf of the Financial Executives Institute.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of Merrick B. Garland, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Also, committee began consideration of S. 605, to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment, but did not complete action thereon, and will meet again on Wednesday, December 20.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported the following bills:

S. 426, to authorize the establishment of a memorial to Martin Luther King, Jr., in the District of Columbia;

H.R. 2527, to permit electronic filing of Federal Election Commission reports and to require members

of the House and those seeking election to the House to file directly with the FEC instead of filing with the House Clerk which is the current requirement;

H.J. Res. 69, to provide for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution;

H.J. Res. 110, to provide for the appointment of Howard H. Baker, Jr., as a citizen regent of the Board of Regents of the Smithsonian Institution;

H.J. Res. 111, to provide for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution;

H.J. Res. 112, to provide for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution; and

S. Con. Res. 34, to authorize the printing of "Vice Presidents of the United States, 1789–1993", with an amendment.

INTELLIGENCE

Committee on Intelligence: Committee met in closed session to receive a briefing on intelligence matters from officials of the intelligence community.

Committee recessed subject to call.

WHITEWATER

Special Committee To Investigate the Whitewater Development Corporation and Related Matters: Committee met and approved the recommendation to order and direct the compliance of a subpoena relative to the committee's Whitewater investigation.

Committee recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 7 public bills, H.R. 2778–2784 were introduced. **Page H14927**

Reports Filed: Reports were filed as follows:

H. Res. 307, waiving points of order against the conference report on H.R. 1530, to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, and to prescribe military personnel strengths for fiscal year 1996 (H. Rept. 104–407); and

H.R. 2661, to amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the District of Columbia to expend its own funds during any portion of a fiscal year for which Congress has not enacted the budget of the District of Columbia for the fiscal year, and to provide for the appropriation of a monthly pro-rated portion of the annual Federal payment to the District of Columbia for such fiscal year during such portion of the year, amended (H. Rept. 104–408). **Page H14927**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Ensign to act as Speaker pro tempore for today. **Page H14873**

Committees to Sit: The following committees and their subcommittees received permission to sit today during proceedings of the House under the five-minute rule: Committees on Agriculture, Government Reform and Oversight, International Relations, the Judiciary, National Security, Resources, and Transportation and Infrastructure. **Page H14878**

Public Debt Limit: By a recorded vote of 235 ayes to 103 noes, with 77 voting "present", Roll No. 862, the House passed H.R. 2621, to enforce the pubic debt limit and to protect the social security trust funds and other Federal trust funds and accounts invested in public debt obligations. **Pages H14885–99**

Rejected the Gibbons motion to recommit the bill to the Committee on Ways and Means with instructions to report it back forthwith containing language consisting of a new text that sought to provide that the Secretary of the Treasury may use social security trust funds only for the purposes of paying social security benefits under previously established practices; and that the Secretary of the Treasury may utilize civil service retirement funds to avoid Government default in times of a forced debt ceiling crisis and that such funds shall be restored fully, including interest, as required by provisions in the United States Code (rejected by a yea-and-nay vote of 190 yeas to 229 nays, Roll No. 861). **Pages H14897–99**

H. Res. 293, the rule under which the bill was considered, was agreed to earlier by a recorded vote of 228 ayes to 184 noes, Roll No. 860. By a yea-and-nay vote of 223 yeas to 183 nays, Roll No. 859, agreed to order the previous question on the resolution. **Pages H14879–85**

Member Sworn: Representative-elect Jesse L. Jackson, Jr., presented himself in the well of the House and was administered the oath of office by the Speaker. **Page H14900**

Legislative Program: The Majority Leader announced the legislative program for today and the balance of the week. **Pages H14902–03**

Late Report: Committee on Government Reform and Oversight received permission to have until midnight tonight to file a report on H.R. 2661, to amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the District of Columbia to expend its own funds during any portion of a fiscal year for which Congress has not enacted the budget of the District of Columbia for the fiscal year, and to provide for the appropriation of a monthly pro-rated portion of the annual Federal payment to the District of Columbia for such fiscal year during such portion of the year. **Page H14905**

Referrals: Two Senate-passed measures were referred to the appropriate House committees. **Page H14926**

Senate Messages: Message received from the Senate today appears on page H14874.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on page H14927.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H14883–84, H14884–85, H14898–99, and H14899.

Adjournment: Met at 10 a.m. and adjourned at 5:31 p.m.

Committee Meetings

AGRICULTURE GUEST WORKER PROGRAM

Committee on Agriculture: Subcommittee on Risk Management and Specialty Crops and the Subcommittee on Immigration and Claims of the Committee on the Judiciary held a joint hearing on H–2A Temporary Worker Program and its impact on American Agriculture. Testimony was heard from Keith Collins, Chief Economist, USDA; and public witnesses.

MISCELLANEOUS MEASURES; DRAFT REPORTS; SUBPOENA

Committee on Government Reform and Oversight: Ordered reported the following bills: H.R. 1398, to designate the United States Post Office building located at 1203 Lemay Ferry Road, St. Louis, MO, as the "Charles J. Coyle Post Office Building;" H.R. 1880, to designate the U.S. Post Office building located at 102 South McLean, Lincoln, IL, as the "Edward Madigan Post Office Building;" H.R. 2262, to designate the U.S. Post Office building located at 218 North Alston Street in Foley, AL, as the "Holk Post Office Building;" H.R. 2704, amended, to provide that the U.S. Post Office building that is to be located on the 2600 block of East 75th Street in Chicago, IL, shall be known and designated as the "Charles A. Hayes Post Office Building;" and H.R. 2661, amended, District of Columbia Fiscal Protection Act of 1995.

Committee also approved the following draft reports: "Creating a 21st Century Government"; "Making Government Work: Fulfilling the Mandate for Change"; "Mail Services in the United States: Exploring Options for Improvement"; "Voice for Change"; "Federal Takeover of Chicago Housing Authority"; and "The FDA Food Additive Review Process".

If needed, the Committee authorized the issuance of a subpoena in the matter of Harry Thomason.

FEDERAL GOVERNMENT SHUTDOWN

Committee on Government Reform and Oversight: Subcommittee on Civil Service held a hearing on Government Shutdown II. Testimony was heard from Representatives Hayworth, Bachus, Hoekstra, Calvert, Barton of Texas, Browder, Gekas, Hoyer, McCarthy, and Bono.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported the following measures: H. Res. 274, concerning Burma and the U.N. General Assembly; H. Con. 91, expressing the sense of the Congress that the United States should participate in Expo '98 in Libson, Portugal; and H.R. 2775, to amend the Agricultural Trade Development and Assistance Act of 1954, the Food for Progress Act of 1985, and the Food, Agriculture, Conservation, and Trade Act of 1990 to extend the authorities under those Acts.

TRANSATLANTIC ECONOMIC COOPERATION

Committee on International Relations: Held a hearing on U.S.-Europe: Prospects for Transatlantic Economic Cooperation. Testimony was heard from Daniel K. Tarullo, Assistant Secretary, Economic and Business Affairs, Department of State; David Rophkopf, Acting Under Secretary, Department of Commerce; and public witnesses.

AU PAIR PROGRAM

Committee on International Relations: Subcommittee on International Operations and Human Rights approved for full Committee action H.R. 2767, to amend the au pair program.

OVERSIGHT—U.S. SENTENCING COMMISSION

Committee on the Judiciary: Subcommittee on Crime held an oversight hearing on the U.S. Sentencing Commission. Testimony was heard from Richard P. Conaboy, U.S. District Judge, Chairman, U.S. Sentencing Commission; Jon O. Newman, Chief Judge, U.S. Court of Appeals, Second Circuit; Emilio M. Garza, Judge, U.S. Court of Appeals, Fifth Circuit; Jay Harvey Wilkinson, III, Judge, U.S. Court of Appeals, Fourth Circuit; and public witnesses.

POW/MIA

Committee on National Security: Subcommittee on Military Personnel held a hearing on the Department of Defense's comprehensive review of Indochina POW/MIA cases. Testimony was heard from Senator Smith; Hershel W. Gober, Deputy Secretary, Veterans Affairs, Department of Veterans Affairs; Winston Lord, Assistant Secretary, POW/MIA Affairs, Department of Defense; the following officials of the Department of Defense: James W. Wold, Deputy Assistant Secretary, POW/MIA Affairs; and Cdr. Charles R. Marineau, Jr., USN, Chief of Intelligence, Joint Task Force Full Accounting; Garnett Bell, former Special Assistant for Negotiations for Commander, Joint Task Force Full Accounting, Department of Defense; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries, Wildlife and Oceans held a hearing on the following bills: H.R. 1772, to authorize the Secretary of the Interior to acquire certain interests in the Waihee Marsh for inclusion in the Oahu National Wildlife Refuge Complex; H.R. 1836, to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge; H.R. 2660, to increase the amount authorized to be appropriated to the Department of the Interior for the Tensas River National Wildlife Refuge; and H.R. 2679, to revise the boundary of the North Platte National Wildlife Refuge. Testimony was heard from Representatives Mink, Barrett of Nebraska, and Forbes; Robert Davison, Deputy Assistant Secretary, Fish and Wildlife and Parks, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

CONFERENCE REPORT—DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 1530, to authorize appropriations for fiscal year 196 for military activities of the Department of Defense, and to prescribe military personnel strengths for fiscal year 1996, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Spence.

MISCELLANEOUS MEASURES; CONSTRUCTION RESOLUTIONS

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 1718, to designate U.S. Courthouse located at 197 South Main Street in Wilkes-Barre, PA, as the "Max Rosenn United States Courthouse;" H.R. 2504, to designate the Federal building located at the corner of Patton Avenue and Otis Street, and the U.S. Courthouse located on Otis Street, in Asheville, NC, as the "Veach-Baley Federal Complex;" H.R. 2415, amended, to designate the U.S. Customs administrative building at the Ysleta/Zaragosa Port of Entry located at 797 South Ysleta in El Paso, TX, as the "Timothy C. McCaghren Customs Administrative Building"; H.R. 2620, amended, to direct the Architect of the Capitol to sell the parcel of real property located at 501 First Street, SE, in the District of Columbia; H.R. 2689, to designate the United States Courthouse located at 301 West Main Street in Benton, IL, as the "James L. Foreman United States Courthouse"; H.R. 2061, to designate the Federal building located at 1550 Dewey Avenue in Baker City, OR, as the "Davis J. Wheeler Federal Building"; H.R. 2111, amended, to designate the Social Security Administration's Western Program Service Center located at 1221 Nevin Avenue in Richmond CA, as the "Francis J. Hagel Building"; S. 965, to designate the United States Courthouse for the Eastern District of Virginia in Alexandria, VA, as the "Albert V. Bryan United States Courthouse"; H.R. 2481, to designate the Federal Triangle Project under construction at 14th Street and Pennsylvania Avenue, NW, in the District of Columbia, as the "Ronald Reagan Building and International Trade Center"; H.R. 2547, to designate the United States Courthouse located at 800 Market Street in Knoxville, TN, as the "Edward H. Baker, Jr. United States Courthouse"; H.R. 2556, to designate the Federal building located at 345 Middlefield Road in Menlo Park, CA and known as the Earth Science and Library Building as the "Vincent E. McKelvey Federal Building"; S. 369, to designate the United States Courthouse in Decatur, AL as the "Seybourn H. Lynne Federal Building"; and H.R. 2567, amended, to amend the Federal Water Pollution Act relating to standards for constructed water conveyances.

The Committee also approved 7 construction resolutions.

AVIATION SAFETY

Committee on Transportation and Infrastructure: Subcommittee on Aviation concluded hearings on Aviation Safety: Should Airlines Be Required to Share Pilot Performance Records? Testimony was heard from public witnesses.

COMMITTEE MEETINGS FOR FRIDAY, DECEMBER 15, 1995

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations, to hold hearings on the nominations of Eric James Boswell, of California, to be Assistant Secretary for Diplomatic Security, and Anthony Cecil Eden Quainton, of the District of Columbia, to be Director General of the Foreign Service, both of the Department of State, 2 p.m., SD–419.

Committee on Labor and Human Resources, to hold hearings on proposed legislation to amend provisions of the Fair Labor Standards Act relating to the minimum wage, 9:30 a.m., SD–430.

Special Committee To Investigate Whitewater Development Corporation and Related Matters, business meeting, to discuss issues relating to the Whitewater Development Corporation, 10 a.m., SH–216.

House

Committee on International Relations, to mark up H.R. 2767, to extend the au pair program; and to continue hearings on the Newly Independent States of the Former Soviet Union: U.S. Policy and Assistance, Part 2, 10 a.m., 2172 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Friday, December 15

Senate Chamber

Program for Friday: After the recognition of three Senators for speeches and the transaction of any morning business (not to extend beyond 11 a.m.), Senate may consider the House Message on H.R. 1868, Foreign Operations Appropriations, 1996, Conference Report on H.R. 2546, District of Columbia Appropriations, 1996, and proposed legislation providing for further continuing appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, December 15

House Chamber

Program for Friday: Consideration of the conference report on H.R. 1530, Department of Defense Authorization for fiscal year 1996 (rule waiving points of order against consideration);

Possible consideration of further conference report on H.R. 2546, District of Columbia appropriations for fiscal year 1996; and

Possible consideration of a short-term continuing resolution.

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