

501(c)(4) organizations to participate fully in the political life of the country. So it will not just be that nicely drawn narrow category the gentleman identified, but I think we need to be concerned more broadly than that.

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

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

Mr. OBEY. Mr. Speaker, let me simply say I fully agree with everything that the gentleman has said with respect to this issue. In my view, what you have here is a case of the squeaky wheel getting the grease, which means that the Blues and a couple of other parties are being taken care of because they have raised legitimate objections about how this impacts them. But I think this Congress is remiss in not recognizing there are many other people who may not be as big, but whose proximity to them will be just as big because of the language, which ought not be in the law in the first place.

So I think this is a case here of this proposition being better than the situation that would exist without it, but not nearly as good as it ought to be, because it ought to include everybody who has a similar problem.

I would hope that, upon reflection, the Congress would recognize it has made a mistake in limiting it in the future and to correct it. But for now, I think even though I agree fully with the gentleman, I did not think that that objection would be sufficient to justify bringing down this entire proposition.

Mr. THOMAS. Mr. Speaker, if the gentleman will yield further, the letter that I indicated from the Senate was dated November 17. It has been more than 3 months. It has been almost a month since the law went into effect. Does the gentleman from Colorado have in his possession a letter from any other organization indicating a failure to carry out a contractual obligation with the Federal Government because of this legislation?

Mr. SKAGGS. No.

Mr. THOMAS. Do you have a letter?

Mr. SKAGGS. Mr. Speaker, continuing my reservation, it has only been a couple of weeks since this law became effective. I think the gentleman assumes a level of alacrity across the country which is unrealistic in this respect.

Mr. Speaker, having made these points, I withdraw my reservation of objection.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, reserving the right to object, I would like to make inquiry, and I thank the gentleman from Louisiana and the gentleman from Wisconsin. I know that the work that was done was to assure that we did not shut the Government down. I think we need to accept that responsibility.

Can the gentleman help me as I try to answer some of the questions re-

garding this impact on my constituents? There is a section on page 10 that indicates a prohibition against no new grants and it lists health and human services, and particularly refers to National AIDS Program, homeless service grants. There is a whole litany, the youth gang substance abuse.

My inquiry is that this does not shut them down; what you are saying is that they cannot activate, and I want this to be my understanding, not put words in your mouth, they cannot activate any new grants, but they can carry on their business? Is that my understanding?

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Speaker, the gentleman is correct. Actually it goes a little bit beyond that. They can actually engage in providing grants up to 75 percent of previous monthly levels. So the fact is they cannot only service old grants, but they can engage in current activity up to 75 percent of previous limits.

□ 1745

This is a change put in the bill in just the last few minutes.

Ms. JACKSON-LEE of Texas. They can carry on current business and provide new grants at a 75-percent level that would include youth gangs, substance abuse, child welfare.

Mr. LIVINGSTON. There is a lengthy list, and we will make that a part of the RECORD.

Ms. JACKSON-LEE of Texas. I would appreciate that. Thank you very much.

Mr. Speaker, further reserving the right to object, I noticed in reference to NASA, as the gentleman well knows, they are engaged now in a series of space explorations and research, and, in fact, were preparing for such during the Government shutdown. There seems to be on page 2931, and I have no problem with assisting any of our sister States, some transfer of dollars, \$10 million to Mississippi, but that is not going to impair any further, ongoing, present explorations that are proposed now for NASA in the coming months and impinge on any safety factors for NASA?

Mr. LIVINGSTON. If the gentleman would yield further, she is correct, and this measure will free up an additional \$40 million for NASA; so they are actually better off because of this provision.

Ms. JACKSON-LEE of Texas. Mr. Speaker, further reserving the right to object, I am so concerned and I have two last questions.

There was an Executive order recently to deal with increased utilization of the Border Patrol coming from the State of Texas and obviously concerned with drug influx and other problems. The Department of Justice not being funded, do we have concern, or is there any way that that will not be negatively impacted, or are we in jeopardy?

Mr. LIVINGSTON. If the gentleman would yield further, I would advise the gentleman that the Department of Justice is funded at the conference level, and, in fact, most law enforcement authorities were already provided for in the targeted for appropriation under the bill that we passed early in January. So actually the Border Patrol would have been taken care of by the last bill.

Ms. JACKSON-LEE of Texas. If we pass the CR, but as you have indicated, that is protected and covered?

Mr. LIVINGSTON. Not only covered through the term of this bill, but through the end of the fiscal year by virtue of what we did earlier.

Ms. JACKSON-LEE of Texas. Mr. Speaker, lastly there were several riders in the VA-HUD bill, and, of course, we do realize that even though we are concerned and want to make sure that the Government stays open, there are still levels of disagreement on many of these pieces of legislation and, obviously, the appropriation process. Are these riders still in this CR that we might have some disagreement, particularly relating to the environment and relating to HUD in particular?

Mr. LIVINGSTON. If the gentleman would yield, I would advise the gentleman that the VA-HUD bill is funded at the conference level, but under last year's terms and conditions. So the restrictions and guidance language in the conference report would not apply.

Ms. JACKSON-LEE of Texas. Would not be included?

Mr. LIVINGSTON. Right.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Louisiana. I think that we are all trying to move to the point of resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2880, and that I may include tabular and extraneous material.

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

There was no objection.

THE BALANCED BUDGET DOWNPAYMENT ACT, 1

Mr. LIVINGSTON. Mr. Speaker, pursuant to the previous order of the House, I call up the bill (H.R. 2880) making appropriations for fiscal year 1996 to make a downpayment toward a balanced budget, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.
The text of H.R. 2880 is as follows:

H.R. 2880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 including the authority and conditions provided in emergency supplemental appropriations Acts for fiscal year 1995 for continuing projects or activities, except for those projects and activities provided for in Public Law 104-91 and Public Law 104-92, including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act as passed each House, excluding conference reports:

The Department of the Interior and Related Agencies Appropriations Act, 1996; and

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activities shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is not included in either version or where an item is included in only one version of the Act as passed by the House as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 111 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is funded in the applicable appropriations Act for the fiscal year 1995 and not included in the version passed by the one

House as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 111 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriations or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in an appropriations Act enactment in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this title of this Act.

SEC. 105. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period of which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act without any provision for such project or activity, or (c) March 15, 1996, whichever first occurs.

SEC. 107. This title of this Act shall be implemented so that only the most limited funding action of that permitted in this title of this Act shall be taken in order to provide for continuation of projects and activities.

SEC. 108. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this Act.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this title of this Act, except section 106, whenever an Act listed in section 101 as passed by both the House and the Senate as of the date of enactment of this Act, does not include funding for an ongoing project or activity for which there is a budget request, or whenever an Act listed in section 101 has been passed by only the House or only the Senate as of the date of enactment of this Act, and an item funded in fiscal year 1995 is not included in the version passed by the one House, or whenever the rate for operations

for an ongoing project or activity provided by section 101 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 101 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this title of this Act bears to 366. For the purposes of this title of this Act, the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 112. Notwithstanding any other provision of this title of this Act, except section 106, whenever the rate for operations for any continuing project or activity provided by section 101 or section 111 for which there is a budget request would result in a furlough of Government employees, the rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

Provided, That the first sentence of section 112 shall not apply except to furloughs that exceed one workday per pay period for the affected workforce during the period of January 26, 1996 through March 15, 1996.

SEC. 113. Notwithstanding any other provision of this title of this Act, except sections 106 and 111, for those programs that had high initial rates of operations or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this Act that would impinge on final funding prerogatives.

SEC. 114. Notwithstanding any other provision of this title of this Act, except section 106, any distribution of funding under the Rehabilitation Services and Disability Research account in the Department of Education may be made up to an amount that bears the same ratio to the rate for operation for this account provided by this title of this Act as the number of days covered by this title of this Act bears to 366.

SEC. 115. Notwithstanding any other provision of this Act, except section 106, the rate for operations of the following projects or activities shall be only the minimum necessary to accomplish orderly termination:

Child Development Associate Scholarships in the Department of Health and Human Services;

Dependent Care Planning and Development in the Department of Health and Human Services;

Law Related Education in the Department of Education;

Dropout Prevention Demonstrations in the Department of Education;

Aid for Institutional Development—Endowment Grants in the Department of Education;

Aid for Institutional Development—Evaluation in the Department of Education;

Native Hawaiian and Alaska Native Cultural Arts;

Innovative Projects in Community Service in the Department of Education;

Cooperative Education in the Department of Education; and

Douglas Teacher Scholarships in the Department of Education.

SEC. 116. COMPENSATION AND RATIFICATION OF AUTHORITY.—(a) Any Federal employees furloughed as a result of a lapse in appropriations, if any, after midnight November 13, 1995, until the enactment of this Act shall be compensated at their standard rate of compensation for the period during which there was a lapse in appropriations.

All obligations incurred in anticipation of the appropriations made and the authority granted by this title of this Act for the purposes of maintaining the essential level of activity to protect life and property and bring about orderly termination of Government functions are hereby ratified and approved if otherwise in accord with the provisions of this title of this Act.

SEC. 117. Notwithstanding any other provision of this title of this Act, except section 106, upon enactment of this Act any new grants or contracts for the following programs shall be made at a level act to exceed a rate of 75 percentum of prior monthly awards:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration:

Health Resources and Services: Trauma Care; Health Care Facilities.

Assistant Secretary for Health:

Office of the Assistant Secretary for Health: National Vaccine Program; Health Care Reform Data Analysis; National AIDS Program Office.

Health Care Financing Administration:

Program Management: Essential Access Community Hospitals.

Administration for Children and Families:

Children and Families Services Program: Youth Gang Substance Abuse; Advisory Board on Child Abuse and Neglect; Child Welfare Research; Social Services Research; Homeless Service Grants; Community Schools (crime trust fund).

Administration on Aging:

Aging Services Programs: Pension Counseling; Federal Council on Aging; White House Conference on Aging.

DEPARTMENT OF EDUCATION

Education for the Disadvantaged: State School Improvement.

School Improvement Programs: Safe and Drug Free Schools and Communities: National Program; Women's Educational Equity.

Bilingual and Immigrant Education: Bilingual Education Support Services.

Higher Education: Faculty Development Fellowships; School, College, and University Partnerships.

RELATED AGENCIES

Corporation for National and Community Service: Domestic Volunteer Service Programs, Operating Expenses: Senior Demonstration Program.

National Education Standards and Improvement Council.

SEC. 118. Notwithstanding any other provision of law or this Act, upon enactment of this Act the Secretary of each cabinet level department other than State, Defense, Ambassador to the United Nations, and Central Intelligence shall not obligate a total amount of funds for their individual official travel expenses for fiscal year 1996 that would be greater than 110 per centum of the average total amount of the individual official travel expenses of the relevant departmental secretary for the fiscal years 1990 through 1995.

SEC. 119. Notwithstanding any other provision of law or of this title of this Act, the maximum Pell Grant for which a student shall be eligible under the Higher Education

Act of 1965, as amended, during award year 1996-1997 shall be at least \$2,440.

SEC. 120. Notwithstanding any other provision of law, the first proviso under the heading "Education for the disadvantaged" in title III of H.R. 2127, as passed by the House of Representatives, shall take effect upon enactment of this Act.

SEC. 121. 501 FIRST STREET SE., DISTRICT OF COLUMBIA.

(a) DISPOSAL OF REAL PROPERTY.—

(1) IN GENERAL.—The Architect of the Capitol shall dispose of by sale at fair market value all right, title, and interest of the United States in and to the parcel of real property described in paragraph (9), including all improvements to such real property. Such disposal shall be made by quitclaim deed.

(2) HOUSE OFFICE BUILDING COMMISSION.—The Architect of the Capitol shall carry out this section under the direction of the House Office Building Commission.

(3) PROCEDURES.—Notwithstanding any other provision of law, the disposal under paragraph (1) shall be made in accordance with such procedures as the Architect of the Capitol determines appropriate.

(4) SENSE OF CONGRESS.—It is the sense of Congress that the child care center of the House of Representatives should remain in operation during the implementation of this section.

(5) TERMS AND CONDITIONS.—The deed of conveyance for the property to be disposed of under paragraph (1) shall contain such terms and conditions as the Architect of the Capitol determines are necessary to protect the interests of the United States.

(6) DEPOSIT OF PROCEEDS.—All proceeds from the disposal under paragraph (1) shall be deposited in the account established by subsection (b).

(7) ADVERTISING AND MARKETING.—The Architect of the Capitol shall begin advertising and marketing the property to be disposed of under paragraph (1) not later than 30 days after the date of the enactment of this Act.

(8) LOCAL ZONING AND OCCUPANCY REQUIREMENTS.—Until such date as the purchaser of the property to be disposed of under paragraph (1) takes full occupancy of such property, such property and the tenants of such property shall be deemed to be in compliance with all applicable zoning and occupancy requirements of the District of Columbia.

(9) PROPERTY DESCRIPTION.—The parcel of real property referred to in paragraph (1) is the approximately 31,725 square feet of land located at 501 First Street, SE., on square 736 S, Lot 801 (formerly part of Reservation 17) in the District of Columbia. Such parcel is bounded by E Street, SE., to the north, First Street, SE., to the east, New Jersey Avenue, SE., to the west, and Garfield Park to the south.

(b) SEPARATE ACCOUNT IN THE TREASURY.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account which shall consist of amounts deposited into the account by the Architect of the Capitol under subsection (a).

(2) AVAILABILITY OF FUNDS.—Funds in the account established by paragraph (1) shall be available, in such amounts as are specified in appropriations Acts, to the Architect of the Capitol for—

(A) payment of expenses associated with relocating the tenants of the property to be disposed of under subsection (a)(1);

(B) payment of expenses associated with renovating facilities under the jurisdiction of the Architect for the purpose of accommodating such tenants; and

(C) reimbursement of expenses incurred for advertising and marketing activities related to the disposal under subsection (a)(1) in a total amount of not to exceed \$75,000.

Funds made available under this paragraph shall not be subject to any fiscal year limitation.

(3) REPORTING OF TRANSACTIONS.—Receipts, obligations, and expenditures of funds in the account established by paragraph (1) shall be reported in annual estimates submitted to Congress by the Architect of the Capitol for the operation and maintenance of the Capitol Buildings and Grounds.

(4) TERMINATION OF ACCOUNT.—Not later than 2 years after the date of settlement on the property to be disposed of under subsection (a)(1), the Architect of the Capitol shall terminate the account established by paragraph (1) and all amounts remaining in the account shall be deposited into the general fund of the Treasury of the United States and credited as miscellaneous receipts.

(c) AUTHORITY TO FURNISH STEAM AND CHILLED WATER.—

(1) IN GENERAL.—The Architect of the Capitol is authorized to furnish steam and chilled water from the Capitol Power Plant to the owner of the property to be disposed of under subsection (a)(1) if the owner agrees to pay for such steam and chilled water at market rates, as determined by the Architect of the Capitol.

(2) AUTHORITY LIMITED TO EXISTING FACILITIES.—The Architect of the Capitol may furnish steam and chilled water under paragraph (1) only with respect to facilities which, on the date of the enactment of this Act, are located on the property to be disposed of under subsection (a)(1).

(3) PROCEEDS.—All proceeds from the sale of steam and chilled water under paragraph (1) shall be deposited into the general fund of the Treasury of the United States and credited as miscellaneous receipts.

SEC. 122. Notwithstanding any other provision of this title of this Act except section 106, such sums as necessary are hereby appropriated for all projects and activities funded under the account heading "Office for Civil Rights" under the Office of the Secretary in the Department of Health and Human Services at a rate for operations not to exceed an annual rate for new obligational authority of \$16,153,000 for general funds together with not to exceed an annual rate for new obligational authority of \$3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 123. Activities necessary to effect the following program eliminations and transfers of selected functions are funded under the terms and conditions and at a rate of operations, notwithstanding any other provision of this title of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-402) on the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995:

All projects and activities under the account heading "Public Development" under the Pennsylvania Avenue Development Corporation;

All projects and activities under the account heading "Mines and Minerals" under the Bureau of Mines in Department of the Interior;

All activities related to the transfer of functions from the Bureau of Mines under the account heading "Management of Lands and Resources" under the Bureau of Land Management in the Department of the Interior;

All activities related to the transfers of functions from the Bureau of Mines and from

the National Biological Service under the account heading "Surveys, Investigations, and Research" under the United States Geological Survey in the Department of the Interior; and

All activities related to the transfer of functions from the Bureau of Mines under the account heading "Fossil Energy Research and Development" in the Department of Energy.

SEC. 124. Notwithstanding any other provision of this title of this Act, the appropriations and funds made available and authority granted pursuant to the preceding section shall be available until (a) enactment into law of an appropriation for any project or activity provided for in that section, or (b) the enactment into law of the applicable appropriations Act without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 125. Notwithstanding any other provision of this title of this Act, except section 106, such amounts as may be necessary are hereby appropriated to effect the sale of Weeks Island oil from the Strategic Petroleum Reserve under the terms and conditions and at a rate of operations provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-402) on the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995.

SEC. 126. Notwithstanding any other provision of this title of this Act, such amounts as may be necessary are hereby appropriated under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing, at a rate for operations provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-402) on the Department of the Interior and Related Agencies Appropriations Act, 1996, (H.R. 1977) as passed by the House of Representatives on December 13, 1995, for the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which are conducted in the fiscal year 1995: all projects or activities of the Indian Health Services, Indian Health Service Facilities Bureau of Indian Affairs, National Park Service, notwithstanding any other provision of law, the United States Fish and Wildlife Service, notwithstanding any other provision of law, and the Forest Service, notwithstanding any other provision of law, *Provided*, That appropriations and funds made available and authority granted pursuant to this section shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this section, or (b) the enactment into law of the applicable appropriations Act without any provision for such project or activity, or (c) March 15, 1996, whichever first occurs.

SEC. 127. Notwithstanding any other provision of this title of this Act except section 106, projects and activities under the account heading "Salaries and expenses" under the National Labor Relations Board shall be subject to the provisions of section 112 of Public Law 104-56.

SEC. 128. None of the funds made available by Public Law 104-91 may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and 42 U.S.C. 289g(b).

For purposes of this section, the phrase "human embryo or embryos" shall include

any organism, not protected as a human subject under 45 CFR 46 as of the date of enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes.

SEC. 129. TECHNICAL AMENDMENT TO PROHIBITION OF GRANTS FOR 501(c)(4) ORGANIZATIONS ENGAGING IN LOBBYING ACTIVITIES.

(a) IN GENERAL.—Section 18 of the Lobbying Disclosure Act of 1995 is amended by striking "award, grant, contract, loan, or any other form" and inserting "award, grant, or loan".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the Lobbying Disclosure Act of 1995 on the date of the enactment of such Act.

SEC. 130. No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101-382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1996, the order issued under section 491(b)(2)(A) of Public Law 101-382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1996.

SEC. 131. Notwithstanding any other provision of this Act, an additional \$2,000,000 is hereby appropriated for the National Park Service, Park Service construction for repair of flood damage to the Chesapeake and Ohio Canal National Historical Park.

TITLE II—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS

SEC. 201. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for projects or activities, except for those projects and activities provided for in Public Law 104-91 and Public Law 104-92, including costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) at a rate for operations provided for in the conference report and joint explanatory statement of the Committee of Conference, House Report 104-378, on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed by the House of Representatives on December 6, 1995, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), and section 53 of the Arms Control and Disarmament Act: *Provided*, That, notwithstanding any other provision of this title of this Act, the rate for operations only for program administration and the continuation of grants awarded in fiscal year 1995 and prior years of the Advanced Technology Program of the National Institute of Standards and Technology, and the rate for operations for the Ounce of Prevention Council, Drug

Courts, Global Learning and Observations to Benefit the Environment and for the Cops on the Beat Program may be increased up to a level of 75 per centum of the final fiscal year 1995 appropriated amount: *Provided further*, That, under the previous proviso, no contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by the previous proviso as the number of days covered by this resolution bears to 366: *Provided further*, That any costs incurred by a Department or agency funded under this subsection resulting from personnel actions taken in response to funding reductions resulting from this Act shall be absorbed within the total budgetary resources available to such Department or agency: *Provided further*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out the preceding proviso is provided in addition to authorities provided elsewhere in this subsection: *Provided further*, That funds to carry out the preceding two provisos shall not be available for obligation or expenditure except in compliance with established reprogramming procedures: *Provided further*, That, notwithstanding any other provision of this title of this Act, the amount of funds obligated or expended by the Legal Services Corporation shall not exceed an amount that bears the same ratio to the rate for operations available to the Legal Services Corporation as the number of days covered by this resolution bears to 366: *Provided further*, That, notwithstanding any other provision of this title of this Act, funding provided for Violent Offender Incarceration and Truth in Sentencing Incentive Grants, with the exception of funds available to States for incarceration of criminal aliens and the Cooperative Agreement Program, shall be withheld, pending enactment of revisions to subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994, so as not to impinge upon final funding prerogatives: *Provided further*, That, notwithstanding any other provision of this title of this Act, sufficient funds shall be provided to continue the Office of Inspector General of the United States Information Agency, to be derived from funds otherwise available to the Office of Inspector General of the Department of State.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS

(b) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities, except for those projects and activities provided for in Public Law 104-91 and Public Law 104-92, including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) at a rate for operations provided for in the conference report and joint explanatory statement of the Committee of Conference, House Report 104-384, on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995: *Provided*, That Senate amendment 63 shall be disposed of in the manner passed by the House on December 7, 1995, as if enacted into law: *Provided further*, That, notwithstanding any other provision of this title of this Act, the rate for operations for the Corporation for National and Community Service, the Community Development Financial Institutions Fund, and the Office of Consumer Affairs may be increased up to a level of 75 per centum of the fiscal year 1995 level: *Provided further*, That, under the previous proviso, no new contracts or grants

shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by the previous proviso as the number of days covered by this resolution bears to 366: *Provided further*, That the penultimate proviso under the heading "General Operating Expenses" and sections 107 and 109 under the heading "Administrative Provisions" in the Department of Veterans Affairs are effective to the extent and in the manner, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-384) on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995.

SEC. 202. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) the enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) March 15, 1996, whichever first occurs.

SEC. 203. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 204. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 205. Appropriations made by section 201 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 206. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 202(c) of this Act.

SEC. 207. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 208. Public Law 104-92 is amended by repealing Title II and by inserting in section 101(a) after the paragraph ending with "under the Railroad Retirement Board;" the following paragraphs: "All activities, including administrative and beneficiary travel expenses of all veterans benefit programs, necessary for the provision of veterans benefits funded in the Department of Veterans Affairs under the headings "Compensation and pensions", "Readjustment benefits", "Veterans insurance and indemnities", "Guaranty and indemnity program account", "Loan guaranty program account", "Direct loan program account", "Education loan fund program account", "Vocational rehabilitation loans program account", "Native American veteran housing loan program account", and "Administrative provisions, SEC. 107" to the extent and in the manner and at the rate of operations, notwithstanding any other provision of this joint resolution, provided

for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-384) on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995;

All payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs for goods and services that directly relate to patient health and safety to the extent and in the manner and at the rate for operations, notwithstanding any other provision of this joint resolution, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-384) on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995;".

SEC. 209. Notwithstanding any other provision of this title of this Act, except section 202, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 103-352, which fee rate and offsetting collection authority shall remain in effect during the period of this title of this Act.

SEC. 210. Notwithstanding any other provision of this title of this Act, except section 202, funds for the Environmental Protection Agency shall be made available in the appropriation accounts which are provided in H.R. 2099 as reported on September 13, 1995.

SEC. 211. Public Law 104-91 is amended by inserting after the words "the protection of the Federal judiciary" in section 101(a), the following: "to the extent and in the manner and", and by inserting at the end of the paragraph containing those words, but before the semicolon, the following: "; *Provided*, That, with the exception of section 114, the General Provisions for the Department of Justice included in Title I of the aforementioned conference report are hereby enacted into law".

SEC. 212. Notwithstanding any other provision of law or regulation, the National Aeronautics and Space Administration shall convey, without reimbursement, to the State of Mississippi, all rights, title and interest of the United States in the property known as the Yellow Creek Facility and consisting of approximately 1,200 acres near the city of Iuka, Mississippi, including all improvements thereon and also including any personal property owned by NASA that is currently located on-site and which the State of Mississippi requires to facilitate the transfer: *Provided*, That appropriated funds shall be used to effect this conveyance: *Provided further*, That \$10,000,000 in appropriated funds otherwise available to the National Aeronautics and Space Administration shall be transferred to the State of Mississippi to be used in the transition of the facility: *Provided further*, That each Federal agency with prior contact to the site shall remain responsible for any and all environmental remediation made necessary as a result of its activities on the site: *Provided further*, That in consideration of this conveyance, the National Aeronautics and Space Administration may require such other terms and conditions as the Administrator deems appropriate to protect the interests of the United States: *Provided further*, That the conveyance of the site and the transfer of the funds to the State of Mississippi shall occur not later than thirty days from the date of enactment of this Act.

SEC. 213. Notwithstanding any other provision of this title of this Act except section 202, projects and activities under the account heading "Council on Environmental Quality and Office of Environmental Quality" shall be subject to the provisions of section 112 of Public Law 104-56.

SEC. 214. Notwithstanding any other provision of this title of this Act, except section 202, whenever the rate for operations for any continuing project or activity provided by section 201 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366: *Provided further*, That the first sentence of section 214 shall not apply except to furloughs that exceed one workday per pay period for the affected workforce during the period of January 26, 1996 through March 15, 1996.

TITLE III—FOREIGN OPERATIONS EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

SEC. 301. Such amounts as may be necessary for programs, projects, or activities provided for in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (H.R. 1868), at a rate for operations and to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104-295) as passed by the House of Representatives on October 31, 1995, as if enacted into law, notwithstanding any other provision of this title of this Act: *Provided*, That Senate amendment numbered 115 shall be disposed of as follows, as if enacted into law:

In lieu of the matter proposed by the Senate in amendment numbered 115, insert the following:

AUTHORIZATION OF POPULATION PLANNING

SEC. 518A. Notwithstanding section 526 of this Act, none of the funds made available in this Act for population planning activities or other population assistance pursuant to section 104(b) of the Foreign Assistance Act or any other provision of law, or funds made available in title IV of this Act as a contribution to the United Nations Population Fund (UNFPA) may be obligated or expended prior to July 1, 1996, unless such funding is expressly authorized by law: *Provided*, That if such funds are not authorized by law prior to July 1, 1996, funds appropriated in title II of this Act for population planning activities or other population assistance may be made available for obligation and expenditure in an amount not to exceed 65 percent of the total amount appropriated or otherwise made available by P.L. 103-306 and P.L. 104-19 for such activities for fiscal year 1995, and funds appropriated in title IV of this Act as a contribution to the United Nations Population Fund (UNFPA) may be made available for obligation and expenditure in an amount not to exceed 65 percent of the total amount appropriated or otherwise made available by P.L. 103-306 and P.L. 104-19 for a contribution to UNFPA for fiscal year 1995: *Provided further*, That, pursuant to the previous proviso, such funds may be apportioned only on a monthly basis, beginning July 1, 1996 and ending September 30, 1997, and such monthly apportionments may not exceed 6.67 percent of the total available for such activities: *Provided further*, That notwithstanding any other provision of this Act, funds appropriated by this Act for the United Nations Population Fund (UNFPA) shall remain available for obligation until September 30, 1997.

SEC. 302. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) the enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 303. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 304. Expenditures made pursuant to this title of this act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

TITLE IV—HOUSING AND URBAN DEVELOPMENT

SEC. 401. During fiscal year 1996, the Secretary of Housing, and Urban Development may manage and dispose of multifamily properties owned by the Secretary, including the provision for grants from the General Insurance Fund (12 U.S.C. 1735c) for the necessary costs of rehabilitation and other related development costs and multifamily mortgages held by the Secretary without regard to any other provision of law.

PUBLIC AND ASSISTED HOUSING RENTS, INCOME ADJUSTMENTS, AND PREFERENCES

SEC. 402. (a) MINIMUM RENTS.—Notwithstanding sections 3(a) and 8(o)(2) of the United States Housing Act of 1937, as amended, effective for fiscal year 1996 and no later than October 30, 1995—

(1) public housing agencies shall require each family who is assisted under the certificate or moderate rehabilitation program under section 8 of such Act to pay a minimum monthly rent of not less than \$25, and may require a minimum monthly rent of up to \$50;

(2) public housing agencies shall reduce the monthly assistance payment on behalf of each family who is assisted under the voucher program under section 8 of such Act so that the family pays a minimum monthly rent of not less than \$25, and may require a minimum monthly rent of up to \$50;

(3) with respect to housing assisted under other programs for rental assistance under section 8 of such Act, the Secretary shall require each family who is assisted under such program to pay a minimum monthly rent of not less than \$25 for the unit, and may require a minimum monthly rent of up to \$50; and

(4) public housing agencies shall require each family who is assisted under the public housing program (including public housing for Indian families) of such Act to pay a minimum monthly rent of not less than \$25, and may require a minimum monthly rent of up to \$50.

(b) ESTABLISHMENT OF CEILING RENTS.—

(1) Section 3(a)(2) of the United States Housing Act of 1937 is amended to read as follows:

“(2) Notwithstanding paragraph (1), a public housing agency may—

“(A) adopt ceiling rents that reflect the reasonable market value of the housing, but that are not less than the monthly costs—

“(i) to operate the housing of the agency; and

“(ii) to make a deposit to a replacement reserve (in the sole discretion of the public housing agency); and

“(B) allow families to pay ceiling rents referred to in subparagraph (A), unless, with respect to any family, the ceiling rent established under this paragraph would exceed the amount payable as rent by that family under paragraph (1).”.

(2) REGULATIONS.—

(A) IN GENERAL.—The Secretary shall, by regulation, after notice and an opportunity for public comment, establish such requirements as may be necessary to carry out section 3(a)(2)(A) of the United States Housing Act of 1937, as amended by paragraph (1).

(B) TRANSITION RULE.—Prior to the issuance of final regulations under paragraph (1), a public housing agency may implement ceiling rents, which shall be not less than the monthly costs to operate the housing of the agency and—

(i) determined in accordance with section 3(a)(2)(A) of the United States Housing Act of 1937, as that section existed on the day before enactment of this Act;

(ii) equal to the 95th percentile of the rent paid for a unit of comparable size by tenants in the same public housing project or a group of comparable projects totaling 50 units or more; or

(iii) equal to the fair market rent for the area in which the unit is located.

(c) DEFINITION OF ADJUSTED INCOME.—Section 3(b)(5) of the United States Housing Act of 1937 is amended—

(1) at the end of subparagraph (F), by striking “and”;

(2) at the end of subparagraph (G), by striking the period and inserting “; and”;

(3) by inserting after subparagraph (G) the following:

“(H) for public housing, any other adjustments to earned income established by the public housing agency. If a public housing agency adopts other adjustments to income pursuant to subparagraph (H), the Secretary shall not take into account any reduction of or increase in the public housing agency's per unit dwelling rental income resulting from those adjustments when calculating the contributions under section 9 for the public housing agency for the operation of the public housing.”.

(d) REPEAL OF FEDERAL PREFERENCES.—

(1) PUBLIC HOUSING.—Section 6(c)(4)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(4)(A)) is amended to read as follows:

“(A) the establishment, after public notice and an opportunity for public comment, of a written system of preferences for admission to public housing, if any, that is not inconsistent with the comprehensive housing affordability strategy under title I of the Cranston-Gonzalez National Affordable Housing Act.”.

(2) SECTION 8 EXISTING AND MODERATE REHABILITATION.—Section 8(d)(1)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)) is amended to read as follows:

“(A) the selection of tenants shall be the function of the owner, subject to the provisions of the annual contributions contract between the Secretary and the agency, except that for the certificate and moderate rehabilitation programs only, for the purpose of selecting families to be assisted, the public housing agency may establish, after public notice and an opportunity for public comment, a written system of preferences for selection that is not inconsistent with the comprehensive housing affordability strategy under title I of the Cranston-Gonzalez National Affordable Housing Act.”.

(3) SECTION 8 VOUCHER PROGRAM.—Section 8(o)(3)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(3)(B)) is amended to read as follows:

“(B) For the purpose of selecting families to be assisted under this subsection, the pub-

lic housing agency may establish, after public notice and an opportunity for public comment, a written system of preferences for selection that is not inconsistent with the comprehensive housing affordability strategy under title I of the Cranston-Gonzalez National Affordable Housing Act.”.

(4) SECTION 8 NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION.—

(A) REPEAL.—Section 454(c) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1437f note) is amended to read as follows:

“(c) [Reserved.]”.

(B) PROHIBITION.—Notwithstanding any other provision of law, no Federal tenant selection preferences under the United States Housing Act of 1937 shall apply with respect to—

(i) housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of the United States Housing Act of 1937 (as such section existed on the day before October 1, 1983); or

(ii) projects financed under section 202 of the Housing Act of 1959 (as such section existed on the day before the date of enactment of the Cranston-Gonzalez National Affordable Housing Act).

(5) RENT SUPPLEMENTS.—Section 101(k) of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s(k)) is amended to read as follows:

“(k) [Reserved.]”.

(6) CONFORMING AMENDMENTS.—

(A) UNITED STATES HOUSING ACT OF 1937.—The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended—

(i) in section 6(o), by striking “preference rules specified in” and inserting “written system of preferences for selection established pursuant to”;

(ii) in the second sentence of section 7(a)(2), by striking “according to the preferences for occupancy under” and inserting “in accordance with the written system of preferences for selection established pursuant to”;

(iii) in section 8(d)(2)(A), by striking the last sentence;

(iv) in section 8(d)(2)(H), by striking “Notwithstanding subsection (d)(1)(A)(i), an” and inserting “An”;

(v) in section 16(c), in the second sentence, by striking “the system of preferences established by the agency pursuant to section 6(c)(4)(A)(ii)” and inserting “the written system of preferences for selection established by the public housing agency pursuant to section 6(c)(4)(A)”;

(vi) in section 24(e)—

(I) by striking “(e) EXCEPTIONS” and all that follows through “The Secretary may” and inserting the following:

“(e) EXCEPTIONS TO GENERAL PROGRAM REQUIREMENTS.—The Secretary may”;

(II) by striking paragraph (2).

(B) CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT.—Section 522(f)(6)(B) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704 et seq.) is amended by striking “any preferences for such assistance under section 8(d)(1)(A)(i)” and inserting “the written system of preferences for selection established pursuant to section 8(d)(1)(A).”.

(C) HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992.—Section 655 of the Housing and Community Development Act of 1992 (42 U.S.C. 13615) is amended by striking “the preferences” and all that follows up to the period at the end and inserting “any preferences”.

(D) REFERENCES IN OTHER LAW.—Any reference in any Federal law other than any provision of any law amended by paragraphs (1) through (5) of this subsection to the preferences for assistance under section

6(c)(4)(A)(i), 8(d)(1)(A)(i), or 8(o)(3)(B) of the United States Housing Act of 1937 (as such sections existed on the day before the date of enactment of this Act) shall be considered to refer to the written system of preferences for selection established pursuant to section 6(c)(4)(A), 8(d)(1)(A), or 8(o)(3)(B), respectively, of the United States Housing Act of 1937, as amended by this section.

(e) **APPLICABILITY.**—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendments made by subsection (a), (b), (c), (d), and (f) of this section shall also apply to public housing developed or operated pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

(4) This section shall be effective upon the enactment of this Act and only for fiscal year 1996.

SECTION 8 FAIR MARKET RENTALS, ADMINISTRATIVE FEES, SINGLE-FAMILY ASSIGNMENT PROGRAM, and INDIAN HOUSING AUTHORITY
to a contract between the Secretary of Housing and Urban Development and an Indian housing authority

SEC. 403. (a) FAIR MARKET RENTALS.—The Secretary shall establish fair market rentals for purposes of section 8(c)(1) of the United States Housing Act of 1937, as amended, that shall be effective for fiscal year 1996 and shall be based on the 40th percentile rent of rental distributions of standard quality rental housing units. In establishing such fair market rentals, the Secretary shall consider only the rents for dwelling units occupied by recent movers and may not consider the rents for public housing dwelling units or newly constructed rental dwelling units.

(b) **ADMINISTRATIVE FEES.**—Notwithstanding sections 8(q) (1) and (4) of the United States Housing Act of 1937, for fiscal year 1996, the fee for each month for which a dwelling unit is covered by an assistance contract under the certificate, voucher, or moderate rehabilitation program under section 8 of such Act shall be equal to the monthly fee payable for fiscal year 1995: *Provided*, That this subsection shall be applicable to all amounts made available for such fees during fiscal year 1996, as if in effect on October 1, 1995.

(c) **DELAY REISSUANCE OF VOUCHERS AND CERTIFICATES.**—Notwithstanding any other provision of law, a public housing agency administering certificate or voucher assistance provided under subsection (b) or (o) of section 8 of the United States Housing Act of 1937, as amended, shall delay for 3 months, the use of any amounts of such assistance (or the certificate or voucher representing assistance amounts) made available by the termination during fiscal year 1996 of such assistance on behalf of any family for any reason, but not later than October 1, 1996; with the exception of any certificates assigned or committed to project-based assistance as permitted otherwise by the Act, accomplished prior to the effective date of this Act.

REPEAL OF PROVISIONS REGARDING INCOME DISREGARDS

SEC. 404. (a) MAXIMUM ANNUAL LIMITATION ON RENT INCREASES RESULTING FROM EMPLOYMENT.—Section 957 of the Cranston-Gonzalez National Affordable Housing Act is hereby repealed, retroactive to November 28, 1990, and shall be of no effect.

(b) **ECONOMIC INDEPENDENCE.**—Section 923 of the Housing and Community Development Act of 1992 is hereby repealed, retroactive to October 28, 1992, and shall be of no effect.

SECTION 8 CONTRACT RENEWALS

SEC. 405. (a) For fiscal year 1996 and henceforth, the Secretary of Housing and Urban Development may use amounts available for the renewal of assistance under section 8 of the United States Housing Act of 1937, upon termination or expiration of a contract for assistance under section 8 of such Act of 1937 (other than a contract for tenant-based as-

sistance and notwithstanding section 8(v) of such Act for loan management assistance), to provide assistance under section 8 of such Act, subject to the Section 8 Existing Fair Market Rents, for the eligible families assisted under the contracts at expiration or termination, which assistance shall be in accordance with terms and conditions prescribed by the Secretary.

(b) Notwithstanding subsection (a) and except for projects assisted under section 8(e)(2) of the United States Housing Act of 1937 (as it existed immediately prior to October 1, 1991), at the request of the owner, the Secretary shall renew for a period of one year contracts for assistance under section 8 that expire or terminate during fiscal year 1996 at the current rent levels.

(c) Section 8(v) of the United States Housing Act of 1937 is amended to read as follows: "The Secretary may extend expiring contracts entered into under this section for project-based loan management assistance to the extent necessary to prevent displacement of low-income families receiving such assistance as of September 30, 1996."

(d) Section 236(f) of the National Housing Act (12 U.S.C. 1715z-1(f)) is amended:

(1) by striking the second sentence in paragraph (1) and inserting in lieu thereof the following: "The rental charge for each dwelling unit shall be at the basic rental charge or such greater amount, not exceeding the lower of (i) the fair market rental charge determined pursuant to this paragraph, or (ii) the fair market rental established under section 8(c) of the United States Housing Act of 1937 for the market area in which the housing is located, as represents 30 per centum of the tenant's adjusted income,"; and

(2) by striking paragraph (6)."

EXTENSION OF HOME EQUITY CONVERSION MORTGAGE PROGRAM

SEC. 406. Section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) is amended—

(1) in the first sentence, by striking "September 30, 1995" and inserting "September 30, 1996"; and

(2) in the second sentence, by striking "25,000" and inserting "30,000".

FHA SINGLE-FAMILY ASSIGNMENT PROGRAM REFORM

SEC. 407. (a) FORECLOSURE AVOIDANCE.—Except as provided in subsection (e), the last sentence of section 204(a) of the National Housing Act (12 U.S.C. 1710(a)) is amended by inserting before the period the following: "And provided further, That the Secretary may pay insurance benefits to the mortgagee to recompense the mortgagee for its actions to provide an alternative to the foreclosure of a mortgage that is in default, which actions may include special foreclosure, loan modification, and deeds in lieu of foreclosure, all upon terms and conditions as the mortgagee shall determine in the mortgagee's sole discretion, within guidelines provided by the Secretary, but which may not include assignment of a mortgage to the Secretary: *And provided further*, That for purposes of the preceding proviso, no action authorized by the Secretary and no action taken, nor any failure to act, by the Secretary or the mortgagee shall be subject to judicial review."

(b) **AUTHORITY TO ASSIST MORTGAGORS IN DEFAULT.**—Except as provided in subsection (e), section 230 of the National Housing Act (12 U.S.C. 1715u) is amended to read as follows:

"AUTHORITY TO ASSIST MORTGAGORS IN DEFAULT

"SEC. 230. (a) PAYMENT OF PARTIAL CLAIM.—The Secretary may establish a program for payment of a partial claim to a mortgagee that agrees to apply the claim

amount to payment of a mortgage on a 1- to 4-family residence that is in default. Any such payment under such program to the mortgagee shall be made in the sole discretion of the Secretary and on terms and conditions acceptable to the Secretary, except that—

"(1) the amount of the payment shall be in an amount determined by the Secretary, not to exceed an amount equivalent to 12 of the monthly mortgage payments and any costs related to the default that are approved by the Secretary; and

"(2) the mortgagor shall agree to repay the amount of the insurance claim to the Secretary upon terms and conditions acceptable to the Secretary.

The Secretary may pay the mortgagee, from the appropriate insurance fund, in connection with any activities that the mortgagee is required to undertake concerning repayment by the mortgagor of the amount owed to the Secretary.

"(b) **ASSIGNMENT.**—

"(1) **PROGRAM AUTHORITY.**—The Secretary may establish a program for assignment to the Secretary, upon request of the mortgagee, of a mortgage on a 1- to 4-family residence insured under this Act.

"(2) **PROGRAM REQUIREMENTS.**—The Secretary may accept assignment of a mortgage under a program under this subsection only if—

"(A) the mortgage was in default;

"(B) the mortgagee has modified the mortgage to cure the default and provide for mortgage payments within the reasonable ability of the mortgagor to pay, at interest rates not exceeding current market interest rates; and

"(C) the Secretary arranges for servicing of the assigned mortgage by a mortgagee (which may include the assigning mortgagee) through procedures that the Secretary has determined to be in the best interests of the appropriate insurance fund.

"(3) **PAYMENT OF INSURANCE BENEFITS.**—Upon accepting assignment of a mortgage under a program established under this subsection, the Secretary may pay insurance benefits to the mortgagee from the appropriate insurance fund, in an amount that the Secretary determines to be appropriate, not to exceed the amount necessary to compensate the mortgagee for the assignment and any losses and expenses resulting from the mortgage modification.

"(c) **PROHIBITION OF JUDICIAL REVIEW.**—No decision by the Secretary to exercise or forego exercising any authority under this section shall be subject to judicial review.

"(d) **SAVINGS PROVISION.**—Any mortgage for which the mortgagor has applied to the Secretary, before the date of enactment of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, for assignment pursuant to subsection (b) of this section as in effect before such date of enactment shall continue to be governed by the provisions of this section, as in effect immediately before such date of enactment.

"(e) **APPLICABILITY OF OTHER LAWS.**—No provision of this Act, or any other law, shall be construed to require the Secretary to provide an alternative to foreclosure for mortgagees with mortgages on 1- to 4-family residences insured by the Secretary under this Act, or to accept assignments of such mortgages."

(c) **APPLICABILITY OF AMENDMENTS.**—Except as provided in subsection (e), the amendments made by subsections (a) and (b) shall apply only with respect to mortgages insured under the National Housing Act that are originated before October 1, 1995.

(d) **REGULATIONS.**—Not later than 60 days after the date of enactment of this Act, the

Secretary of Housing and Urban Development shall issue interim regulations to implement this section and the amendments made by this section.

(e) EFFECTIVENESS AND APPLICABILITY.—If this Act is enacted after the date of enactment of the Balanced Budget Act of 1995—

(1) subsections (a), (b), (c), and (d) of this section shall not take effect; and

(2) section 2052(c) of the Balanced Budget Act of 1995 is amended by striking "that are originated on or after October 1, 1995" and inserting in lieu thereof "that are originated before, during, and after fiscal year 1996."

This Act may be cited as "The Balanced Budget Downpayment Act, I".

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

The Chair recognized the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. Speaker, once again I want to commend the gentleman from Wisconsin [Mr. OBEY], my colleague and the distinguished ranking member on the committee, for working closely with me to make sure that we had a bill that would not only pass this House, but will pass the other body and go to the President and, in fact, will be signed into law so the Government can continue.

Mr. Speaker, I am particularly pleased that although this was a hard-fought negotiation, it is one that we can all go back to our respective constituencies and be proud of. And I hope, that it will also lead to a long-term solution, so that we do not have to close down the Government or send more agency employees out to the streets while we conduct our business.

The fact is that seven appropriations bills have been signed into law for the current fiscal year, fiscal year 1996. In addition, the District of Columbia has authority to use local funds through September 30, so all of the programs under those seven bills and the District of Columbia are virtually funded.

We hope to come before the Congress within the next week and pass a District of Columbia bill. So the District of Columbia with provision for a portion of the Federal payment in this bill, but for the purposes of the remaining five appropriations bills, they are covered in one fashion or another by this Balanced Budget Downpayment Act.

Mr. Speaker, the activities in two appropriations acts are provided for through March 15. That is the operative date at the level of funding specified in the respective fiscal year 1996 conference agreements, but under the terms and conditions provided for, as I pointed out to the gentlewoman from Texas, in the applicable fiscal year 1995 Appropriations act. They are the Commerce, Justice, State, and Judiciary; and the VA-HUD bills.

The Foreign Operations bill, which has passed this House on numerous oc-

casions in one form or another, is likewise provided for in its entirety through September 30, not March 15, at the level specified in the conference agreement and under the terms and conditions of that agreement as if enacted into law.

Funding for population planning activities, or funds made available to the U.N. Population Fund, are not made available for expenditure unless authorized prior to July 1, 1996. If an authorization is not enacted by that date, then no more than 65 percent of the current rate may then be obligated.

In addition to those three bills, the activities in the following two appropriations bills, the Labor-HHS and Education bill and the Interior and related agencies bill, are provided for also through March 15, but at a level of funding that is the lower of either the House-passed, the Senate passed, or fiscal year 1995 current rate, but under the terms and conditions provided for in the applicable 1995 Appropriations Act.

Programs that were terminated or would be severely impacted may be funded at a rate of operations not to exceed 75 percent of the current rate. That is a 75 percent cap.

In addition, the following programs are funded at levels not to exceed 75 percent of the current rate of operations. They are specifically picked out. Those are AmeriCorps, ATP, Cops on the Beat, Ounce of Prevention Council, Drug Courts, Community Development Financial Institutions, and the Office of Consumer Affairs.

The bill would provide a restriction that would prohibit excessive travel by Cabinet-level Secretaries, except State, Defense, CIA, and the U.S. Ambassador to the United Nations, for obvious reasons involving national security. That level would be arrived at by computing 110 percent of the average of travel expenditures made by the Secretaries of those Departments between the years 1990 and 1995.

Let me stress, even though only certain bills are covered in this Balanced Budget Downpayment Act, I, the fact is the travel of all of the Secretaries, all of the Cabinet Secretaries, other than State, Defense, CIA, and U.S. Ambassador to the United Nations, will actually be covered by this provision. So if their travel expenditures exceed 110 percent of the mean of Secretarial travel between 1990 and 1995, they could well be in trouble and would be told by the U.S. Congress through this provision to stop traveling. I would like to restate that. They could be, and they will be.

Section 128 of the bill prohibits the use of funds for embryo research, and the bill also increases the maximum Pell grant award to at least \$2,440 per individual.

I would like to pause on that. I know the gentleman from Pennsylvania [Mr. GOODLING] is keenly concerned about this. I would like to tell the gentleman and any others that are concerned

about it that we have reached an agreement that can be confirmed by the gentleman from Wisconsin [Mr. OBEY], that the \$2,440 per individual is a figure that is not intended by the administration to be exceeded unless there is agreement among all of the parties on both sides, Democrat and Republican, with the White House, and with the Department of Education.

That was emphatically repeated to us, the gentleman from Wisconsin and to myself, within the last hour. And I know the gentleman from Pennsylvania is here, and I would like to yield to the gentleman from Wisconsin for his understanding on that conversation.

Mr. OBEY. Mr. Speaker, I would like to say that the gentleman is correct. We had conversation with the President's chief of staff, Mr. Panetta, and he indicated although the administration certainly would like to go above the \$2,440 level which is presently in the bill, and they want the flexibility for that to be considered, that they in fact have no intention of proceeding with any number that is higher than the one stipulated in this proposal, unless it is mutually agreed upon.

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

Mr. LIVINGSTON. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Speaker, I just want to make sure that if we do not have it in blood, we have to understand that any time we go up 100 bucks in a Pell grant, and we have already raised it higher than it has ever been in the history of Pell grants, we are talking about \$300 million. If we go up \$200, we are talking about \$600 million-plus, and that has to come from every other education program, and we have already lost in many other education programs.

Now, when the gentleman says "the parties have to agree," does it come back through committee? What does that mean?

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, I would say to the gentleman that in our conversations and Mr. Panetta, he swore to us that the administration would not raise the level per pupil under the Pell grants without the joint agreement of the gentleman from Pennsylvania, myself, the gentleman from Wisconsin, the gentleman's counterpart on his committee and counterparts in the Senate.

That is basically the tenor of the conversation I got. And I might add that even the \$2,440 per individual which we have provided in this bill and has been provided in the conference report is \$100 per individual more than was provided in any previous year. So we have gone up. On Pell grants we will actually expend a tremendous amount more money in the aggregate sense than has ever been provided before in previous years. So nobody can say we are cutting Pell grants.

Mr. OBEY. Mr. Speaker, if the gentleman would yield, I think that sooner or later in this place somebody has to

trust somebody, and while we certainly did not have a long conversation, because we did not have the time to give him, there was a time squeeze on people today, it was very clear and explicit that there would have to be widely reached understanding before any number other than \$2,440 would be pursued by the administration. Obviously, knowing Mr. Panetta's integrity, he certainly intends to live up to that agreement.

Mr. GOODLING. Mr. Speaker, if the gentleman would continue to yield, I just want to make sure. I want to make very, very sure that we are thoroughly convinced that the administration understands that they will not publish anything above \$2,440, unless they have the permission of those who are negotiating this issue.

Mr. OBEY. That was absolutely my understanding.

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, it is my understanding as well, I would tell the gentleman.

Moving right along, Mr. Speaker, the bill directs the Architect of the Capitol to sell a House office building that has been declared excess and enacts into law \$1.2 billion in legislative savings from the various housing programs under the VA-HUD appropriations bill, as shepherded by the distinguished and very capable gentleman from California [Mr. LEWIS].

It provides for the sale of 7 million barrels of oil from the strategic petroleum reserve, which results in increased Federal revenues of \$100 million. There are additional program terminations; in addition to those eight programs that were terminated by an earlier continuing resolution, House Joint Resolution 122, there are 10 programs which I will incorporate in the RECORD which are terminated by this act.

Finally, as was pointed out in one of the reservations of objection to the previous unanimous consent request, the bill proposes to freeze new grant activities at a level not exceed 75 percent of the prior monthly rate for the duration of this continuing resolution for various activities which will be made part of the RECORD. I might add, those activities all come under the Labor and Health and Human Services appropriations bill and, therefore, are already capped at 75 percent funding at the very most, but this would mean on a monthly basis the grants would be frozen at 75 percent of that.

I would point out that with respect to the Interior bill, all programs in the Interior bill will, in fact, be funded at the lowest of the low levels, with the exception of the Park Service, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, the Forest Service, The Indian Health Services, and Indian Health Service Facilities, which will be funded at conference levels.

□ 1800

The recent C&O Canal flood damage will be repaired to the tune of \$2 mil-

lion. Programs not at conference levels but at 75 percent include the Cops on the Beat, ATP, Drug Courts, GLOBE, Community Development Financial Institutions Fund, and Office of Consumer Affairs. The NLRB and the Council of Environmental Quality get special rates as well.

There is changed furlough language. The previous continuing resolutions provided enough funding so that we did not have to furlough people. We did not lay people off. Obviously, in view of the passage of time, one-third of the fiscal year, that language is outdated.

We are reducing many agencies and departments by 5 percent, at least 5 percent of their funding. And unless we begin to start to lay off people or furlough them, if necessary, then any savings that we might have received by virtue of the cuts become moot because everybody is still on the job. So it is important that we, in a methodical and careful way, allow the administration to go forward and start to tell those people that they can no longer afford to be carried.

I have to tell Members that the fact is, though, that we have been doing that in a workable fashion. The programs managed by the agencies and departments should not be penalized because we have not been doing it in the past and, therefore, they should not have to double up their efforts to furlough people or RIF people for the second quarter or second third of the year. Instead, we have a reasonable formula arrived at in consultation with the minority and with the administration which allows for a methodical approach in those RIF's or furloughs. So no agency, no department is unduly damaged by this provision.

Mr. Speaker, as I indicated earlier, at this point, I would like to insert a summary of the bill.

H.R. 2880—BALANCED BUDGET DOWNPAYMENT ACT, I

BACKGROUND

Seven Appropriations bills have been signed into law for the full fiscal year; in addition the District of Columbia has authority to use local funds through September 30th.

Numerous "targeted appropriations" have been funded through previous continuing resolutions.

LEVELS OF FUNDING PROVIDED IN THIS ACT

The following two Appropriations Acts are provided for, through March 15th, at a level of funding specified in the respective FY 1996 Conference agreements but under the terms and conditions provided for in the applicable FY 1995 Appropriations Act:

COMMERCE—JUSTICE—STATE & THE JUDICIARY—VA—HUD

The Foreign Operations Appropriations Act is provided for, through September 30th, at the level specified in the Conference agreement and under the terms and conditions of that agreement. Funding for population planning activities or funds made available to the UN Population Fund are not available for expenditure unless authorized prior to July 1, 1996. If an authorization is not enacted by that date, then no more than 65 percent of the current rate may be obligated.

The following two Appropriations Acts are provided for, through March 15th, at a level of funding that is the LOWER of either the House passed, Senate passed, or FY 1995 current rate but under the terms and conditions provided for in the applicable FY 1995 Appropriations Act. Programs that were terminated, or would be "severely impacted" may be funded at a rate of operations not to exceed 75 percent of the current rate:

LABOR—HHS & EDUCATION—INTERIOR & RELATED AGENCIES—ACTIVITIES FUNDED AT SPECIFIC LEVELS

In addition, the following items are funded at levels not to exceed 75 percent of the current rate of operations:

Americorp, ATP, Cops on the Beat, Ounce of Prevention Council, Drug Courts, Community Development, Financial Institutions, and the Office of Consumer Affairs.

RESTRICTION ON CABINET TRAVEL

The bill provides a restriction that would prohibit excessive travel by cabinet level Secretaries (except State, Defense, CIA & the U.S. Ambassador to the UN) that exceeds 110% of the average of travel expenditures between 1990 and 1995.

LIMITATION ON EMBRYO RESEARCH

Section 128 of the bill prohibits the use of funds for embryo research.

MISCELLANEOUS PROVISIONS

The bill increases the maximum Pell Grant award to \$2,440 per individual.

The bill directs the Architect of the Capitol to sell a House Office building that has been declared excess.

The bill enacts into law \$1.2 billion in legislative savings from various housing programs in the VA-HUD appropriations bill.

The bill provides for the sale of 7 million barrels of oil from the Strategic Petroleum Reserve, which results in increased federal revenues of \$100 million.

ADDITIONAL PROGRAM TERMINATIONS

In addition to the eight programs that were terminated by an earlier continuing resolution (H.J. Res. 122), the following 10 programs are terminated by this Act:

Child Development Associate Scholarships in the Department of Health and Human Services; Dependent Care Planning and Development in the Department of Health and Human Services; Law Related Education in the Department of Education; Dropout Prevention Demonstrations in the Department of Education; Aid for Institutional Development—Endowment Grants in the Department of Education; Aid for Institutional Development—Evaluation in the Department of Education; Native Hawaiian and Alaska Native Cultural Arts; Innovative Projects in Community Service in the Department of Education; Cooperative Education in the Department of Education; and Douglas Teacher Scholarships in the Department of Education.

FREEZE GRANT FUNDING

The bill proposes to freeze new grant activities at a level not to exceed 75% of the prior monthly rate for the duration of this continuing resolution for the following activities:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration: Health Resources and Services: Trauma Care, Health Care Facilities.

Assistant Secretary for Health: Office of the Assistant Secretary for Health: National Vaccine Program, Health Care Reform Data Analysis, National AIDS Program Office.

Health Care Financing Administration: Program Management: Essential Access Community Hospitals.

Administration for Children and Families: Children and Families Services Program; Youth Gang Substance Abuse, Advisory Board on Child Abuse and Neglect, Child Welfare Research, Social Services Research, Homeless Service Grants, Community Schools (crime trust fund).

Administration on Aging: Aging Services Programs; Pension Counseling, Federal Council on Aging, White House Conference on Aging.

DEPARTMENT OF EDUCATION

Education for the Disadvantaged: State School Improvement.

School Improvement Programs: Safe & Drug Free Schools & Communities; National Program Women's Educational Equity.

Bilingual and Immigrant Education: Bilingual Education Support Services.

Higher Education: Faculty Development Fellowships, School, College and University Partnerships.

RELATED AGENCIES

Corporation for National and Community Service: Domestic Volunteer Service Programs, Operating Expenses: Senior Demonstration Program, and the National Education Standards and Improvement Council.

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

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I would simply like to urge support for this proposition.

As I said earlier, this is a result of a great deal of bipartisan work with many people involved, and no one who I know agrees with every single recommendation in the bill. I do not. I know the gentleman from Louisiana does not.

But I think by passing this bill we will all meet our higher obligation to keep the Government functioning again for at least the next 45 days, and in the case of at least one bill before us, the foreign operations bill, it will dispose of that bill for the entire year.

I am happy to report to the House, despite deep divisions which normally accompany the issue, we have with the assistance of many people on both sides of the aisle reached agreement on the family planning/abortion cluster of issues, which so often accompany that bill. And we have managed to reach common ground even though we have many differing views about how those issues ought to be handled.

I think we have found a solution which is acceptable to everyone. I would point out there are some concerns about programs such as LIHEAP, which will undoubtedly be raised by the gentleman from Vermont, but I simply want to say that I would urge support. We have had a lot of acrimony over the past several months in this House. This bill should not be an occasion for that acrimony today because it is a reasonable compromise.

I do want to say, however, that I think there are several serious problems with it. I do have strong disagreement with the fact that this level will in fact mean that we are funding education at \$3.1 billion less than we were funding it last year. If that were to remain the case for the entire year, it would mean that we would be eventu-

ally placing a great additional burden on local property taxpayers, and I do not believe that we ought to be doing that.

I would point out that whether we are talking about school-to-work programs or title I or professional development programs or safe and drug-free schools or Gallaudet University or vocational education, I do not believe that we should be funding these programs at a level which is this low. I hope that we can get agreement down the line to change that.

I do not want to shut down the Government over that. I do not want to shut the Government over that because I do not believe in holding my breath and turning blue every time I lose an argument. But I do think that this is an issue that the House needs to make a choice on. I should announce, therefore, that the distinguished minority whip, the gentleman from Michigan [Mr. BONIOR], will be offering in his committal motion a proposition which would return these education programs to the 1995 fiscal year level, which means in essence that it would eliminate the \$3.1 billion reduction which we have in these education programs.

Mr. Speaker, I know the President is concerned about that reduced level of funding; certainly we are on this side of the aisle. I know a great many other Members, including Senator KENNEDY, are concerned about it on the Senate side. I would urge support for that committal motion when it is offered by the distinguished minority whip. But no matter how that motion goes, I would then urge support for this bill in the interest of demonstrating to the American people that, if we disagree on some basics, we can also agree on some fundamentals. That is what we are supposed to be able to do in a legislative body.

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

Mr. OBEY. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Speaker, I rise to engage in a colloquy with the chairman of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, reclaiming my time, I would ask the gentleman if he could withhold. I thought the gentleman had a question of me. I will be happy to yield him time. I do not want to be stuck in a triangular colloquy. I agree with the gentleman's concern on the program, the concerns which he has raised.

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

Mr. OBEY. I yield to the gentleman from Michigan.

Mr. KILDEE. Mr. Speaker, it is my understanding that the Department of Education will be funded at the House-passed level, except for those programs that were not funded by the House, in which case they will be funded at 75 percent. According to my calculations then, that means that, if we were to extend this CR for the rest of the year at that rate of funding, that would be a \$3.1 billion cut from 1995.

The gentleman from Pennsylvania, [Mr. GOODLING] knows that we forward fund education, so these dollars are for the school year 1996-97, the school year starting in September. By next month, school districts will be starting to write their budgets for that school year. How in the world will they know how much money they will have when they are threatened with a possible \$3.1 billion cut? Will this require in some States like Michigan, where they have to pink slip teachers at a certain time if they feel there will not be enough money, will this require certain States to pink slip teachers?

Mr. OBEY. Mr. Speaker, I cannot answer what it will require in specific States. Let me simply say that I agree with the concerns the gentleman expresses. I do not believe that these are the appropriate levels at which education ought to be funded. I think it will cause a great deal of turmoil at the local level.

Keep in mind that, while the Federal Government only provides a small share of the overall education budget, it provides a very high percentage, well over 50 percent, in virtually all districts, of the cost of meeting the education needs of children who are served by title I. I think that is going to be a big hole in those local school budgets, and that is something that the Congress ought to do something about. I know the President very badly wants to see that changed.

Mr. KILDEE. Mr. Speaker, it is important then that we support the Bonior amendment to recommit to restore those funds, at least to the 1995 level for education.

Mr. OBEY. Mr. Speaker, I certainly agree.

Mr. KILDEE. I thank the gentleman.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, I rise to engage in a colloquy with the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

As the chairman knows, I am particularly concerned with the Low-Income Home Energy Assistance Program. It has been very cold in my part of the country, and during earlier CR's there have been disruptions in funding for this vital program.

The administration has released \$810 million to the States, but I am concerned that the flow of funds to the States could again be disrupted. Generally I would like to know whether this CR will affect the full commitment of funds to the—funds of LIHEAP—to the States. Specifically, is it the chairman's understanding that under the current bill before the House, funds for LIHEAP will be allocated to the States and be available for distribution to the States in the normal fashion?

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

Mr. SANDERS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Speaker, on behalf of the distinguished chairman of the Subcommittee on Labor, Health and Human Services, and Education, the gentleman from Illinois [Mr. PORTER], I would say that it is my understanding and his that the gentleman is correct.

Mr. SANDERS. Mr. Speaker, I thank the gentleman very much.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. LEWIS], chairman of the Subcommittee on VA, HUD and Independent Agencies.

Mr. LEWIS of California. Mr. Speaker, I thank my colleague for yielding time to me. I certainly will not take the 2 minutes.

I did, as the chairman may have noted, stand, thinking about being recognized during the objection opportunity that we had earlier. It certainly was not my intention to object.

The reason for my considering doing that was because, as the chairman has indicated, a significant portion of my own VA-HUD bill is within this short-term appropriations. The process that we went through in our subcommittee to begin the pattern of reducing spending was a very, very difficult process, of which I am very proud. I am particularly proud of the Members who themselves had to make many a sacrifice by way of cutting back that spending.

It is important to note that we were among those who actually went about terminating some programs, the most difficult of processes. The concern that I want to express here as I praise both my colleague and my ranking member for the difficult process they have been through is the fact that this bill does for a short-term period reverse some of those very difficult decisions, a process that is not very helpful to the committee's work. I want, beyond praising the committee, to have others around here at a higher level than those of us in the committee to know that we intend to look very carefully when we come toward March 15 regarding any similar pattern.

Mr. Speaker, this bill provides funding for the departments and agencies under the jurisdiction of the VA, HUD, and Independent Agencies Subcommittee until March 15 or the enactment of the regular appropriations act.

The funding amount for each appropriation account will be the level agreed to in the conference on H.R. 2099. Exceptions are being made for the Corporation for National and Community Service and the community development financial institutions fund which are being continued at 75 percent of the 1995 appropriation levels.

The departments and agencies are expected to administer the programs and activities consistent with the directions contained in the 1996 statement of the managers and other relevant legislative history.

The approved major construction projects for the Department of Veterans Affairs are those referenced in the conference report.

Further, it is intended that under section 107 of the VA's administrative provisions that the general operating expenses appropriation be reimbursed from the insurance funds for the entire fiscal year's administrative costs.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I have a concern here.

The new majority wanted to dispose of property and real estate at 501 First Street. It came through the Committee on Transportation and Infrastructure, and it was handled in the Subcommittee on Public Buildings and Economic Development.

I notice now that this property, the conveyance and sale of it, is in this continuing resolution. I am certainly not going to try and obstruct this particular measure but I would like to say this. This sets a precedent, and the subcommittee had, in fact, placed into that particular language that there would be a net gain from the sale of this and it would not cost the people of the United States money to convey property for the sake of getting rid of it.

Second of all, the welfare of those children in that day care center would, in fact, be addressed and handled properly in an orderly fashion. I would like to state that the welfare of those children has not been addressed in the sense of the Congress situation in here and the language relating to the fact that there shall be a net gain from the sale of this has also been removed.

I want to state that this is not the way to set a precedent for the types of action that has been taken by the new majority. I supported the sale of this transaction, but I believe that the language that has been removed is not in the good interest of precedent-setting policy in the handling of real estate by our committee.

Mr. Speaker, I yield to the distinguished gentleman from California [Mr. PACKARD].

□ 1815

Mr. PACKARD. Mr. Speaker, the language, we worked hard to get the appropriate language in this bill. The language simply authorizes the Architect of the Capitol to consummate the sale under the direction of the House Office Building Commission, but it does not create the sale. We do not consummate the sale in the language of this bill. It leaves that judgment yet to the leadership of the House. Frankly, we think it is good language that still leaves the option open whether it is right to sell property or not. We are not selling property in the language in this bill.

□ 1815

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

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

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

Mr. Speaker, I know there is some concern. The gentleman from Ohio [Mr. TRAFICANT] and I sat through the hearings. We sat through both markups.

I know there are some reservations about the cost of marketing. That is still limited at \$75,000. There is some concern about the profitability of this sale. With new estimates, I give the gentleman assurances that when this building is sold there is going to be a profit to the Federal Government, there is going to be a \$300,000 savings on annual maintenance to the Government, and you can be firmly assured that the day care center will be retained.

Mr. TRAFICANT. Reclaiming my time, Mr. Speaker, I am glad to accept that and hear that from the subcommittee Chair, but I think for the sake of precedents, we should have had that type of defining language clearly delineated.

I will not oppose it, and I will support the measure without any further obstruction here, but I think that was a very important precedent-setting transaction.

I commend the majority for looking toward those savings, but we could have done that, I think, with better language from the authorizing end that would have been included in the appropriators' language.

Mr. LIVINGSTON. Mr. Speaker, in view of the fact that we have contained the entire foreign operations bill in the appropriations cycle for 1996 in this bill, I yield such time as he may consume to the gentleman from Alabama [Mr. CALLAHAN], the distinguished chairman of that subcommittee.

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

Mr. CALLAHAN. Mr. Speaker, I thank the chairman and the gentleman from Wisconsin [Mr. OBEY], as well as the staff, for reaching this agreement and including our bill in the resolution. I urge my colleagues to vote for this resolution.

Mr. Speaker, I would like to thank my chairman for yielding me time to address the foreign operations portion of the bill before us. As my colleagues know, the fiscal year 1996 foreign operations appropriations conference report was approved by the House of Representatives nearly 3 months ago by a bipartisan vote of 351 to 71. Working together with all of my colleagues on the Subcommittee on Foreign Operations, and I might add, with a great deal of help from the gentleman from Wisconsin, we were able to fashion a bipartisan bill. It is significantly below the administration's request levels, yet I believe we were very fair in determining how those cuts were apportioned. It wasn't easy but we did it.

I would like to emphasize three things for my colleagues. First, The conference report cited in this bill is the identical language passed by the House last October. There have been no changes in the agreed upon conference report language. Second, let me just remind my colleagues of some key facts. At \$12.1 billion, it is nearly 19 percent below

the President's requested level and 11 percent below the fiscal year 1995 levels. At the same time, the bill provides \$500 million for child survival and disease prevention programs, with child survival activities funded at \$25 million over the fiscal year 1995 level. We also provide the traditional amounts for Israel and Egypt. Prime Minister Rabin's tragic death reinforces the need for a peaceful settlement in the Middle East. In this respect, the subcommittee's bipartisan support for Middle East Peace Process is reflected in the conference report agreement.

But we did have one issue which was not so easy to resolve. It was the question of abortion funding and the Mexico City policy. This issue is of critical importance to me, therefore I was very disappointed that the Senate did not accept the House-passed language on this issue the very first time we sent it to them. But that is the nature of the Congress.

After months of hard work an agreement has been reached on a formula which strongly supports the House position and the authorizing committee's responsibility for this issue. The language in the bill before you is a critical two-part formula—it delays obligation of international population planning funds until July 1, 1996, unless an authorization is enacted prior to then. After July, if an authorization is not enacted, 1996 population funds will be limited to 65 percent of the 1995 level and available for obligation on a monthly basis over 2 years at a rate no greater than 6.67 percent of the total amount available under this limitation. The intent of this provision is to give the authorizers and the administration an incentive to come to agreement promptly on the issue of Mexico City and abortion.

To help understand this concept, let's assume that for every dollar for population planning activities in 1995, 75 cents would be available in 1996 under the terms of the continuing resolution that we have been operating under. Under the 1996 conference agreement, family planning activities would get approximately 81 cents on the dollar, compared to 1995, if an authorization is enacted into law. This would be the same level as other development assistance activities, assuming all programs are treated equally, except for child survival programs which will increase over the 1995 level. However, if an authorization is not enacted into law, the proposal would generate 65 cents to the dollar over the 15 months that the funds would be available for obligation.

These funds would become available at the rate of a little over 4 cents per month over these 15 months. That way the administration will not obligate and expend all the funds at once, which would remove any incentive for opponents of the Mexico City policy to negotiate in good faith on the authorization bill. At the same time, funds will continue to flow even in the absence of an agreement on Mexico City.

I think this 65-cents-to-the-dollar solution is the best outcome either side could hope for; it provides an "in-cent-tive" for both sides, and makes good "cents."

Mr. LIVINGSTON. Mr. Speaker, to answer those who have concerns that agriculture is not addressed in this bill, I yield 2 minutes to the distinguished gentleman from Iowa [Mr. NUSSLE].

Mr. NUSSLE. Mr. Speaker, I appreciate the gentleman yielding time to

me. I know it is typical that you yield to members of the Committee on Appropriations, so I appreciate the opportunity to speak to this.

When the gentleman talks about wanting to run over here and objecting to this bill, I came over here on pretty quick notice when I heard this was coming up. I heard that negotiations had broken down in trying to get agriculture authorization onto this bill.

It is very disturbing to me that, first of all, we had to go through this because the President vetoed the bill. We are now operating under the 1949 act because the President vetoed the bill. We hear that, over in the other body today, the majority leader, the gentleman from Kansas [Mr. DOLE], wanted to bring up authorization language for agriculture, farmers that are talking to their bankers as we speak, making planting decisions, talking to their suppliers, and that there is one Member of the other body sitting over there dragging his feet, objecting to this coming up, objecting to the negotiations so we could put this on this bill and calm the fears of many farmers out there that are trying to dig up someplace in their attic or basement a copy of the 1949 act.

Mr. Speaker, it would be one thing to shut down the Government, I suppose, on some farmer's whim because they are having a difficult time understanding the 1949 act, if it was not for the fact that we know that the leadership in the House, in a bipartisan fashion, are working to figure out a way to deal with this problem possibly as soon as next week.

But we have got to, I would say to my colleagues, stress to the minority leader in the Senate, Mr. DASCHLE, who continues to object to this change, continues to object to allowing farmers the kind of confidence that they need when they talk to their lenders, when they talk to their suppliers that they know what they are going to have to deal with next year.

I am not going to object to this. I am going to support it. I urge Members from the farm country to do so. But we have to put pressure on those folks in the other body.

Mr. OBEY. Mr. Speaker, I yield 6 minutes to the gentleman from Texas [Mr. COLEMAN].

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

Mr. COLEMAN. Mr. Speaker, let me say to the gentleman who was just in the well, a part of the problem is not that it is one Member in the other body. The fact of the matter is it is February, just about, is it not, of 1996. I thought we were supposed to be working on a farm bill in 1995. We were supposed to pass one in 1995. We were supposed to have all of these appropriations bills done in 1995. We have been doing that for years, whether we agreed with the administration or disagreed with the administration. Do you know what we do? We sit down and try to work those matters out.

I want to get to the point I wanted to make and the reason I got up here. You preceded me, and I wanted to address that issue. I want to ask the chairman of my committee, I have served on the Committee on Appropriations now for a dozen years, I will tell Members, I have never seen a procedure or process like this, and I want to ask, who in the world was representing Illinois, New York, New Jersey, California, Texas, Florida, places that have a great need for bilingual education, in this closed meeting that I was not invited to? Who was representing them?

You all cut some bilingual education programs. I just want to say right now, here in public, that as the rhetoric becomes more harsh about immigrants in America, it is strange to me that these are the very programs we are going to be cutting are the ones that integrate immigrants into our society.

Districts like I am honored to represent need these kinds of programs. I understand that there are huge cuts in this continuing resolution.

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

Mr. COLEMAN. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Do I understand, Mr. Speaker, from the gentleman's question, that he is concerned about the funding of education in America, is that correct, by the U.S. Congress?

Mr. COLEMAN. Let me tell you what I understood happened: that you froze the new grant activities for support services for bilingual education.

Mr. LIVINGSTON. If the gentleman will yield further, I know the gentleman has paid attention. He knows that the Labor-Health-Education bill has passed the House of Representatives as long ago as July 1995, I would remind the gentleman.

Mr. COLEMAN. Mr. Speaker, reclaiming my time, then why in the world, I understand when you pass authorization bills, but I understand, though, that you have frozen some of the programs or made cuts in some of the programs for bilingual education? True or false?

Mr. LIVINGSTON. Does the gentleman want an answer to his questions?

Mr. COLEMAN. I would like to have an answer to my questions.

Mr. LIVINGSTON. If the gentleman would yield to me to answer the question.

Mr. COLEMAN. I will yield to the chairman so I can get a yes or no answer.

Mr. LIVINGSTON. Mr. Speaker, my answer to the gentleman is that when the Democrats in the Senate will vote this bill through the Senate and we can go to conference and send the bill to the President, then we can get all the funding that the conference will allow.

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

Mr. COLEMAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I want to repeat, I think we need to pass this bill

today. I hope we can keep things as calm as possible, but I do take issue with the description of what has happened to the Labor-Health-Education bill in the Senate that has just been given by my good friend, the gentleman from Louisiana.

The situation on the Education appropriation bill is simply this: The bill which was produced, or I mean the 602 allocation, which defines what the spending levels are, that allocation process which defines the ceilings for all 13 appropriation bills, was set so low in that process that the bill that the Senate produced in the committee cannot be brought up on the floor except by unanimous consent, under Senate rules. That is the problem.

The problem is that unanimous consent has been objected to by Members of both parties. That bill has not, as has often been suggested, been subjected to a filibuster. I do not support filibusters on anything except constitutional issues.

But it seems to me important to understand, Mr. Speaker, that what has been holding up the Education appropriation bill in the Senate is the fact that the bill itself exceeds the spending level allocated to it by the Republican leadership in the Senate and, therefore, they cannot get the bill up except by unanimous consent, and there have been objections to that on both sides of the political aisle.

Without getting into a political heat wave here today, I do want to make clear that the record shows accurately what has happened in the Senate, and that is why we will be supporting the Bonior motion to recommit, which tries to do what we can on this side to correct that problem.

Mr. COLEMAN. Mr. Speaker, reclaiming my time, that is the reason that we ought to be for the Bonior motion to instruct, with language of that kind, so we can address an issue that is of great importance to many Members on both sides of the aisle on issues that are now going to be either defunded or cut so dramatically that we cannot carry out those programs appropriately.

Mr. GENE GREEN of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. GENE GREEN of Texas. Mr. Speaker, my colleague, the gentleman from Texas, pointed to the cuts in bilingual education. But let me go down the list of the cuts.

I agree with our ranking member, we have to pass this, but some of the cuts, 25 percent for Education 2000: Title I gets 17 percent, safe and drug-free schools, a 25-percent cut. That is what we are talking about.

We are up against the wall because these programs cannot function, and yet they are taking a 25-percent cut because the majority is cutting education funding that 80 percent of the people in our country support.

Mr. COLEMAN. In closing, Mr. Speaker, let me only say to the chair-

man that he knows and I know that part of the problem has been with the process.

The gentleman from Iowa, if he is still on the floor, I will be happy to yield to him, I understand that he is concerned that we were here at the end of the year, in fact several months, nearly half a year into the new fiscal year. The problem is you have to get these things resolved a lot earlier than this.

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

Mr. COLEMAN. I yield to the gentleman from Iowa.

Mr. NUSSLE. Mr. Speaker, regardless of the state of the history, which, of course, is a Presidential veto, the fact of the matter is we are here today. There appears to be bipartisan support to attach language to make sure we have authorization for agriculture. There is one person over in the Senate who is blocking this.

Mr. COLEMAN. Reclaiming my time, that is the problem that you continue to have with the process. You do not wait until it is the following year after you are supposed to have passed the normal appropriations.

Mr. NUSSLE. We have a President that vetoes everything.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Speaker, I just want to tell the gentleman from Iowa, if he is still present, that I would have objected if the provision he wants had been in this bill.

I, for one, do not agree with the welfare bill that was tried to be passed, that could not come out of the Committee on Agriculture. They stuck it on the reconciliation package, which the President rightfully vetoed. It is nothing but a welfare bill for big farmers. Farmers get \$120,000 a year and do not even have to farm under that bill.

Mr. Speaker, I did not want to talk about it, but the gentleman brought it up. What I really wanted to talk about is I want the people to know that this bill really is one that I am going to vote for because I see the need for it, but I am going to hold my nose real good when I vote for it, because it smells, it stinks for what it does to education. It is terrible for education.

I want to tell everybody that if you think this is bad for education, which my educators say is bad for education, then if the President had signed their reconciliation package, which they called the Balanced Budget Act of 1995, they would have seen the same cuts in Medicare, Medicaid, and everything down the line, just like they are cutting education in this. This is a terrible bill, but it is the only thing we have. That is the only reason I am going to be voting for it. It smells to high heaven. It cuts education.

It means a lot of my students that are in higher education next year are

going to have a tough time returning. It means that a lot of kids going out of high school this year are going to have a terrible time being able to get that education next year. It means that many of my elementary and secondary institutions, schools in my district, are not going to be able to have the funds that they need that they have had in the past for necessary programs under title I. I think this should be corrected. That is why I am going to strongly support the motion to recommit.

I ask anybody that is really interested in education to support that motion. I will return now to agriculture and tell again the gentleman from Iowa, yes, I have been told, I will tell you how it goes up here, folks.

□ 1830

That bill was not reported out of the Committee on Agriculture because it was a smelly bill, a terrible bill, so they stuck it in the reconciliation.

Now they tell me, I just got word today, that next week on Tuesday we are supposed to bring it up in committee and mark it up, a different bill. I just got a copy of it today, but now my staff tells me this evening that this is not the bill we are going to mark up, we are going to have a different one, we are going to have the chairman's mark when we do it, and I will not see that until Tuesday.

That is the way they work down here. You do not even have an opportunity to read a bill much before you vote on it or act on it. It is terrible.

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

Mr. FAZIO of California. Mr. Speaker, I certainly rise in support of the motion to recommit to hold funding of education as the highest possible priority. The American people need assistance in keeping their schools functioning and operating at the best possible level that we could help them attain.

But I want to follow my colleague from Missouri on the issue of agriculture. I heard the gentleman from Iowa commenting earlier about how the Senate minority leader was somehow preventing us from having a farm bill. If there is an example of inability to manage an issue, it has to be on how the new Republican majority in this Congress has mismanaged agriculture.

We are confronted at the moment with a situation where the gentleman from Kansas, Mr. ROBERTS, the chairman of the committee, and Senator DOLE, his close personal friend from Kansas, cannot even agree on a proper approach to deal with the agricultural crisis that is about to occur across this land as people have to make decisions about cropping.

Now, this is ludicrous. We have not been able to get a Republican majority on the farm authorizing committee of the Committee on Agriculture to put together a bill that can attain a majority of their own members.

There is no question we are cutting funding for agriculture subsidies. We

have cut 50 percent in the last decade. The question is, are we going to have a soft landing or are we going to have a crash?

Now, the Freedom to Farm bill was unanimously trashed by almost every commodity group in this country. It may have had some supporters among Kansas wheatgrowers, but it did not really go much further than that. And here we have, at the last minute, an attempt to somehow imply that a Democrat in the Senate, in the minority, is holding up having a farm bill. This is an absolute travesty.

What we face is catastrophe in commodity after commodity, going back to laws that have been on the books for years, but which we have amended essentially in every farm authorization we have enacted. We are going to give, I think probably our only hope, the Secretary of Agriculture the opportunity to run these programs because Congress cannot speak on one of the most fundamental industries that faces disaster here in this country.

Now, what we ought to do is what we have always done, and that is put a farm bill together on a bipartisan basis that can come to the floor, have broad support not only in rural communities, but in urban America where we do for nutrition and for food stamps the right thing, and pass that bill, send it to the President, let it be signed. We will take our budget savings, but we will not create catastrophe in agricultural communities across this country.

The Republicans have failed to manage one of the most important authorizations that comes before this Congress probably every 5 years. They have been unable to put their own majority together, and now they want to throw the blame at somebody else. It is a shameful act.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Speaker, I am just appalled to see what is going on here with the CR, particularly with education, and I do hope that the chairman of the Committee on Appropriations and the majority party will consider the fact that if we do not do something to change the education system in this country, we will be doing more to promote the problems that we already have.

Why should we retreat on education? We have never been fully funded on the State level or in this country for education. Therefore, I think it is criminal to cut these programs such as you have, particularly in areas where there are inner-city children, poor children, disadvantaged children. I would appeal to your sensitivity to human nature.

You have cut title I programs when young students were getting a start in life. You cut Safe and Drug-Free Schools in some of these districts where the drug problem is really, really accelerating instead of decelerating. So you must know them, if you are ever going to have good programs, they

must start in schools, they must start with education.

To think that you are going to cut bilingual and immigrant programs when this country has added an influx, particularly in areas such as mine in Florida, the influx of immigrants, they must be educated, and that, I think, you should consider immediately.

The vocational education has been cut. We have so many people who are jobless in this country. They may not be in your district, but they are in a lot of Members' Districts, particularly those of us who are from urban areas. We need consideration of that.

I see what you are doing where there has been some progress in this country in education programs, and you have cut those programs, and you have labeled them for termination.

Mr. Chairman of the Committee on Appropriations, Mr. Chairman of the Committee on Appropriations, you are not listening, but I am saying to you, now is the time to listen up. It may be too late.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time, and I rise only to make two very brief points that I think are very important.

First of all, I did offer a reservation because I was concerned specifically about impacts in the Texas area that were unclear in this very lengthy document that we had seen. But I am rising to support the motion to recommit, even though the first vote of concern is to ensure that this Government never shuts down. It is important that as we stand here, we are also recognizing that we must negotiate. The reason is because, as we look at what is coming out of this CR, we see that there is targeted pain.

Very often I have had the opportunity to talk to experts in education in my district, Alma Allen, for example, and I realize the impact of Federal education dollars. What we are doing here is that we are shutting down education for our States, for many of the dollars that are being cut are impacting programs that are impacted or paid for only by Federal dollars; and that includes our special education, our safe and drug-free schools.

It is important than that we vote for the motion to recommit and that we establish that we are going to negotiate and not have this as the final budget for the upcoming year.

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

Mr. Speaker, first of all, I had not expected that there would be a debate on farm policy on this bill today. Let me simply say, as an upper Midwesterner, I think both parties have done a rotten job of dealing with the problems of farmers, certainly dairy farmers in the upper Midwest. I think the existing dairy law has been a joke. I have not voted for farm bills in almost 10 years

because they are wildly discriminatory against the region that I represent.

I hope that the new dairy agreement, which has been announced by the Subcommittee on Agriculture, will improve the situation. I remain ready to be convinced and persuaded. I am convinced that the only way we can get a decent dairy program in this country is if we have a radical reform of the milk marketing order system which plagues this country and should have been abolished a long time ago.

Having said that, I want to make clear that that issue is not involved in this bill. The failure of the Congress to correct that problem is a failure of the Committee on Agriculture; it is not a failure of the gentleman from Louisiana or anyone else on the Committee on Appropriations, because we do not have the authority to deal with that.

I simply want to take the remaining time to discuss the motion to recommit of the gentleman from Michigan [Mr. BONIOR]. We all want to save dollars, but I think we have a fundamental obligation to, at the same time that we are doing that, do everything we can to try to make the economy grow, and most of all, to try to give working people some greater opportunity than they have had in recent years to raise their own family income by dint of their own hard work.

It is tough out there. You have working families who struggle to pay their bills, who struggle to get a little bit ahead in savings, who struggle to find a way to pay for their kids' education, and through all of life's struggles, I think they understand that education and training is one of the few ways that you can get off the treadmill, that you can make something of yourself and your family through your own hard work.

I think it is a fundamental mistake for this Congress to make things more difficult for those working families. There ought to be a rule which says that if the Congress cannot help somebody on the economic road that they are traveling, that they at least not make things more difficult; and I think Congress does make things more difficult when they do not meet their obligation to strengthen education and training in this country. And that goes for early education, it goes for elementary and secondary, and it goes for higher education.

We have an obligation to help every kid in this country prepare for the economic race that he or she is going to have to run in a very tough world. We have an obligation to help middle-class families find ways to get their kids' college educations and community college and technical school educations, and this bill does not meet that responsibility.

We have to pass this legislation, because if we do not, the Government will once again close down, and that would be an immense tragedy for the people of this country. But I do think it is also necessary to try to improve

it. That is what the Bonior amendment, or what the Bonior motion will do in the motion to recommit.

I would urge very strong support for the Bonior motion, which will restore \$3.1 billion in education funding, and then I would urge that you support this bill so we can meet our basic obligation to govern.

Mr. LIVINGSTON. Mr. Speaker, I yield myself the remainder of my time.

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

Mr. LIVINGSTON. My friends, the hour is late and this will be the last time I will have a chance to address this bill, because the distinguished gentleman from Illinois [Mr. PORTER] and the gentleman from California [Mr. CUNNINGHAM], will talk on the motion to recommit.

Mr. Speaker, I urge my colleagues to vote for this bill. If you do, and I suspect the majority will vote for it, it will go to the other body, it will pass, and the President will get it on his desk. He has agreed to the conditions and terms, and he will sign the bill, at least according to my expectations.

Mr. Speaker, the appropriations process for fiscal year 1996 is long overdue. The fact is we have gotten through 7 bills; they have become law. Of the 6 remaining which have not, 3 were voted, 3 are still working their way through the process, and 1 is included here tonight. I think that we could all say we have certainly put enough time into this process.

We have, through lack of agreement or whatever, found that closing the Government was not fun, was not tasteful, and perhaps caused a lot of suffering and hardship for people at an unfortunate time of the calendar year.

□ 1845

We do not want to repeat that experience. That is why I am proud of the committee, Republicans and Democrats alike, in this body and in the other, for finally coming together and working out their differences. There is plenty to complain about in this bill, from the conservative side, from the liberal side, perhaps even in the middle.

The fact of the matter is, the 104th Congress came in here with a mandate. The mandate is to get this country in working order, get this country on a fiscally sound basis, to start putting ourselves on a glidepath toward a balanced budget.

We have worked our way through the entitlements debate. We have not scored so well. Liberals want to spend more, conservatives want to spend less. We have not quite gotten an agreement on the entitlements on the mandatory side of the budget. That is two-thirds of the budget. But on the discretionary side, that discretionary one-third which deals with the cost of running the Government, we have already reaped great savings in the last 13 months. We have saved the American

taxpayer \$20 billion in fiscal year 1995 under what was initially appropriated. For fiscal year 1996, we can say with certainty we are going to save them at least \$22 billion and possibly as much as \$30 billion below that same level, depending on our progress with our remaining appropriations action.

We are continuing to make progress. I think today we are making great progress. As I said, we have 6 bills outstanding. One of those bills is included in its entirety, the Foreign Operations bill, the bill chaired by the gentleman from Alabama [Mr. CALLAHAN], who spoke a little while ago. That bill is incorporated in this agreement, which means that this bill, once it has gone through the processes, will be enacted into law and, instead of having 6 bills outstanding, we will have 5.

I want to take this moment to say that that would not have been possible without the valuable services of all of our staff. All of the staff on the Committee on Appropriations have contributed mightily to the progress we have made. It has been the members that have slowed down the process, not the staff. One particular staff member is marking this bill as his last. For 17 years on the Hill, he has worked within the Committee on Appropriations, both on the MILCON and the Foreign Operations bills, worked closely with me and with all the other members. He sits beside the gentleman from Wisconsin. I am talking about Terry Peel. I would ask all of the Members to give Terry Peel an expression of appreciation for his invaluable service.

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

Mr. LIVINGSTON. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me simply say that I want to join the gentleman in taking note of Terry's tremendous service to this place. I think Members in both parties who worked with Terry Peel understand that he has really epitomized what the word "service" is all about. He has been of tremendous service to this House. He has been of tremendous service to this country. He has been the "brains" of many of us for years on complicated foreign assistance programs, and he must have an incredible disposition to be able to deal with that bill as long as he has and still smile as regularly as he does and still find the energy to write the plays that he has managed to write the past few years.

I appreciate the time he has taken and I appreciate the time that his wife Ann has allowed him to give us and the country in so doing.

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, I want to echo those comments, wish Terry and his wife well in their future endeavors, and I look forward to going to the performances of his plays as well.

Now, my friends, we are coming to the end of the general debate. There have been a few points made about education. The fact of the matter is that

some of our friends on the Democrat side emulated what was said about Will Rogers and his relationship to mankind. "Will Rogers never saw a man he did not like." The Democrats never saw an education program they did not like. No matter how wasteful, inefficient, redundant, duplicative, or unnecessary, the fact is, they do not want to close any programs, they do not want to end them. They want to create a new program for every idea, every initiative, every whim, every speculation, and, by the way, all the others are great, do not close them, do not merge them, do not try to get any savings or efficiency for the American taxpayer.

I do not know if my colleagues are aware, but there are roughly 256 separate education programs. There are also about 163 job training programs and 47 nutrition programs, et cetera, et cetera.

The U.S. Congress over the last 60 years has done a great deal of good with the American people's money for the American people. The problem is the process has gotten out of kilter. We create so many programs that we run out of good causes. But we do not remember that we are using other people's money. We are taking their money and putting it in a program, creating a bureaucracy, and taking that money and spreading it all over for good causes and getting reelected.

The time has come when the taxpayer is saying enough is enough is enough. After World War II, the average American family paid 5 percent of its income to the Federal Government. Today the average American family pays 25 percent of its income to the Federal Government. If they have their way, it will be 80 percent one of these days, because they do not want to balance the budget, they just want to keep taking the money and spending it.

Now it is time to pare down the bureaucracy. Even the President acknowledges that. In his State of the Union Speech just 2 days ago, he acknowledged that it is time for a smaller Government. In fact, he has suggested to this Congress that we close 36 education programs. They might all have good titles, good names. You can find a lot of constituents for those programs. But when you consider that those constituents are also being served by hundreds of other programs, there is some loss of common sense in the works.

It is time to restore common sense. Now they say that the Labor-Health-Education bill has not worked its way through the process, and it is our fault. We have not adequately funded it. They say we have cut all the programs. The fact is the House of Representatives through the appropriations process passed the Labor-Health bill in late July 1995.

They say it is not being filibustered by the Democrats in the Senate. The fact is I happened to turn on the television to watch the other body, and saw one of the Members stand up and

object to the consideration of the Labor-Health bill, the presentation of the bill on the floor of the Senate. That happened. Whether that is a filibuster or not, the bill was not presented, it was not debated, it was not argued, it did not occur, it did not pass.

As we all know about the legislative process, if it does not pass one body, they cannot go to conference. If we cannot go to conference, we cannot present the bill to the President. If they cannot present the bill to the President, he cannot sign it or veto it. So the process is stuck.

What are we doing here? We are simply passing a Balanced Budget Downpayment Act for this month, between now and March 15, to keep most of these programs going. That seems logical. Keep them going so that the Government does not close down, and at the same time let us not spend excessively.

We trim them to about 75 percent of funding. We acknowledge that some people should be furloughed or rifed where there is not going to be full funding over the year. And we simply tell the American taxpayer we are making a dent; we are not solving all the problems, but we are making a dent on your behalf.

The people that really need service will get service, but perhaps we will begin to cut back on this unnecessary and wasteful bureaucracy just a little bit between now and March 15, until the regular process can work its way through the system and the Labor-Health bill can be passed and the President can sign his name on it.

I hope that happens. But, in the meantime, I think it is very, very important to pass this bill. Let us quit wasting the taxpayers' money, but let us also quit wasting time debating year fiscal year 1996, because, my friends, within days we are going to be debating fiscal year 1997 and the process is going to start all over again.

So I urge my friends, vote for the bill; vote against the motion to recommit. Let us keep the Government open, let us send this to the Senate, let the Senate send it to the President, and we can go home and have a couple of days off.

Mr. STOKES. Mr. Speaker, I rise in support of H.R. 2880, a continuing resolution for fiscal year 1996. I join my ranking member for the full appropriations subcommittee, the gentleman from Wisconsin [Mr. OBEY] in commending our colleagues on the other side of the aisle for working so diligently to bring this much improve measure before us tonight.

While I am glad to see that progress appears to be occurring with respect to a final budget agreement and the remaining appropriations bills, I am certain that no one is more delighted with any progress than the hard-working Government employees, their families, and the millions of individuals and families whose lives have been held hostage over the last few months since we have been unable to resolve these pressing matters.

As ranking member of the Appropriations Subcommittee on Veterans Affairs, Housing

and Urban Development, and Independent Agencies, I have been among the most ardent opponents of the many reductions to critical programs under the subcommittee's jurisdiction, as well as the numerous and harmful riders that were included in the measure. The measure before us does not address all of the areas for which I have concern. It does, however, allow the Federal Government to continue to meet important obligations to our Nation's veterans, to safeguard our environment, provide aid to the homeless, assist families and individuals in purchasing homes, and further our scientific and technological endeavors.

Mr. Speaker, this measure is by no means perfect and still requires some major fine tuning. Furthermore, we must not forget that we have to extend the debt ceiling limit to restore financial stability of our Nation's financial markets. Nonetheless, we must do the right thing for this Nation and pass this continuing resolution.

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to the order of the House of today, the previous question is ordered.

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. BONIOR

Mr. BONIOR. Mr. Speaker, I offer a motion to recommit.

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

Mr. BONIOR. Mr. Speaker, in its present form I am.

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

The Clerk read as follows:

Mr. BONIOR moves to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with an amendment as follows:

At the end of Title I of the bill insert the following new section:

"RESTORATION FOR EDUCATION PROGRAMS

"Notwithstanding any other provision of this Act except sections 106, 115, 119 and 120, projects and activities of the Department of Education shall be continued at a rate of operations at the current rate, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995. Provided, That section 111 of this title shall not apply to this section notwithstanding any other provisions of this Act.

The SPEAKER, pro tempore. The gentleman from Michigan [Mr. BONIOR.] is recognized for 5 minutes in support of his motion to recommit.

Mr. BONIOR. Mr. Speaker, this is the ninth stopgap measure that we have had on this floor since that fiscal year began. Let us be clear what this motion to recommit is. It is one of the biggest education votes that you will have in this Congress. Do we make our kids' education a priority, or do we cut it? That is what this vote is all about.

The Republicans have presented us with a resolution that makes deep cuts. It cuts Safe and Drug Free Schools by 25 percent. That is the DARE program. That is the one we all go home and praise to the high heav-

ens. It cuts the School-to-Work Program by 18 percent. That is the new program we adopted to take care of the 70 percent of our kids who do not graduate from college, modeled after the successful program they have in Germany. It cuts title I funding by more than \$1 billion over the year, if you prorated this out over the year per this request. It kicks over 1 million kids off math and reading. It cuts teacher training for special education by 25 percent.

If we go down this road, as my friend from Wisconsin [Mr. OBEY] and the gentleman from Michigan [Mr. KILDEE] pointed out, this is going to cost about \$3.1 billion. That will be the biggest cut in education in the history of this country. Its effect will be devastating. This is shortsighted. It is a strategy already being felt in communities all over this country.

Now is the time for teacher contracts to be signed, but communities cannot do that because the funding is uncertain. Now is the time for cities to submit their school budget, but they cannot do that because they do not have any numbers to work with.

Now is the time for colleges to award financial aid, but they cannot do that because they have not been told how much they are going to have to offer, and, because of it, families and students all over America are being hung out to dry.

These are the people who work hard, who play by the rules, who pay their bills, and they want a better life for their kids. They want their kids to have some opportunity. We should be standing up for them today. We should not be standing in their way.

Mr. Speaker, the motion to recommit that we offer today will protect our children's education. It will restore funds for School-to-Work, it will restore funds for Safe and Drug Free Schools, the DARE Program. It will restore funds for the Perkins loans, it will restore funds for math and science training, it will restore funds for impact aid and for title I and other things as well. Without this amendment, we will be placing an extra burden on local communities, local schools, and, I might dare say, on local property taxes.

So let me just conclude, Mr. Speaker, by suggesting that we should not be cutting education. Republicans could not cut education through the front door, and we should not let them cut it through the back door. This is one of the most important education votes that we will cast in this Congress. I urge my colleagues, vote "yes" on the motion to recommit, and give our kids an opportunity they deserve.

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

Mr. BONIOR. I yield to the gentleman from Michigan, who has been a stalwart on this issue for many years.

□ 1900

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

Mr. Speaker, education has always had friends on the Republican side of the aisle, and they realize that elementary and secondary education is forward-funded, that this resolution provides money for the school year beginning this coming September.

If this resolution is extended for the rest of the year, there will be a \$3.1 billion cut in education, the largest cut ever. Schools right now, or very soon, will be writing their budgets. They have to know how much money will be available or teachers will be pink-slipped. Programs will be cut.

I ask my friends on that side of the aisle, many of them sitting right there who have been good friends of education, we have worked together in the vineyard of education, I ask my colleagues to set aside partisanship. We have the opportunity to restore those funds to give the school districts some certainty as to their funding.

Please set aside the partisanship. Mr. GINGRICH, Professor GINGRICH, will not punish you for supporting education. Please vote for this motion to recommit.

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

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I respect the gentleman from Michigan [Mr. KILDEE]. We are on the same committee. I would say, of the 256 educational programs we have, we cannot fund all the programs that really work adequately. Where do we get this free money? We take it from the people that we supposedly send it back to, but we only give it back to them at 23 cents on the dollar after we feed the Federal bureaucracy, and when we do that it is inefficient.

Mr. Speaker, 93 percent of education is funded at the State and local level. We only funded 7 percent of it, but yet take a look. That 7 percent has over 50 percent of the rules and regulations that a State has to follow and over 75 percent of the paperwork. It is not efficient. So what we are doing is reducing it slowly.

I agree we can just chop it off. Because of the economy, we cannot put it all back at the State. You cannot fund a school bond or election for education.

But we have to reduce the waste and the spending. What did we cut? Yes, ask the gentleman from Minnesota [Mr. SABO] on the Committee on the Budget. The President's Direct Lending Program capped at 10 percent cost a billion dollars more just in administrative fees. So what did we cut? We cut the precious bureaucracy and cut that out.

We took the savings and increased student loans by 50 percent, increased Pell grants the highest they have been, and increased and level-funded the IDEA Program that my colleagues are talking about in special education. It is level-funded. It is not reduced.

And what else? We took the Goals 2000 that has 45 instances that say

"States will," and we take that money and we give it back to the States where they are not required to have boards and commissions that report to a Federal bureaucracy here in Washington, DC. We turn that money and give it direct so we can get 77 cents on the dollar into the classroom, not just 23 cents. We need to be more businesslike in our education funding.

Mr. LIVINGSTON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Illinois [Mr. PORTER] chairman of the Subcommittee on Labor, Health, and Human Services and Education.

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

Mr. PORTER. Mr. Speaker, 5 cents out of every \$1 spent on education is spent by the Federal Government. Reductions in Federal education spending in this House bill, H.R. 2127, amount to less than 1 percent of the total money spent on primary and secondary education in the United States.

The sky is not falling. There is no hostility to the Federal role in education. What we intend to do is to spend the money better and get better results for America's children.

Let me quote Alice Rivlin in her 1992 book, "Reviving the American Dream." She says, "Presidential speeches and photo opportunities, national testing and assessments, federally funded experimental schools, even new grants spent in accordance with Federal guidelines can only make marginal contributions to fixing the schools."

What we are attempting to do is to get control over 256 separate programs that even officials in the Department of Education will say are out of control and require huge overhead to administer. These funds do not go to kids, but to directors and staffs in Washington that do nothing to improve education.

Let me talk for a moment about title I. Title I evaluations say they do not appear to be helping close the learning gap. The money is spread, Mr. Speaker, all over our country. The money goes to schools that do not need it. What we need to do with title I is to target the money to the schools with large numbers of disadvantaged children so that we get better results for kids that are most at risk. The Safe and Drug-Free Schools Program suffers from the same problem. Funding goes everywhere instead of to the schools that most need it. It has never had a national evaluation.

Goals 2000 is really an attempt to use Federal dollars to encourage States to do what they are already doing; and that is, setting up high standards that have to be met by students and teachers alike. We do not need Federal bribery to get that job done.

Finally, Mr. Speaker, let me say that this motion, with the exception of only two programs, Vocational Rehabilitation and Impact Aid, has no impact whatsoever. Most education programs

are forward-funded and the funds allegedly provided in this motion will not be obligated during the continuing resolution period.

Mr. Speaker, I would urge the Members to vote "no" on the motion to recommit.

Mr. RAHALL. Mr. Speaker, I rise in strong support of the Bonior motion to recommit.

I do so on behalf of education. We cannot be a party to causing the State and local turmoil that will ensue—including the issuing of pink slips to teachers across this Nation—if we cut \$3.1 billion out of education—the biggest cut in our history.

Schools must by law send layoff notices to teachers by March or April of the year prior to the next academic year—in this case the 1996–97 school year.

The impact on college students will be no less harmful.

I urge my colleagues to vote for this recommendal motion and save education for children of all ages.

Mr. CLAY. Mr. Speaker, I rise in support of the motion to recommit.

It is the height of irresponsibility for Republicans to hold education programs hostage to their plot to extract radical concessions through budget negotiations.

Governing and politics are about give and take and good faith. Republicans need a lesson in both.

Their failure to support a simple continuing resolution that funds education programs at fiscal year 1995 levels is creating serious problems for schools, teachers and children who have absolutely nothing to do with the budget fight. They are the innocent victims of a drive-by shooting. In this case, it is hard to tell who is driving this car. Is it the Speaker or the 73 Republican freshmen or the Christian coalition?

The devastating cut in title I funding will deny 1.1 million needy children the crucial help they need in reading, writing, math, and critical thinking. Drug abuse and violence prevention programs will be cut for millions of students in nearly every school district in the country. Innovative school to work strategies developed at the local level will be halted. Teachers will be fired, classroom sizes will increase.

With this continuing resolution, the Republicans are turning their backs on public education. Cuts in education are further proof that the Republican Party has not only lost its heart and soul, but has also lost its mind.

The SPEAKER pro tempore (Mr. HEFLEY). All time has expired.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit offered by the gentleman from Michigan [Mr. BONIOR].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 222, not voting 18, as follows:

[Roll No. 18]

AYES—193

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
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)
Franks (CT)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons

Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Heineman
Hilliard
Hinchev
Holden
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jacobs
Jefferson
Johnson (SD)
Johnson
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
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
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Toricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Watt (NC)
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOES—222

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (NT)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert

Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combust
Coolley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dorman
Dreier

Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrist
Gillmor
Gilman
Goodlatte
Goodling
Goss

Graham
Greenwood
Gunderson
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
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
Lewis (CA)
Lewis (KY)
Lightfoot
Livingston
LoBiondo
Longley

Lucas
Manzullo
Martini
McCollum
McCreery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
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 (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Cooley
Costello
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan

Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrist
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Molinari
Mollohan
Montgomery
Moorhead
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther

NOT VOTING—18

Baker (LA)
Barcia
Barton
Brewster
Chapman
Clyburn

Hancock
Hayes
Johnson, E. B.
Linder
Myers
Serrano

Smith (TX)
Taylor (NC)
Waters
Waxman
Wyden
Young (AK)

□ 1925

The Clerk announced the following pair:

On this vote:

Mr. Waxman for, with Mr. Linder against.

Mrs. SMITH of Washington, Mr. SHADEGG, Mr. KING, Mrs. CUBIN, and Mr. MCDADE changed their vote from "aye" to "no."

Messrs. DOOLEY, BERMAN, and RUSH changed their vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 371, noes 42, not voting 20, as follows:

[Roll No. 19]

AYES—371

Abercrombie
Ackerman
Allard
Andrews

Archer
Armey
Baesler

Baker (CA)
Baldacci
Ballenger
Barr

Bilbray
Bilbray
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (NT)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert

Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combust
Coolley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dorman
Dreier

Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan

Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrist
Gillmor
Gilman
Goodlatte
Goodling
Goss

Hancock
Hayes
Johnson, E. B.
Linder
Myers
Serrano

Smith (TX)
Taylor (NC)
Waters
Waxman
Wyden
Young (AK)

Bilbray
Bilbray
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (NT)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert

Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
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Collins (GA)
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Creameans
Cubin
Cunningham
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Diaz-Balart
Dickey
Doolittle
Dorman
Dreier

Duncan
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Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan

Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrist
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Molinari
Mollohan
Montgomery
Moorhead
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther

Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McDade
McCollum
McCreery
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Miller (CA)
Miller (FL)
Minge
Mink
Molinar
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster

Sisisky	Tate	Walker
Skaggs	Tauzin	Walsh
Skeen	Taylor (MS)	Wamp
Skelton	Tejeda	Ward
Slaughter	Thomas	Watts (OK)
Smith (MI)	Thompson	Weldon (FL)
Smith (NJ)	Thornberry	Weldon (PA)
Smith (WA)	Thornton	Weller
Solomon	Thurman	White
Souder	Tiahrt	Whitfield
Spence	Torkildsen	Wicker
Spratt	Torres	Williams
Stearns	Torricelli	Wilson
Stenholm	Towns	Wise
Stockman	Trafficant	Wolf
Stokes	Upton	Woolsey
Studds	Vento	Wynn
Stump	Visclosky	Yates
Stupak	Volkmer	Young (FL)
Talent	Vucanovich	Zeliff
Tanner	Waldholtz	Zimmer

NOES—42

Becerra	Foglietta	Martinez
Bonior	Gibbons	McDermott
Bryant (TX)	Green	Meek
Clay	Gutierrez	Mfume
Combust	Hastings (FL)	Owens
Condit	Hilliard	Pastor
Conyers	Hinchey	Payne (NJ)
Coyne	Jefferson	Rahall
DeFazio	Kanjorski	Rangel
Dellums	Kennedy (MA)	Sanders
Fattah	Klink	Schroeder
Fields (LA)	Latham	Stark
Filner	Lofgren	Velazquez
Flake	Maloney	Watt (NC)

NOT VOTING—20

Baker (LA)	Hancock	Smith (TX)
Barcia	Hayes	Taylor (NC)
Barton	Johnson, E. B.	Waters
Brewster	Linder	Waxman
Chapman	Moakley	Wyden
Clyburn	Myers	Young (AK)
Frank (MA)	Serrano	

□ 1941

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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. Mr. Speaker, I would inquire of the distinguished majority leader of the schedule for today and the remainder of the week 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 thank the gentleman for yielding.

Mr. Speaker, this last vote marks the end of the legislative business for the week. Members are now free to return to their families and their districts. Next week the House will not be in session on Monday, January 29.

On Tuesday, January 30, there is a possibility of a suspension day. Several items are under consideration, although none have been finalized at this time. Of course, we will consult with the minority and keep Members apprised of any additions to the schedule. Members should be advised, however, that there will be no recorded votes on Tuesday. In fact, we do not expect any recorded votes before Wednesday at 12 o'clock noon.

On Wednesday there is a possibility that we will act on emergency legislation to fund certain farm programs. Because of the President's veto of the Balanced Budget Act which contained farm program funding and reforms, there is a great deal of uncertainty in farm country that need to be addressed. We are working with Members on both sides of the aisle and will continue to do so as this legislation develops.

On Thursday, February 1, there will be a joint meeting of Congress at 11:45 a.m. to receive the President of France. After the joint session, we anticipate bringing to the floor for consideration the President's most recent complete budget submission.

We also plan to consider a sense-of-the-House resolution regarding Medicare, Medicaid, and welfare reform, directing the Committee on the Budget to report on a resolution regarding funding levels and policy priorities for these programs. We hope to have Members on their way home by a reasonable hour on Thursday evening.

We will then begin a 3-week district work period, and reconvene the House on Monday, February 26.

Mr. Speaker, I have just one more comment.

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This one to my esteemed colleagues from Pennsylvania. I will see you next week with a smile on my face after our beloved Dallas Cowboys win the Super Bowl.

Mr. BONIOR. I would say to my friend from Texas that the distinguished chairman of the Committee on the Budget, Mr. KASICH, is a fanatical Steelers fan, as you probably know. I was just wondering if your differences with respect to this football game are the reason why he would prefer that we go ahead with a clean debt ceiling bill, and you have expressed contrary views this past week.

Mr. ARMEY. If the gentleman would yield, I have discussed this with Mr. KASICH, and as much as he loves the Steelers, he has not been prepared to bet the budget on it.

Mr. HOYER. Mr. Speaker, will the majority leader yield?

Mr. ARMEY. I am happy to yield.

Mr. HOYER. I thank the gentleman for yielding, and my suggestion would be that when you have all of your Dallas fans watching that game on Sunday, thank God they are not playing the Washington Redskins.

Mr. ARMEY. If the gentleman would yield, we have 26 teams in the NFL; I am sure we could keep this up for a while.

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

Mr. ARMEY. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I would like to discuss, if the gentleman from Texas would be so kind to do so, the statement in here about the farm bill and emergency legislation. What emergency legislation would that be?

I am on the Committee on Agriculture, and I would like to know what we are going to be faced with.

Mr. ARMEY. I appreciate the inquiry of the gentleman, and I would refer the gentleman to the chairman of the Committee on Agriculture. As the gentleman from Missouri has pointed out on many occasions, I am not personally an expert on farm policy.

Mr. VOLKMER. Well, you have done enough to agriculture programs in your time.

Mr. ARMEY. Pursuant to the recommendations of the gentleman, I have chosen to try as much as possible to leave this work in the hands of the committee. I know the committee and the members of the committee are very concerned.

They are working on it; they are working with Members of the other body, and the details of their work, I am sure, are something that the gentleman can better determine from the chairman of the Committee on Agriculture.

Mr. VOLKMER. Well, there is a great deal of uncertainty out there among all of the farmers. We have not done a farm bill. There was a welfare bill for big farmers put in the so-called Debt Ceiling Reduction Act that the President vetoed. It is my understanding that that bill, which the President said was one of the reasons he vetoed the provision on agriculture, one of the reasons he vetoed the bill, is going to be basically the same bill, so I have been told, that the Members want to take up in the Committee on Agriculture; and if that is the case, I do not know why we are doing it, because it will be vetoed again.

Now, I just do not understand why we continue to do legislation down here that is not going anywhere.

Mr. ARMEY. If the gentleman would yield, again let me refer the gentleman from Missouri to the chairman of the Committee on Agriculture. If in fact you want to have a debate on farm policy or you prefer to have a debate on welfare programs, I think you would better enjoy that debate in the Committee on Agriculture, and I would refer you to that committee.

Mr. VOLKMER. Well, I object strongly that you blame the President for something that needs to be solved right here in this body and with the chairman of the Committee on Agriculture and with the Committee on Agriculture in the Senate, because that is where the work has not been done, not with the President.

Mr. BONIOR. Mr. Speaker, reclaiming my time, one other comment to my friend from Texas concerning the concerns that Secretary Rubin has with regard to the possibility of a default by the 1st of March: For 220 years this government has paid its bills, and there is deep concern that our credit rating will in fact be destroyed.

Just yesterday, as the gentleman from Texas knows, Moody's announced they may lower America's credit rating, and of course the impact that will