United States of America

# Congressional Record

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# House of Representatives

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

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*February 1, 1996.*

I hereby designate the Honorable DEBORAH PRYCE to act as Speaker pro tempore on this day.

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

## PRAYER

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

Of all the many gifts that You have given, O God, we offer our gratitude for Your free gifts of prayer, praise, and thanksgiving. You have invited us to speak to You with our supplications and petitions, our hopes and fears, our joys and concerns. When we face the challenges of the hour and the anxieties of every day, encourage us, O gracious God, to communicate with You in prayer and realize the abounding grace that You give to every person and know the overflowing love that is available to all. In Your name, we pray. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the House in the Pledge of Allegiance, as follows:

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

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that during the joint meeting to hear an address by His Excellency Jacques Chirac, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels that the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

## RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, January 26, 1996, the House will stand in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 3 minutes a.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at about 11:40 a.m., the following proceedings were had:

□ 1140

## JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HIS EXCELLENCY JACQUES CHIRAC, PRESIDENT OF THE FRENCH REPUBLIC

The SPEAKER of the House presided.

The Assistant to the Sergeant at Arms, Bill Sims, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House, the Chair appoints as members of the committee on the part of the House to escort His Excellency Jacques Chirac into the Chamber:

The gentleman from Texas [Mr. ARMEY];

The gentleman from California [Mr. COX];

The gentleman from New York [Mr. GILMAN];

The gentleman from Nebraska [Mr. BEREUTER];

The gentleman from Missouri [Mr. GEPHARDT];

The gentlewoman from Connecticut [Mrs. KENNELLY];

The gentleman from Maryland [Mr. HOYER]; and

The gentleman from Indiana [Mr. HAMILTON].

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as a committee on the part of the Senate to escort His Excellency Jacques Chirac, the President of the French Republic, into the House Chamber:

The Senator from Mississippi [Mr. LOTT];

The Senator from Mississippi [Mr. COCHRAN];

The Senator from Florida [Mr. MACK];

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

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



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The Senator from South Carolina [Mr. THURMOND];

The Senator from Georgia [Mr. COVERDELL];

The Senator from Louisiana [Mr. BREAUX];

The Senator from Rhode Island [Mr. PELL];

The Senator from Hawaii [Mr. INOUYE]; and

The Senator from Nevada [Mr. REID].

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Royal Highness, Prince Bandar bin Sultan, Ambassador of Saudi Arabia.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Associate Justices of the Supreme Court of the United States.

The Associate Justices of the Supreme Court of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 57 minutes a.m., the Assistant to the Sergeant at Arms announced the President of the French Republic, His Excellency Jacques Chirac.

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

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you the President of the French Republic, His Excellency Jacques Chirac.

[Applause, the Members rising.]

## ADDRESS BY HIS EXCELLENCY JACQUES CHIRAC, PRESIDENT OF THE FRENCH REPUBLIC

(The following address was delivered in French, with a simultaneous translation in English.)

President CHIRAC. Mr. Speaker, Mr. President, ladies and gentlemen, Members of the Congress, first, I want to thank you very warmly for your welcome, and I am deeply touched by it.

''In America, I saw more than America; I was seeking a vision of democracy itself.'' Thus spoke Alexis de Tocqueville, one of our greatest thinkers. And because in the eyes of the world for more than 200 years you have been the symbol of such an ideal, I am indeed glad and proud of the opportunity of saluting today your very distinguished assembly.

Loyalty and friendship are the keynotes of my visit to the United States. It is a personal friendship, born during the liberation of France, when at the age of 12, I saw the American troops land in Provence. This friendship was still further strengthened when I came here to your country as a student, and I worked here, too, because one needs money to live, as a driver and as a soda jerk. It is a true and sincere friendship that grew from strength to strength each time I came to the United States, which was often.

But especially I wish to bear witness today to the friendship between our two peoples. We have all learned in our history books how France helped your country to establish itself as a free, sovereign, and independent nation and likewise, in return, how your political ideals had inspired our own revolution and contributed to the foundation of our Republic.

This friendship, sealed in blood, has never faltered. Twice during the present century, when Europe was engulfed in the darkness of war and barbarity, America rose up and threw in her might in the defense of democracy. Your soldiers paid with their lives or their wounds the price of that fight against evil.

Some of you here belong to that generation of heroes and your bodies carry the scars of war. Through you it is to the whole American people that I wish today to express our gratitude. The French will never forget the sacrifices you made for the freedom and the rebirth of Europe and France.

This exceptional relationship between the United States and France is based on a common vision of the world, the same faith in democracy, liberty, human rights, and the rule of law. Naturally, our interests do not always coincide, but since the very beginning France has always been and will always be, on the basis of equal rights and obligations, an ally of the United States, a firm ally, an ally you can count on.

Whenever essential values were at stake, each time France was by your side. In Berlin, and then during the Cuban missile crisis, and 20 years later, when the euromissiles were being deployed in Europe, and again in the gulf war.

''True friendship,'' said George Washington, ''is a plant of slow growth and must undergo and withstand the shocks of adversity before it is entitled to the appellation.'' The friendship between our two peoples has stood the test.

The agreement that is to restore peace in Bosnia was signed 6 weeks ago in Paris in the presence of President Clinton. A few days later NATO was given the necessary authority to implement that peace.

This enterprise is the culmination of long, joint efforts. In 1994, France proposed to the Europeans, the United States, and Russia to set up an original structure, the contact group, in order to work out a peace plan. For this to succeed, we first had to ensure respect for our soldiers on the ground. That is why as soon as I took office I suggested to our British partners that we set up the rapid reaction force, and we discussed this together, Mr. Speaker, to use the strength of NATO in a decisive manner. It is in this new environment that the United States took the excellent initiative to organize the Dayton talks. I wish to pay tribute to the tenacity, the talent of those who crafted the accord.

Our joint action in Bosnia, the first large-scale military operation ever carried out by the alliance, illustrates the profoundly novel nature of the missions NATO can be called upon to accomplish. In this case the task is to give a country devastated by 4 years of war a unique opportunity to attain peace at long last. The alliance would not evade such a mission. France, with the United States and Great Britain, is responsible for one of the three zones of operations, and we will do all in our power to make the operation a success.

By accepting to throw in the balance the full weight of the political and military power of the United States, President Clinton and your Congress have shown a sense of political responsibility, the high moral standards that are so deeply embedded in American tradition. My wish would be that this commitment be pursued in the form of a lasting and balanced participation in the necessary reconstruction of the region.

Your presence in Bosnia sends a clear message to the world: As in the past, the United States considers that Europe is vital for its own security. I wish to pay tribute to the continuity and the strength of this commitment.

As I stand before you, I wish to reaffirm the position of France: The political commitment of the United States in Europe in its military presence on European soil are still an essential element of the stability and the security of the continent and also of the world.

Our common action in Bosnia emphasizes the need for the Atlantic Alliance to adapt itself to a universe that is no longer that in which it was born. The reform must first define the modes of action that will enable it to meet effectively the unpredictable situations that can arise in the post-cold-war period.

But the reform must also enable the European allies to assume fully their responsibilities, with the support of NATO facilities, wherever the United States does not wish to engage its ground forces. In accordance with what was said at the 1994 summit, we must work on the European pillar within the alliance, which President Kennedy referred to and which must progressively become a reality with the Western European Union.

In this new situation, France is ready to take its full share of this renovation process. And this was demonstrated a few weeks ago when France announced

its intention to move closer to the military structures of the organization. I wish to confirm today the open-mindedness and sense of availability with which France approaches this adaptation of NATO, including the military side, as long as the European identity can assert itself fully.

For the alliance to be strong, Europe must be strong, capable of bearing a larger share of the common burden.

I call for a renewed partnership between Europe, engaged in its own construction, including in the field of defense, and our North American allies. The culmination of this process could be the adoption at the appropriate time of a Transatlantic Charter, which would be a solemn sign for the coming century of the strength and the vitality of our alliance.

The reform of our organization will facilitate its enlargement, if we are capable of proposing to Russia a positive relationship with NATO in a security framework that gives that great country its rightful place in Europe and in the world. And the presence of Russian soldiers in Bosnia alongside the allies is a first promising step in that direction.

Let us show imagination and determination in building the European and transatlantic architecture of tomorrow. The balance and the peace of the world are at stake.

But Europe is not the only area in which we have common interests. We share the same values and so we both aspire to peace and progress in the world. We are exposed to the same threats. We face the same risks. We bear on our shoulders the same responsibilities.

Nothing that concerns the global village can leave us indifferent. No one is unaffected by what happens elsewhere, be it at the other end of the world. The AIDS virus or the effects of a new Chernobyl do not need visas to spread across borders. Drugs are a threat to young people everywhere. Nuclear arms proliferation weighs on the future of all of us. Illegal immigration is a problem for all developing countries, and we all feel the consequences of religious fanaticism and ethnic hatred which can destabilize entire regions. We must combine our efforts to get at the roots of these scourges.

Amongst all of these dangers, in my view the most serious one is underdevelopment. The continuation of our aid to those countries in need is a moral obligation incumbent on all of us. It is also the best way of defusing a time bomb, a time bomb that threatens all of us and will threaten our children as well.

Let us not leave to their fate the poorest countries on Earth, in particular the countries of Africa. Let us not leave them in the vicious cycle of exclusion by allowing the source of official development assistance to dry up, aid that is indispensable for them to move further toward democracy and development. We must not run the risk of leaving to coming generations a legacy of yet more crises, yet more famines, yet more wars, and also the irreversible destruction of our environment and large-scale immigration. Let us not abandon the values that lie at the very heart of our civilization.

And we will not counter these dangers by accumulating every more weapons, nor by erecting ineffective barriers. The best security today lies in solidarity. Europe is convinced of this, and that is why Europe gives the poor countries more than $30 billion annually, that is to say, three times more than the United States, a considerable effort.

My friends, in this field as well, the world needs you. Of course, your great Nation has to contend with budgetary constraints. So does Europe. So does France. But our difficulties should not divert us from our obligations toward the poorest countries of the world. Here the dictates of conscience and of political wisdom converge with our common interest.

From the rice paddies of Bangladesh to the heights of the Altiplano, from the sands of the Sahel to the outskirts of Lunada, everywhere men and women are suffering, and they thirst for prosperity and peace. Everywhere, and we see proof of this day after day in Africa, men and women are making real progress, to help them travel farther on the road toward development and democracy, to help them to consolidate the rule of law that they have begun to establish, and to help them carry out painful but necessary economic reforms. Everywhere men and women place high hopes in the progress of education, of science, and medicine in order at long last to attain a better life and happiness, happiness to which they are entitled, like everyone on this planet.

All over the world, men and women believe in America and Europe, in the generosity of their history, in their dedication to mankind. My friends, we must not let them down.

In our interdependent world, together we must fulfill all our respective responsibilities as permanent members of the United Nations Security Council, as the first and fourth world economic powers, and as members of the G7.

Together we must promote disarmament and combat the proliferation of weapons of mass destruction. France has ended, once and for all, its nuclear testing, after a final series that was designed to give us the assurance that our deterrence capability is reliable and safe. Let us join our efforts to make 1996 the year of the signing of the complete and definitive test ban treaty, with the zero yield option that France and the United States were the first to propose. I also welcome the decision of your Senate to authorize the ratification of the START II Treaty. Its implementation by the United States and Russia will also pave the way to further progress in disarmament.

Let us also join efforts to make 1996 the year of decisive progress toward peace in the Middle East, with the signing of treaties between Israel, Syria, and Lebanon. Thus will be fulfilled totally the destiny of Yitzhak Rabin, to whose memory I wish to pay tribute.

And finally let us work together within the organizations that we have established. I have in mind, first, the United Nations, the only legitimate universal organization, the only bulwark against disorder and arbitrariness in international relations. Let us help the United Nations to reform itself. Let us not refuse the United Nations the necessary means to succeed.

I have in mind, also, the World Trade Organization that we have recently set up together. We have established it to ensure orderly world trade. Let us resist temptations to unilateralism.

And there is also the International Development Association of the World Bank [IDA]; it is an irreplaceable instrument in the fight against hunger, against extreme poverty and underdevelopment. It also plays a crucial role in developing the markets of the beneficiary countries, which in point of fact, already receive 40 percent of your exports. IDA was established at the initiative of President Eisenhower. Let us act together enabling it to pursue its action.

And last, there is the G7, which will hold its next summit in June hosted by France in the city of Lyon. Let us avail ourselves of that opportunity for better coordination of our economic and financial policies.

To carry out successfully the tasks that lie ahead, the United States will increasingly find in the European Union a strong partner. Thanks to the joint impetus given by France and Germany, it is the ambition of the European Union to gain in strength, and this will happen before the turn of the century through more effective institutions within the European Union, a single currency, and by enlargement involving the new democracies in Central and Eastern Europe. By the next generation, the European Union, in all probability, will have risen from 15 to 30 member countries. Europe, reconciled historically and geographically on the basis of democracy, social justice, and a market economy, will have become one of the most stable and dynamic areas in the world of tomorrow.

The European Union and the United States are already each other's main trading partners, and it is a balanced trade relationship. They are also each other's main investors: 3 million Europeans are today employed by American firms, and 3 million Americans work for European firms.

Today, Europe is the world's most open economic entity. We are prepared to increase freedom of trade still further, while still respecting our vital interests, and in the framework of a balanced approach.

Building on the bedrock of a 50-year-old alliance, we can and must create a

genuine partnership, a comprehensive partnership, between the new Europe and America.

Mr. Speaker, Mr. President, ladies and gentlemen, Members of Congress, in the wake of the victory over nazism, the United States contributed more than any other country to the shaping of the post-war world with the setting up of the United Nations and NATO, of the IMF and the World Bank, and with the implementation of the Marshall plan. These were key contributions, and the 50 years of peace and prosperity that ensued owe a great deal, a great deal indeed, to this American commitment.

Today, as then, the world needs the United States. Your commitment is as necessary as ever in order to build the uncertain post-cold-war world and to further the cause of peace, democracy, and development.

These are great challenges that lie ahead for all of us, and we will meet them if we are united and as one. It is only with this sense of solidarity and union that we can leave to our children the legacy of a better world, a world in which they can flourish, a world of liberty, justice, and peace.

I thank you very much for your attention.

[Applause, the Members rising.]

At 12 o'clock and 25 minutes a.m., the President of the French Republic accompanied by the committee of escort, retired from the Hall of the House of Representatives.

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

The Members of the President's Cabinet.

The Associate Justices of the Supreme Court of the United States.

The Acting Dean of the Diplomatic Corps.

## JOINT MEETING DISSOLVED

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

Accordingly, at 12 o'clock and 28 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until 1 p.m.

□ 1303

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 1 o'clock and 3 minutes p.m.

## PRINTING OF PROCEEDINGS HAD DURING RECESS

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

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

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces there will be five 1-minutes on each side.

## TAX CUTS FOR THE MIDDLE CLASS

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

Mr. CHABOT. Mr. Speaker, I rise this morning in defense of the middle-class tax cuts that the middle class gets. They keep getting promised these tax cuts, but they never seem to get them.

It is a fact that hard-working people in this country are overtaxed. The Federal Government continues to rip off hard-working people in order to benefit special-interest elites. This Government taxes families in my community in Cincinnati so that Hazel O'Leary-types can continue to jet around the world on five-star junkets. The Government continues to tax people in Cincinnati so that huge corporations can get subsidies to advertise their products around the world, advertising that they would do anyway. It is an absolute outrage.

We continue to rip off the American people to give tax subsidies and price supports to people who do not need them. Taxes are absolutely too high in this country. The special-interest groups and their fellow defenders here in Washington will now scream, tax cuts for the rich, tax cuts for the rich, but I think the American people know better; they know the people in this country are overtaxed.

We need to cut taxes now.

## HOLD HOLLYWOOD RESPONSIBLE

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

Mr. ROEMER. Mr. Speaker, many of us over the course of service in Congress have come to this floor as Members of this body and as parents to strongly condemn some of the types of films that are coming out of Hollywood and New York for their vulgarity, for their lack of content, for their lack of values, and their message to the American people.

While I have done that in the past, I also do not claim to be a Siskel or an Ebert or even an Arch Campbell. But I also think we should come to this body, as Members of Congress, when there is a good movie, and encourage our citizens and consumers of this country that when Hollywood does do the exceptional thing and make the exception and make a Frank Capra-like move, like Mr. Holland's Opus, about how one person can make a difference, how education is important in America, and about values, I think we should all reward those types of messages in America today.

## BIPARTISAN SUPPORT FOR WELFARE REFORM

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

Mr. RIGGS. Mr. Speaker, we all know that we cannot balance the budget without the political will to address and to reform a failed welfare system in America, yet the President, the same President who, as a candidate, promised to end welfare as we know it, vetoed the House-Senate-passed welfare reform bill.

The reason, ostensibly, is that the bill does not do enough to provide child care for working parents, particularly single mothers who many times struggle against heroic odds, to provide child care for their children. However, the American people should know that the bill the President vetoed provided $2 billion more for child care for working parents than current law, and $1 billion more than the bill that the Senate passed and the President praised last September.

The President has a very simple choice. He can join us in reforming welfare on a bipartisan basis, or he can continue to pander to the left wing of his party.

## ADDRESS DEBT CEILING LIMIT NOW

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

Mr. GENE GREEN of Texas. Mr. Speaker, the House is on the verge of leaving town before addressing the problem of our debt limit. Instead of working to raise the debt limit and protecting the full faith and credit of the United States, the Republican majority has spent the past few months in a game of brinkmanship with the White House.

For awhile it was: Give us what we want or we will close down the Government. Now it is: Give us what we want or we will default on our debt.

I urge all of my colleagues on both sides of the aisle to resist this approach. It will reduce the public opinion of Congress even further, and it has real and adverse consequences.

The main point of raising the debt ceiling is to pay our current obligations, to pay those Treasury billholders and to pay those U.S. savings bond purchasers. It is not about increasing our future spending.

I have cosponsored a resolution to keep the House in session until it considers a clean bill on the debt ceiling,

and I urge my colleagues to support it. I have also signed a resolution asking our Republican leaders to let a clean debt ceiling bill come to the floor.

We must pass a clean debt ceiling bill to send a message to the world that we will keep our word and pay our bills. Do not default on America.

## AMERICA'S LUMBER MARKET IS DYING

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

Mr. TRAFICANT. Mr. Speaker, in very simple language, America's lumber market is getting killed. I think we understand that word. Canadian lumber is everywhere.

Now, check this out: Canadian provinces own the timber, so they sell the timber to the Canadian mills below market cost. Then the Canadian mills sell the timber in America below market value. As a result, Canada now owns 40 percent of America's lumber market.

America has lost 35,000 jobs and experts say, listen to this, America will continue to lose jobs in this industry. No kidding, Sherlock.

With a policy like this, how can American timber mills end up competing with Canadian timber that is subsidized and being sold in America, dumped in America? Beam me up. This is another fine NAFTA ploy.

## BETRAYAL IN GEORGIA

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

Ms. MCKINNEY. Mr. Speaker, I rise today to call attention to a betrayal of Benedict Arnold proportions.

The Atlanta Journal and Constitution reported today that the Democratic leadership in the State of Georgia—that is, the vanguard of the Dixiecrats—is actively recruiting people of the right skin color to challenge our colleague and two-term Democratic Member of Congress, SANFORD BISHOP.

I want to say that again. The leadership of our party in the State of Georgia is recruiting white primary opponents to unseat a sitting Member of Congress of the same party. And why? Only because SANFORD BISHOP is black.

Georgia Democratic House Speaker Tom Murphy is reported to have said that he would support the candidacy of Ray Goff who happens to be white. In fact, Murphy is willing to support Goff against Bishop even though Goff has not declared whether he is a Democrat or Republican.

How's that for party loyalty, Mr. Speaker? Once again Tom Murphy and his fellow dinosaurs have demonstrated that black Democrats are no more than spare parts for their whites-only party machine.

## LET LAW ENFORCEMENT OFFICIALS DO THEIR JOB

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

Mr. LAZIO of New York. Mr. Speaker, last week in New York, a Federal judge threw out key evidence that would prove a defendant guilty of Federal drug charges. The defendant had over 4 million dollars' worth of cocaine and heroine in her car, and voluntarily confessed on videotape that she had made the trip over 20 times to pick up drugs. The arresting officers witnessed four men putting duffle bags into the trunk of her car at 5 a.m. in the morning. They did not speak to her, and then fled the scene when spotted. Unbelievably however, the judge decided that the police had no cause to be suspicious. Even the New York Times called the judge's reasoning, tortured.

It is absolutely incredible that this case was dismissed, and the defendant will go unpunished due to a technicality, which would be corrected if the Exclusionary Rule Reform Act was in effect. Last February the House passed this bill, which extends the exclusionary rule's good faith exception to warrantless searches. If the police have a reasonable good faith belief that a drug crime is occurring, as in this case, common sense should dictate that they be allowed to act accordingly.

As a former Suffolk County assistant district attorney, I have seen firsthand the effects of drugs on our communities. It is about time we let our law enforcement officials do their job without tying their hands. We need this bill to become law so we can avoid such outrageous situations in the future.

## MAJORITY PURSUING CONTRADICTORY STRATEGY

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

Ms. NORTON. Mr. Speaker, the majority is pursuing a contradictory strategy. Everything they have hinged on eliminating the deficit, but an increase in the deficit would be the first result of default. The official position of the United States of America today is under threat of default. Moody's has certainly recorded it that way, because it has returned the threat itself.

The shutdown strategy will not work this time. The only way to hang something on the debt limit bill is to get an agreement in advance from the President, yet I see no meetings occurring.

Moody's action shows that the delay alone can be costly, and worse, dangerous. If we mean to balance the budget, if your purpose is to eliminate the deficit, let us start by taking away the threat of default.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2745

Mr. KLINK. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2745.

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

There was no objection.

## CONFERENCE REPORT ON S. 652, TELECOMMUNICATIONS ACT OF 1996

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 353 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 353

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 652) to provide for a pro-competitive, de-regulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINDER asked and was given permission to revise and extend his remarks and include extraneous material in the RECORD.)

Mr. LINDER. Mr. Speaker, House Resolution 353 provides for the consideration of the conference report for S. 652, the Telecommunications Act of 1996, and waives all points of order against the conference report and against its consideration. The House rules allow for 1 hour of general debate to be equally divided between the chairman and ranking minority member of the Commerce and Judiciary Committees.

In addition, the regular rules of the House provide for a motion to recommit with or without instructions as is the right of the minority.

Mr. Speaker, what we have before us is a complex piece of legislation that is the product of many long months of negotiation. I believe that the conferees have worked in good faith to create a balanced bill which equalizes the diverse competitive forces in the telecommunications industry.

This entire process has involved countless competing interests which include consumers long distance companies, regional Bell operating companies, cable, newspapers, broadcasters,

and high-technology firms, to name only a few. We are opening up competition to those who have been protected for a very long time, and all of the players are anxious to gain an edge on their new competitors. I am absolutely confident that the legislation before us today will produce competition that will be good for all Americans.

I want to commend the tireless work of Chairmen TOM BLILEY, JACK FIELDS, and HENRY HYDE, and ranking members JOHN DINGELL, ED MARKEY, and JOHN CONYERS. Their handling of this long and difficult conference will ensure that the United States maintains the lead on the information superhighway as we move into the 21st century.

We have before us a bill that has undergone a great deal of revision and assembly in order to reach this point. In the past, telecommunications reform has fallen victim to one problem or another, from legislative resistance to the opposition of various powerful interests. Today, we have a good bipartisan bill, which has endured a rigorous process. It is a tribute to this process that this bill has broad support from consumers, industry, the U.S. Congress, and the White House.

The goal of our telecommunications reform legislation is to encourage competition that will produce innovative technologies for every American household and provide benefits to the American consumer in the form of lower prices and enhanced services. This legislation will achieve this goal.

Existing companies and companies that currently exist only in the minds of innovative dreamers will take advantage of this new competitive landscape and bring new products and a new way of life that will amaze every American.

Bill Gates, chairman of Microsoft Corporation, envisions an information revolution that will take place in the world communications marketplace. While he has expressed his frustration that the sweeping advancement in technology would not come for about a decade, we have the opportunity today to speed the advance of this technological and information revolution. We have the ability to set the pace by passing momentous legislation that will bring immeasurable technological advancements to every American family.

The massive barriers to competition and the restrictions that were necessary not long ago to protect segments of the U.S. economy have served their purpose. We have achieved great advances and lead the world in telecommunications services. However, productive societies strengthen and nourish the spirit of innovation and competition, and I believe that S. 652 will provide Americans with more choices in new products and result in tremendous benefits to all consumers.

This legislation will be remembered as the most deregulatory telecommunications legislation in history. The philosophy of this Congress—and our Nation in general—is to encourage competition in order to provide more efficient service and superior products to the American consumer. This bill will strip away antiquated laws, create more choices, and lower prices for consumers and enable companies to compete in the new telecommunications marketplace.

This resolution was favorably reported out of the Rules Committee yesterday, and I urge my colleagues to support the rule so that we may complete consideration on this historic legislation. I strongly support the Telecommunications Act of 1996 which will assure America's role as the high-technology leader and innovator for the next century, and I am absolutely certain that this will be the best job-creating legislation that I will see in my years in this House.

□ 1315

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

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

Mr. Speaker, there are some legitimate concerns about this rule for the consideration of the conference report for this landmark deregulatory telecommunications legislation, made all the more relevant, I think, by the fact that on what apparently will be the last day in which we shall be in session for almost 4 weeks, the principal responsibility for all of us should not be the hurried passage of this particular piece of legislation, which has been in conference now for several months, but rather passage of a clean debt ceiling resolution that would assure our citizens and the world that the U.S. Government will not default on its financial obligations.

Beyond that, there is no compelling reason or legitimate need, so far as this legislation is concerned, to waive the standing rule of the House that gives Members 3 days to examine a conference report before being required to vote on it. That is an important rule. It exists for the protection of Members of Congress and for the protection of the people we represent, to afford us all an opportunity to study and to review and to understand the legislation on which we are going to be asked to vote.

The importance of that rule, Mr. Speaker, is particularly relevant in a situation such as this when we are, as the gentleman from Georgia has pointed out, debating landmark legislation which completely rewrites our existing communications law that regulates industries worth nearly $1 trillion. Because this rule waives a reasonable and important time requirement, Members could be approving provisions that are not fully understood and that could have repercussions that no one has had the opportunity or the time to think carefully about, or think so carefully about as necessary.

We are concerned, too, about statements that indicate that there are plans to complete this conference report and have it signed into law, and then later on consider legislation later this year that will undo some of the agreements we are rushing through today.

In sum, it would have been much preferable if Members had been given the 3 days required by the rules of the House before being asked to vote on a conference report as complicated as this one, with its enormous economic, political and cultural consequences for the public and for businesses and for the Nation in general.

Several very major decisions have been made by the conferees, including those dealing with the relaxation of restrictions on ownership of radio and TV stations, with restrictions on Internet communications, and with the unfunded mandates issue that city governments in particular have expressed some concerns about.

In addition, the legislation basically unravels the protections that cable consumers currently enjoy. It terminates regulation of rates for non-basic cable services for all cable systems no later than 1999, and immediately for most small cable systems. That obviously is a very significant issue, dealing as it does with an industry that affects the great majority of the Americans whom we are elected to represent.

Mr. Speaker, perhaps the most worrisome part of the legislation is its treatment of media ownership and its promotion of mergers and concentration of power. The bill would change current law to permit a single company to own television stations reaching 35 percent of the nationwide audience, an increase from the current level of 25 percent.

Nationwide ownership limits in radio would be eliminated altogether, while a single company could own numerous radio stations in a single market. Newspapers could own radio and, in some cases, television stations in their own communities; local telephone companies could own television and radio stations in their own service areas.

These proposals pose a serious threat to the principles of broadcast diversity and localism. They threaten the ability of a community to have more than one source of news and entertainment.

The conference agreement does contain some provisions that enjoy widespread support, including one that gives parents the ability to block television shows that young children, they believe, should not be watching. That is an important issue. Conferees, most of us think, should be strongly commended for their support of this language.

We all recognize, Mr. Speaker, the need to make changes in our 60-year-old communications law, but we are still concerned, as I said at the outset, about the process under which the bill is being considered.

Obviously the needs and the rights of the American public should be the primary concern of this legislation. Many

of us had hoped that the final version would better balance the introduction of competitive markets with measures designed to protect the public. I do hope that we do not discover later that we have lost sight of the public in this process and of the need to protect the public from potential monopoly abuses.

Mr. Speaker, in sum, this is a very complex and far-reaching piece of legislation. I am sorry only that we are being forced to consider it in a rather hurried fashion today.

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

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me the time and congratulate him on his fine work on this effort.

This is obviously a great day. It has been decades in the making. As we all know, it has been over six decades since we have been able to deal as comprehensively with this issue. But I would like to make just a few points as we move ahead.

First and foremost, the success of this conference demonstrates that in a bipartisan way there is an understanding that competition works. It clearly creates a great opportunity to create jobs, creates an opportunity to benefit the consumer, which is what we want to do. We want to provide the widest range of choices, and that is exactly what is going to happen here.

We have learned from the fall of the former Soviet Union that regulated monopolies do not work, whether it is in business, whether it is even in public education. We have found that they do not work, and I think that the realization that we are going to finally bring telecommunications law up to the market is, I think, something that is very, very important.

The second point that I would like to make is that the success of this conference is due in large part to the reforms that were put into place at the beginning of the 104th Congress. We know that, as we have looked at the many people who have been involved in this, that if we had been living with the older system that we had, which is, I know, inside baseball here to talk about this, but the referral process for legislation was one which played a role, I believe, in jeopardizing success in the past. The change that we made at the beginning of this Congress, I believe, went a long way toward dealing with that.

The other thing that was very important was that we overhauled committee jurisdictions at the beginning of this Congress, and we have had some marvelous success in that overhaul, which I believe has gone a long way toward benefiting the legislative process.

Mr. Speaker, let me just say in closing, the State of California is pivotal to the success of this, too. California is providing the hardware and the software that is going to allow us to move into the 21st century, and this legislation will be key. We in California have what is known as the Silicon Valley where the hardware is going to be emanating from and Hollywood where the software will be emanating from, so our State is on the cutting edge, and it will go a long way toward creating jobs and opportunity.

I urge support of this very balanced rule, and I urge support of the conference report.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL], the distinguished ranking member of the Committee on Commerce.

Mr. DINGELL. Mr. Speaker, I thank my good friend for yielding me the time, because I would like the attention of my good friend from California.

He speaks with great enthusiasm on the subject of reforms. I would remind the gentleman that last year or, rather, the year before last under the old rules, this body got from our Committee on Energy and Commerce, in agreement with the Committee on Judiciary, a bill which did substantially the same thing that this bill does right here. I would remind him that the matter was handled expeditiously and splendidly; that the delay occurred not here but in the Senate.

If the gentleman wishes, I will be delighted to inform him as to why the delay occurred and why that bill never passed the Senate. But I do not think the gentleman has any reason to discuss the failure of the old rules or the success of the new rules on the basis of this.

We gave this House a bill which does substantially the same thing. It was almost identical in language, in intent, and in substance to that which we have before us at this particular time, and I hope my good friend, for whom I have enormous respect and affection, will now be absolved of his very unfortunate error on this.

Since I have mentioned him I will be delighted to yield to him.

Mr. DREIER. I thank my friend for yielding. I would simply say that it is true that we were able to move legislation. But I believe very sincerely that the reforms that we put into place as it came to jurisdiction and also the referral process has helped us move more expeditiously with this legislation in the 104th Congress. And I believe, also looking at the issue of unfunded mandates and reform of unfunded mandates, that was another very important reform which allowed us to deal with this.

Mr. DINGELL. Reclaiming my time, again with great affection for the gentleman, it would serve him and this body well if he were to seek more suitable subjects for making a claim that reform has accomplished anything of merit.

I would conclude by making the observation that this is a good bill. I want to commend the distinguished chairman of the committee, the chairman of the subcommittee, the gentleman from Massachusetts [Mr. MARKEY], and the members of the committee.

Last year, I would remind my dear friend from California, we got 423 votes. I hope we will do as well today. Four hundred twenty-three is a large number of votes.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Speaker, the rule we have before us this afternoon and soon the bill itself that will follow has to do with changing law, and changing law that has affected the communications industry since the 1930's, but it is not just about changing law. It is also, I think, in many ways about fundamentally changing a mind-set, because for nearly 60 years in this country we have run communications based on a philosophy which said the bureaucracy, that the Government set prices, that the Government restricted access and restricted competition, and fundamentally it was the Government picking winners and defining losers.

This bill and this rule that precedes the bill will usher in a new era of competition where the market instead will pick winners and losers, and ultimately the major winner in all of this will be consumers. It is the way that consumers won when we deregulated the airline industry in 1978, and it is the way that consumers won when we deregulated the trucking industry back in 1980. Those changes have resulted in savings of hundreds of billions of dollars to the economy.

□ 1330

Obviously it helped the economy grow; this bill, at its roots, is in many ways a jobs bill as well, because it is a jobs bill based fundamentally on innovation and on new products.

This bill is also about choice. It used to be we only had one long-distance phone company in this country. Today there are thousands of them. Soon consumers will also have choices about local telephone service, about cellular, and if you hate your local cable company, you will have other cable companies to pick from, and you will have more options in broadcasting, more options in satellites.

All of those choices will be based on price, on service, and on performance and not ultimately on Government regulation.

I would like to congratulate the chairman of the committee, the gentleman from Virginia [Mr. BLILEY], for his terrific work, and the gentleman from Texas [Mr. FIELDS] for his terrific work as well, and also congratulate my fellow conferees. It is time to end 60 years of Government control, Mr. Speaker. It is time to vote for this rule and trust consumers and the markets to make decisions and no longer trust Government regulators.

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

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

I must say if this bill is being brought to the floor under sunshine and happiness, I am not happy. I think this rule should be defeated. I think it is outrageous this rule is waiving the 3 days so that we can look at it.

I was on the conference committee, and at 7:40 a.m. this morning was the first time I got the full bill. Let me show you what was attached to it. These are the proposed technical corrections. This is page 1, this is page 2, this is page 3, this is page 4, this is page 5, and this is page 6. We have six little pages of technical corrections.

Now maybe the rest of you are quicker than I am, but we have been trying desperately to go through all of this and figure out what these six pages of technical corrections are really going to do to this bill, and because we do not have 3 days, we have until probably about an hour and a half from now, that is it, and I think when you are talking about a seventh of the economy, when you are talking about something that is trillions of dollars, and I come from a district that is very impacted by this, because we have regional Bells, we have long-distance companies, we have got cable companies, we have got all of that. We would like to know what this means, and the idea of ''trust us, hurry out and vote,'' I think is wrong.

I mean, I figure I am getting my pay, and I am getting paid to be here, and to be here and study this, and I would hope that we know what is in it before we vote for it.

For all of those who think they know all of this and this is fine and this is terrific, let me tell you about one of the things that we stumbled over as we looked at this page upon page of corrections and stuff. We came across section 1462, which I think very few people know is even in this bill. What it says is absolutely devasting to women. What we are going to do is put on a high-technology gag rule with criminal penalties. Have a nice day.

Yes, let me read what this brings into the law through one of these little things. It says that any drug, medicine, article, or thing designed, adapted, or intended for producing abortion or for any indecent or immoral use or for any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of those giving any kind of information directly or indirectly, no matter what it means, this is going to be deemed a Federal penalty, a Federal crime, if you transmit any of this over the Internet. Now, this is a gag rule that is off the charts.

One of the major things people wanted to use Internets for was telemedicine. Does that mean anything dealing with women's reproductive parts they cannot do this? There will be people standing up and saying, ''Oh, SCHROEDER, cool off, that will never be considered constitutional.'' Well, if we are going to vote for things we think are not constitutional and we are going to do it in this fast a pace, we ought to give at least part of our salary to the judges. We are just going to mess everything up over here and send it over to them. I do not think so.

Let me tell you what lawyers tell me. Lawyers tell me do not be so quick about saying this is not constitutional; there was a pre-1972 case that upheld the constitutionality of this. And, second, we are talking about an international Internet. That is what our companies want to get on. And we have now seen one case with Germany talking about standards and what they want, and this, I think, would only give some international gravitas to limiting what you can say about women's reproductive health in and around the Internet no matter which side of this issue you were on.

I just think, why can we not have a little technical amendment correcting this? I think you are going to hear all sorts of people say we did not intend that, we did not mean it, let us have a colloquy, oh, let us, oh, let us, oh let us. Why can we not fix this? Why are not women in the world important enough if you can have six pages of technical corrections for every other thing you can possibly think of, some megacorporation wants? Why can we not take a deep breath and do this? Does that mean somebody's golf schedule in Florida is going to get upset? I do not know.

I must say I am very saddened we are coming to the floor with this rule saying we have to waive the 3-day proposal where we have time to read this and digest this, because I really do not think anybody here could pass a test. I really do not.

I was on the conference committee. Let me tell my colleagues, those conference committees were absolutely nonsubstantive. We would all gather in a room, best dressed, the TV camera from C–SPAN II would pan us, that would be the end of it.

I really hope people vote ''no'' on this rule.

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

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

Mr. STEARNS. Mr. Speaker, I say to the gentlewoman from Colorado [Mrs. SCHROEDER], I just cannot resist to use your own words, ''Oh, Mrs. SCHROEDER, cool off.'' Those are your words.

You and I were both in the conference committee together. You and I were both there; we voted on the Internet legislation together; and, in fact, I think we voted the same way.

What we have here in this bill is satisfactory. In fact, it is superior, and it is something that we all voted together, both Democrats and Republicans.

So I am not clear if I understand your argument.

Let me just continue with what I was going to say. This follows up my good friend, the gentleman from Georgia [Mr. LINDER], when he talked about Bill Gates, the founder and CEO of Microsoft. This is what he said, my friends: ''We are beginning another great journey; we aren't sure where this one will lead us either, but again I am certain this revolution will touch even more lives. The major changes coming will be in the way people communicate with each other. The benefits arising from this opportunity and this revolution will be greater, greater than brought by the PC revolution. We are on the verge of a bold new era of communications.''

I urge my colleagues to vote in favor of this rule so that this body may have the unique chance to ensure this country's ability to realize the great potential of the dynamic communications revolution that Mr. Gates speaks about. Today we have this opportunity, because the Republican majority has brought forth a bill that is important not only for the industry but for this country.

Mr. Gates is right when he says this revolution will touch even more lives in addition to creating new jobs in the communications industry. It will have a dramatic impact on consumers. It will bring about benefits of greater choice, of new and exciting communications services with lower prices and even higher quality. Americans will have greater access to information and education than ever before.

Clearly the consumer will be the winner.

I urge my colleagues to vote for the rule on this legislation that will take the American consumers and customers further than they ever imagined.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, this is an enormous bill in its scope and the effort that went into it and the number of years that were spent putting this together.

Certainly there are parts of this legislation that I do not agree with. But in general, I think what has been put together here is positive.

We live in a new world, and if we are going to make the technological changes that work for families, our laws have to keep pace with the changing times that we are in. We cannot move into a computer age with laws that were written for the radio age.

I believe this bill will help bring us into the 21st century in a way that will not only create jobs but make us more efficient as a country in this ever challenging global economy that we now are in.

Beyond that, this bill gives parents, and I would like to focus attention for one second on this question of giving

parents more control over the sex and the violence that is coming into our homes today. Most of the kids in our society will see 8,000 murders and over 100,000 acts of violence on television by the time they finish grade school. That is appalling. We need to do more to help those parents who do take responsibility for their kids.

Now, the V-chip, that is something that is part of this package. It was the gentleman from Massachusetts [Mr. MARKEY] and the gentleman from Michigan [Mr. DINGELL] and others who have been active on this issue. We have got that in here. The V-chip included in this bill will help parents let in Sesame Street and keep out programs like the Texas Chainsaw Massacre.

Mr. Speaker, it is parents who raise children, not government, not advertisers, not network executives, and parents who should be the ones who choose what kind of shows come into their homes for their kids.

It was a little more than a week ago when the President of the United States stood directly in back of me and spoke to the Nation, and the most memorable words from my standpoint in that speech were parents have the responsibility and the duty to raise their children. This bill will help immeasurably in that direction, so I urge my colleagues to be supportive of the conference report when it comes before us in the next few minutes.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS], the chairman of the subcommittee that produced this bill.

(Mr. FIELDS of Texas asked and was given permission to revise and extend his remarks.)

Mr. FIELDS of Texas. Mr. Speaker, very seldom, if ever, in a legislative career, can we as legislators, can we as trustees for the American people, feel that we have made a significant contribution for the country's future—made a real difference. Well, today we can.

Mr. Speaker, this is a watershed moment—a day of history—and, not just because this is the first comprehensive reform of telecommunication policy in 62 years—not just because we have been able to accomplish what has eluded previous Congresses—which, in and of itself, is of particular pride to me and my fellow subcommittee members, on both sides of the aisle, because we have all worked many long hours to get to this watershed moment.

No, Mr. Speaker, this is a historic moment because we are decompart mentalizing segments of the telecommunications industry, opening the floodgates of competition through deregulation, and most importantly, giving consumers choice—in their basic telephone service, their basic cable service, and new broadcasting services as we begin the transition to digital and the age of compression—and from these choices, the benefits of competition flow to all of us as consumers—new and better technologies, new applications for existing technologies, and most importantly, to all of us, because of competition, lower consumer price.

For the last 3½ years this telecommunication reform package has been my life—I have lived with it, eaten with it, and not to sound weird, even dreamed of telecommunication reform while I'm asleep—so, believe me when I say that I am glad that we are bringing this important issue to closure. In fact, this closure reminds me of my newest daughter, Emily, born 14 days ago—the labor has been long, we've been through some painful contractions, but at the birth of something so magnificent, you're a proud father—and today, I am one of many proud fathers.

□ 1345

And, just as I cannot predict what Emily will be like as she grows up, few of us really understand what we are unleashing today. In my opinion, today is the dawn of the information age. This day will be remembered as the day that America began a new course—and none of us fully appreciate what we are unleashing. I do know that this is the greatest jobs bill passed during my service in Congress. I really believe that because of the opportunities afforded because of deregulation that there will be more technology developed and deployed between now and the year 2000 than we have seen this century. I believe that this legislation guarantees that American companies will dominate the global landscape in the field of telecommunication.

And, if asked what I am most proud of in this legislation—besides the fact that my subcommittee members on my side of the aisle have worked as a team in developing this legislation—is the approach that we initiated in January 1995, when we as Republicans assumed leadership on this issue and invited the leading CEO's of America's telecommunication companies to come and answer one question. That one question was, What should we do as the new majority in this dynamic age of telechnology to enhance competition and consumer choice? The telephone CEO's said that they didn't mind opening the local loop if they could compete for the long distance business that was denied to them by judicial and legislative decision. The long distance CEO's said that they didn't mind the Bell's competing for the long distance business if the local loop was truly open to competition and if they could compete for the intraLATA toll business which was denied to them. And, the biggest surprise to us was when Brian Roberts of Comcast Cable on behalf of the cable industry said that they wanted to be the competitors of the telephone companies in the residential marketplace. In fact, the next day, I called Brian and Jerry Levin of Time-Warner to have them reassure me that their intent was to be major players and competitors in the residential marketplace. After that discussion, I told my staff that we needed a checklist that would decompartmentalize cable and competition in a verifiable manner and move the deregulated framework even faster than ever imagined. And we came up with the concept of a facilities based competitor who was intended to negotiate the loop for all within a State and it has always been within our anticipation that a cable company would in most instances and in all likelihood be that facilities-based competitor in most States—even though our concept definition is more flexible and encompassing. It is this checklist which will be responsible for much of the new technologies, the major investments that will be flowing, and the tens of thousands that will be created because of this legislation.

And, in talking about opening the loop, I don't want to take away the other deregulatory aspects of our legislation such as the more deregulatory environment for the cable industry as they prepare to go head-to-head with the telephone companies. The streamlining of the license procedures for the broadcasting industry and the loosening of the ownership restrictions.

Mr. Speaker, I could go on and on and on and be excited about what this bill means to Americans, to our consumers.

Let me just end at this particular time in saying once again, I am a proud father, along with many others. There are many who have brought this day to us. It is a watershed moment, a historic moment, and it is a day that all of us can be extremely proud of.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York [Ms. SLAUGHTER].

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

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

Mr. Speaker, I agree with the previous speaker, we are not sure what we are unleashing here. But I am rising in objection today to at least another measure to restrict women's constitutional rights that has appeared in this bill. I am referring to section 507 of the Communications Act of 1995 that would prohibit the exchange of information regarding abortion over the Internet. I ask you, is the abortion issue going to be attached and is it at all germane to this bill?

This is the 22d vote of the 104th Congress on abortion-related legislation that has whittled away at the constitutional and legal rights of American women. Today we have the opportunity to pass a widely supported bipartisan telecommunications bill. Instead of focusing on the important issues at hand, we are being forced again for the 22d time during Congress to vote on a measure to further reduce women's constitutional rights.

Abortion is a legal procedure. To prohibit discussion of it on the Internet is

clearly a violation of first amendment rights.

The penalties involved are severe. If an unknowing person were to even bring up the topic on the Internet, the penalty would be 5 years imprisonment; 10 years for a second or subsequent charge, even for the mention of the word.

I want the American people to know that this Congress has systematically whittled away at a woman's right to choose to such a degree it has been virtually destroyed. If it is to be Federal policy that every conception will result in birth, then the Federal Government must also assume responsibility for children. We must assume the responsibility to provide for the emotional, the educational needs, and the financial well-being of every child.

This Congress has expressed no interest in assuming responsibility for children. Instead, measures have been proposed and many have passed that further rescind the current limited Federal obligations to the children of the United States. There have been drastic cuts to the earned income tax credit for working parents with children, to Head Start, to nutrition, and to health programs. These are the very programs that address the needs of the poor and disadvantaged children.

The implication in this Congress is that once a child is born, we really do not care what happens to it. That child may starve, may be abused, or even be beaten to death, and, in the case of the Northeast, may freeze to death because hearing assistance for the poor has now been taken away. The only thing that matters is that the child be born. After that, it is somebody else's problem.

This prohibition to rights of privacy and to the first amendment rights does not belong in this bill.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. GOSS], my colleague on the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank my distinguished colleague from Georgia for yielding me time.

Mr. Speaker, I rise in support of this rule. I think it is an appropriate rule that finally takes this piece of legislation which has been moving up and down the field now, lo these many years, and finally pushes it over the goal line. I think we have come to that point.

I would like to extend my congratulations to all those involved on the primary committee and all the other committees that looked at it, but particularly the gentleman from Virginia [Mr. BLILEY], the gentleman from Louisiana [Mr. FIELDS], the gentleman from Ohio [Mr. OXLEY], and the gentleman from Michigan [Mr. DINGELL]. This has truly been a remarkable product.

This is a bill that is good for all, long distance, regional, new technology, broadcasters, cable, but consumers as well. Consumers, Americans, the people we work for, are going to benefit from this.

Yes, there are still some problems out there with local government on revenue and zoning issues. We have assurances they are worked out, and, if they are not, then we can deal with them. Areas of duopoly, the question of free press and diversity of opinion, which are essential to our democracy, these are areas that may need further attention, and we have been promised we will get them if necessary. This is a big, important positive step we are taking, and I urge support.

Mr. Speaker, I thank my friend from Georgia for yielding me this time and I urge support of this rule. As has been explained this is a standard rule providing for consideration of a very complex conference report.

Mr. Speaker, this telecommunications bill is a remarkable piece of legislation in its overall effect. I commend everyone who has worked so hard to create a fair, bipartisan bill—wading through some of the most complicated and controversial issues of our day. According to Chairman BLILEY, who worked tirelessly on this project, we have arrived at a compromise that will open the communications industry to real competition and reduce Federal involvement in decisions that are best made by the free market.

As America enters the 21st century, telecommunications will be at the forefront of our continuing economic development. Congress simply cannot keep up with the development and innovation that are propelling us into the information age of the 21st century. For too long we have been constrained by the foundations built by policies written more than 60 years ago, long before cable television and cellular phones became reality.

With a bill this monumental, differences of opinion will inevitably continue to exist—and the chairman himself has underscored that this is not a perfect product. I am pleased, however, that during conference the rights-of-way and zoning issues were adequately resolved. As I understand it, localities will maintain their ability to control the public rights-of-way and to receive fair compensation for its use. Federal interference is unnecessary, as long as localities do not discriminate. I think that is fair.

One remaining concern I have is with restrictions on ownership of television stations. Diversity of opinion—and a truly free press—are hallmarks of American society.

In our rules meeting last night, the chairman said that, although the House provision on dupolies—dual ownership of stations in a single market—was not included, guidelines for the FCC in handling such cases were. He assured me that he would look further into the matter of small television markets like those in my district in southwest Florida, where the rules on dual ownership may have unintended negative consequences.

Mr. Speaker, these are relatively small issues given the entire scope of S. 652 and I am hopeful the bill will be signed into law. I understand from Chairman BLILEY that necessary technical corrections and clarifications will be taken care of in the future and I look forward to addressing these final concerns when we work on the fine-tuning of this historic bill.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I urge defeat of the rule. One, the need to dispense with the normal procedures is another example of rewarding one's own incompetence. The bill should have come out in time. The notion that we are ready to leave cuts no ice, because there is no reason why the bill could not have been out before.

But I also have serious substantive problems with the bill. Indeed, I have always believed that self-denial was an important thing for leaders to show. But I think my Republican friends have gotten confused. Instead of self-denial, they have used this bill for self-repudiation.

First we have the Speaker of the House who talked very loudly about how he was opposed to censorship. He was going to keep our electronic communications free of censorship. Despite that, we now have a bill which is heavily weighted with censorship. We have a bill which will interfere with free expression through the Internet and elsewhere.

But there is another example of self-repudiation that troubles me deeply, and that is the decision by the majority leader of the Senate to abandon his very brief crusade on behalf of the taxpayers. I was very pleased when Senator DOLE spoke out against a giveaway of access to the spectrum on the part of the Government to broadcasters, and I was briefly with the Senator. But I made the mistake of, I do not know, going to lunch. When I came back from lunch, I was alone on the battlefield, at least as far as the Senator is concerned.

This is a Congress that has been making severe cuts in programs that deal with the economic needs of some of the poorest people in this society, and we have been told that we must rely more on free enterprise, less on Government entities and Government regulation, and people must be on their own. But It now turns out they forgot to say, those who said that, that they are for free enterprise for the poor and free enterprise for the workers.

But when it comes to wealthy interests in this society, free enterprise is apparently a very scary thing. Because the broadcasters, among the wealthiest people in society with the largest concentrations of wealth, are to get for free access to the spectrum.

I know there is going to be language and people have written letters which in effect say we are passing a bill that says one thing, but please let us pretend that what we say, we did not really say. I believe that the Senate majority leader was right to criticize the giveaway of access to the spectrum, and I think it is wrong to drop that out.

I should note parenthetically we are apparently about to do the same thing

with agriculture. Free enterprise for the poor, no subsidies there, no regulation when we are talking about the environment. But when we are talking about growing peanuts or sugar, oh, well, wait a minute, free enterprise was not meant for that.

I hope this rule is defeated and taxpayers interests are vindicated in the protection of the spectrum.

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

Mr. Speaker, I would just like to observe that I am troubled deeply that the gentleman from Massachusetts is deeply troubled, and I shall reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts [Mr. MARKEY], the ranking member of the committee.

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

I would like to begin by complementing the gentleman from Louisiana, JACK FIELDS, and the gentleman from Virginia, TOM BLILEY, and all of the Republicans that worked on this bill for so long. They conducted the process in a bipartisan fashion. It is to their credit.

I want to compliment the gentleman from Michigan, JOHN DINGELL and so many of the Democrats on our side who have worked on this bill for so long, 4 years, 4 long years. A similar bill passed near unanimously in 1994. The gentleman from Georgia, NEWT GINGRICH, in fact came to the well and called it the model of bipartisan legislation in 1994. In the Senate that year, unfortunately, it kind of died in the final 3 or 4 weeks. But it was revived in January of last year, and, working together in that spirit of bipartisanship, the bill was brought back out here on the floor again today.

Mr. Speaker, I cannot tell you how much I appreciate the way in which the gentleman from Texas, JACK FIELDS, at the subcommittee level, especially for me, comported himself, and worked to make sure that this bill would be done in away that dealt with the ideas that had to be dealt with.

This bill is critically important, because it unleashes a digital free-for-all. We take down the barriers of local and long distance and cable company, satellite, computer, software entry into any business they want to get in. Once and for all, all regulations are taken down.

The premises are the same as they were in the bill a couple of years ago: More jobs and more choices. Now, there is a kind of paradox, because the larger companies are going to have to lay off people in many instance in order to remain competitive with the thousands of companies who are going to be creating new jobs on this information superhighway, with the net result of many tens and hundreds of thousands of new jobs, far more than have ever existed in this area of the American economy.

□ 1400

For me, that premise of competition has always been the preferred mode that we should use in order to accomplish this revolution in our society.

Mr. Speaker, the bill contains many very important provisions. It contains a V-chip that will allow parents to be able to protect their children against the 500 channels, which is, by the way, only shorthand for infinity, because that is how many channels will be coming into people's homes. They are going to need an effective way of blocking out programs which are offensive to their families.

It also preserves the concepts of localism and diversity which are so critical in our telecommunications marketplace so that we will have many voices in each marketplace.

It also will ensure learning links built into each classroom, K through 12, through preferential rates which is going to be absolutely essential in the post-GATT, post NAFTA world. As we let the low-end jobs go in our society, we have to make sure that every child K through 12 is given the skills that they are going to need in order to compete for these high-skilled jobs that otherwise will go to any other place in the world that is providing their workers with those skills. It also expands very important privacy protections to individuals in their relationships with these very large companies.

People will be able to go to a Radio Shack and be able to purchase their own set-top box. They will be able to purchase their own converter box, their own modem. They will be able to purchase any product which is accessible to this information superhighway. It offers, in other words, real competition in the consumer electronics marketplace as well.

We have come a long way in the last 15 years in this country. Back then we had one big telephone company. We had three television stations in most communities in the country. Today we have faxes. We have digital satellites. We have personal computers. We have cellular phones. We have brought this country into the Information Age. As the gentleman from Texas said, we now unleash this new revolution, for 15 years and beyond, in terms of massive changes that are unimaginable, but will be the product of competition.

The worldwide web was unimaginable 15 years ago, and today it is the coin of the realm in the marketplace. It was Government funded and created, but nonetheless it has been transmogrified into a private sector wonder. So we are all going digital. Life will never be the same. This bill helps to speed up that process ever further.

So in conclusion, again, I cannot compliment the gentleman from Michigan [Mr. DINGELL] enough for his leadership, for his vision on this bill. I cannot thank enough the gentleman from Virginia, as well, for the way in which this process has been guided and especially to my good friend, the gentleman from Texas [Mr. FIELDS]. I want to compliment him for the gentlemanly way that he treated all of us throughout this process. He has been a good friend to all of us and ultimately to the consumer of this country by the competition that is unleashed in this bill. I hope that everyone supports this rule and ultimately supports the bill when it comes to the floor in final passage.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. TAUZIN], a member of the Committee on Commerce.

Mr. TAUZIN. Mr. Speaker, several years ago in this House we debated a thing called program access in connection with the cable industry. It was a grand debate. It produced an override of a veto on that cable bill that year. But more importantly, what it produced for America was competition in the cable industry.

It produced for America the direct broadcast television system [DBS] that is now providing cable programming to millions of Americans who did not live within reach of a cable system. It is providing competition in cable prices and cable programming to millions of Americans who were limited before the advent of [DBS] to buying their programming from a single monopoly supplier. We celebrated then a small victory for competition and for consumers.

Has it worked? It has worked marvelously. There is finally real competition in cable programming. Consumers enjoy more choices. There are better products and better prices. We have just begun to see the benefits of that competition today. Today is a grand celebration of that notion of competition. Today, in a bipartisan way, we unleash the spirit of competition in all forms of telecommunications services, from telephones to computers, to services dealing with video programming, and data services to interexchange services that are going to link us as Americans together as one like never before and give us access to the world and the world access to us as never before.

This is a grand celebration of a free market system, of competition, and of Americans in their government trusting Americans in the marketplace to make the right decisions for themselves.

It is a grand strategy to unleash the technologies that geniuses are working on in labs across America and give them a chance to become tomorrow's Microsoft.

Second, it is our opportunity to take these decisions away from a judge who has been making telecommunications policy for America and to return those decisions to the people's House, the Congress of the United States of America.

Finally, this bill predicts between 1.5 million and 3.5 million new jobs for Americans without us having to tax and spend one dime to get this economy going. This bill unleashes new jobs and new job opportunities the likes of which this Congress has rarely had a

chance to do. Imagine: 1.5 million to 3.5 million new families earning money instead of being dependent upon somebody else. That is what this bill promises for us, a little promise that we ought to keep on this House floor.

Mr. Speaker, I want to commend the gentleman from Michigan [Mr. DINGELL], the former chairman, the gentleman from Virginia [Mr. BLILEY], our chairman, and particularly the gentleman from Texas [Mr. FIELDS] for the extraordinary work he has done. Let us celebrate their hard work, and let us celebrate the spirit of America, a free-market system and competition. Let us vote this good bill out today.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CONYERS], the distinguished ranking member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I would like to begin by congratulating the gentleman from California [Mr. BEILENSON] for supporting my discussion last night in the Committee on Rules, when the Congress had finished its work, when we found out that this conference report would be brought forward today in less than 24 hours, violating the most time-honored rule in the procedures of bringing legislation to this House.

The same rule that Speaker GINGRICH has spoken with great passion about; the same rule that the gentleman from New York, Mr. SOLOMON, chairman of the Committee on Rules, has preached to me about across the years, this rule is now being violated for reasons that I cannot fathom.

Let me make it clear that this is the most important 111 pages in a conference report in terms of economic consideration that my colleagues will ever in their careers deal with. The fact of the matter is that there are very few, if any, persons that have read, not to mention understand, what is in the report. That is why we have a 3-day rule layover.

Now, in all fairness, I want to commend the gentleman from Virginia [Mr. BLILEY] because he has cooperated with me throughout this process as a conferee. In all fairness, I want to commend the dean of the House, the gentleman from Michigan [Mr. DINGELL], who has not only afforded me every courtesy but has allowed me to have 20 minutes in the debate that will shortly follow.

But ask this question, as I urge my colleagues to return this rule to the committee: Who knew that that noxious abortion portion was in the conference report? Nobody, until it was found out about last night. Who knows many of the other provisions, I have a whole list of them here, that could not possibly be known about, much less understood in terms of their implications?

The reason that we honor the 3-day rule is simply because there are no amendments possible on a conference report. We can only vote it up or down. We should have a 3-week delay on this measure, since we are going out this afternoon. So 3 days would be a very modest consideration. That is why I am asking that this measure be returned to the Committee on Rules for the observation of the 3-day rule.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. HASTERT], another member of the Committee on Commerce.

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

Mr. HASTERT. Mr. Speaker, I really want to congratulate the gentleman from Texas [Mr. FIELDS], the gentleman from Virginia [Mr. BLILEY], the gentleman from Ohio [Mr. OXLEY], the former chairman on the other side of the aisle—folks who have been working on this issue for a long, long time and have put together a very, very good piece of legislation.

I might add that the piece of legislation that came out of here in the last Congress, also worked on by a group of folks, but it came out on suspension. It never got out of the Senate, back to the House in a conference. The gentleman from Michigan was talking about this bill, when my Democrat colleagues passed a bill on the suspension calendar with no amendments, 40 minutes of debate, and that was it. So take the difference in what is happening here.

Mr. Speaker, I rise in support of the conference report on the Communications Act of 1995. I have worked on this legislation for several years, and I am proud to come to the floor to support a bill that will unleash $63 billion in economic activity.

Reform of the 1934 Communications Act is long overdue. The road map for our communications future, outlined in the 1934 Act and the courts, still anticipates two-lane back roads rather than the fast paced super-highways we have today. The U.S. District Court began the trip toward competition when it issued the modified final judgment [MFJ] that required the breakup of ''Ma Bell'' 10 years ago and brought competition to the long-distance industry. Back then, I served as chairman of the Illinois Joint Committee on Public Utility Reform. We were charged with the task of revamping Illinois law to bring more competition. At that time, it was assumed that competition was not a good thing for local telephone service; the local telephone loop was viewed as a natural monopoly. Now, because of advances in technology, we see that it is possible—and preferable—to bring competition to the local loop.

But the MFJ has not brought about the full fledged competition consumers needed in every part of the communications industry. Thus, Congress has risen to the task of planning the road-trip so that American consumers will have more choices and innovative services, and will pay lower prices for communications products.

The map shows that there are pitstops along the road to competition. Everyone is in favor of ''fair'' competition as industries begin to contend in each others businesses. Fair competition means local telephone companies will not be able to provide long-distance service in the region where they have held a monopoly until several conditions have been met to break that monopoly.

First, the local Bell operating company [BOC] must open its local loop to competitors and verify it is open by meeting an extensive competitive checklist. Second, there must be a facilities-based competitor, or a competitor with its own equipment, in place. Third, the Federal communications Commissions [FCC] must determine that the BOC's entry into the long-distance market is in the public interest. And fourth, the FCC must give substantial weight to comments from the Department of Justice about possible competitive concerns when BOC's provide long-distance services.

Consumers can be sure BOC's won't get the prize before crossing the finish line.

As a member of the Commerce Committee, I worked on several provisions of this bill, and was the author of section 245(a)(2)(B) of H.R. 1555 which deals with the issue of BOC entry into in-region inter-LATA telecommunications service. This provision has become section 271(c)(1)(B) in the conference report. Section 271(c)(1)(B) provides that a BOC may petition the FCC for this in-region authority if it has, after 10 months from enactment, not received any request for access and interconnection or any request for access and interconnection from a facilities-based competitor that meets the criteria in section 271(c)(1)(A). Section 271(c)(1)(A) calls for an agreement with a carrier to provide this carrier with access and interconnection so that the carrier can provide telephone exchange service to both business and residential subscribers. This carrier must also be facilities based; not be affiliated with BOC; and must be actually providing the telephone exchange service through its own facilities or predominantly its own facilities.

Section 271(c)(1)(B) also provides that a BOC shall not be deemed to have received a request for access and interconnection if a carrier meeting the criteria in section 271(c)(1)(A) has requested such access and interconnection; has reached agreement with the BOC to provide the access and interconnection; and the State has approved the agreement under section 252, but this requesting carrier fails to comply with the State approved agreement by failing to implement, within a reasonable period of time, the implementation schedule that all section 252 agreements must contain. Under these circumstances, no request shall be deemed to have been made.

Mr. Speaker, we have given serious debate and consideration to this bill. Now is the time for Congress to set reasonable guidelines for our communications future. All signs point to competition ahead, so I urge my colleagues to give the Telecommunications Act of 1996 a green light.

Mr. BEILENSON. Mr. Speaker, I yield the balance of my time to the gentlewoman from Texas [Ms. JACKSON-LEE].

□ 1415

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Let me acknowledge that this is a very important bill. This is a historic occasion. I should add my thanks and appreciation to the gentleman from Michigan [Mr. DINGELL] and the gentleman from Virginia [Mr. BLILEY] and the gentleman from Texas [Mr. FIELDS] and the gentleman from Massachusetts [Mr. MARKEY] and the ranking member, the gentleman from Michigan [Mr. CONYERS], for the efforts that have been exhibited. But I do want to raise some concerns as to this rule.

I remained in my office even up to 10 o'clock and had noted that the rule had not come out, even as late as 10 p.m. last evening. Final changes were brought to our office in the early part of the evening. Conferees were still working, and the Committee on Rules, again, did not report until very late. For a bill this important, this is an unfair process.

The conference committee members have not had an opportunity to adequately review these technical changes and the report language. This bill will revolutionize the telephone, long-distance, cable, and broadcast industries and have a far-reaching economic impact upon our country.

For example, it allows telephone companies to enter into other lines of business. It deregulates cable rates and expands broadcast ownership. It has been one of the most heavily lobbied bills in the recent history of this House.

Many Members of the House and Senate have had major concerns. In fact, we have only had three meetings. Some would argue that there has been inadequate notice. I know there are good intentions. I would simply ask for consideration.

In addition, we have had an additional absurdity with the inclusion of language prohibiting the transfer of legally sound information regarding choice and family planning. That means that legitimate physicians in their offices cannot transfer information.

Mr. Speaker, I have to raise a question over what is the big rush to consider this legislation now. Members can use the 3-week recess to adequately review this bill. I cannot believe anyone can seriously object to a 3-week delay in considering this bill.

Therefore, I would ask Members to oppose this rule at this time so that we can add a measure of fairness to this historic occasion, recognizing the good work that has been done but understanding that it is also important for individual Members to likewise do their work and to ensure that they have had the proper time to review, the proper notice and as well to be able to assure their constituents, as I know they would want to do, that this is in fact both historic but fair and open-ended and responsive to the concerns that have been raised.

I ask again for 3 weeks and ask again for reconsideration of the rule.

Mr. Speaker, I must rise to express my concerns regarding the rule on the telecommunications conference report. This legislation is one of the most comprehensive bills to be considered in the 104th Congress. It is the most extensive revision of our communications laws since the Communications Act of 1934.

I am concerned about the process relating to bring this bill to the floor. The final changes to the conference report were not distributed until last night. Furthermore, the conference report was signed by House conferees last night and filed very late last night. Finally, the Rules Committee considered the rule on the report late last night. This is a terrible and unfair process for such an important bill. The conference committee members have not had an opportunity to adequately review these technical changes and the report language.

This bill will revolutionize the telephone, long-distance, cable, and broadcast industries and have a far-reaching economic impact upon our country. For example, it allows telephone companies to enter into other lines of business, it deregulates cable rates, and expands broadcast ownership. It has been one of the most heavily lobbied bills in the recent history of the House. Most Members of the House have not had the opportunity to study this bill. Additionally, members of the House and Senate conference committee have had major concerns regarding the conference committee process, particularly the inadequate notice of staff meetings, the level of participation by all staff. An additional absurdity is the inclusion of language prohibiting the transfer of legally sound information regarding choice and family planning. That means that legitimate physicians cannot communicate office to office on medical procedures. There were only three meetings of the conference committee.

Mr. Speaker, I have to raise the question over what is the big rush to consider this legislation now. Members can use the 3-week recess to adequately review this bill. I cannot believe anyone can seriously object to a 3-week delay in considering this bill. Therefore, I must oppose this rule on this conference report.

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

To paraphrase Mr. Churchill, This is not the end. It is not even the beginning of the end. It is perhaps the end of the beginning, the beginning of an explosion in technology and invasion.

It will not be many years before Americans are going to be startled and people across the world startled about the kinds of goods and services and products coming through their television receivers in their homes.

This, I believe, would be the most important job-creating bill of my career in this House. I was excited to have been privileged to be a part of working on this since early summer as a member of the Committee on Rules and even involved in some of the technology. It was an example, the whole process, of how the two sides can work together and cooperate.

I have already commended the chairmen, the gentleman from Virginia [Mr. BLILEY], the gentleman from Texas [Mr. FIELDS], and the gentleman from Illinois [Mr. HYDE]. I think the ranking members, the gentleman from Michigan [Mr. DINGELL], the gentleman from Massachusetts [Mr. MARKEY], the gentleman from Michigan [Mr. CONYERS] were very helpful through the whole process. They worked with each other. I was proud to be a part of that process.

I would like to say especially, nobody helped me more in the rule and dealing with the amendments than the gentleman from Michigan [Mr. DINGELL]. I want to say, I am grateful.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 337, nays 80, not voting 16, as follows:

[Roll No. 24]

YEAS—337

| | | |
|---|---|---|
| Allard | Clement | Frost |
| Andrews | Clinger | Funderburk |
| Archer | Coble | Gallegly |
| Armey | Coleman | Ganske |
| Bachus | Collins (GA) | Gekas |
| Baesler | Combest | Gephardt |
| Baker (CA) | Condit | Geren |
| Baker (LA) | Cooley | Gilchrest |
| Baldacci | Cox | Gillmor |
| Ballenger | Cramer | Gilman |
| Barcia | Crane | Gonzalez |
| Barr | Crapo | Goodlatte |
| Barrett (NE) | Cremeans | Goodling |
| Barrett (WI) | Cubin | Gordon |
| Bartlett | Cunningham | Goss |
| Barton | Danner | Graham |
| Bass | Davis | Greenwood |
| Bateman | de la Garza | Gunderson |
| Bentsen | Deal | Gutknecht |
| Bereuter | DeLauro | Hall (TX) |
| Berman | Diaz-Balart | Hamilton |
| Bevill | Dickey | Hancock |
| Bilbray | Dicks | Hansen |
| Bilirakis | Dingell | Hastert |
| Bishop | Doggett | Hastings (FL) |
| Bliley | Dooley | Hayes |
| Blute | Doolittle | Hayworth |
| Boehlert | Dornan | Hefley |
| Boehner | Doyle | Hefner |
| Bonilla | Dreier | Heineman |
| Bonior | Duncan | Herger |
| Bono | Dunn | Hilleary |
| Borski | Edwards | Hobson |
| Boucher | Ehlers | Hoekstra |
| Brewster | Ehrlich | Hoke |
| Browder | Emerson | Holden |
| Brown (FL) | Engel | Horn |
| Brownback | English | Hostettler |
| Bryant (TN) | Ensign | Houghton |
| Bunn | Eshoo | Hoyer |
| Bunning | Everett | Hunter |
| Burr | Ewing | Hutchinson |
| Burton | Fawell | Hyde |
| Buyer | Fields (TX) | Inglis |
| Calvert | Flake | Johnson (CT) |
| Camp | Flanagan | Johnson, E. B. |
| Campbell | Foglietta | Johnson, Sam |
| Canady | Foley | Jones |
| Cardin | Forbes | Kanjorski |
| Castle | Ford | Kasich |
| Chabot | Fowler | Kelly |
| Chambliss | Fox | Kennedy (MA) |
| Chenoweth | Franks (CT) | Kennedy (RI) |
| Christensen | Franks (NJ) | Kennelly |
| Chrysler | Frelinghuysen | Kildee |
| Clayton | Frisa | Kim |

King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Mfume
Mica
Miller (FL)
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Rush
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Towns
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—80

Abercrombie
Becerra
Beilenson
Brown (OH)
Clay
Clyburn
Coburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
DeFazio
Dellums
Deutsch
Dixon
Durbin
Evans
Farr
Fazio
Fields (LA)
Frank (MA)
Furse
Green
Gutierrez
Hall (OH)
Harman
Hilliard
Hinchey
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnston
Kaptur
Lantos
Lewis (GA)
Lofgren
Lowey
Maloney
Martinez
McCarthy
McDermott
McHale
McKinney
Meyers
Miller (CA)
Mink
Morella
Nadler
Oberstar
Olver
Owens
Pelosi
Peterson (MN)
Rivers
Roybal-Allard
Sabo
Sanders
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Stark
Stokes
Thompson
Thurman
Torres
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Woolsey
Yates

NOT VOTING—16

Ackerman
Brown (CA)
Bryant (TX)
Callahan
Chapman
DeLay
Fattah
Filner
Gejdenson
Gibbons
Hastings (WA)
Rogers
Rose
Taylor (NC)
Torricelli
Wyden

□ 1439

Mrs. MEYERS of Kansas and Messrs. GUTIERREZ, STARK, and SCHUMER changed their vote from ''yea'' to ''nay.''

Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HOYER changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. BLILEY. Mr. Speaker, pursuant to House Resolution 353, I call up the conference report on the Senate bill (S. 652) to provide for a procompetitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to House Resolution 353, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, January 31, 1996, at page H 1078.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. BLILEY] will be recognized for 30 minutes, and the gentleman from Michigan [Mr. DINGELL] will be recognized for 30 minutes.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. CONYERS. Mr. Speaker, I would like to claim the traditional 20 minutes in opposition under the rule.

The SPEAKER pro tempore. Does the gentleman from Michigan support the conference report?

Mr. CONYERS. No, sir, I do not.

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

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

Mr. DINGELL. Mr. Speaker, I believe I can save the body a little time. Mr. Speaker, I support the conference report. I believe the gentleman's claim for the 20 minutes is entirely correct. I would urge the Chair to grant the gentleman from Michigan [Mr. CONYERS] 20 minutes, 20 minutes to the gentleman from Virginia [Mr. BLILEY], and 20 minutes to myself.

The SPEAKER pro tempore. Pursuant to clause 2(a) of rule XXVIII, the time will be divided 3 ways.

The gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes, the gentleman from Michigan [Mr. DINGELL] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 20 minutes.

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

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. BURR].

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

Mr. BURR. Mr. Speaker, I rise in support of the telecommunications bill.

Mr. Speaker, I wish to congratulate my colleagues, particularly Chairman BLILEY, the ranking member, Mr. DINGELL, Mr. FIELDS, Mr. MARKEY, as well as Chairman HYDE, on this historic reform of our Nation's telecommunications laws. Passage of this landmark bill will foster job growth, product innovation, consumer savings, and economic development across all sectors of our economy. The legislation's removal of barriers to competition in the telephone, cable, and broadcast industries will open markets and increase competition in the communications industry that will better prepare our Nation to enter the new millennium.

I am pleased that the conferees have included in their final report a provision I sponsored in H.R. 1555 that I believe embodies the deregulatory intent of this legislation—a provision which adjusts one piece of a larger regulatory barrier that has been ignored by regulators since its inception.

Since 1981, Bell operating companies have been prohibited from jointly marketing their local telephone service and cellular services due to an FCC rule requiring the establishment of an RBOC cellular separate subsidiary. This rule was originally intended to apply to the predivestiture AT&T when the Commission determined that AT&T and one other company would be granted the two cellular licenses in each market.

During the breakup of the old Bell system, AT&T transferred its cellular licenses to its newly established offspring, the regional Bell operating companies. Because the Commission was in the process of overseeing the breakup of the world's largest corporation, the FCC understandably had precious little time to worry with establishing new rules for RBOC participation in the then nascent cellular business. Consequently, the Commission determined that RBOC cellular operations would be conducted under the same rules that had been developed for AT&T, and that the Commission would review the matter in 2 years. Given the circumstances, such a decisions seems understandable. What is not understandable, however, is what has happened in the meantime—nothing.

For 14 years the FCC has ignored its commitment to review the necessity of its RBOC cellular separate subsidiary rule. While cellular exploded into a dynamic, competitive industry, the FCC took no action. In fact, when the Commission established the rules for a new wireless service, PCS [Personal Communications Service]—designed to compete with cellular, the FCC determined that RBOC's would not be required to establish separate subsidiaries for their new PCS wireless services. Yet, inexplicably, the Commission said there was not enough information on the record to warrant removal of the RBOC cellular separate subsidiary rule.

It is difficult to imagine how the FCC could acquire enough information to establish a new set of wireless competitors [PCS] to cellular, determine separate subsidiaries would not be required for RBOC PCS services, and still state there was not enough information to justify removal of the cellular separate subsidiary

rule. Understandably, the companies impacted by this decision found it difficult to understand and so has the U.S. Court of Appeals for the Sixth Circuit.

In a ruling issued November 9th, the Appeals Court found the FCC's PCS rulemaking decision on the cellular separate subsidiary rule to be arbitrary and capricious stating:

Instead, the FCC simply stated that the record in the Personal Communications Service Rulemaking proceedings was insufficient to determine whether to eliminate the structural separation requirement. We believe this to be arbitrary and capricious given the somewhat contradictory findings of the FCC during the course of the Personal Communications Service rulemaking and related proceedings. If Personal Communications Service and Cellular are sufficiently similar to warrant the Cellular eligibility restrictions and are expected to compete for customers on price, quality, and services, what difference between the two services justifies keeping the structural separation rule intact for Bell Cellular providers?

The court remanded to the Commission for further proceedings its decision on this rule. Such action normally would be encouraging for the companies involved. Unfortunately, regulators like regulation. More than 1 month after the sixth circuit's ruling ''that the time is now for the FCC to reconsider whether to rescind the structural separation requirement'' the Commission has taken no action, notwithstanding the court's belief that ''time is of the essence on this issue.''

It simply makes no sense to require Bell cellular operations to remain in separate subsidiaries—and prohibited from joint marketing opportunities—when the Commission has determined that no such requirements are necessary for Bell PCS operations. The appeals court acknowledged this fact stating:

BellSouth's strongest argument is perhaps that the factual predicate which justified the structural separation requirement is no longer valid. BellSouth points out that the FCC believes that the safeguards such as mandatory interconnection enforceable by individual complaint process suffice to combat possible discrimination and cross-subsidization in the Personal Communications Service industry. BellSouth claims that this removes any justification retention of the structural separation requirement for Cellular licenses, and that the FCC has arbitrarily failed to remove restrictions . . . We agree with BellSouth that the time is now for the FCC to reconsider whether to rescind the structural separation requirement . . . after fourteen years, further delay in determining whether to rescind the structural separation requirement severely penalizes the Bell Companies at a time when the wireless communications industry is exploding and changing almost daily. The disparate treatment afforded the Bell Companies impacts on their ability to compete in the ever-evolving wireless communications marketplace.

I am glad this legislation takes the first, important step toward restoring parity in this area by allowing Bell operating companies to jointly market their cellular and local services. It is my hope, that after 14 years and a clear rebuke from the court, the FCC will take the next step and review its cellular separate subsidiary rule.

Mr. Speaker, once again I congratulate the committee chairman and the subcommittee chairman on producing this historic legislation.

Mr. BLILEY. Mr. Speaker, it is a great pleasure for me to yield 3 minutes to the distinguished gentleman from Texas [Mr. FIELDS], chairman of the Subcommittee on Telecommunications and Finance of the Committee on Commerce, without whose Herculean efforts we would not be here today.

(Mr. FIELDS of Texas asked and was given permission to revise and extend his remarks.)

□ 1545

Mr. FIELDS of Texas. Mr. Speaker, I want to thank the chairman for that statement. I had the opportunity during the rule to talk about the substance of this bill and what it means for America and our consumers. I want to take my time just to say thanks.

First and foremost, I want to acknowledge the commitment and leadership of our chairman, the gentleman from Virginia [Mr. BLILEY], who has been a constant source of support and encouragement as we move this legislation forward.

I also want to thank the gentleman from Michigan [Mr. DINGELL] for the way he has led the efforts of the minority. As always, it was with conviction and the style of the true gentleman that Mr. DINGELL is.

I also want to thank my good friend and confidant, my fellow voyager in this effort, the gentleman from Massachusetts [Mr. MARKEY], for the many long hours of debate and consultation, the pizza in his office, the pizza in my office, but always ending any disagreement with a smile. I hope that all of us involved have set the standard of how Congress can work together over very difficult and contentious issues.

I also want to be effusive in praise of my colleague, the gentleman from Ohio [Mr. OXLEY], the vice chairman of our subcommittee; the gentleman from Colorado [Mr. SCHAEFER], the gentleman from Texas [Mr. BARTON], the gentleman from Illinois [Mr. HASTERT], the gentleman from Florida [Mr. STEARNS], the gentleman from New York [Mr. PAXON], the gentleman from Wisconsin [Mr. KLUG], and our two freshmen stars, the gentleman from New York [Mr. FRISA] and the gentleman from Washington [Mr. WHITE], our team.

I would also be remiss if I did not thank and recognize the hard work of Mike Regan, Cathy Reid, Harold Furchtgott-Roth, and Mike O'Reilly, and on the Democratic side of the aisle, Colin Crowell and David Leach, David Moulton of Mr. MARKEY's staff, Alan Roth and Andy Levin, of Mr. DINGELL's staff.

Not only do I want to acknowledge David Leach for his hard work, but I want to publicly apologize to him for all the practical jokes that I have played on him for the last 3½ years.

I also want to give special recognition to Steve Cope, our legislative draftsman. He is an unsung hero who gave us late hours away from his family and lost many weekends during the course of this multiyear process. He has my highest respect and my gratitude.

Certainly last, but not least, I want to give special, special recognition to Christy Strawman, my telecommunications expert, because, like others, she is an unsung hero that has been pivotal in bringing this issue to fruition. She has been a star in this process.

Mr. Speaker, as I said earlier, this is a special, watershed, historic moment. We are at the dawn of the Information Age. What we do today is vitally important to the future of our country. Not only am I proud of the package; I am also proud of the process in which we debated and formed this legislation, working with both sides of the aisle, bringing this policy, this legislation, to fruition.

The inclusion in the telecommunications bill of the requirement that a television rating code be established by the Federal Communications Commission for all television programs and that broadcasters be required to transmit to a V-chip the ratings given to their programs is plainly unconstitutional.

Any legislation that requires the rating of television programs based on their inclusion of violence, depictions of sexual conduct or the like is a content-based burden on speech. That is just what the first amendment does not permit. Inserting the Federal Government into the area of deciding what should be on television or how the content of television programs should be rated sets a dangerous precedent that threatens the very rights the first amendment is designed to protect.

Think about the rating system Congress is today requiring. There is the problem of how any such system can distinguish between programs that show what we might call senseless or gratuitous violence and those that depict violence in a way that educates, informs, or edifies. It is hard to believe that we're prepared to say that any violence whatsoever, in any context whatsoever, should be treaded the same way and subjected to blocking by the same V-chip—whether it's ''Schindler's List'' or ''Nightmare on Elm Street,'' ''Gandhi'' or ''The Terminator.''

But as soon as the FCC tries to make a distinction for rating purposes between what is ''bad violence'' that should be blocked and what is ''good violence'' that should not be blocked, it is squarely in the business of regulating speech based on its content or perceived value to society and therefore squarely in violation of the first amendment. At the same time, if the Commission throws up its hands and acknowledges that it cannot make such distinctions and thus requires every program containing any element of violence at all to get a V rating, the V-chip will be activated across the board and across the Nation in a way that blocks out valuable contributors to public awareness and knowledge. The effect will be that some—perhaps many—programs that are genuinely good for children or adolescents to see will not be seen by them. What's more, we will be creating a situation in which Government would be leading the public to view all treatments of violence as equal, thus washing away good, serious, thoughtful programs with real merit along with the junk.

V-chip legislation is a blunt instrument, far blunter than the first amendment allows. The

public would be far better served by Government encouraging the development of technologies that allow parents to make discriminating choices, real choices, for their children based on their own values and their own beliefs.

The likelihood that the V-chip provision will be held unconstitutional is increased by the reality, known to every Member of this body, that the bill is actually being proposed not for the purpose of ''empowering'' parents but of pressuring broadcasters to change the television programming they offer. We all have our own views about what should be on television. The first amendment bars us from putting those views into law.

Finally, recent court decisions have raised the most serious doubts about the continued viability of the whole notion that broadcasters must receive only second class first amendment treatment. The FCC itself determined in the Syracuse Peace Council case that the explosion of new outlets for speech has seriously undermined the rationale for permitting more intrusive regulation of broadcasters than of other media. That is even more true today than it was 8 years ago when that case was decided. Recent opinions of the chief judges of both the D.C. Circuit and the Eighth Circuit Courts of Appeals have likewise maintained that there is no longer any basis for according broadcasters more limited protection from Government intrusion than the First Amendment gives to cable operators, record companies or the print press. Most first amendment scholars have come to the same conclusion. In any event, whether or not a new, more speech-protective, first amendment standard is utilized in a court challenge to this legislation, the law cannot withstand analysis under any first amendment test.

Mr. DINGELL. Mr. Speaker, I yield myself 2 minutes.

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

Mr. DINGELL. Mr. Speaker, today we will vote on a historic bill. This telecommunications bill is historic because it finally will bring to an end the era of telephone and cable television monopolies. The bill is historic because it will trigger technological innovation as we have never seen before—stimulating economic growth and job creation by small and large businesses alike. But just as striking as these developments undoubtedly will be, the bill is historic for another important reason. It demonstrates that Congress can work together in a bipartisan way to produce a bill that serves the interests of all Americans.

I congratulate my friends, Chairmen BLILEY and FIELDS, Representative MARKEY and others, for their unrelenting pursuit of bipartisan agreement on this bill. This is the way Congress is supposed to work, and I think we can all learn from this example. Chairman BLILEY approached this task in a very productive way, soliciting advice and offering compromise at many points along the way. He managed the process extremely well, as evidenced by the widespread support that he has mustered—not only in the conference and in the House—but in every part of an industry that usually can agree on little else. Chairman BLILEY and others working on this conference committee should be congratulated and given our thanks for the remarkable product before us today—a product that was in the making for several Congresses before this one, and that will finally make its way to the President's desk and beyond.

This telecommunications bill certainly will change the way Americans get their information and entertainment. No longer will consumers have just one company to choose from for the provision of local telephone or cable television service. Companies will be able to offer any or all of these services, giving consumers for the first time the ability to buy packages of telecommunications services that provide them with the best value at the lowest price.

This bill also will enable parents to make intelligent choices about what television programming is appropriate for their children. It requires that new television sets be equipped with a computer chip designed to automatically detect the rating that has been assigned to any television show. And it encourages television broadcasters to develop a voluntary rating system that will provide parents with the means to discern whether programming coming into their home is age-appropriate for their children.

Mr. Speaker, I want to say a few special words about the concerns of our local elected officials, and most especially our mayors. This conference agreement strengthens the ability of local governments to collect fees for the use of public rights-of-way. For example, the definition of the term ''cable service'' has been expanded to include game channels and other interactive services. This will result in additional revenues flowing to the cities in the form of franchise fees. In addition, the legislation also lifts the FCC's current ban on the imposition of franchise fees for telephone companies' open video systems. That too will increase revenues to the cities.

At the same time, State and local governments retain their existing authority to impose fees on telecommunications providers, including cable companies that offer telecommunications services. Finally, and perhaps most important, section 303 does not preclude a local government from lawfully managing public rights-of-way with respect to a cable company's telecommunications services. In short, Mr. Speaker, we have listened closely to our local officials, who have done a good job of helping us understand their concerns, and have crafted a bill that not only retains their current authorities but, in many instances, strengthens them. We appreciate the support for the bill we have received from the National League of Cities and the National Association of Counties.

Is this a perfect bill? No. No bill as large and complex as this one, addressing so many difficult issues, is ever perfect. But it is an excellent piece of legislative work. it will open telecommunications markets in a fair and balanced manner—it provides American businesses with a level playing field on which to compete, and it removes those aspects of government regulation that are antiquated while ensuring that every American continues to receive affordable service.

Mr. Speaker, in closing, I want to pay tribute to the incredible efforts of our staff, who put in countless hours, often working into the wee hours of the morning, to bring this bill to fruition. Our special thanks go to the minority staff of the Commerce Committee, especially David Leach, who has worked on the legislation for several Congresses and guided our successful efforts in the House in the last Congress, and Andy Levin, who joined our staff as a new counsel at the start of the conference and truly received a baptism under fire. I want to thank Colin Crowell and David Meulton from the staff of subcommittee ranking member ED MARKEY for their hard work, as well as the staff of the Judiciary Committee. From the Commerce Committee, Mike Regan and Cathy Reid did outstanding work in coordinating these efforts. And as always, the legislative counsel, Steve Cope, and his colleague on the PUHCA issue, Pope Barrow, did their usual extraordinary job. We appreciate all the staffs' hard work.

Once again, I congratulate my colleagues on this achievement, and I urge all Members to join me in approving this conference agreement.

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

Mr. CONYERS. Mr. Speaker, I yield myself 3 minutes.

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

Mr. CONYERS. Mr. Speaker, I think it is very, very important that we look as carefully as we can at a trillion-dollar-a-year industry legislation.

First of all, I want to tell everybody in this Chamber, there are a lot of things I like in the bill; I like a lot of things. The Antitrust Division part that the chairman of the Committee on the Judiciary and I worked on tirelessly is in this bill, and I support it strongly. We keep the Antitrust Division at the center of the telecommunications debate, and I am pleased that we all agreed upon that. It is important that the Department of Justice have an enhanced role in reviewing the Bell entry into long-distance, and we have been very successful.

But, Mr. Speaker, let us get to the reservations. Are there any? Well, you have not read the 111-page conference report, so I will give you the benefit of just a few of the problems that you might want to know about before we cast this ballot in less than an hour.

The cable provisions allow for deregulation before the advent of competition, raising the specter of unregulated monopoly. Two Congresses ago

we spent considerable time and energy, and the gentleman from Michigan [Mr. DINGELL] was leading that, in adopting legislation to protect consumers from price-gouging; and we were finally able to pass the bill over President Bush's veto.

This Congress, we have new leadership that has decided that consumer protection must take a back seat to industry demands, although a small concession to consumers was made by delaying the date of price increases until 1999.

This is not CONYERS, this is the Consumer Federation of America: ''Even with the significant improvements, the bill does not stimulate enough competition. For every step taken to encourage competition, the bill has provisions which undermine its goal. Instead of promoting head-to-head competition between cable, telephone, and other communications companies, the bill allows mergers and corporate combinations that will drive up cable rates and undercut competition.''

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

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. HYDE], the distinguished chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Speaker, I would like to pay homage to the gentleman from Virginia [Mr. BLILEY], the gentleman from Texas [Mr. FIELDS], the gentleman from Michigan and ranking member [Mr. CONYERS], the gentleman from Michigan and ranking member [Mr. DINGELL], Senator PRESSLER, and all of the staffs who have done enormously important work in bringing this to fruition.

This legislation represents the most sweeping communications reform legislation to be considered in this House in over 60 years. It will establish the ground rules for our national telecommunications policy as we enter the 21st century.

Mr. Speaker, I am happy to yield to the gentlewoman from New York [Mrs. LOWEY] for the purpose of engaging in a colloquy.

Mrs. LOWEY. Mr. Speaker, I would like to congratulate the gentleman from Virginia [Mr. BLILEY], the chairman of the committee, and other members of the conference in bringing this very important conference report to the floor today. However, I would like to bring to your attention one section that is very troubling to me.

Section 507 amends the preexisting section of the Criminal Code (18 U.S.C. 1462) and applies it to the Internet. Now, it was my understanding that your intent behind adopting this provision was to place reasonable restrictions on obscenity and indecency on the Internet. I support this goal.

However, a section of this act may be construed to curb discussions about abortion. It seems to me this provision would certainly be unconstitutional.

Mr. HYDE. Well, reclaiming my time, Mr. Speaker, I certainly agree with the gentlewoman that any discussion about abortion, both pro-life and pro-abortion rights, is protected by the first amendment guarantee of free speech; and I certainly agree, nothing in title V should be interpreted to inhibit free speech about the topic of abortion.

Further, it is correct that our principal intent in adopting this provision was to curb the spread of obscenity and indecency, speech that is not protected by the first amendment, from the Internet in order to protect our children.

I yield to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, with that assurance, I feel comfortable supporting this bill, and I hope that my colleagues who were also concerned about this provision will now feel comfortable supporting this bill. I thank the gentleman for clarifying this point and for his hard work on this bill.

Mr. HYDE. Mr. Speaker, I thank the gentlewoman for her courtesy.

As the chairman of the House Judiciary Committee—because of our committee's jurisdiction over the Federal antitrust laws and Federal regulatory procedures—I approached this important and complex issue from a competition and deregulatory policy perspective. Clearly, the proposed entry of the regional Bell operating companies into the long distance and manufacturing markets raises fundamental antitrust questions. After all, it is an antitrust consent decree, commonly known as the Modification of Final Judgment or ''MFJ,'' that now prevents them from entering those businesses, and it is that decree that we are now superseding. Also, the telecommunications industry is a highly regulated one at both the Federal and State levels. In my view, less regulation is a desirable goal in this instance, because it will spur further technological innovation, greater competition and job development.

On May 2, 1995, I introduced H.R. 1528, the Antitrust Consent Decree Reform Act of 1995. H.R. 1528 proposed to supersede the MFJ and replace it with a quick and deregulatory antitrust review of Bell entry by the Department of Justice. Under H.R. 1528, the Bell companies would have been able to apply to the Department of Justice for entry into the long distance and manufacturing markets immediately upon the date of enactment. The Department of Justice would then have had 180 days to review the application under a substantive antitrust standard—specifically, Justice would have been required to approve the application unless it found by a preponderance of the evidence that there was a ''dangerous probability that the Bell company would use its market power to substantially impede competition in the market'' it was seeking to enter.

This approach received broad, bipartisan support within the Judiciary Committee. In fact, on May 18, 1995, the full Judiciary Committee reported H.R. 1528 by a 29 to 1 recorded vote. unfortunately, however, it became apparent that there was not broad-based House support for a potential Department of Justice veto over Bell entry.

The Commerce Committee, on the other hand, understandably looked at this issue from a telecommunications policy and Communications Act perspective. Its bill—H.R. 1555—which ultimately became the House legislative vehicle, required the Bell operating companies to meet various Federal and State legal requirements to open their local exchanges to competition before they are allowed into the long distance and manufacturing businesses.

In keeping with the long tradition of our Committees sharing jurisdiction over the subject of telecommunications legislation, we cooperated closely on the formulation of the manager's amendment to H.R. 1555, which was adopted on the House floor in August. A number of the provisions originally contained in my bill—H.R. 1528—were moved into H.R. 1555 through the manager's amendment. Furthermore, following House passage, our two committees continued to work closely together representing the House position in the House-Senate conference committee.

Again, I strongly believe the conference report on S. 652 is good legislation that will move America's telecommunications industry forward into the 21st century. Allow me now to briefly explain a few key provisions that were of particular importance to Judiciary Committee conferees.

The conference agreement does include a strong consultative role for the Attorney General. Under this part of the agreement, the Department of Justice will apply any antitrust standard it considers appropriate, which may include the dangerous probability standard from H.R. 1528, to applications by the Bells to enter long distance. After conducting its antitrust analysis, DOJ will provide its views in writing to the FCC and they will be made a part of the public record relating to the application. The conference agreement enhances this consultative role by requiring that the FCC give substantial weight to the views of the Attorney General. By giving this special status to the views of DOJ, the conferees acknowledge the long experience and considerable expertise it has developed in this field. Under this approach, the FCC will have the benefit of a DOJ antitrust analysis before the Bell companies are allowed to enter the long distance market.

The conference agreement also enhances DOJ's role in another way—it repeals section 221(a) of the Communications Act of 1934 (47 U.S.C. § 221(a)). Congress enacted section 221(a) when local telephone service was viewed as a natural monopoly. The statute currently provides that when any two telephone companies merge, the FCC should determine whether the merger will be ''of advantage to the persons to whom service is to be rendered and in the public interest.'' If so, the FCC can render the transaction immune from ''any Act or Acts of Congress making the proposed transaction unlawful.''

However, the conferees concluded that section 221(a) could inadvertently undercut several of the provisions of the Telecommunications Act of 1996. The critical term ''telephone company'' is not defined. In the new world of competition, many companies will be able to argue plausibly that they are telephone companies. When two telephone companies merge, section 221(a) allows the FCC to confer immunity from any act of Congress—including the Telecommunications Act of 1996—after performing a public interest review.

Thus, if it were not repealed, section 221(a) could easily have been used to avoid the

cable-telco buyout provisions of the Telecommunications Act of 1996. Any cable company that owned any telephone assets could become a telephone company and be bought out by an RBOC by applying for immunity under this section. Likewise, if section 221(a) were broadly interpreted, it might also have been used to get around all the other line of business restrictions in the bill, including the restriction on RBOC entry into long distance. Fortunately, the conference agreement closes this loophole.

In addition, because section 221(a) allowed the FCC to confer immunity from antitrust statutes, it would have allowed mergers between telecommunications giants to go forward without any antitrust review. Mergers between these kinds of companies should not be allowed to go through without a thorough antitrust review under the normal Hart-Scott-Rodino process. A public interest review by the FCC simply is not a strong enough tool to prevent these giants from destroying competition and recreating a monopoly system through a series of megamergers.

By returning review of mergers in a competitive industry to the DOJ, this repeal is consistent with one of the underlying themes of the bill—to get both agencies back to their proper roles and to end Government by consent decree. The FCC should be carrying out the policies of the Communications Act, and the DOJ should be carrying out the policies of the antitrust laws. The repeal does not affect the FCC's ability to conduct any review of a merger for Communications Act purposes, for example transfer of licenses. Rather, it simply ends the FCC's ability to confer antitrust immunity. In an era of competitive telecommunications giants, mergers between them ought to be reviewed in the same fashion as those in all other industries.

The Judiciary Committee conferees have also focused on the provisions contained in title VI, which address the effect of the bill on other laws. With respect to the various consent decrees, the conference agreement adopts a new approach to the supersession of the Modification of Final Judgment—now called the AT&T Consent Decree in the conference agreement—and the GTE consent decree. It also adds language superseding the AT&T-McCaw Consent Decree—McCaw Consent Decree. The Conference Committee sought to avoid any possibility that the language in the conference agreement might be interpreted as impinging on the judicial power. Congress may not by legislation retroactively overturn a final judgment. *Plaut* v. *Spendthrift Farm, Inc.,* 115 S.Ct. 1447 (1995). On the other hand, Congress may by legislation modify or eliminate the prospective effect of a continuing injunction. *Robertson* v. *Seattle Audubon Society,* 503 U.S. 429 (1992); *Plaut,* 115 S.Ct. 1447; *Pennsylvania* v. *Wheeling & Belmont Bridge Co.,* 59 U.S. 421 (1856).

To avoid any possible constitutional problem, the Conference Committee adopted the following new approach. Rather than superseding all or part of these continuing injunctions, the conference agreement simply provides that all conduct or activities that are currently subject to these consent decrees shall, on and after the date of enactment, become subject to the requirements and obligations of the act and shall no longer be subject to the restrictions and obligations of the respective consent decrees. The new approach did require some adjustment in other parts of the bill, including provisions: No. 1, to continue existing equal access and nondiscrimination requirements for local exchange carriers, No. 2, to adjust the definition of RBOC to exclude successors that do not provide wireline service, and No. 3, to continue activities allowed under existing MFJ waiver requests that have been ruled on before enactment. I believe that each of these adjustments has been made successfully and that this new approach will insulate the bill from constitutional attack.

In other parts of title VI, the conference agreement retains the House language that expressly provides that no State tax laws are unintentionally preempted by implication or interpretation. Rather, such preemptions are limited to provisions specifically enumerated in this clause. One of those enumerated preemptions, section 602, is the local tax exemption for providers of direct to home satellite services. The conference agreement adopts the House language with minor modifications to insure that the exemption extends only to the provision of programming.

Section 602 reflects a legislative determination that the provision of direct-to-home satellite service is national, not local in nature. Unlike cable and telephone companies which utilize public rights-of-way to provide service to their subscribers, providers of direct-to-home services utilize satellites to provide programming to their subscribers in every jurisdiction. To permit thousands of local taxing jurisdictions to tax such a national service would create an unnecessary and undue burden on the providers of such services. Local taxing jurisdictions are therefor preempted from taxing the provision or sale of direct-to-home satellite services. Direct-to-home satellite service providers and others in the distribution chain are exempted from collecting and remitting local taxes and fees on the sale of such services. The power of the States to tax this service is not affected by section 602. Again, States may, if they wish, share the revenue thus collected with their local municipalities.

The conference agreement also contains important language, patterned after provisions contained in H.R. 1528—and H.R. 1555—on electronic publishing. Under the conference agreement, the Bell companies will be able to enter the electronic publishing business through a separated affiliate or a joint venture. They will be required, however, to provide services to small electronic publishers at the same per-unit prices that they give to larger publishers. This will allow smaller newspapers and other electronic publishers to bring the information superhighway to rural areas that might otherwise be passed by.

The conference agreement joins the House and Senate provisions on alarm monitoring. Under the new section 275, Bell operating companies and their affiliates, who have not already entered the alarm monitoring business, may not provide alarm monitoring services for 5 years from the date of enactment.

BOC's that were lawfully engaged in the alarm monitoring business on or before November 30, 1995, however, may continue to provide such services. There are no prohibitions under current law barring such companies from alarm monitoring, and they should be permitted to operate and expand their business just like any other company in our free market system. This legislation should not cause these existing businesses to be unduly penalized after having lawfully entered the business. Moreover, consumers should not be denied the benefits that this additional competition will bring.

It is important to emphasize that it is perfectly legal for the regional Bell companies to be in the alarm monitoring business right now. Since an appellate court decision in 1991, the information services restriction originally in the MFJ has been lifted and the Bell Companies have been free to provide alarm monitoring and other information services. Only one Bell company—Ameritech—has chosen to enter into the alarm business. But they did so in reliance on the law as it was—and still is—at the time they entered. They have invested company resources and assets in this business.

It would simply not be fair for Congress to step in and change the rules of the game for a company that has lawfully chosen to enter into this business. We are not prohibiting any other existing alarm company from expanding their business, nor are we prohibiting them from acquiring other companies. In my view, legislation that alters the legal rights and/or obligations of private parties should be prospective rather than retroactive. So, for those Bell companies that have chosen not to enter the alarm business, prospective restrictions for a period of 5 years are not unfair. That is, once this law is passed, a Bell company not already in the business on the date of enactment could not enter for another 5 years. It would be quite a different matter to limit the actions of a company that already is in the business.

Accordingly, such ''grandfathered'' BOC's may grow their alarm monitoring business through customer or asset acquisitions; however for 5 years from the date of enactment, such a company may ''not acquire any equity interest in or obtain financial control'' of an unaffiliated alarm monitoring company. It should be noted that any BOC providing alarm monitoring services will operate under specific nondiscrimination, cross-subsidy, and customer information obligations and protections. After 5 years, there will be no entry, equity, or financial control restrictions on BOC provision of alarm monitoring services.

Finally and importantly, title V of S. 652 will prohibit using and interactive computer service for the purpose of sending indecent material to a specific person under the age of 18. It also outlaws the display of indecent material without taking precautions to shield that material from minors. Defenses to these violations are provided to assure that enforcement will focus on those who knowingly transmit such material to minors. In fact, the conference report expressly provides an absolute legal defense to any on-line access provider, software company, employer, and any other, ''solely for providing access or connection to or from a facility, system or network not under that person's control,'' so long as that person is not involved in ''the creation of the content of the communication.'' Employers are also protected so long as the actions of their employees fall outside of the scope of their employment or if the employer has not ratified the illegal activity.

This provision codifies the definition of indecency that has been upheld in *FCC* v. *Pacifica Foundation*, 438 U.S. 726 (1978), and *Sable Communications of California, Inc.* v. *FCC*, 492 U.S. 115 (1989). Material that is ''indecent'' is ''material that, in context, depicts or describes, in terms patently offensive as

measured by contemporary community standards, sexual or excretory activities or organs.'' Thus, the standard contained in S. 652 is fully consistent with the Constitution; it is not unconstitutionally vague.

The underlying legal principle of the indecency concept is patent offensiveness. Such a determination cannot be made without a consideration of the context of the description or depiction at issue. As applied, the patent offensiveness inquiry to be made involves two distinct elements: the desire to be patently offensive, and a patently offensive result. Given these inquiries, it is clear that material with serious redeeming value is quite obviously intended to edify and educate, not to offend. Therefore, it will be imperative to consider the context and the nature of the material in question when determining its patent offensiveness.

Furthermore, title V clarifies current Federal obscenity statutes so it is undeniable that those laws cover the use of a computer to distribute, transport, or import obscene matter. The regulation of Internet indecency contained in the conference report is not based on what should be seen or discussed via the vast compute network, but rather on where or how it is made available. The provisions of the bill are not the most restrictive means, on the contrary, they are reasonable and narrowly tailored so not to overly burden one's right to engage in indecent communications while at the same time achieving the Government's policy objective of protecting our children.

Concerns have been raised about the amendment to 18 U.S.C. § 1462 regarding an interactive computer service. Section 1462 generally prohibits the importation or transportation of obscene matter. Subsection 1462(c) prohibits the importation or interstate carriage of ''any drug, medicine, article, or thing designed, adapted, or intended for producing abortion, or for any indecent or immoral use; or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of such mentioned articles, matters or things may be obtained or made * * *.''

We are talking about the advertisement, sale or procurement of drugs or medical instruments or devices, used to bring about an abortion. This language in no way is intended to inhibit free speech about the topic of abortion, nor in any way to limit medical or scientific discourse on the Internet. This amendment to subsection 1462(c) does not prohibit serious discussions about the moral questions surrounding abortion, the act of abortion itself, or the constitutionality of abortion. This statutory language prohibits the use of an interactive computer service for the explicit purpose of selling, procuring or facilitating the sale of drugs, medicines or other devices intended for use in producing abortions. The statutory language is confined to those commercial activities already covered in section 1462(c) of title 18 and in no way interferes with the freedom of individuals to discuss the general topic of abortion on the Internet.

Finally, section 508 will protect kids from sexual predators by making it a crime—punishable by up to 10 years in prison—for anyone to use a facility in interstate commerce, including a computer, to induce or solicit a child under 18 to engage in prostitution or other illegal sexual activity.

In conclusion, I want to thank Commerce Committee Chairman, BLILEY, Subcommittee Chairman, FIELDS, Ranking Member, CONYERS, Ranking Member DINGELL, and Senate Commerce Committee Chairman PRESSLER and their staffs for their cooperation in this monumental effort.

In short, as American advances into the 21st century, this telecommunications legislation is tremendously important. It is my firm belief that this bill means more jobs for Americans and will greatly enhance American competitiveness worldwide. It is high time that we replace this overly restrictive consent decree with a statute that recognizes the telecommunications realities of the 1990's. I intend to support the conference report on S. 652 because it will accomplish these goals.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia [Mr. BOUCHER].

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

Mr. BOUCHER. Mr. Speaker, I am pleased to rise in support of the conference report on telecommunications reform and urge its adoption by the House. This measure will create competition in our telecommunications markets, first by freeing telephone companies to offer cable TV service inside their telephone service areas, and for the first time, bringing genuine competition to the cable market.

Second and correspondingly, by allowing cable companies and others to offer local telephone service and bringing genuine competition for the first time to the local telephone market.

Third, the bill will enhance competition in the long-distance industry by freeing the seven Bell operating companies to offer interLATA long-distance service.

Fourth, by making the equipment market in the United States more competitive by enabling those same seven companies to manufacture equipment.

A number of benefits will inure from the passage of this bill. Consumers will enjoy better pricing, as competition comes into markets that today are characterized as monopolies or near monopolies. New services will be introduced by the new entrants into these various markets.

Perhaps most importantly, this is the means by which our country will obtain a modernization of its telecommunications network. Telephone companies to offer cable service will deploy broad-band technologies throughout their local exchanges. Cable companies to offer local telephone service will install switches in their coaxial networks, and the United States will then have the most modern network that exists anywhere in the world.

Mr. Speaker, I am pleased to urge support for the conference report.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER], who has worked tirelessly across the years for improved telecommunications legislation.

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for his leadership.

I just want to say that I really do want to find some way that I could vote for this, but ever since I was in law school, I always learned I should be prepared, and I should read what it is I am voting on.

I am standing here to say to my colleagues there is no way in the world that I can read fast enough to get through these 6 pages of technical corrections that we received today, single-spaced, by the way, and the bill, and put it all together and have any idea what I am really reading. So I am very upset that we would waive that 3-day period, move forward, and so forth.

One example of the type of things that we might uncover, let us hope that this is the only thing in there, that there would be nothing else that we would uncover, but this little nugget that we uncovered about referencing in the old COMSAT Act that people have been talking about, and that the gentleman, our chairman from Illinois and the gentlewoman from New York just had the colloquy about, was one very major thing that everybody said, oh, we did not intend to do this. Oh, my goodness, how did this happen?

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It is kind of interesting to me that we had time for all these other technical corrections, but we did not have time for a technical correction to clear up something that nobody intended to do, yet we are going to have everybody confused about what in the world is it we really meant as we did this.

And my problem is, we can have an agreement that abortion, the word abortion, the big A word, is protected speech under the Constitution, which I certainly agree with. But the question is what happens when you go on the Internet internationally? Does the Constitution go internationally? Does it follow you through the lines? I am not sure.

Telemedicine is one of the things we had hoped we would be able to move out and move into as a big area. What does all of this mean vis-a-vis that? We do not have an answer.

Furthermore, unfortunately on this act, there is a decision that came down pre-1972 saying this act is constitutional. So we may have a colloquy saying, ''I hope it isn't constitutional,'' we have got a decision saying it is constitutional. I do not know. I do not have time to go do all of that work in this period of time we have before we are to vote on it.

But I think that it is not a good idea to rush this through when it is such a significant part of our economy, and we are now seeing this gag rule come through which we hope is not a gag rule, but it might be a gag rule, and we do not know what the other 6 pages of single-spaced things might hold, too.

I do not know what happened to being thoughtful. It is only the 1st day

of February. Do we really have to take the whole rest of the month off? Could we not read and understand this? Because we are coming up with things that we are going to live by and we are going to be held by for the next 50 years.

Mr. Speaker, this is a sad day, and I am only sorry that we could not know more things about it.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas [Mr. BARTON], a member of the committee.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I want to also express my support to the leadership on both sides of the aisle that have pushed this legislation. Special thanks to my good friend, JACK FIELDS, who is retiring at the end of this session and this is going to be his legacy. He gets triple gold stars for his work.

I want to give a special thought on the local control of the right-of-way. The gentleman from Michigan, Mr. STUPAK, and myself and Senator HUTCHISON in the Senate have worked on that. I had a phone conversation with the president of the League of Mayors this morning, the gentleman from Knoxville, TN. They are supporting the bill.

I would urge all Members who have had some concerns expressed by their mayors to be supportive. We have worked out language in the bill and in the conference report that gives cities absolute guarantees to control their right-of-way and to charge fair and reasonable nondiscriminatory pricing for the use of that right-of-way.

This is a good piece of work, it is comprehensive, it is revolutionary. As my good friend, the gentleman from Virginia [Mr. BOUCHER], said, this opens up seamless interactive communications for all Americans, and I would urge an ''aye'' vote on the bill.

Mr. Speaker, section 702 of the bill adds a new section 222(e) to the Communications Act which would prohibit any provider of local telephone service from charging discriminatory and/or unreasonable rates, or setting discriminatory and/or unreasonable terms or conditions, for independent directory publishers buying subscriber list information.

Subscriber list information is essential to publishing directories. Carriers that charge excessive prices or set unfair conditions on listing sales deprive consumers and advertisers of cheaper, more innovative, more helpful directory alternatives.

Under section 257 of the bill, within 15 months from the date of enactment, the FCC is to undertake rulemakings to identify and remove barriers to entry for small businesses involved with telecommunications and information services. Clearly, the requirements of section 702 with respect to subscriber list information fall within this rulemaking requirement.

As the FCC determines what constitutes a ''reasonable'' price for listings, it seems clear that the most significant factor in that determination should be the actual, or incremental cost of providing the listing to the independent publisher. This approach assures that providers get back what it actually costs them to deliver the listings to a publisher without being allowed to ''load'' the price with unrelated costs and cross-subsidies.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California [Ms. ESHOO].

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

Ms. ESHOO. Mr. Speaker, I rise in support of the conference report for this telecommunications act.

I would like to start out, Mr. Speaker, by paying tribute to the distinguished gentleman from Virginia [Mr. BLILEY], chairman of our committee, to the distinguished gentleman from Texas [Mr. FIELDS], chairman of our subcommittee, who really worked tirelessly; to the gentleman from Michigan [Mr. DINGELL], ranking member; to David Leach of our staff and Lance Scott of mine, thank you for all the hard work that you have put in.

Mr. Speaker, as the Representative of Silicon Valley, CA it is clear to me that making the phone industry more like the computer industry would be a great boost to our Nation's economy.

That is why nearly 9 months ago today I stood with my commerce committee colleagues to announce my original cosponsorship of this historic legislation and rise today as a member of the conference committee.

This legislation sets down a clear framework, or checklist, for deregulating the telephone industry and has put in place detailed rules to protect consumers from certain monopolies.

In addition, the bill ensures rapid development and implementation of new technologies. Of particular interest to me is its mechanism to connect our Nation's children to the Internet and its requirement for a V Chip which parents can use to block television shows harmful to their children.

I am also very proud to report that a provision I authored to limit the role of the Federal Communications Commission in setting standards for the computer and software industry has been included without change in the final bill. With this language, consumers will be free to use their computers to coordinate the functions of their futuristic homes, as opposed to being forced to use foreign-made television sets because of an FCC mandate. I say let the market decide.

Mr. Speaker, as with most legislation, I am not totally satisfied with this bill. I am concerned about provisions in it that may dangerously decrease the number of voices on our public airwaves.

I also strongly object to the bill's provision to hold businesses and Internet users liable from transmitting loosely defined material over computer networks. The Internet is not a U.S. Government network, and giving Federal officials indiscriminate censorship authority in this area mocks constitutional protections of free speech.

I urge expeditious judicial review of this provision to ensure that free speech protections are not undermined.

Despite these reservations which are serious ones, I believe our Nation must embrace the promise of the 21st century, an American century, marked by a new era of telecommunications.

I encourage my colleagues to support the conference report.

Mr. Speaker, there is one provision of the act that has been of particular interest to me as well as a wide range of companies and trade groups associated with the computer and information processing industries. Section 301(f) of the act is a provision that I authored and originally introduced during the Commerce Committee markup as an amendment to H.R. 1555. It limits the role of the Federal Communications Commission [FCC] in setting standards that may affect the computer and home automation industries. It directs the FCC to set only minimal standards for cable equipment compatibility, maximize marketplace competition for all features and protocols unrelated to descrambling of cable programming, and ensure that the FCC's cable compatibility regulations do not affect computer network services, home automation, or other types of telecommunications equipment. In short, this section keeps the Government out of high-technology standards and prevents the FCC from setting standards for the computer and communications services of tomorrow.

Section 301(f) of the Telecommunications Act is a small but key ingredient for achieving the purpose of this historic bill: To embrace the future by allowing new technologies to flourish with minimum Government interference. Just as the act helps to open markets by eliminating Government barriers to long-distance and equipment manufacturing competition, section 301(f) ensures that our vital computer and high-technology markets remain open and competitive by ensuring that Government technical standards are kept to a minimum. Almost all standards in the communications and computer industries are voluntary, private standards—not Government mandates—and they should remain that way.

The principle of keeping Government out of technical standards is taking on increasing importance as we observe the accelerating convergence of the computer and communications industries. Companies throughout America, and all over the world, are feverishly working on the communications applications of tomorrow. These include the smarthouse—a home where lighting, entertainment, security, and other consumer needs are controlled and programmed automatically for users. Computers and communications are at the very center of this automation revolution. But like most revolutions, this one would wither and die if the Government were to set the rules and stifle change.

Section 301(f) modifies the FCC's authority in order to reign in the Commission's ongoing rulemaking on cable equipment compatibility. The problem Congress faces is that the agency has taken our 1992 Cable Act—the source of the Commission's power to assure compatibility between televisions, VCR's, and cable systems—and gone far beyond what appropriate public policy requires or its statutory authority permits. The Commission's 1994 proposal for a decoder interface would make the television set the gateway to the burgeoning

information superhighway, relegating the computer, and all other home appliances, to second-tier status. It also would include one specific home automation protocol—called CEBus, or Consumer Electronic Bus—as the mechanism by which all cable-ready TV's and set-top boxes would communicate.

My amendment prevents these consequences by precluding the Commission from standardizing any features or protocols that are not necessary for descrambling, preventing the selection of CEBus or any other home automation protocol as a part of the FCC's cable compatibility regulations, and precluding the Commission from affecting products in the computer or home automation marketplaces in any way. Section 301(f) leaves these standards to be set, as they should be, by competition in the marketplace. It makes clear that the Commission does not have the authority to prefer one home automation technology over another or permit its cable compatibility rules to affect the unrelated computer or home automation markets.

Some have questioned whether section 301(f) was intended to prevent the Commission from achieving cable compatibility. To that I say simply: No. The provision does not change the agency's power to ensure that cable set-top boxes no longer interfere with the advanced features of consumer TV's—like picture-in-picture. And as the conference report makes clear, Congress intends that the FCC should now promptly complete its long-delayed cable compatibility rulemaking. What the Commission cannot do, however, is use the 1992 Cable Act as a justification or excuse for broad Government standards on home automation communications or audio-visual equipment.

Under section 301(f), the FCC is required to maximize marketplace competition and private standards, not the role of Government regulations. It is required to let the market resolve standards issues for emerging technologies and services—like satellite broadcasting, video-on-demand and home automation—and to keep its cable compatibility standards narrowly tailored to solve only the specific problems the 1992 act asked the FCC to handle. The decoder interface, with its artificial bottleneck for the television and its unnecessary impact on home automation, is far from the only approach to solving those limited problems. The Commission must rework its compatibility proposal. It should also seek input from the computer, home automation, video dial tone and other potentially affected industries, not just the cable television and consumer electronics industries.

Some have also questioned why the prohibition in section 301(f)—that the Commission may not affect the computer or home automation markets—is so broad. To that I answer that the language is broad in order to effectively implement the principle that FCC regulations should not interfere in competitive markets. Because there is no reason to affect home automation or computers, and because even inadvertent or relatively small effects on competitive markets can easily displace technological innovation, section 301(f) is weighted toward protecting competition and open markets. As the conference report states, any ''material influence'' on unrelated markets is prohibited. Because it is impossible for agencies or courts to judge whether the impact of technical standards in emerging markets would be harmful or substantial, section 301(f) draws a bright line to avoid any regulatory impact whatsoever.

There is an important policy at work here. The risk associated with wide administrative powers over technology issues in an era of rapid technical change is that premature or overbroad Government standards may interfere in the market-driven process of standardization or impede technological innovation itself. American industry has solved compatibility problems, and created workable standards, in the VCR, personal computer, compact disk, and other industries without any Government involvement. Markets drive interoperability much better, and far faster, than regulatory agencies could ever achieve. Where would we be today if the FCC had stepped in to set compatibility standards for personal computers in the early 1980's? We'd be without Windows '95, or the Mac, or even DOS, because all of these operating systems arose as the result of marketplace forces.

My amendment, which I am proud to report is included verbatim in the final text of the Telecommunications Act of 1995, prevents us from overregulating in the new computer and communications markets of the 1990's. We may yet be a few decades away from the totally automated home of the ''Jetsons'' cartoon, but with the help of section 301(f) we're one step closer to the smarthouse of tomorrow.

Mr. Speaker, a number of Members, on both sides of the aisle, played important roles in supporting my amendment at the Commerce Committee level and during the conference committee negotiations. I very much appreciate this bipartisan support, and thank my colleagues for insisting that the final conference report include the full text of the provision as originally introduced by me and as passed by the House last August. I urge the House to pass the Telecommunications Act of 1995 and to apply its basic principles of open markets and competition to the important area of compatibility standards.

Mr. CONYERS. Mr. Speaker, I yield myself 1 minute.

Question: How many know whether or not there will be an unprecedented increase in media concentration if this measure becomes law?

Answer: Not many.

But does it?

Well, the answer is that at a time that we need greater and more diverse media voices, this measure before us will eliminate the national radio and television ownership rules, scale back local concentration rules, and allow corporations to simultaneously control broadcast and cable systems.

Disheartening? I think so. Can it be improved? Of course. How do we do it? Send it back to the committee.

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

Mr. BLILEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Ohio [Mr. OXLEY], a member of the committee.

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

Mr. OXLEY. Mr. Speaker, I rise in strong support of the conference report.

Years ago, seems like longer than it was, but in 1991 the gentleman from Virginia [Mr. BOUCHER] and I introduced legislation to eliminate the cable-telco cross-ownership language, to encourage competition between cable and telephone and allow them into each other's businesses, neither one of them particularly happy with that prospect at the time, and now we have come to this day.

In looking back, when Al Swift and Tom Tauke introduced a bill to eliminate the modified final judgment, we worked very hard on that issue, the gentleman from Massachusetts [Mr. MARKEY], the gentleman from Michigan [Mr. DINGELL], the chairman, and I want to express my sincere appreciation to them for their hard work in the past and what has brought us here today.

The same kind of thing for the gentleman from Virginia [Mr. BLILEY], the chairman, who has shown enormous leadership, and my good friend, the gentleman from Texas [Mr. FIELDS], who unfortunately will be retiring but has just put in hours and hours of work and leadership to get us where we are today. I think all of us in this House owe JACK FIELDS a great deal of gratitude for where we are today.

The heart of this bill is to eliminate monopolies and to encourage this great competitive marketplace that we have going for us. Our answer is, let the competition begin.

Today, we make history, the first major rewrite of telecommunications legislation in this country in over 60 years. Driven by good public policy and an explosion of new technology, we stand at the threshold of the 21st century in communications with America as the undisputed leader.

Mr. Speaker, in many ways it is a relief to be approaching the end of this protracted process. This conference report has been a long time coming—62 years, in fact—and while the bill falls a bit short of my expectations, there can be no doubt that it represents landmark reform of the Nation's telecommunications law.

This legislation is ambitious in its vision and breadth. It is a vision of deregulation and head-to-head competition. It opens up all communications markets to competition, including the local telephone and cable television industries.

The measure's provisions allowing telephone companies and cable companies to compete in each other's markets are based on legislation I introduced in 1991 with the gentleman from Virginia [Mr. BOUCHER]. Our measure envisioned the convergence of these technologies, and our initiative constitutes the heart of this reform effort, if I may say so myself.

The bill is antiregulatory and antibureaucratic in philosophy. Where there are regulations or mandates, they exist in most cases for the express purpose of promoting competition and ensuring the unencumbered operation of market forces.

As is the case with politics, open business competition is not always a pretty process. There will be dislocations and miscalculations.

Certainly, there are those who would prefer the old way of sheltered monopolies and intense Government regulations. But in the end, the more efficient markets, and innovations that protected incumbents would never undertake.

As an aide, Mr. Speaker, there are some important issues which have been left somewhat vague in the conference report, in order to allow the FCC the latitude to implement them effectively. Some specifics have been outlined, however. In the case of the joint marketing provisions, for example, it is my understanding that the offering of local and long distance service under the same brand name would be permissible, so long as they are fully separate and those services are not jointly advertised. In the case of local marketing agreements, I note that the language allows LMA's to continue. It is important that broadcasters are granted the flexibility that these innovative agreements make possible. They help ensure the continuation of free, over-the-air local broadcasting.

The truth, Mr. Speaker, is that the conference report could have been even more deregulatory than it is. It is not the revolutionary measure originally introduced in the Subcommittee on Telecommunications and Finance. Unfortunately, the regulators and the protectionists left their imprint on this bill, as well.

However, considering that we have a regulation-minded administration at the White House and rather narrow Republican majorities in Congress, it is an excellent step in the right direction. And in those areas where we did not meet expectations, there will be future opportunities to address shortcomings.

Mr. Speaker, enactment of this legislation will mean more choices, lower prices, and better services for all telecommunications consumers. It will mean more economic growth, more jobs, and a more competitive U.S. economy. I urge the support of all Members.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. I thank my friend, the gentleman from Massachusetts [Mr. MARKEY], for yielding time to me.

Mr. Speaker, when we were working on this bill back in the Committee on Commerce, there were only a handful of us who voted against the bill coming out of committee. I say a handful, 5 fingers, there were 5 of us. When we came to the floor, again, we had many concerns with the chairman's mark.

I will tell Members that during this process, even thought people on both sides of the aisle, certainly the gentleman from Virginia [Mr. BLILEY], chairman, and the gentleman from Texas [Mr. FIELDS], chairman of the subcommittee, tried to work very hard in a bipartisan manner to include all of our concerns, I did not think we could get to the point where we would have a bill that is acceptable.

I will tell Members that while the bill that we are taking up here, this conference report, is certainly far from what this Member of Congress would call ideal, I will support this bill. I think that we have now seen how the process is supposed to work, how we are supposed to have give-and-take, we are supposed to hear from industry groups who have concerns.

The good Lord knows we all heard from industry groups and from consumer groups. I would have to think that in my brief period here in this Congress, this is the most lobbied piece of legislation certainly that I have seen. I hope it is the most lobbied piece I will ever see. I do not want anybody to try and break these records.

But with this bill we are going to create jobs. In my State of Pennsylvania we are guessing, in talking to industry sources, that in a 10-year period we may create 140,000 much needed jobs, and other States across this Nation will see similar things.

I would simply ask all of my colleagues to give due consideration to supporting this conference report.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. FRANK] who has brought a great energy and intellectual impact to this legislative process.

Mr. FRANK of Massachusetts. I thank the ranking member of the Committee on the Judiciary for yielding me the time.

Mr. Speaker, I agree that this bill is substantially improved from the one that originally came before us, although the notion of passing a bill which has had added to it at a very unusual point in the process, namely, in the conference, language that is explicitly and admittedly unconstitutional because of its restriction on using the word ''abortion'' is an interesting way to legislate, and that is one reason that I do not like the bill.

But another, as I said before, is the extent to which it is so unfair to the Republican leadership. It seemed to me that Speaker GINGRICH and his arguments against censorship was entitled to more consideration that he got from his side of the aisle. I thought the Speaker was right when he opposed censorship and I am sorry to see that he has given in.

But I am even more distressed at the end of my brief alliance with the Senate majority leader. The Senate majority leader had been strongly, in the last few days and few weeks, objecting to giving away access to the TV spectrum, an asset that now belongs to the public and is worth many billions of dollars—we are not sure how much—and he said, ''Don't give it away. Let's auction it off.'' I thought he was right and I was hoping we would get somewhere.

Because this bill essentially gives it away. I know we are being told that we should all pretend that the bill does not really do that, just as we should pretend that the bill does not really have some language in there restricting your ability to talk about abortion on the Internet. But the fact is that this legislation was drafted with the intention of giving a substantial public asset to the broadcasters. I believe it is in error.

I would hope we would defeat this today, send it back to conference, let them simply put in auction language. Let us auction off this very valuable aspect of the spectrum, have the billions of dollars for the public. It will be billions less than we would have to take out of Medicare or Medicaid or the environment.

I am afraid that we are setting the precedent here or confirming the precedent here that free enterprise as the Republicans see it is for the poor. Because today by giving away billions of dollars to the networks, later by making similar presents to wealthy agricultural interests, we will have confirmed that free enterprise and an absence of subsidy are rules by which the poor and the working class should live. But when it comes to substantial and important wealthy economic interests, whether they control the sugar and peanut industry or whether they are networks, they will be treated quite in contradiction to the principles of free enterprise, quite without regard to free market, but instead will be given these kind of subsidies.

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Giving away this very substantial asset that the unused portions of the spectrum represents for no money and after they use it for a while, maybe they will think about giving it back, I doubt very much that they are going to want to do it, is a very grave error.

Auctions of the unused parts of the spectrum have proved very successful, and it is a grave error not to include them here.

Mr. BLILEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Colorado [Mr. SCHAEFER].

Mr. SCHAEFER. Mr. Speaker, I thank the gentleman for yielding, and my congratulations to him, the gentleman from Virginia [Mr. BLILEY], and certainly to the gentleman from Texas [Mr. FIELDS], for putting together this very difficult piece of legislation.

When the AT&T system was broken over a decade ago, everybody assumed that local telephone service was a natural monopoly. Today, thanks to rapid technological and market changes, that is no longer the case.

As States around the country are proving, competition is much better than regulation of telephone markets by our Government bureaucrats.

Just as we are replacing regulations for telephone companies, so are we with cable companies. Based on provisions that I authored in the House-passed legislation, this conference report ends Federal regulation of the entertainment tier of cable. Competition from the telephone companies and many new entrants will replace one of the most needless sets of regulation of the entertainment tier of cable television leaving regulation in place for the so-called life line tier of cable. Competition from the telephone companies and many new entrants will replace one of the most needless sets of regulation this Congress had ever passed.

With enactment of this legislation, we finally get the Government out of the job of regulating MTV and the cartoon channel. We have finally moved out of the dark ages to provide competition rather than regulation to the benefit of the consumers of this country.

I urge my colleagues to support the conference report.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Arkansas [Mrs. LINCOLN].

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

Mrs. LINCOLN. Mr. Speaker, I think we all today owe a special thanks to the gentleman from Virginia [Mr. BLILEY] and to the gentleman from Texas [Mr. FIELDS], to my good friends, the gentleman from Michigan [Mr. DINGELL] and the gentleman from Massachusetts [Mr. MARKEY], for all of their hard work and efforts on behalf of all of us here in America for this wonderful piece of legislation.

I would like to ask the people of America to pay attention, folks, because in the midst of all of our frustration over budget battles and partisan politics, a new day has dawned with this legislation.

Today's vote on this historic legislation lays out the welcome mat for the 21st century and for those of us in rural America, it ensures we have a place at the table.

As a representative of 25 rural counties in Arkansas, my primary concerns during these negotiations and among the conferees has been ensuring that people who live in rural areas will have access to the same advanced technology and competition that we are seeking for the country and at affordable prices. Today, I am extremely pleased with the results of endless hours of talks.

By extending the definition of universal service, we have provided the means to ensure the coordinated Federal-State universal service system provides consumers living in rural and high-cost areas with access to advanced telecommunication services at reasonably comparable rates. By adding guarantees to the requirements for receiving universal service money, we have also made sure rural consumers will be served.

The waives and modifications created in both the Senate and House bills were carefully blended in conference to balance desires to promote competition in local exchange areas while ensuring smaller providers have necessary flexibility to comply with the bill's interconnection requirement.

I appreciate the chairman's willingness to work with me on these and many other issues.

I also would like to recognize the House's wisdom in accepting the Snowe-Rockefeller provision in the Senate bill to supplement distance learning and telemedicine. We included similar language in our bill last year. I am pleased my colleagues in the House took the time to educate themselves about the infrastructure we need to educate our children.

This is a bill we can all be proud of. I certainly encourage all of my colleagues to support it.

My primary concern during negotiations among conferees has been ensuring that people who live in rural areas will have access to the same advanced technology and competition that we're seeking for the country—and at affordable prices.

Today, I am extremely pleased with the results of endless hours of talks. By expanding the definition of universal service, we have provided the means to ensure that the coordinated Federal-State universal service system provides consumers living in rural and high-cost areas with access to advanced telecommunications services at reasonably comparable rates. By adding guarantees to the requirements for receiving universal service money, we also have made sure that rural consumers will be served.

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I also would like to recognize the House's wisdom in accepting the Snowe-Rockefeller provision in the Senate bill to supplement distance learning and telemedicine. We included similar language in H.R. 3636 last year, and I'm pleased that my colleagues in the House took the time to educate themselves about the infrastructure we need to educate our children. We have crafted a bill that will enable doctors in Little Rock to read x rays from the Ozarks while students in Piggott will be able to use the Library of Congress in Washington for their term papers.

On a lighter side, this bill will give consumers more entertainment choices. It's been a long road toward creating the parameters for the information superhighway, and I congratulate Chairmen DINGELL, MARKEY, FIELDS, and BLILEY for their leadership. Special thanks also are due staffers David Leach, Andy Levin, Harold Furchtgott-Roth, Cathy Reid, Mike Regan, and Michael O'Rielly.

Mr. CONYERS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, we have heard from the industries involved in this bill, oh, have we heard from the industries. We have heard from the lobbyists that the industries have hired, oh, have we heard from the lobbyists. We have heard from the consultants that the lobbyists have hired. We have heard from the law firms, we have heard from all of them. Someone said, ''We never want to hear from them again.'' Well, you will not for about 50 years, because that is how long it will take for us to get around to another communications act.

Why did you hear from them? What did you hear from the consumers? Oh, them? Well, what did you hear from the citizens? Oh, yes, right, JOHN.

Well, here is what they said, this is a $70 billion giveaway to broadcasters in this bill. I like broadcasters, folks. But the bill contains a provision which gives current broadcasters a block of publicly owned radio spectrum to increase their revenues by providing several free and pay-per-view channels, paging transmission and other nonprogram services without giving the public anything in return. Now, that from the Consumers Federation of America. Did they come and visit you? Have you received any visits from their lobbyists? I do not think so.

So what we are doing, ladies and gentlemen, in broad daylight, and I know we are sober, we are giving corporate welfare to a broadcast industry which is already among the most powerful. This gift is especially outrageous at a time when we propose massive budget cuts for scores of important social programs.

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

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

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

Mr. STEARNS. Mr. Speaker, before I start, I would just like to commend the chairman of the committee for the great work he has done and also to the distinguished subcommittee chairman, the gentleman from Texas [Mr. FIELDS], who is retiring.

I would like to echo a comment one of my colleagues said, this is a great opportunity for bipartisanship, and I hope the American people are watching and the people in the audience, and, of course, the people here on the floor. This is a bipartisan opportunity.

I would like to put into the RECORD two colloquies with the distinguished subcommittee chairman, the gentleman from Texas [Mr. FIELDS], and this deals with the duopoly rulemaking. I would like to engage the gentleman in a colloquy.

Has he read the duopoly rulemaking that I gave him that I can make part of the RECORD here today?

Mr. FIELDS of Texas. If the gentleman will yield, I have read the clarification of local television station ownership provisions. The gentleman is correct in the statements that are made.

Mr. STEARNS. Since the rule was last revised, the local media marketplace has undergone a breathtaking transformation. So I think this is important. Also, has the gentleman, the subcommittee chairman, had the opportunity to read the statement concerning the must-carry provision? It is my understanding there is language within S. 652 which requires all must-carry challenges submitted to the FCC to be resolved within 120 days. Is that correct?

Mr. FIELDS of Texas. If the gentleman will yield further, that is correct, and I have examined the remainder of your colloquy.

Mr. STEARNS. Mr. Speaker, I am making part of the RECORD three documents.

The documents referred to follow:

Mr. STEARNS. Further I would like to state that broadcast stations are important sources of local news, public affairs programming, and other local broadcast services. This category of service should be an important part of the public interest determination to be made by the Commission when deciding whether a broadcast renewal application shall be granted by the Commission. To prevent local television broadcast signals from being subject to noncarriage or repositioning by cable television systems and those providing cable services, we must recognize and reaffirm the importance of mandatory carriage of local commercial television stations, as implemented by Commission rules and regulations.

The following is the understanding and agreement referred to in the colloquy between Representative FIELDS and Representative STEARNS:

The conference report directs the FCC to conduct a rulemaking proceeding to determine whether to retain, modify or eliminate its duopoly rule, which prevents ownership of more than one television station in a market. Since the rule was last revised, the local media marketplace has undergone a breathtaking transformation. This has been characterized not only by a large increase in the number of broadcast stations (up one-third in the last decade alone), but more significantly by an onslaught of new multichannel rivals to traditional broadcasters, such as cable and satellite systems, and soon, video dialtone networks.

It is agreed that, when it considers revision of the duopoly rule pursuant to this conference report, the FCC should give serious weight to the impact of these changes in the local television marketplace—changes which have left broadcasters as single-channel outlets in a multi-channel marketplace.

It is also our intent that the FCC should revise the rule as is necessary to ensure that broadcasters are able to compete fairly with other media providers while ensuring that the public receives information from a diversity of media voices.

It is also agreed that the FCC should consider granting waivers for combinations in which at least one station is a UHF and where the FCC determines that joint ownership, operation, or control will not harm competition or the preservation of a diversity of voices in the local television market.

As our numerous hearings demonstrated, today's local television marketplace exemplifies the massive changes in the competitive landscape that we've witnessed in many sectors of communications. Viewers are no longer limited to a few TV channels. Rather, consumers have—or soon will have—access to dozens of cable channels, wireless cable, satellite and video dialtone systems.

Broadcasters compete with these multichannel rivals for viewers and ad dollars alike. In particular, interconnected and clustered cable systems are now capable of offering advertisers local spots throughout an entire local media market, thus directly impacting the local broadcasting market. Indeed, cable's share of local advertising revenues increased by 80% between 1990 and 1993, and this rate of increase is projected to continue for the foreseeable future.

If we want free, over-the-air programming to survive and thrive, we need to give broadcasters the flexibility they need to compete effectively with their new multi-channel rivals. To this end, the conference report grandfathers Local Marketing Agreements, the innovative joint ventures that many broadcasters have been using to meet the new competition.

The need to relax the duopoly rule is illustrated by the broadcast community's experience with LMAs. These joint ventures enable broadcasters to take advantage of the economies of scale and generate synergies that provide more outlets for free and innovative local and other programming. LMAs have enabled new stations to get on the air and struggling stations to stay on the air.

Beyond grandfathering LMAs, this legislation charges the FCC to take a hard look at the duopoly rule, and Congress could not be more clear; the FCC is directed to determine whether to retain, modify, or even eliminate its limitations on television station ownership in a local market.

It is my position that the FCC should waive or eliminate the duopoly rule in circumstances cases where a proposed combination involves at least one UHF station and there is no demonstration of harm to completion or diversity of voices in the market. Congress needs to closely monitor the FCC to ensure that it revises the duoploy rule in recognition of the changes in the local television marketplace and of the need to give local broadcasters some flexibility to respond and succeed in the challenging multichannel marketplace.

The 1934 Communications Act—accompanied as it is by a hodgepodge of FCC decisions and court rulings—is outdated. As we craft the communications policy that is going to carry us into the 21st Century, we must ensure that it reflects the flexibility of an ever-changing marketplace.

We are standing at the precipice of a bold new era of communications, an era whose full impact we can only speculate about. But we can say this: That era holds great promise for America, economically and even politically. It will be an era in which America's already significant lead in communications technology continues to expand. It will be an era in which Americans will have greater access to information and education than ever before. And it will be an era in which democracy itself will be enhanced as Americans gain powerful new ways to communicating directly with their elected representatives.

For these reasons, this telecommunications bill represents one of the most important pieces of legislation Washington will consider this year. Unlike many bills before Congress, which concern the routine functions of government, the telecommunications reform legislation will help transform the very fabric of American society.

This is no small task and is fraught with controversy, but there is a common thread that holds all the elements of this massive bill together: deregulation. The fact is, government intrusion in America's communications industry has held us back, stifling innovation, competition, and the ability of America to maintain its global lead in key technologies. While this legislation did much in the way of loosening the regulatory chokeholds in the areas of long distance and local phone service, and cable, more could have been done in the area of broadcasting.

Broadcasting occupies a unique and critical position in the world of telecommunications. Broadcasters fulfill a number of important roles in their communities—reporting school closings, covering local news, and providing emergency information. In addition, broadcasting is unlike other communications technologies. Broadcasting is not only the only technology available to 100 percent of American households, the content it provides is free. The only cost is for a receiver.

Not surprisingly, broadcasting remains the principal means Americans use to get the information and entertainment that make up an important part of their lives. In fact, broadcasting has the widest coverage of any media today. More households have television and radios—99 percent—than have telephones—94 percent—or cable service—61 percent. Broadcasting to this day is the one medium that reaches the whole country. It is precisely for this reason that we must ensure that broadcasting remains a vital component in the information age. We must provide broadcasters with the flexibility to compete effectively not only with each other but also with their competitors.

In 1964, the FCC last revisited the duopoly rule which prohibits an entity for owning two television stations in a local market. In 1964, there were very few VHF stations and the FCC felt this rule was necessary to ensure diversity. Well, the video landscape has changed dramatically since the implementation of the 1964 duopoly rule.

Americans have access to many over-the-air broadcast channels. In the last decade alone, the number of commercial broadcast stations has increased by nearly one-third. This increase in free over-the-air viewing options, coupled with the availability of a multitude of video outlets—cable, wireless cable, DBS and the imminent entry of telephone companies offering video dialtone—evidences the fact that the duopoly rule has outlived its usefulness.

Serving local needs in an expensive endeavor. Relaxing the duopoly rule would allow station owners to achieve economies of scale by sharing equipment, accounting, and other common station costs. Saving on broadcasting costs would enable broadcasters to compete with themselves as well as other nonbroadcasting competitors. Keeping the duopoly rule freezes broadcasters as single channel providers who must compete with other multichannel providers.

Broadcasters have long found cable to be a formidable rival for viewers, but now local broadcasters are losing market share for local advertising revenues, too. For years, because of fragmentation of ownership in local markets, cables' share of local ad revenues has lagged behind its rapidly increasing penetration and viewership. But increasingly, cable operators are creating marketwide interconnects capable of offering local spots on all the cable systems in a market. Moreover, in order to compete with phone companies, cable operators are clustering at a rapid pace so that they dominate an entire local market. Driven by these interconnects and clustering, cable's share of local advertising revenues increase 80 percent from 1990 to 1993.

Because of the increased competition from fellow stations and other video providers, many broadcaster stations are marginal operations, particularly in the smaller markets, where, according to the FCC, stations lost on average $880,000 in 1991. Adding a further financial complication, the conversion to digital broadcasting will be stressful for these smaller market stations.

In this increasingly competitive communications market, it is not fair if one competitor remains leashed to outdated regulations. This is what will happen if we do not relax the duopoly rule, while we unshackle many of the broadcasters' competitors.

To respond to the challenges of today's media and advertising marketplace under the existing regulatory scheme, many television broadcasters have emulated their colleagues in radio and entered into innovative arrangements called local marketing agreements, or LMA's. An LMA is a type of joint venture that generally involves the sale of a licensee of chunks of air time on its station to another station, in the same or adjacent market, which then supplies the programming to fill that time and sell the advertising to support it.

Such agreements enable separately owned stations to function cooperatively, achieving significant economies of scale via combined sales and advertising efforts, shared technical facilities and increasing stations access to diverse programming. I'm pleased this legislation recognizes the benefits of LMA's and grandfathers them. By grandfathering LMA's, we are allowing broadcasters to continue to use a tool that has helped them meet the challenges of today and tomorrow.

My own State, Florida has 5 LMA's which have generated positive synergies. Channel 26 in Naples could not afford a real news department until it entered into an LMA with channel 20 in Ft. Meyers. Now it has an outstanding news operation. This particular joint venture shows how LMA's can increase the amount of local news programming. There are many other examples of LMA's across the country that evidence the benefits of such arrangements.

While I am disappointed the conference did not accept the House provisions which relax the duopoly rule, I am confident that the FCC will, in its duopoly rulemaking, conclude that as this body did, that a 1964 rule is no longer applicable to today and more important, tomorrow's video marketplace. We must not continue to deny local broadcasters the flexibility they need to meet the challenges of an ever increasingly competitive market. Broadcasters must have more relief if they are to play a meaningful role in the information age. While grandfathering LMA's is a start, it certainly is not enough. The best solution to ensure the continued viability of free, over-the-air broadcasting is to relax the duopoly rule.

I am also disappointed with the radio provisions which are a disservice to those in the radio industry. While the House and Senate bills completely deregulated the radio industry, the conference took a giant step away from deregulation and forces the radio industry to attempt to compete with others with a 50 pound weight of needless regulation around its neck. I prefer the original House position which would have enabled all in the radio industry to prosper.

While the Telecommunications Act improves upon the Pole Attachment Act of 1978, our legislation fails to completely redress this issue. We have worked together to forge a compromise, but certainly we could have gone further, allowing the free market to work.

Again, while I am deeply disappointed with some provisions in this bill, I will support it because of the effect it will have on our economy. Overall, Congress cannot afford to let this opportunity slip through its fingers one more time. We must seize this opportunity and pass this ground breaking legislation now.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Speaker, I did not have the privilege of participating in this year's debate, because I took a leave of absence from this committee. But truly I participated in the last, I do not know, 10 to 15 years that we tried to do a bill, and for this reason I think enormous credit must go to the gentleman from Virginia [Mr. BLILEY] and the gentleman from Massachusetts [Mr. MARKEY] and I think especially the gentleman from Michigan [Mr. DINGELL], who have over the years produced a bill that brings back open competition, deregulation. This is a historic bill, probably the most important bill that will do something for people, bring technology into people's homes, opens up telephone service, cable.

This is something that I think, as the gentleman from Michigan [Mr. CONYERS] has pointed out, perhaps is not perfect, but it is something that once again, when the history is written of this Congress, I think this bill is going to be considered landmark legislation, and again, while I did not participate this year, I remember the hundreds and thousands of hours of markups when something did not work, and again, I want to commend the chairmen, but especially those on my side of the aisle, the gentleman from Massachusetts [Mr. MARKEY] and the gentleman from Michigan [Mr. DINGELL] for truly historic efforts in voting a historic bill.

Mr. Speaker, I rise in strong support of this historic telecommunications reform legislation which is the product of a bipartisan effort over many years. In particular, I would like to commend Chairman BLILEY, Subcommittee Chairman FIELDS, Ranking Member DINGELL, and Mr. MARKEY of Massachusetts for their spirit of cooperation and commitment to passing quality legislation.

This legislation, which will serve as the foundation for America's communications future, meets the necessary balance of private and public cooperation in setting the rules for competition in all communications markets and protecting consumers.

This telecommunications reform legislation will play a major role in bringing the benefits of the technological revolution closer to all Americans.

Although, Congress can ensure universal access, it cannot guarantee success. I challenge all Americans to take advantage of historic, new technology to boost its economic fortunes.

The nature of the telecommunications industry is inherently susceptible to large degrees of commercial concentration. I am confident this bill combines private sector mechanisms necessary to ensure all residents the highest quality of services while maintaining Government safeguards to ensure open competition and policies that empower children with information technology by creating incentives for public entities like schools, libraries, hospitals and community centers.

This bill embraces sensible deregulation and market-driven competition. It is a welcome dose of bipartisan compromise that will yield unlimited benefits in the form of job creation and the disbursement of the information age.

Deregulation is necessary where appropriate and prudent. However, Government oversight is necessary to ensure the public good such as providing universal service to poor, rural and minority customers.

This legislation ensures that all providers contribute their fair share to supporting universal telephone service in residential and rural areas. It preserves the principle that everyone should have access to telephone service, regardless of their ability to pay the cost to provide that service.

As Americans have done so many times in our history, we enter the information age in the belief of open markets and free competition. As we stand amidst the apprehension of the unknown and the excitement of discovery, we accept the challenges of the future and the responsibility of inevitable obstacles.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. BERMAN], who has done extremely important work on the antitrust provision in this bill.

Mr. MARKEY. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. BERMAN].

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

Mr. BERMAN. Mr. Speaker, the conference report appropriately includes a strong, independent role for the Justice Department in evaluating applications by RBOC's to provide long distance service.

The FCC must consult with the Attorney General in determining whether RBOC entry is in the public interest, a requirement designed to ensure that the FCC gives proper regard to the Justice Department's special expertise in competition matters and in making judgments regarding the likely marketplace effects of RBOC entry into the competitive long distance markets.

In fact, acknowledging the importance of the antitrust concerns raised by such entry and to check any possible abuses of RBOC market power, the bill specifically provides that the FCC accord substantial weight to the DOJ's views on these issues.

I am pleased that we have secured the Justice Department's role as the country's antitrust expert by ensuring that its position is given serious substantive consideration on the merits by the FCC as well as in any ensuing judicial proceedings.

However, I am gravely concerned that provisions in title V of the conference report, in particular, sections 502 and 507, are unconstitutional.

In section 507, by extending to the internet clearly unconstitutional underlying law, we are enacting an unconstitutional abortion gag rule.

As a member of the conference committee, I would like to review the procedural history of the adoption of the online indecency prohibition in section 502.

The House conferees first voted to approve a substitute amendment offered by Representative RICK WHITE which contained a Miller-adapted ''harmful to minors'' standard, rather

than an indecency standard as the basis of liability under Section 223(d) of Title 47. The harmful to minors standard would have criminalized exposing children to online pornography such as Playboy or Penthouse without chilling entirely nonpornographic, but offensive, expression. However, the House conferees then approved by a 17-to-16 vote an oral amendment offered by Representative GOODLATTE to replace the ''harmful to minors'' standard in the White substitute with a then-unspecified indecency standard.

After that vote, Representative WHITE put forward a proposal to supporters of the Goodlatte amendment to define the indecency standard to include the third prong of the Miller-Ginsberg ''harmful to minors'' test. The proposal was to include statutory language clarifying that the indecency standard included only material that ''taken as whole, lack[s] serious literary, artistic, political or scientific value for minors.'' I and others supported this proposal in an effort to avoid criminalizing display of valuable material that might nevertheless be considered ''patently offensive'' according to the standards of some local communities. However, the proposal was rejected by leading supporters of the Goodlatte amendment. They instead reduced the Goodlatte amendment to writing by incorporating the FCC broadcast definition of indecency into the House offer to the Senate. That indecency formulation was accepted by the Senate conferees, and will now become part of this legislation.

No hearings were held by any committee of jurisdiction with regard to the constitutionality of the indecency standard adopted by the Conference Committee or the least restrictive means by which to implement such a standard.

I regret that there were no hearings on this issue because I believe that we have overlooked serious constitutional problems with applying the indecency standard to the online medium. The least restrictive means test to which the courts subject indecency restrictions requires us to consider carefully how the restriction applies to the medium in question and whether less intrusive alternatives would achieve the governmental interest in protecting children. Having failed to engage in this inquiry and analysis, we have a conference report which assumes that the broadcast indecency standard can simply be applied wholesale to displays of online content.

While I believe that we have made progress in some respects through the adoption of the conference compromise on Internet content, I fear that our failure carefully to consider the least restrictive alternative test may result in the invalidation of section 223(d), a concern expressed to me in a letter from the Department of Justice. This letter was sent to all the conferees and explained that the indecency prohibition adopted by the conference was constitutionally suspect, and stood a greater risk of being found unconstitutional than the harmful to minors standard that was supported by 16 House conferees. In a hurried effort to appear tough on pornography we may well have approved an unenforceable legal standard.

□ 1530

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FRISA].

Mr. FRISA. Mr. Speaker, the Congress will soon pass the first overhaul of America's communications laws since 1934, when Americans gathered around the family radio for their news and entertainment. Today, as a result of this exciting new law, the very latest in technology will now be available and affordable to every American everywhere. So this legislation, which will breed competition and innovation and lower costs to all Americans, is good for the American people, and I urge its adoption.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. DEUTSCH].

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

Mr. DEUTSCH. Mr. Speaker, I want to commend the conferees. This legislation is as significant as it has been controversial and complex, and it has required a tremendous effort on the part of the conferees to get us to the point where the conference report can be voted on today.

This legislation will be a major boom to our economy and our constituents. My constituents, like others around the country, will be the beneficiaries of greater communications choices, lower costs, increased jobs, and economic well-being. The bill represents a substantial step in the right direction, and I believe it will strike a good balance between deregulation and consumer protection.

As for the issues that have not been completely nailed down, such as foreign ownership rules and questions of interpretation and implementation, I look forward to working with my colleagues on the Committee on Commerce to ensure that the vision and balance intended in this bill is maintained.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT], who has served with unusual distinction in his career on the Committee on the Judiciary.

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

Mr. Speaker, I think my colleagues know me well enough to know that I seldom come to the floor to debate a bill when I do not know how I am going to vote on that bill.

This is a bill which has some real advantages to it. I think we do need to increase the level of competition in the telecommunications industry, and this bill heads us in that direction. But there are also some very troubling things about this bill, and I am really having a hard time balancing those troubling aspects against the benefits of the bill.

Would it be irresponsible of me to vote to give away the capital of the United States of America? That is in essence one of the things this bill does. The 70 billion dollars' worth of assets that the United States Government now owns is being given away to the richest people and industry in America under this bill. That is the spectrum value, I am told.

So I am troubled, deeply troubled, by the notion that we could at the same time that we are taking $70, $100, $200 billion away from the poorest people in this country, be turning around, on the other hand, and giving away $70 billion of our assets. I am troubled by that. I hope I can get some guidance before the vote.

Mr. BLILEY. Mr. Speaker, I yield myself 1 minute to respond to the gentleman from North Carolina.

Mr. Speaker, there is no giveaway in this bill. What we do is loan the spectrum to the broadcasters because they have to simulcast while they advance this new technology. That is, the current TV sets will not receive the digital signal, so they have to broadcast both digitally and analog.

Mr. WATT of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. BLILEY. Mr. Speaker, I do not have the time, and, if the gentleman will be patient, I think he will understand where I am coming from by the time I am finished.

So they have to do this simultaneously. What we say is once this conversion comes, we reclaim the analog spectrum and we auction it off at that time. Nobody can tell you if the American people for sure will adopt this new technology, and nobody can tell you when they will do it; $70 billion is pulled out of the ether somewhere. There are no statistics to back it up.

Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. PAXON].

Mr. PAXON. Mr. Speaker, this is truly an historic day for this body. It marks the beginning of a new era for America businesses and consumers that will result in the creation of millions of new jobs in the years ahead because of this legislation.

Full and open competition will create new products and innovative services at the best prices for consumers. I think, most importantly, this bill recognizes one of our guiding principles, that competition is better than regulation.

Mr. Speaker, I want to give special thanks and appreciation to the chairs, the gentleman from Texas, [Mr. FIELDS] and the gentleman from Virginia [Mr. BLILEY] for their leadership in bringing this bill to the floor today. This is one of the most important days in this Congress.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I think that one of the most important things in this telecommunications reform bill

is the provision that I advocated when the bill was before the House some months ago, and that is affordable access to the Internet for schools. I would like to thank all of those Members of both sides of the aisle who fought for this and who kept with it in the conference, because this is one of the items in which no high-priced lobbyists were involved. No one was interested but the parents and the teachers of this country. It will make a tremendous difference, especially for children who come from less affluent families. Recently my hometown newspaper did an analysis of Internet access and test scores and found that for children in low-income neighborhoods whose families do not have a lot of money, their test scores rose dramatically just with their introduction to the Internet. So I think this is a stellar day for schoolchildren.

Mr. Speaker, I would also like to say that I was very angry when I heard that some people would jeopardize this very important bill by putting in extraneous measures having to do with abortion. I would like to thank the gentleman from Illinois [Mr. HYDE], and the gentlewoman from New York, [Mrs. LOWEY], who disagree on the underlying issue, for clarifying that these provisions are unconstitutional and now the legislative history is such that they are not valid.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. WATT], before the dean's explanation has taken hold.

Mr. WATT of North Carolina. Mr. Speaker, I am just trying to get some further clarification here, because the gentleman from Virginia [Mr. BLILEY], has indicated that they are not giving this spectrum away. Am I clear that in the process of loaning this spectrum, when you get back what you are going to get back from them ultimately, they are giving you the old capacity back, not the new capacity?

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

Mr. WATT of North Carolina. I yield to the gentleman from Virginia.

Mr. BLILEY. That depends. If they use the new capacity, yes, we will get the old back. If they do not use the new capacity, we will get the new back.

Mr. WATT of North Carolina. Mr. Speaker, reclaiming my time, if they use the new capacity, would that not be the equivalent of giving you back what would be the virtual equivalent of black and white television as opposed to much more advanced capabilities, the equivalent of color television?

I know it is beyond that, but I am simplifying it. We are not talking black and white versus color, but capacitywise, is it not substantially more?

Mr. BLILEY. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the spectrum, we do not know what they will be used for when it is auctioned off. It could be used for many things. But it will bring a far better price than if you do it speculatively now, because the broadcasters will have to spend some $10 billion for new equipment in order to broadcast a digital signal while they do the simulcast.

Mr. WATT of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. BLILEY. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Speaker, is it not true that the old spectrum is inordinately less valuable than the new digital spectrum?

Mr. BLILEY. Mr. Speaker, reclaiming my time, it may or may not be. We will have to see.

Mr. DINGELL. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, this is a very regrettable red herring. We have now a system of analog broadcasting for television. It is possible to develop a system of digital broadcasting in which we get a superior signal, both as to sound and as to picture. We are trying to move ourselves from this analog system to the superior digital system and to achieve the benefits which will flow from that kind of use.

To do so, we have seen that the Federal Communications Commission has made available a block of spectrum which will be made available to each of the broadcasters so that they can use it for going from analog to the new digital system, and they will continue to use the analog system which they now have during the time that the changeover takes place.

There are literally hundreds of millions of television sets in this country that have to be changed from the analog to digital. At the conclusion of the entire process, one of these existing sets of signals will be returned to the Federal Government. They will be unimpaired because the spectrum is a system of availability of receiving signals.

Mr. FIELDS of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. FIELDS of Texas. Mr. Speaker, to my good friend very quickly, it is the anticipation that the V-band is going to be cleared. The U-band will be packed, which will add value to the return of that analog spectrum. It is arguable that this will be more valuable spectrum.

Mr. DINGELL. Mr. Speaker, reclaiming my time, the spectrum will come back to the Government at the conclusion, either the digital or the analog, and the citizens will during that time have a chance to change over to the new kind of television sets. The broadcasters will be able to convert to the new kind of broadcasting system.

The country will achieve the enormous benefit of this set of events, and the public will receive the opportunity to make the changeover in an orderly fashion in a way which benefits everybody. The taxpayers will gain. There is no giveaway of anything.

At the conclusion of this time, the broadcasters will have the same amount of spectrum they have now and an orderly changeover to a superior system of broadcasting will have taken place during this period.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman. The one thing that surprises me is that the Republican Party has apparently, with regard to this question of how to use the new spectrum, so little confidence in the free market. We hear about the free market from time to time, but because a very valuable industry, the broadcasting industry, wants to get the first use of it for nothing, and that is what we are talking about, this valuable part of the spectrum, yes, the broadcasting industry will be allowed, for free, to do the experimentation, and then maybe at the end they will give back the other part of it.

Mr. Speaker, the gentleman from North Carolina was right.

□ 1545

Whatever happened to the free market? Is not the best way to decide how to use this new spectrum that will become available, whether it is for digital TV or for some other purpose, to let us auction it off?

Mr. Speaker, earlier it was said all elements of industry liked this bill. I have no particular beef with the industry, but I would suggest that when all elements of industry like the bill, probably the taxpayers and the consumers have reasons to worry.

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, why do we have to give the broadcasters spectrum not being used for free, over-the-air TV? It is a gift, no matter how it is described. It is a huge, charitable, wealthy, corporate gift.

Mr. Speaker, I yield 15 seconds to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, now that I have heard all the explanations, I would say that this is like giving away the dirt road and the interstate highway, and, once this is all over, we are going to be given back the dirt road to auction off the somebody else.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, let me see if I can help set the record straight. Our bill does not give away spectrum to the broadcasters to do anything with other than to broadcast over the air in this transition from one technology to the other. And then it requires the return of the old technology spectrum to the people of the United States.

Second, the bill provides that, if the broadcasters should use any of that spectrum for any purpose other than

over-the-air broadcasting, they have to pay for it like everybody else. That is what the bill currently says.

One final point: The issue of a broadcast spectrum is tied up with something called the public interest standard. It has to do with the trade we made a long time ago to licensed broadcasters who operate under a public interest standard, a relicensing by the FCC, and a review of that licensing over time.

If my colleagues want to change that policy, and some do, they ought not make it in a budget meeting; they ought to make it in the committee of jurisdiction where we examine what happens on television and what broadcasters do with the license they get to operate in the public interest standard. I urge my colleagues to pass this bill and let us debate that issue in the committee of jurisdiction where it belongs.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. TOWNS].

Mr. TOWNS. Mr. Speaker, I would like to thank the gentleman from Virginia [Mr. BLILEY], chairman, and the gentleman from Michigan [Mr. DINGELL], ranking member, and of course the gentleman from Texas [Mr. FIELDS], the chairman of the subcommittee, and the gentleman from Massachusetts [Mr. MARKEY], the ranking member of the subcommittee.

I am pleased that this conference report contains a new initiative to assist in the development of capital funds for small businesses. This telecommunications development fund will provide low-interest loans to small businesses with $50 million or less through upfront spectrum auction payments. I would like to thank the leadership of the committee for bringing this momentous legislation forward and for supporting my efforts to assist small businesses.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, the argument we hear against auctioning off the spectrum to the broadcasters, as we have just heard from my friend from Louisiana, after all, they operate with public interest obligations. I have been here with him 15 years, and that is the nicest I have ever heard him talk about public interest obligations.

The broadcasters successfully work to reduce those public interest obligations to mean virtually nothing. The only time they raise them is when they can use them as an excuse to get the superhighway, as the gentleman from North Carolina said, for free. I do not think that my friend from Louisiana believes that that public interest standard will ever be amounting to much. It is simply a flag they wave so they can get this for free.

Mr. BLILEY. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. HAYWORTH). The gentleman from Virginia [Mr. BLILEY] has 6 minutes remaining, and the gentleman from Massachusetts [Mr. MARKEY] has 6 minutes remaining.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. GOODLATTE].

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

Mr. GOODLATTE. Mr. Speaker, I rise in strong support of this very, very important bill that is going to provide deregulation in an industry that is badly needed. We are going to finally bring the telecommunication policy of this country into the last half of the 20th century before we enter the 21st century.

Mr. Speaker, this bill is going to create millions of jobs, estimated over 3 million jobs due to the new competition and the new technologies that are going to be made available.

I would also like to thank the gentleman from Illinois [Mr. HYDE], the chairman, and the gentleman from Virginia [Mr. BLILEY], the chairman of the conference, for making it possible for me to play a key role in working out an agreement that protects the rights of local governments to see that their zoning regulations are carried forward in making sure that, when new cell towers are located, they have the ability to determine in each locality where they are placed while fairly making sure that those locations do not interfere with interstate commerce and with the opportunity to advance this new technology.

I strongly support this legislation and urge my colleagues to vote for the conference report.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. WHITE], a member of the committee.

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

Mr. WHITE. Mr. Speaker, I thank the gentleman from Virginia [Mr. BLILEY] and the gentleman from Texas [Mr. FIELDS] for giving me the opportunity to be part of this bill.

This is a good bill. It is an important bill. I would like to point out what sometimes gets lost when we talk about all the details. The main accomplishment of this bill is that it takes us from our current situation of regulated monopolies in many, many industries and takes us to an era of competition. That is the huge accomplishment of this bill. It is a very important accomplishment, and I think it is something we can all be proud of.

There are several other issues this bill deals with. Like many good bills, this is not a perfect bill. I think we have a ways to go making sure that the Internet is protected under this bill. I think we ended up with the wrong standard for indecency. I think we have to make sure that the FCC does not have a role in regulating the Internet. I think that the gentleman from Texas [Mr. FIELDS] and I have colloquy that we are going to submit for the RECORD on that issue. But on balance I think this is important, and I ask the gentleman from Texas if he has seen the colloquy and agrees with it.

Mr. FIELDS of Texas. Mr. Speaker, if the gentleman will yield, I have reviewed that. He is accurate and I am supportive.

Mr. WHITE. Mr. Speaker, reclaiming my time, I appreciate that. I thank the gentleman from Virginia [Mr. BLILEY] and the gentleman from Texas [Mr. FIELDS] for letting me be part of this bill. It is a great bill, and I hope we adopt it.

Mr. BLILEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in reviewing section 602 of the bill as modified by the conference agreement, which deals with the preemption of local taxation for direct-to-home services, I wonder whether this provision should also include any present or future wireless service providers who transmit video programs to subscribers without using traditional wire-based distribution equipment as the new local multipoint distribution services, or LMDS.

I yield to the gentleman from Illinois [Mr. HYDE], chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, it sounds like essentially the same factual situation to me. I assure the gentleman that we would be willing to hold hearings in the Committee on the Judiciary on that subject later this Congress.

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

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

Mr. Speaker, this is a historic day. The legislation which we are considering has been constructed over a 4-year period. Much deliberation has been given to this legislation. Many issues so complex that they could not be resolved in brief periods of time had to be deliberated after much expert opinion over month-long periods.

The product that we have out here on the floor is not perfect, but it is the blueprint for the information superhighway of the 21st century. Its most important component is that it uses competition as its core, as its soul.

Everything in this bill is not perfect. The bill, in fact, guarantees that no company in any industry will any longer be able to rest comfortably knowing that they have a monopoly and that telecommunications or computer or long distance or software or whatever high technology industry that they seek to make their fortunes in.

In addition, we ensure diversity. We ensure that consumers are going to have choices. There will be two wires at a minimum to almost every single home in the country, each wire able to perform every single one of the services. If you throw in the electric companies, which also have the capacity to do so, we are going to have a revolution which the smallest companies, the

smallest software companies, that thousands and thousands of software companies and computer companies which represent the real job creators over the next generation will, then they can one way or the other get their product into the homes, into the businesses of every single person in this country.

This is a revolution. It breaks down all the old models of one cable company, of one television company. It breaks new ground in a way that should make every Member of this Congress proud. It is not perfect, but it is the best overall blueprint that any country in the world has ever come up with. We have the lead in all telecommunications fields. This bill allows us to sprint out further and look behind us over our shoulder at No. 2 and No. 3 in the world.

We should not delay yet another 2 years. Let us pass this bill.

On the issue of spectrum, for each of us here in Washington there is a channel 4, a channel 7, a channel 9. Next to it is a channel 3, a channel 6, a channel 8. The broadcasters will be given channels 3, 6, and 8. They will convert over to digital on those channels, and then they have to give back the old channels here in Washington. Channel 4, 7, and 9 must be given back, and then we can auction off those channels. They are only left with the same amount of band width as they have ever had.

Let us not have this red herring to float out here on the floor. There is no digital spectrum, there is no analog spectrum. There is spectrum. You use digital equipment or analog equipment. The broadcasters need time to convert over to digital equipment. The spectrum is the same.

I want to compliment, finally, the people who constructed this bill. On my staff, Colin Crowell and David Moulton who worked tirelessly. David Leach, chief staffer for the minority; Alan Roth and Andy Levin on our side. Mike Regan, Cathy Reid, Christy Strawman on the majority side. Michael O'Rielly, J.D. Derderian, Steve Cope.

This bill was put together after thousands of hours of discussion. It is a very good bill for the future of this country. We will have to come back and revisit it again and again in order to ensure that we continue to perfect that which we seek for this country. But this bill is the best that any in the world have ever seen.

We are breaking ground that Japan and Germany and France and England do not have the nerve to take. We are going to enter a brave new world where our companies will be forced to produce the best products, the best service at the lowest price and highest quality that will be sold around the world. Some companies will be winners, some will be losers.

□ 1600

Many more will be winners than losers. Our country ultimately will be the big winner. This is a good bill. It is one that this House should be proud of. It is a bipartisan product of work over a 4-year period.

Again, I compliment the chairman of the full committee, the gentleman from Virginia, Mr. BLILEY, and my good friend, the gentleman from Texas, JACK FIELDS, for his hard and courageous work on this bill; the gentleman from Michigan, JOHN DINGELL, chairman, once and future; and all the Members, minority and majority who have contributed to this process. It is something this House will be proud of.

It will be, when we look back, the one product out of this 2-year period where all Members of Congress, when they are sitting in their rocking chairs, can point back to and say ''I was there when the blueprint of the 21st century was noted on the floor of the House of Congress.'' Vote ''yes'' on this telecommunications bill.

Mr. Speaker, over a number of years, Congress has sought to update antiquated communications laws while remaining true to the three core principles of the Communications Act of 1934 that have guided communications policy for decades: universal service, diversity, and localism.

These three principles have served our Nation well and have helped bring Americans the finest communications technology and service in the world. The challenge for policymakers is to reform the rules in a way that retains these core values as they are impacted by two new factors: rapid technological change and fierce competition.

In many ways, the conference report on S. 652 makes great progress in accomplishing this task. In fact, many of the key policy proposals embodied in the legislation trace their roots to the Markey-Fields and the Dingell-Brooks legislation of the 103d Congress—H.R. 3636 and H.R. 3626, which were approved by the House by an overwhelming 423 to 5 vote. For example, it will help establish learning links to K–12 schools, libraries, and hospitals. It contains expanded privacy protections for consumers. It unbundles set-top boxes and other interactive equipment so consumers can buy the equipment of their choice. It helps to ensure access by disabled persons to telecommunications equipment and services. The bill will make sure that universal service evolves over time and that all competitors contribute to the system. It allows the phone industry into the cable business and vice versa. It breaks down the last vestiges of monopoly control over local telephone service as a condition of Bell entry into new business opportunities. These were all elements of the Markey-Fields legislation of the 103d Congress.

The conference report on S. 652 reflects a series of compromises between the House and Senate that resolve to my satisfaction the series of objections I raised to H.R. 1555 when it was approved by the House last August. The conference report on S. 652 being brought back to this body is a much-improved piece of legislation. It scales back or removes many of the problematic provisions of H.R. 1555 while retaining procompetitive, proconsumer measures that I strongly support.

Title I of the legislation will break down barriers to competition in the so-called local loop. Ridding the communications industry of the last vestiges of its monopoly past has long been a goal of mine. I believe strongly that we need to bring competition to every nook and corner of the telecommunications industry and break down monopoly barriers so that small companies and electronic entrepreneurs could get into the game, create jobs, and compete for consumers.

My overarching policy objective in this telecommunications legislation has been to create jobs and choices for the American people. For this reason I have consistently opposed monopolies and worked to rein in monopoly power and abuses wherever they arise. Why? Because monopolies limit choices. Monopolies retard technological development. Monopolies do not avail consumers of the lowest prices and the highest quality.

For me, competition has consistently been the preferred vehicle for bringing affordable and high-quality telecommunications technologies to the American consumer.

The compromise bill will allow the regional bell operating Companies into the long distance business, telephone companies into the cable television business, and the long distance industry, cable industry, and others into the local phone business. Over the long term I believe that increased competition between and among these hitherto separate industries will create tens of thousands of jobs. Moreover, I believe that the real explosion in terms of job creation, innovation, and new services will come from the computer and software industry as it converges with the telecommunications industry and further expands high-technology networking in the country.

The original House proposal would have deregulated cable systems within 15 months of the date of enactment. The pending legislation will deregulate the rates of most cable systems 3 years from now—in March 1999. The rationale for deregulating cable systems at that point is due largely to the success of the Cable Act of 1992. Although the cable industry fought the provision vigorously, the Cable Act of 1992 gave emerging satellite competitors and others access to cable programming, making competition viable. I am encouraged by the progress that direct broadcast satellite companies and wireless cable companies are making in signing up customers and competing against incumbent cable operators. It is my hope that robust competition will develop between these industries by 1999 to an extent that sufficiently avails consumers of affordable marketplace choices for multichannel video programming.

In addition, many of the cable provisions of the House bill that I found objectionable have been favorably resolved in the pending bill. The legislation no longer requires 3 percent of subscribers to complain to the FCC prior to inducing a rate review. Instead, franchising authorities may complain to the Commission after receiving consumer complaints. The legislation also does not contain provisions that would have generally and prematurely deregulated subscriber equipment.

The legislation also requires the Commission to resolve challenges to must-carry status within 120 days after a request is filed with the Commission. Broadcast stations have historically been important sources of local news, public affairs programming, and other local broadcast services. This category of service is an important part of the public interest determination to be made by the Commission when

deciding whether a broadcast renewal application shall be granted by the Commission. To prevent local television broadcast signals from being subject to noncarriage or repositioning by cable television systems and those providing cable services, I believe it is important to recognize and reaffirm the importance of mandatory carriage of local commercial television stations, as implemented by Commission rules and regulations.

The conference report also contains provisions which would allow registered utility holding companies an exemption from the Public Utility Holding Company Act of 1935 [PUHCA]. PUHCA is a complex statute that regulates the operations of large registered multistate electric and gas utility companies. It requires registered holding companies to obtain prior SEC approval before establishing affiliates, issuing securities, or entering into new lines of business. The act affects the ability of registered to enter into telecommunications because PUHCA restricts registered utility diversification into nonutility businesses by requiring such businesses to be functionally related to the utilities core business—i.e., at least 50 percent of such businesses must serve core utility functions such as internal business communications.

PUHCA was enacted to deal with the fact that State PUC's cannot effectively regulate the operations of multistate utility holding companies with complex corporate structures and an ability to cross-subsidize at the expense of captive ratepayers. While much has changed since PUHCA was enacted in 1935, the electric utility business remains a monopoly and there remains a temptation for self-dealing and cross-subsidization at the expense of captive utility ratepayers.

Many House conferees felt that unless we end the electric utilities' continued monopoly over electricity generation, we must retain certain controls and protections if we were to allow PUHCA-registered holding companies to diversify into telecommunications. We felt that PUHCA provisions of the Senate bill do not adequately address the threat of cross-subsidization or self-dealing at the expense of captive utility ratepayers.

Despite our strong reluctance to including PUHCA–TELCO language in this bill, we were able to work out on an approach based on the EWG provisions of EPACT that would adequately protect consumers and investors. This compromise would:

Require the FCC to certify a registered's telecommunications company is PUHCA-exempt for specific telecommunications purposes.

Certification of the telecommunications entity is necessary to ensure that it is exempt from PUHCA solely for enumerated telecommunications activities.

This is based on EWG model that has been highly successful, with over 250 applications approved to date.

Provide for state prior approval for converting existing rate-based facilities for use by the exempt telecommunications company.

This protects electric consumers investment in facilities constructed for their benefit (otherwise such facilities might be transferred to the telecommunications affiliate at less than fair market value.

This protects captive ratepayers from subsidizing telecommunications activities that don't benefit them.

Grant the SEC authority to obtain risk assessment information regarding financings of the exempt telecommunications company so that it can assess a substantial adverse impact of such financings on the registered holding company, in light of total invested in core utility operations, telecommunications, exempt wholesale generators, and foreign utility companies.

This will allow the SEC to take action to deny a proposed financing of an EWG, FUCO, or utility affiliate if it determines that the financial health of the registered is in danger as a result of telecommunications financings.

Provide for prior State and local approval of affiliate transactions.

This ensures captive ratepayers do not pay an inflated price for telecommunications service, due to the incentive to use a monopoly market, electricity, to subsidize entry into a competitive one, telecom.

Assure regulators access to books and records and provide audit authority.

This is necessary to ensure State and Federal regulators can examine all relevant utility and affiliates records to ensure cross-subsidization is not occurring.

Assure no preemption of State/local authority to protect electricity consumers.

I believe that this is an acceptable compromise on this difficult issue, and I commend the gentleman from Michigan [Mr. DINGELL], the gentleman from Virginia [Mr. BLILEY], and the gentleman from Colorado [Mr. SCHAEFER] for their work on this matter.

The conference report on S. 652 also contains a provision that I authored as part of H.R. 3636 in the last session of Congress and that was embodied by legislation authored by Chairman BLILEY and myself in this session. Section 304 of the bill will unbundle set-top boxes, converter boxes, and other interactive communications equipment and make them available for purchase from third parties. I believe that this is a procompetitive, proconsumer provision that will enable computer companies, telecommunications equipment providers, and other entrepreneurs to innovate and sell new high-technology gadgets to consumers without having to sell out to the owner of the wire that delivers multichannel video programming. I believe this will help to replicate for the interactive communications equipment market the success that manufacturers of customer premises equipment [CPE] have had in creating and selling all sorts of new phones, faxes, and other equipment subsequent to the implementation of rules unbundling CPE from common carrier networks.

The conference report on S. 652 is most improved in its treatment of mass media ownership issues. I had battled and fought against the mass media provisions of H.R. 1555 because I felt that such provisions indiscriminately repealed rules that helped protect important values such as localism and diversity. During floor consideration of H.R. 1555 in August I successfully amended the bill to scale back the TV network audience reach from 50 percent to 35 percent and reinstated the broadcast-cable crossownership prohibition. The conference report states that the Commission's regulations on national ownership caps should be increased to the 35 percent level and that limitations on the number of stations one entity could own be eliminated. This policy decision reflects a carefully calibrated balance and I believe that the duly considered view of Congress on these matters should settle the issue for many years to come.

With respect to the broadcast-cable crossownership rule, the conference report explicitly states to the FCC that repeal of the statutory prohibition shall not be interpreted as a signal to repeal the Commission's broadcast-cable crossownership rule or even to initiate a rulemaking to repeal the rule. The conference report expressly did not seek to wipe out the broadcast-cable crossownership rule and therefore the Commission is advised not to expend its limited resources reviewing this issue.

Much improved is the provision eliminating local ownership limits on radio stations. Although both the House and Senate bills eliminated the local ownership limits of 4 stations per market but because of concerns expressed by myself and others on the conference committee, as well as by the Clinton-Gore administration, local limits were reinstated in conference. The conference report revises section 73.3555(a) of the Commission's regulations to provide for ownership limitations based upon market size. The conference report does not define the term ''radio market'' and the Commission will need to apply a definition of such term as part of revisions contemplated by this section.

I also applaud the fact that the bill includes two issues that I have long advocated. The conference report includes important new consumer privacy protections and also includes a provision similar to one that I authored as part of H.R. 3636 that will include links to schools, libraries, and hospitals as part of a telecommunications universal service obligation and contribution. Privacy and security concerns on the information superhighway will continue to grow as the network grows and as more and more personal information is digitized and rides on the highway. More work needs to be done in this area to protect transactional information and to ensure that people have every opportunity and right to protect their data with encryption technologies. I will continue to work on this issue but the privacy provisions of S. 652 are good ones and an important down payment for consumers.

As many of you may know, establishing learning links to K–12 schools has long been a concern of mine and the conference report on S. 652 will make such links affordable for every school in the country. I believe it is imperative that we link all the classrooms in the country because it is the only way that we can mitigate against a growing digital divide where some schools get access and others do not. We must bring all our kids along to the future. No nation can hope to prosper in a fiercely competitive global economy where information is the coin of the realm if it does not give the bottom 10, 15, or 20 percent of its society the Information Age tools necessary to compete for jobs in such an economy.

Another benefit of this bill is the inclusion of the V-chip, an initiative I launched in 1993. The V-chip is the nickname of a feature which, when included in a television set, allows the viewer to block programming that is rated. Congress has moved forward with this provision because it is a technological solution to a problem facing parents everyday—how to effectively enforce standards in their own homes regarding what is suitable for their children to watch on television.

I am personally very gratified that the provision sponsored in the House by myself, Representative DAN BURTON, Representative JOHN MORAN, and Representative JOHN SPRATT, was chosen by the conferees as the basis for compromise. This has ensured that the development of a model rating system as envisioned by this bill will, under no circumstances, be imposed by rule on any broadcaster. In fact, under this bill, no program will ever be rated unless industry participants decide to do the ratings themselves. No government entity will ever rate a show; no government bureaucracy will ever rate a show; no government agency is empowered to sanction any broadcaster for refusing to rate a show.

It is our hope that each segment of the television industry will eventually recognize that giving parents information that allows them to protect their children will improve, not harm, free, over-the-air broadcasting. It is simply an update of the on-off switch of the three-network 1950's to the 500 channel universe of the coming century. Movies are being rated, computer games are being rated, the Internet is introducing screening devices, cable television is prepared to rate their shows, and it is inevitable that broadcast television will expand and refine the application of ''Parental Discretion Advised'' warnings to the whole range of shows considered potentially harmful to children.

It will be several years before television sets include the V-chip. First, the industry must develop a ratings system. Second, the set manufacturers must build new sets to include the electronics to read the ratings. But every parent will be pleased to know that, the day President Clinton signs this bill, it will have been declared in the public interest for this country to warn parents of programming that could harm their kids and to provide parents the means to block such programming out of the home, if they choose, with this simple, ratings-and-blocking device.

Finally, I want to commend Chairman BLILEY, Mr. DINGELL, Chairman FIELDS, and other members of the conference committee for their excellent work in bringing together the compromises necessary to reach final agreement.

Mr. CONYERS. Mr. Speaker, I yield myself my remaining time.

The SPEAKER pro tempore (Mr. HAYWORTH). The gentleman from Michigan [Mr. CONYERS] is recognized for 30 seconds.

Mr. CONYERS. Mr. Speaker, the insurance premium issue is not a red herring. It is a matter of both reality and public policy. If we were able to auction it to the networks, everyone has recognized it could generate billions and help balance the budget. This bill gives the insurance premium to the networks rent-free, and no Member will be able to justify this at a time when we are chopping Medicare in order to balance the budget.

I want to thank Chairman BLILEY for making the process of debate and consideration of this important economic bill open and bipartisan—for members of both the Commerce and Judiciary Committees.

LONG DISTANCE AND RELATED ISSUES

I said at the beginning of this debate that the antitrust laws and the Antitrust Division must remain at the very center of the telecommunications debate. Antitrust law is synonymous with low prices and consumer protection—and that is exactly what we need in our telecommunications industry.

The Antitrust Division is the principal government agency responsible for antitrust enforcement. Its role in the MFJ has given it decades of expertise in telecommunications competition issues. The Division has unrivaled expertise in making predictive judgments and in assessing marketplace effects. The FCC by contrast has no antitrust background, and is facing the threat of significant downsizing.

This is why its so important that the Justice Department was given an enhanced role in reviewing possible Bell entry into long distance. Under the conference agreement, the FCC must consult with and give substantial weight to the views of the Justice Department regarding such Bell entry—this is a necessary, but not sufficient condition to meeting the overall public interest requirement concerning Bell entry. The final conference agreement therefore ensures that the Justice Department's views will be given serious substantive merits by the courts on appeal as well as the FCC.

The Justice Department will be able to use whatever standard they believe is appropriate, including the so-called eight-c test under which Bell entry is not permitted into long distance or manufacturing unless there is no substantial possibility the Bell could use its market power to impede competition. It is also my understanding that the Department will retain its full statutory authority to represent the interests of the United States before the courts on appeal.

The importance of the long-distance entry provisions are underscored by the very few narrowly drawn exceptions to meeting the entry conditions. The grandfather for previous MFJ waivers under section 271(f) applies only to the particular Bell and the scope of particular activity addressed in the waiver. The exception for incidental services under section 271(b)(3) and 271(b) is to be narrowly construed. And the regulatory forbearance provisions set forth in new section 10 do not permit the FCC from forbearing enforcing the long distance entry requirements.

It is also important to note that even after entry occurs, section 271 applies separate affiliate requirements for at least 3 years in order to check potential market power abuses. And although some joint marketing is permitted by the Bells under these provisions, both the Bells and their affiliates would be subject to nondiscrimination requirements. And the Bell and its affiliate must also make the individual services that are jointly marketed available to competitors on the same terms they make them available to each other.

In addition, the bill contains an all-important antitrust savings clause which ensures that any and all telecommunications merger and anticompetitive activities are fully subject to the antitrust laws. Telco-cable mergers and all other broadcast, media, or telecommunications transactions will be fully subject to antitrust review, regardless of how they are treated under the bill or the FCC.

And the bill includes a very useful repeal of 47 U.S.C. 221(a) which could have exempted mergers between telephone companies from antitrust and other legal review. This was a holdover from the 1920's, an era when Federal telecommunications policy promoted competition over competition.

I would also like to remind the Members that this legislation would not be possible had the Justice Department not broken up the old Bell monopoly in 1984. The 1984 MFJ—which broke the Bell System into AT&T and the seven regional Bells, and which has been so ably supervised by Judge Harold Greene for 12 years—has unleashed one of the most significant competitive forces in our economy.

Since the MFJ opened up the long distance and manufacturing markets to competition, we have seen a 70-percent reduction in long-distance prices and an explosion in product innovation. The legislation rightly recognizes that it's time to open up the local loop to competition as well. And by maintaining the role of the antitrust laws, the bill helps to ensure that the Bells cannot use their market power to impede competition and harm consumers.

OTHER ISSUES

However, aside from the long-distance provisions of the bill, which I support, I have a number of substantive concerns with the final conference agreement.

The cable provisions allow for deregulation before the advent of competition, raising the specter of unregulated monopoly. Two Congresses ago we spent consideration time and energy in adopting legislation to protect consumers from price gouging, and we were finally able to pass the bill over President Bush's veto. This Congress the Republicans have decided that consumer protection must take a back seat to industry demands. Although a small concession to consumers was made by delaying the date of price increases until 1999, there is no guarantee there will be any cable competition by this time.

The bill will also allow for an unprecedented increase in media concentration. At a time when we need greater and more diverse media voices, the bill will eliminate the national radio and television ownership rules, scale back local concentration rules, and allow corporations to simultaneously control broadcast and cable systems.

The bill also places a number of heavy-handed burdens on the taxing and regulatory authority of State and local governments. The cities will no longer be able to tax direct broadcast services. Local governments are also forced to give up their power to regulate access agreements. Rather than grant the rights-of-way a city or county believes are in the public interest, they must comply with a new set of rules which come down from Washington. In doing so, the conference report completely ignores the new unfunded-mandate law.

GENERAL LEAVE

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to include extraneous material on this legislation.

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

There was no objection.

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

Mr. Speaker, I want to commend my colleagues: As I said before, the gentleman from Texas, JACK FIELDS, the chairman of the subcommittee; his vice chairman, the gentleman from Ohio, MIKE OXLEY, without whose diligent work we would not be here; for the

wonderful cooperation on the part of the minority: the ranking member of the subcommittee, the gentleman from Massachusetts, Mr. MARKEY; the ranking member on the full committee, the gentleman from Michigan, Mr. DINGELL. The staff, as the ranking minority member of the subcommittee, the gentleman from Massachusetts pointed out, has done yeoman work. They have worked weekends, they have worked nights, and I know they will be glad when this day is over, as we will be.

I remember working with the gentleman back in the early 1980's, when Mr. Baxter and Mr. BROWN reached an agreement. We came close to getting a bill then, but we were blocked at the end. One thing or another has frustrated us in every Congress since. Here we are on this historic day.

Mr. Speaker, this is a good bill. This is a bill that we can be proud of. Is it perfect? No, and it never will be, but bear in mind, this is the most extensive rewrite of telecommunications law in 60 years. Mr. Speaker, the reason it has taken 60 years is because it is complex. It is difficult. It is intricate. All of these players believe in competition, but they each feel they are entitled to a fair advantage.

Through the diligent work of the committees and the conference, we think we have created as level a playing field as we know how to do. As we stand here, all of the players in this complex act support this bill; some, truly, more than others. But it is a great day. It will be competition. It will give the American consumer greater choice. We will be leading the cutting edge as we go into the 21st century as a result of this bill. It is the greatest jobs bill we are likely to pass in this decade.

Mr. FAZIO. Mr. Speaker, this bill is good for consumers. It provides a supermarket in the telecommunications industry with one stop shopping for cable and phone service if you wan it. This bill is good for our children. It provides incentives to bring technology and the Internet into our grade schools, middle schools, high schools, and libraries.

Congress is—at last—taking into its own hands the deregulation of the telecommunications market which has been handled in a piecemeal fashion by the courts since the 1982 breakup of AT&T. Despite this inefficiency, States have been moving forward. In my home State of California, telephone companies have recently been allowed to offer local long-distance services and their local markets have been opened to facilities-based competition.

With this conference agreement, we acknowledge the changes that are taking place in the marketplace an insure that the process by which all competitors compete is fair and evenhanded.

I regret that I had to oppose the rule on this bill because of the unconstitutional language relating to abortion. I appreciate representative LOWEY's efforts to clarify that everyone's first amendment rights should be protected on the Internet. In light of her efforts, I am now prepared to support final passage of this measure.

I do want to point to one other concern however, relating to my district. The goal of this legislation is to create an environment in which new and expanded services are delivered to consumers. In some cases that can best be accomplished through the combined resources of smaller local telephone companies and local cable companies.

Section 652 sets limitations on the size of the local telephone companies that may own more than a 10 percent interest in their local cable operator. It was my understanding that the intent of the legislation was to limit these activities to local telephone companies below tier-one companies in size.

Further, section 652 sets forth conditions under which the FCC may grant a waiver from these restrictions if to do so is in the public interest and the local franchising authority approves. There may be a situation or two where a local cable company and local telephone company have been already negotiating a sale under current law but will find themselves facing a new set of rules before the sale is complete.

If the FCC finds this to be in the public interest, particularly if we are talking about small, non-tier-one companies, in my view this is the kind of circumstance for which Congress has created the waiver.

And since it is the intent of Congress to promote competition while encouraging localism, a circumstance in which a locally owned, non-tier-one local telephone company is seeking to purchase a local cable system serving just part of its telephone service area, and the telephone service area is subject to competition or impending competition from large national and international telecommunications conglomerates, should be the kind of situation giving rise to a waiver.

Mr. Speaker, there is a lack of consistency in the boundaries of telephone service areas, cable franchising areas, and census bureau population boundaries. Consequently, the guideline in the bill of 12,000 cable subscribers in an urbanized area should not be an obstacle to serving the public interest and should not restrict the FCC from granting waivers for providers serving more subscribers than the limit. Finally, if the FCC finds no anticompetitive effects to a proposed transaction, it should grant a waiver.

I urge by colleagues to support this legislation.

Mr. SKAGGS. Mr. Speaker, I'm going to vote for this bill because it promotes competition and growth in the communications industry, and I believe that will benefit consumers.

I must, however, express my strong opposition to one particular provision, section 507. This section clearly violates the first amendment's prohibition against laws restricting freedom of speech.

As some of our colleagues know, section 507 of this conference report incorporates by reference part of the Federal criminal law—18 U.S.C. 1462—and, by doing so, would make it a crime punishable by up to 10 years in prison to transmit or receive information through an interactive computer about abortion procedures.

While this bill contains other constitutionally questionable restrictions on the content of information transmitted or received through a computer, a flat prohibition on transmission or receipt of abortion information, like that contained in section 507 is, as the chairman of the Committee on the Judiciary has conceded, clearly unconstitutional.

While the authors of this bill have stated on the floor of the House of Representatives today that it was not their intention to restrict free speech on the matter of abortion and have stated their understanding of the unconstitutional nature of section 507, it is difficult to understand how and why this provision was ever included in this bill. The inclusion of this offensive provision is a testament to the terribly flawed process used to bring this conference report to the floor today.

The Members of the House have been given assurances that including this provision restricting free speech on the subject of abortion was a mistake we should act quickly and in a bipartisan fashion to correct this insult to the first amendment rights of all Americans.

Ms. WOOLSEY. Mr. Speaker, I rise in support of S. 652, the Telecommunications Act of 1995, which represents the most comprehensive overall of our Nation's telecommunications law since 1934. This historic legislation seeks to provide consumers with more choices and lower rates by promoting competition among telecommunications providers.

I opposed the House-passed version of this legislation because I did not believe it would have adequately protected American consumers from unwarranted cable and telephone rate increases. I was also very concerned that it would have allowed only a few large companies to control what Americans watch on television, listen to on the radio, or read in the newspapers.

While I continue to have reservations about several provisions of this legislation, I would like to commend the members of the conference committee for making significant improvements in many areas of the bill. The conference report does much more than the original House bill to benefit consumers. It deregulates the cable industry more gradually, raises broadcast ownership limits in a way that will promote competition and preserve diversity, and seeks to improve phone service and lower phone rates by leveling the playing field for telephone service providers.

I remain very concerned, however, about a provision in this bill that will criminalize the communication of information about abortion over the Internet. Under section 507 of this bill, individuals who provide family planning information over computer networks could be subject to a 5-year prison term. Even mentioning the word ''abortion'' could be considered a criminal act in some circumstances. Mr. Speaker, this is clearly unacceptable. That is why I voted against the rule under which this legislation is now being considered.

This bill should be about giving consumers a choice among competing telecommunications providers, not about threatening a woman's right to reproductive choice. This Information Age gag rule, which is likely to be found unconstitutional, has no place in this important legislation and should be eliminated. I am, therefore, extremely pleased that Representative HENRY HYDE, the chairman of the House Judiciary Committee, and Representative NITA LOWEY, chair of the Pro-Choice Task Force of the Congressional Caucus on Women's Issues, have engaged in a colloquy making it absolutely clear that this language was not intended by the drafters of the bill and will be removed from the act as soon as possible. While I am confident that this ban is unconstitutional, I am nevertheless eager to ensure

that Congress acts quickly to permanently remove this language from the bill.

I am also concerned that S. 652 could infringe upon Americans' constitutional right to free speech by allowing the Government to police the Internet for indecent material. Under this legislation, individuals who disseminate material that the Federal Government believes may violate contemporary community standards of decency could face prison terms. Thus, a librarian could be held liable for putting classic books such as ''Catcher in the Rye'' and ''Ulysses'' on line since they include profanity. While we all agree that children must not have access to indecent or pornographic materials, I do not believe that Government regulation of the information superhighway is the best way to solve the problem.

That is why I voted for an amendment to the House-passed bill that would have allowed computer users and computer network providers to police the Internet, rather than the Federal Government. This amendment would have prohibited the Federal Communications Commission [FCC] from regulating the Internet and other interactive computer services, but would have encouraged computer network providers to voluntarily screen and prevent the distribution of obscene and other objectionable materials on computer networks. I sincerely hope that Congress will consider legislation later this year to institute this more reasonable approach to protecting children from indecent material.

Mr. Speaker, the time has come to pass a comprehensive telecommunications reform bill. Despite several shortcomings, S. 652 is a balanced bill that will lead to technological advances and provide Americans with a telecommunications network for the 21st century. More importantly, the final bill makes dramatic advances over the earlier version in protecting consumers. I urge my colleagues to vote for this important legislation.

Mr. ORTON. Mr. Speaker, I rise in strong support of S. 652, the Telecommunications Act.

I believe that this is a good bill for my State of Utah, and for the Nation. For years, we have struggled in Congress to rewrite our communications laws to reflect the dynamic changes that have taken place in long distance and local telephone service, cable TV, broadcasting, and the Internet. Passage today and likely enactment into law in the near future represents a tremendous bipartisan effort.

First, I would like express my support for the strong provisions in this bill which protect rural America. Over the last few months, I have been pleased to work with rural Republicans and Democrats to insist on strong universal service and toll-rate-averaging provisions. Late last year, we sent a letter to conferees expressing our concerns and identifying provisions critical to rural America. Inclusion of such provisions in the final conference report will save the average rural telephone user hundreds of dollars a year.

For example, the House-passed bill contained much weaker universal service provisions than the Senate bill. Universal service is the mechanism which ensures affordable monthly phone rates for rural residents. The Organization for the Protection and Advancement of Small Telephone Companies [OPASTCO] recently conducted a detailed study on the effect of rates in a deregulated environment. This study found that the elimination of universal service in a deregulated environment could increase annual phone rates for rural Utahns by $198 a year. Fortunately, the stronger Senate provision, fully protecting universal service, prevailed.

A similar concern has been raised with respect to toll-rate averaging—both for intrastate and interstate long-distance phone calls. According to the same OPASTCO study, the elimination of toll rate averaging could increase annual long-distance phone bills for rural Utahns by $465 a year. Early House versions of the telecommunications bill did not fully protect intrastate and interstate toll-rate averaging. Fortunately, the bill we are now passing reinstates these important provisions.

Finally, the bill contains a number of other important rural protections and provisions. The one that I am proudest of is the provision which promotes affordable access for schools, libraries, and rural hospitals and health care facilities to the information superhighway. When this bill first came to the House floor, I was very disappointed to see that it contained no such provision. Therefore, I joined with my colleagues, Representatives MORELLA, LOFGREN, and NEY in offering an amendment to include an affordable Internet access requirement comparable to the one contained in the Senate. Through our efforts, we were able to obtain the support of the distinguished chairman of the House Commerce Committee to push for its inclusion in the conference report. With such inclusion, we will be able to make it easier for rural schools and libraries to gain affordable access to the information superhighway to promote distance learning. We will be able to make it easier for rural hospitals to implement telemedicine, an exciting new approach to health care in less populated areas.

So, I believe this is a very good bill for rural Utah and rural America. By unleashing the forces of competition, coupled with prudent protections for those areas and services where full, effective competition may not be possible, we should improve the quality, cost, and availability of telecommunications in rural areas.

Second, I would like to express my strong support for deregulation of the cable TV industry. Three years ago, Congress enacted a misguided bill to regulate cable television prices. The effect of that bill was to create a regulatory nightmare at the FCC, and a curb on the dynamic free market growth of programming. I was in a fairly small minority who opposed that earlier curb on free market cable TV activities. I am pleased to see a majority of both the House and Senate are now admitting that that was a mistake.

Third, with respect to deregulation of local and long-distance phone service, I believe that the final provisions represent a workable and sensible approach. It is certainly our expectation that competition should improve local phone service for consumers.

However, many of us are aware that the transition period from a regulated to a deregulated environment may not be easy. I am pleased to see a stronger review role for the Department of Justice in the conference report, to assure that this transition period does not result in the domination by one provider, to the detriment of competition. As this process unfolds, we in Congress should monitor these national market developments closely to make sure that the promise of true local phone service competition is in fact met.

Finally, I am pleased to see the inclusion in the bill of a V-chip requirement in all new 13-inch and larger television sets. This was not included in the original House bill, but we prevailed in adding this provision by amendment. Increasingly, parents are becoming concerned about the content of television programming. The use of the V-chip gives parents increased control over what their children watch. It is a fair, economical approach to dealing with this problem.

Is this a perfect bill? I don't think there is a Member in this body that is satisfied with each and every provision in it. Can we absolutely predict that the telecommunications changes we are unleashing today will be a complete and total success? Again, no one can really know with certainty. However, this legislation is a balanced, well-thought-out proposal that is long overdue. To wait any longer is to see our laws fall increasingly behind the rapidly moving forces of change that we see in all areas of telecommunications. This is a very good bill that should become law now.

Mr. PORTMAN. Mr. Speaker, I rise today to express my support for the Communications Act of 1995 and, more specifically, provisions in the conference report which preserve the ability of local authorities to protect their rights-of-way and public property.

As you may recall, 1 year ago, I stood before this body to ask for your support in passing H.R. 5, the Unfunded Mandates Act of 1995, in order to bring a new level of accountability to the Federal Government. This legislation, the principal provisions of which took effect on January 1, 1996, forces Congress to end the increasing practice of imposing crippling mandates on States and local governments without regard for their costs. Now the Federal Government must work cooperatively with State and local governments to avoid new mandates.

Today, the Unfunded Mandates Reform Act of 1995 passed its first real test, the Communications Act of 1995. Thanks to local governments, the National League of Cities, the National Association of Counties, the U.S. Conference of Mayors, and the Congressional Budget Office, all of whom assisted in identifying legitimate concerns about potential unfunded mandates in this bill, we were prepared to raise points of order on the floor to stop the mandates.

The Commerce Committee has worked with us, representatives of the State and local governments and other interested parties to avoid potential unfunded mandates and protect local control over public property and rights-of-way. We secured language that ensured local governments retained their control over rights-of-way. The language included in the Communications Act now adequately addresses the key concerns that have been raised by State and local governments about potential unfunded mandates. As proponents of unfunded mandates reform and protecting local control over rights-of-way, we were pleased to see this result.

I would like to express my gratitude to my mandates counterpart and original cosponsor on the other side of the aisle, Representative CONDIT, for his assistance as well as Representative JOE BARTON, and Representative BART STUPAK, true champions of State and local rights.

Mr. Speaker, unfunded mandates reform is a reality and I look forward to working with all

my colleagues committed to reflecting the concerns of State and local governments in Federal legislation.

Ms. PELOSI. Mr. Speaker, while I support many of the provisions in this conference report, I have serious concerns about computer censorship provisions included in the telecommunications agreement. In response to a strong lobby by the Christian Coalition, conferees voted 17–16 to include a provision which would make it a felony to put indecent material on a computer where a person under 18 can get It. Because indecent has not been defined by the Congress or the courts, the potential for abuse is great.

I do not believe the Federal Government should be involved in using a very loosely defined to test to judge communications between individuals. It is wrong to have the Christian Coalition judge what is appropriate speech on the Internet or anywhere else.

I am particularly concerned about the potential impact of this provision on HIV-prevention programs. The indecent provision has the potential to ban explicit HIV-prevention materials from the Internet.

The Internet has great potential as a tool in HIV prevention. It has the potential to provide accurate information that could be used by young people to protect themselves from HIV and other sexually transmitted diseases. According to the Centers for Disease Control and Prevention [CDC], other than abstinence, the most effective way to prevent HIV transmission is the consistent and proper use of condoms.

Organizations currently provide detailed information on the proper use of condoms. The question remains whether individuals working for these AIDS organizations in California could be arrested and extradited to more conservative parts of the country because this information was obtained by an individual under 18 years of age.

Banning HIV-prevention information does not protect young people. In fact, it can have the opposite effect. This computer censorship provision is wrong and should not be part of this legislation.

I am pleased that this legislation will empower parents by requiring the development of the V-chip. This chip will allow parents to block television programming they do not want their children to see. The V-chip will provide parents with a tool to help in the positive upbringing of their children.

Mr. Speaker, there are provisions of the bill that have a significant affect on cities, including the city of San Francisco. I am pleased that section 253(c) recognizes the historic authority of State and local governments to regulate and require compensation for the use of public rights of way. It further recognizes that States and local governments may apply different management and compensation requirements to different telecommunications providers' to the extent that they make different use of the public rights of way. Section 253(c) also makes clear that section 253(a) is inapplicable to right of way management and compensation requirements so long as those entitles that make similar demands on the public rights of way are treated in a competitively neutral and nondiscriminatory manner. As for the issue of FCC preemption, I am pleased that the committee agreed to support the Senate language which authorizes the Commission to preempt the enforcement only of State or local requirements that violate subsection (a) or (b), not (c). The courts, not the Commission, will address disputes under section 253(c).

The overwhelming vote in the House on Representative BARTON and Representative STUPAK's amendment, as well as the unanimous acceptance of Senator GORTON's amendment in the Senate, indicate that the Congress wishes to protect the legitimate authority of local governments to manage and receive compensation for use of the rights of way.

Mr. Speaker, I support the telecommunications reform legislation.

Mr. WATTS of Oklahoma. Mr. Speaker, this is a truly historic day for the American people. We are engaged in a discussion of a bill that fundamentally controls a business that is the fastest growing segment in our economy—telecommunications.

I welcome the opportunity to debate the merits of this ground-breaking legislation. Specifically, I would like to point out my concerns over the definition of facility-based competition. Real competition. To be effective, any market entry test must contain standards that clearly define the presence of local competition. Real competition will occur only when there are facilities-based companies serving many customers in major markets throughout the State of Oklahoma.

As rules that define facilities-based competition are developed and implemented, I expect those charged with that responsibility to make certain: There are periodic studies of the degree of actual competition in local exchange markets to determine whether the incumbent exchanges' market power has been constrained enough to relax some of the regulations intended to safeguard against the abuse of market power; all local exchange service providers provide service to all customers who request service, provide line-side interconnection and unbundling of the local loop into its functional sub-elements—feeder and distribution, obey the equal rules that are in place, cap prices for exchange access services and reciprocal termination at the rates charged by the incumbent exchanges, and allow full resale of all service offerings.

I thank the Speaker for the opportunity to add my concerns to this debate. I will not oppose this report and hope its passage results in quantum improvements to telecommunications access and a better standard of living for the American people.

Mr. BUYER. Mr. Speaker, I rise in strong support of the conference report on S. 652, the Telecommunications Act of 1996. This report represents one of the most monumental, deregulatory, and sweeping legislation ever considered in the history of Congress. I commend my colleagues, Senators PRESSLER and HOLLINGS, and Congressmen BLILEY, HYDE, FIELDS, and DINGELL for their relentless efforts to produce such unprecedented policy in a balanced and thoughtful manner. I consider it a great privilege to have been a member of this conference committee which took upon the task of examining every aspect of the converging telecommunications industry.

Mr. Speaker, this is a historic moment. Today, with passage of this legislation, this Congress is breaking the shackles of repressive government regulations. It is forging a new era where consumer choice, technological development, innovation, and competition control the marketplace, while we keep a watchful eye upon monopoly power.

This legislation marks only the second time the Government has addressed telecommunications policy. The Communications Act of 1934, representing the first time, was enacted when our Nation was highly dependent upon telegraph, and believed radio and telephone technology to be luxuries. Frankly, the Communications Act has governed telecommunications policy for far too long. Readily available and highly used technologies of today, such as digital overt analog transmission, cellular and wireless technology, as well as digital compression and interactive data transmission were not even within the realm of imagination of society in 1934.

I am here today to acknowledge that over the past several months I have had the opportunity to observe and examine advanced technologies which are not yet available to consumers. That is why I will be the first to admit that it would be impossible for us to predict what technologies and their applications will be available next year. This legislation was crafted fully aware of the fact and the stranglehold the Government was placing upon its development. I firmly believe that this legislation will unleash such competitive forces and innovation that our Nation will see more technological development and deployment in the next 5 years than we have already seen in this century. With that technological development will come hundreds of thousands of new jobs and tens of billions of private industry dollars being invested in infrastructure and technology in an explosive, yet steady, manner.

This landmark legislation is predicated upon two things: competition and the consumer. Our society is founded on the belief that competition produces new technologies, new applications for those technologies, and new services, all at a lower cost to the consumer. S. 652 puts the consumer in control. Cable companies, local telephone companies, long-distance companies, broadcast stations, wireless providers, utility companies, among many others, will all be competing for the consumer's business, offering new technologies, better services, and more choices at a lower cost.

Much of my support for this legislation is based on not only the consumer benefits gained through lower costs and better services, but through the access and availability to services and technologies in rural areas such as the Fifth Congressional District of Indiana. The impact of this nationwide network and universal access in rural areas will be revolutionary. We're not talking about just making sure small communities have cable services and can order a pizza from their television sets. This legislation will bring the world's leading heart surgeon into the surgery room at Jasper County Hospital and other rural hospitals. It will allow hog farmers in rural Carroll County to access the latest veterinary research to diagnose their herd's disease. Classrooms in Cass County can have access to the libraries of Oxford University. We will be bringing precision farming technology to Benton County, IN, through the use of global positioning satellites.

All of these extraordinary services and benefits are being obtained by ending the strangle hold of Government on the telecommunications industry. I truly believe that the Telecommunications Act of 1996 represents one of the greatest proconsumer, job creation, and infrastructure investment bill ever considered

by Congress. I fully support this measure and urge my colleagues to do the same.

Mr. GOODLATTE. Mr. Speaker, I would like to address the concerns raised by some over the language in the bill protecting minors from indecent communications over the Internet.

At a meeting of House conferees I offered the compromise language replacing a harmful-to-minors standard with indecency and it was adopted as the House proffer on cyberporn.

I am appalled by the unjustified hue and cry that this indecency provision will chill free speech and is therefore unconstitutional. This indecency standard has survived First Amendment scrutiny by the U.S. Supreme Court as applied in a wide variety of circumstances. In *FCC* v. *Pacifica Foundation* (1978) the Supreme Court held that the broadcast of indecent material could be banned during hours when children were likely to be viewers or listeners. In stating why broadcast indecency could be restricted Justice Steven who delivered the opinion pointed to the facts that broadcasts extend into the privacy of the home and is uniquely accessible to children. The Internet is very similar to the broadcast medium in those respects—it extends into the privacy of the home and it is uniquely accessible to children.

Some have even claimed that an indecency standard will keep great literary works such as ''Catcher in the Rye'' off the Internet. I strongly disagree and I believe that the definition of indecency, which is very narrow, makes this clear. The exact definition of indecency is ''any material that in context depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs.''

The context of the material cannot be disregarded when making a determination of indecency. Therefore, if someone transmits the entire novel ''Catcher in the Rye'' they would not be violating an indecency standard, but if they transmit only certain passages out of context they might. Indecency is not an inherent attribute of words or pictures, but rather a matter of context and conduct. In addition, it must be evaluated by prevailing community standards, not the views of just a few individuals.

We need to maintain a high standard when it comes to protecting children from exposure to pornography. The indecency provision in this legislation is right on target. It will keep smut away from children and protect on-line services or information providers who make a good-faith effort to keep indecent material away from children.

In addition, a very important factor cannot be overlooked—the battle over cyberporn threatened to completely throw the progression of telecommunications legislation off track. By bringing the House proffer on cyberporn closer to that contained in the Senate bill, my compromise prevented conferees from getting bogged down in this debate and allowed today's debate to come to pass.

REGARDING SECTION 271(D)(2)(A) (CONSULTATION WITH THE ATTORNEY GENERAL)

The conference agreement provides that the FCC must notify the Attorney General promptly when an application is filed by a Bell operating company for in-region interLATA relief. Before making its determination on the merits of the application, the FCC must consult with the Attorney General. In this regard, the Attorney General may submit an evaluation to the FCC using any antitrust standard that the Attorney General believes the FCC should consider in assessing the application. This requirement recognizes the special expertise of the Attorney General in antitrust and competitive matters.

However, this paragraph expressly provides that the Attorney General's evaluation does not have a preclusive effect on the FCC. In other words, the FCC is not required to adopt or even agree with that evaluation or with the conclusions of the Attorney General. While the FCC must give the Attorney General's evaluation substantial weight, it is not required to follow the Attorney General's views. Moreover, the FCC is free to give substantial weight—indeed greater weight if justified by the proffer—to the evidence offered by the applicant, Bell operating company. This is also true both of the conclusions and the recommendations concerning public interest, convenience and necessity or concerning competitive issues.

This provision is also not intended to give the views of the Attorney General any special weight or entitle them to any special deference upon judicial review of an FCC decision under this subsection. The critical determination under this subsection is the FCC's determination whether the Bell operating company has met the requirements of the Act. The courts will accord that FCC determination ''full *Chevron* deference'' as provided for in *Chevron* v. *National Resources Defense Council*, 467 U.S. 837 (1984).

Mr. UNDERWOOD. Mr. Speaker, I rise today to commend the conferees for their work on this important legislation which will shepherd in a new era of technological advancement and opportunity for all Americans. My focus on this telecommunications legislation has been on ensuring that Guam has the same access to telecommunications technology and advances in the information superhighway as other U.S. citizens.

In this regard, the universal service provision is an important statement of principle. It ensures that consumers in all regions of the Nation, including insular areas, should have access to telecommunications and information services and at rates that are reasonably comparable to rates charged for similar services in Urban area.

When the universal service provision was first drafted, it neglected to mention whether or not it applied to insular areas. After I brought this oversight to the attention of Chairman Pressler on the Senate Commerce, Science and Transportation Committee, he acknowledged that the addition of ''insular'' in the universal service section was an important clarification and agreed to clarify this definition.

The addition of the universal service provision is an important statement of principle at a time when Guam and the Commonwealth of the Northern Mariana Islands [CNMI] are pursuing inclusion in the North American Numbering Plan [NANP]. NANP inclusion would help to overcome both domestic and international misconceptions about the political status of Guam and the CNMI, ensure that the U.S. citizens on these islands have the same opportunities as all other Americans and improve access to the information superhighway. The inclusion of ''insular'' in the universal service section reinforces the need to include Guam and the CNMI in the NANP.

Again, I want to thank the conferees for their attention to this important clarification and for their inclusion of the universal service provision in the final legislation.

Mr. LARGENT. Mr. Speaker, I want to comment both Chairman BLILEY and Chairman FIELDS for the leadership they have shown, as well as the diligence and perseverance exhibited in shepherding this long overdue telecommunications bill through the legislative process. This conference report represents the first major overhaul of the communications industry in the last 60 years. This historic legislation reduces the Federal regulatory burden on the communications industry, and as a consequence of more competition and less regulation, American consumers should benefit from a greater choice of telecommunications services with lower prices and higher quality than is presently available.

Currently, consumers of many telecommunication services in America do not benefit from the innovation of new services and constant pressure for lower prices that characterize competitive markets. For example, providers of local telephone services are currently protected from direct competition by a complex web of Federal, State, and local laws. This legislation, if it remains true to its intent, will cut through that inertia and allow competitors to offer local telephone services. We have already seen what real competition has done to long distance rates—I can only hope the same is true for local rates.

This historic act has the potential to be the largest job creation bill in a decade. It is estimated that it will lead to $30 to $50 billion in consumer and business benefits and will hasten America's entry into the information age. The Telecommunications Act will unleash American ingenuity and free American entrepreneurs to bring innovative, exciting new products and services to market. It's about time that technological advances will be tested in the marketplace, and not in Washington or the Federal courts.

Mr. GILCHREST. Mr. Speaker, I rise in support of the conference agreement, and I request permission to revise and extend my remarks.

Mr. Speaker, unless I miss my guess, the bill before us will probably be the most historically important piece of legislation this Congress will consider. The telecommunications industry is growing rapidly in size and significance, primarily because telecommunication is about information and information is the future.

The law currently governing telecommunications, the Communications Act of 1934, was written for the era of radio, and while it has been amended several times since, it still maintains an outdated regulatory structure designed for an era where sources of information were scarce. But technology has blurred the lines among telephone, television, computer, and newspaper, to the point where all three can potentially be the same thing.

And with the advent of the information age, we need to recognize the need for competition among information media so that the free marketplace of ideas can be communicated through a free marketplace of information outlets. This bill seeks to exploit the market's ability to maximize quality, maximize consumer choice, and minimize prices.

Mr. Speaker, I supported the Contract With America. But years after the the contract is a footnote in history, the significance of this law will still be obvious, for this is Congress' most important step ever toward embracing the information era. And through this legislation, we

embrace it with the freedom and efficiency that only the free market can provide. I urge my colleagues to support this bill.

Mr. BORSKI. Mr. Speaker, I rise today to speak about S. 652 to ensure that its provisions are implemented in a manner that ensures fair competition in the telecommunications marketplace.

A major objective of S. 652, the Telecommunications Act of 1996, is the creation and maintenance of competition in local markets. Since States will play a key role in implementing this Federal legislation, it is vital that they act consistently with this Federal aim.

More specifically, section 253 of S. 652 provides that States and local governments shall not impose any requirement that prohibits or has the effect of prohibiting the ability of any entity to provide telecommunications services, and permits the FCC to preempt any actions that violate or are inconsistent with this policy. Because new entry is a fundamental of competition, it is most important that the FCC act expeditiously on any complaint that alleges a violation of this provision. Further, the Commission must ensure that any State or local requirement fully conforms to the act's standard.

I want to assure all my colleagues that I will closely follow the FCC's implementation of this provision to ensure it meets the spirit of this new law.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the conference report on S. 652, although I do not do so without reservation.

As this legislation was being worked out, many of the concerns I had were dealt with in a positive manner. Agreements have been reached which give my home of Dallas needed language regarding rights-of-way, a matter of concern to me throughout the negotiation process regarding telecommunications reform.

Additionally, I have had some concern about the possibility of the regional Bell operating companies using this legislation as a basis to engage in massive downsizing. Although I realize that some change in the operations of these companies is inevitable, I have been most interested in protecting valuable jobs in my district. Because of assurances that I have received concerning the position of Southwestern Bell with respect to these jobs, I am pleased to add my support, and my vote, to pass this historic legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I must rise to express my views on this important piece of legislation, the Telecommunications Act of 1995. This is a comprehensive bill that will allow us to enter into the technological revolution of the 21st century.

I am pleased with many provisions of the bill. For example, I believe that it is important that the Justice Department has a strong role in advising the Federal Communications Commission on whether competition exists in local markets. I would like to have seen a stronger role; however, the FCC must give the Justice Department's views substantial weight, which is a recognition of the Department's strong history and expertise in antitrust matters. The original versions of the bill would have given little or no role for the Justice Department.

The bill also allows the telephone companies to enter the long-distance market as soon as there is actual competition in the local market. The Bell companies are also required to open up their networks to local competitors. The bill raises the limit on radio or television stations that an individual or ownership group may own. The limit, however, is reasonable and not as large as the original House version.

Furthermore, the bill creates a telecommunications development fund that is designed to facilitate participation by small businesses in the industry. I hope that the officials that manage the telecommunications fund will utilize this opportunity to develop strong outreach measures toward minority- and women-owned businesses that have been underrepresented in the telecommunications industry.

Another positive aspect to the bill is the universal service provisions that make sure that this telecommunications revolution leaves no one behind. There are strong provisions relating to access to residents in rural areas, access by schools and libraries, and access to individuals with disabilities.

The provisions relating to the requirement that the larger television sets contain v-chip technology is extremely important as we transmit moral and cultural values to America's children. This V-chip technology will allow parents to block out certain programs that they find objectionable. Moreover, the FCC will be required to formulate some rating guidelines that can assist parents with respect to television programs.

As with any bill, I do not agree with all of the provisions. I am concerned about the deregulation of cable rates by March 1999. Many of us can cite incidents in which cable companies have been slow in providing quality service at a reasonable price. I hope that the FCC will encourage the cable companies to continue to develop ways to improve the quality of cable service and to work with local municipalities to insure fair treatment for cities and counties.

I am also concerned about some of the provisions relating to obscenity. Some of these provisions may need to be clarified in a technical corrections bill. For example, we would not want to prevent a physician from discussing an abortion procedure on the Internet. I believe additionally, that the question of auctioning the spectrum needs further review.

Mr. Speaker, I believe that for the most part, this bill is a good bill. It will be good for the telecommunications industry, good for consumers, and good for the country. It has been a major struggle to get this bill to the floor. Many Members have been working on some form of this bill for the last 3 years.

We may go forward today, however it should not be without a commitment to revisit this legislation to make this bill a better bill.

Mr. COSTELLO. Mr. Speaker, I rise today in support of the conference report on the telecommunications reform bill.

I originally opposed the measure when it came before the House last August because I felt the manager's amendment weakened the standards to promote effective competition and provide fair, reasonable rates for consumers. I am pleased that the conference report includes a reasonable checklist of requirements and requires that a FCC public interest test be met before applying for long distance entry.

I commend the committee and its leadership as well for including language urging the FCC to give substantial weight to the views of the U.S. Justice Department in determining Bell entry into long distance. I feel that judgment from outside the regulating agency is critical to making a fair decision that is in the best interest of the individual market served.

One of the main reasons I voted against the bill last summer was the way in which it would have weakened consumer power in keeping cable rates in check. It has taken several years to effectively implement the Cable Act of 1992, legislation which has worked in many ways to keep cable rates from skyrocketing. I did not want to see Congress's proconsumer efforts weakened. I am pleased that the conference report, while not perfect in this area, has made better strides than the original House bill toward keeping consumer protections in regard to cable prices and rates.

I am pleased that the conference committee retained the House position on installation of the V-chip on all 13-inch and larger television sets. The average American child watches an estimated 27 hours of television per week, and one study estimates that before finishing elementary school a child will watch over 8,000 murders and 10,000 acts of violence on television. The inclusion of a V-chip will give parents an additional safeguard to protect children from objectionable or qusestionable programming.

This is the most comprehensive communications bill since the 1930's. As we move toward the 21st century, the ability to communicate in a rapid, cost-effective manner will continue to be important to all Americans. I am pleased that working together we have achieved a framework, while not perfect, that will serve to guide our communication policy both now and in the future.

Mrs. COLLINS of Illinois. Mr. Speaker, I would like to commend Chairman FIELDS along with the distinguished gentleman from Massachusetts [Mr. MARKEY], and the Telecommunications and Finance staff for the hard work and long hours you've all spent crafting this legislation and moving it expeditiously to the floor today. Your earnest efforts have resulted in an agreement that, while certainly not flawless, will begin to pave the roads of the information superhighway with increased competition and assist in promoting greater economic opportunities for more Americans as we head into the 21st century.

Back in August 1995, I voted against H.R. 1555 because of numerous concerns I had with the bill particularly in the areas of cable rate deregulation and mass media ownership concentration. I am now convinced that, due to significant bipartisan cooperation on these matters, many of my concerns have been addressed sufficiently enough that I will support the conference report we have before us.

With respect to cable, this conference report modifies original language in H.R. 1555 that would have gutted the 1992 Cale Act by lifting cable rate regulation on the most popular cable programming 15 months after enactment of the bill for the largest operators, regardless of the competitive nature of their markets. After prolonged discussions, conferees agreed to redraft this section of the bill to ensure that true competition exists prior to deregulation of today's heavily monopolistic cable markets. By 1999 rate requirements will be lifted for all cable systems across the country.

This is an important compromise Mr. Speaker. According to the General Accounting Office, blanket deregulation of the cable industry prior to effective competition in 1984 resulted in a monumental rise in cable rates at three

times the rate of inflation. Given the fact that, today, effective competition exists in less than one-half of 1 percent of all cable systems nationwide and affordable cable TV alternatives for 99.5 percent of consumers from phone companies or satellite providers is not yet fully feasible, swiftly opening up these markets as provided in the original bill would only have spurred price gouging against consumers.

Also, the conference report's provisions on mass media ownership are much more reasonable than the extreme language in last August's bill. That language would have virtually guaranteed that power would have been concentrated among a select few communications megacorporations, sacrificing the key tenets of communications policy—community control and variety of viewpoints. That legislation repealed all ownership limits on radio stations, allowed one network to control programming reaching 50 percent of all households nationwide, gave one major communications entity the ability to own newspapers, cable systems, and television stations in a single town. This type of excessive media control is not a healthy prescription for competition.

Thankfully, these provisions were altered by lowering to 35 the percentage of all national television viewers that one network's programming could reach. In addition, this conference report keeps intact current restrictions that prevent one media giant from owning two television stations in one locality or owning newspapers in combination with ration stations, cable holdings, or TV interests in the same market.

However, I am most pleased about certain provisions designed to assist our Nation's smallest telecommunications providers which are included in this conference report.

As I have said on numerous occasions, while we should all look forward to the opportunities presented by new, emerging technologies, we cannot disregard the lessons of the past and the hurdles we still face in making certain that everyone in America benefits equally from our country's maiden voyage into cyberspace. I refer to the well-documented fact that minority and women-owned small businesses continue to be extremely under represented in the telecommunciations field.

In the cellular industry, which generates in excess of $10 billion a year, there are a mere 11 minority firms offering services in this market. Overall, barely 1 percent of all telecommunciations companies are minority-owned. Of women-owned firms in the United States, only 1.9 percent fall within the communications category.

Several of the provisions included in this bill will begin the process of eradicating these inequities.

I am very pleased to see that Representative RUSH's amendment to help to advance diversity of ownership in the telecommunications marketplace, which is similar to a provision I included in last year's telecommunications legislation, was retained in conference. It requires the Federal Communications Commission to identify and work to eliminate barriers to market entry that continue to constrain all small businesses, including minority and women-owned firms, in their attempts to take part in all telecommunications industries. Underlying this amendment is the obvious fact that diversity of ownership remains a key to the competitiveness of the U.S. telecommunications marketplace.

In addition, I fully support the telecommunications development fund language included in the conference report. This language ensures that escrow deposits the FCC receives through auctions be placed in an interest-bearing account and the interest from such deposits be used to increase access to capital for small telecommunications firms. This fund seeks to increase competition in the telecommunications industry by making loans, investments, or other similar extensions of credit to eligible entrepreneurs.

Finally, antiredlining provisions that prohibit all telecommunications providers from discriminating against individuals and communities on the basis of race, gender, creed, and so forth address a genuine concern of mine that the information superhighway must not be allowed to bypass those groups most in need of its benefits.

For all these reasons, Mr. Speaker, I urge my colleagues to vote in favor of this conference report.

Mr. POSHARD. Mr. Speaker, I voted against H.R. 1555, the House-passed Telecommunications reform bill, in August. I believe the conference report before us today is a much improved piece of legislation that deserves our support.

This bill contains the important V-chip technology that will allow parents to control what programs are viewed by their children. This parental control device will be of great benefit as consumer access to a seemingless endless number of new television channels enter the market place.

I believe this conference report has addressed in a fair manner the issue of cable deregulation. I represent a rural district and was greatly concerned about the negative impacts H.R. 1555 would have had on cable consumers I represent. I understand the importance of free and open markets, but in rural America competition if often slow in coming. The conference report before us today ensures consumer protection until real and meaning cable competition exists.

The telecommunications reform conference report before us today is not a perfect bill, but it is a very good bill. This legislation allows for true competition among local and long distance phone companies, protects cable consumers, and provides needed measures that make it illegal to intentionally communicate obscene materials over a computer network.

Mr. Speaker, we hear a lot about America being ready to embark on the information superhighway. This bill allow us to do that. Last week during the President's State of the Union address he referenced the importance of this legislation. I am proud that members on both sides of the aisle have worked together to produce a bill that is truly bipartisan. I commend the work of Chairman BLILEY, Mr. DINGELL, and the other members of the conference committee for working together to produce this historic legislation. I urge my colleagues to join with me in supporting this bill.

Mr. UPTON. Mr. Speaker: I would like to express my support for S. 652, the Telecommunications Act conference report, as I believe it is an important step forward in the development of our telecommunications policy. The issues we are discussing today—involving local and long distance phones service, cable TV, cellular phones, and more—will truly touch the lives of all Americans. As a member of the Commerce Committee which drafted and approved this bill last year, I'm pleased that we are finally on the verge of seeing this legislation enacted.

The national telecommunications network will play a very central role as we prepare to enter the 21st century. Throughout Michigan and the entire Nation, we must prepare ourselves to take advantage of the latest technology and do our best to see that there are no potholes on the information superhighway.

There are many important issues in the bill before us today. Let me just take a moment to take note of an issue of particular concern to the people of southwest Michigan—local marketing agreements, also known as LMA's.

A very successful LMA is in existence between two stations in western Michigan, WOOD–TV in Grand Rapids and WOTV in Battle Creek. In 1991, WOTV has suffered millions of dollars of losses and was forced to terminate their news operation and layoff many employees while they searched for a buyer.

In late 1991, WOTV was able to enter into an LMA and bring the station back to financial stability. They now have a fully staffed news department dedicated to bringing local news to their viewers. Additionally, they are very active in community affairs such as events at Western Michigan University and the Kalamazoo Air Show.

I am fully in support of efforts to allow for the continuation of LMA's in the future and I'm pleased that these provisions are part of S. 652.

I believe that under this bill, we are preparing our nation for the wave of the future and leading the world into the 21st century.

Mr. CASTLE. Mr. Speaker, this legislation represents the first comprehensive overhaul of our Nation's communications policy since 1934. Telecommunications technology has advanced beyond the wildest dreams of the visionaries of 1934, and yet the regulatory structure has remained unchanged. The present regulatory structure restricts competition in telecommunications markets and industries, thus stifling innovation, raising costs, and delaying the introduction of new products and services to consumers. Government regulators, rather than consumers, determine which companies can offer which services, and, in some cases, at what price. This bill will unshackle the telecommunications industry from the tenacious grasp of Federal, State, and local regulations, thus unleashing a broad array of new telecommunications services at lower costs.

This profoundly important and far-reaching legislation recognizes the legacy of decades of regulation, and thus does not simply eliminate all regulations overnight for a brutal battle in the marketplace. While on first examination this may appear to make sense, the present regulatory structure has positioned some industries to do remarkably well under such a scenario, while others would find themselves severely handicapped. Thus, immediate and total deregulation could possibly inhibit competition rather than encourage it. Instead, the legislation has sought to ensure that different industries will be competing on a level playing field.

This legislation is the product of years of analysis and negotiation, and is a fair and realistic bill which promotes and encourages competition in cable and telephony markets. In

Delaware, for example, the local phone company will be able to offer consumers long distance services and other telecommunications products. The local phone company, however, will no longer operate as a monopoly, and will face competition from other companies. For the first time Delawareans will have a choice of telecommunications providers, and as companies compete for their business, they will reap significant benefits.

I also support provisions that would ensure our Nation's schools and libraries have affordable access to educational telecommunications services. Schools can use telecommunications to ensure that all students, regardless of economic status, have access to the same rich learning resources. Libraries can ensure that every community has a publicly accessible means of electronic access to support classroom instruction, to communicate with the world-wide library community, to facilitate small business development, to access employment listings and Government databases, among other uses. It is in the Nation's best interest to ensure that all schools and libraries, even those in rural areas, are active participants in the Information Age.

The impact of this legislation, of course, extends far beyond the borders of Delaware. Everyone, from an elementary school child exploring the world beyond his or her local community, to an elderly person benefiting from the expert advice of a physician 1000 miles away via Telemedicine, to a business seeking to become more efficient, to a parent wishing to telecommute to work, to a couch potato channel surfing through 500 channels, to an innovative entrepreneur seeking to provide new telecommunications services—everyone stands to benefit enormously from this legislation. Consequently, I give it my strong support and urge my colleagues to do the same.

Mr. BILIRAKIS. Mr. Speaker, I rise in strong support of the landmark legislation which we are considering today. S. 652 is the culmination of years of work to overhaul Federal telecommunications policy and position America as a world leader in the dawning information age.

While this bill contains many important provisions, I want to address one area in particular—the issue of ''Telemedicine.'' As chairman of the Commerce Health Subcommittee, I have a special interest in this subject.

Although it is subject to different interpretations, the term ''Telemedicine'' generally refers to live, interactive audiovisual communication between physician and patient or between two physicians. Telemedicine can facilitate consultation between physicians and serve as a method of health care delivery in which physicians examine patients through the use of advanced telecommunications technology.

One of the most important uses of Telemedicine is to allow rural communities and other medically under-served areas to obtain access to highly-trained medical specialists. It also provides access to medical care in circumstances when possibilities for travel are limited or unavailable.

Despite widespread support for Telemedicine in concept, many critical policy questions remain unresolved. At the same time, the Federal Government is currently spending millions of dollars on Telemedicine demonstration projects with little or no congressional oversight. In particular, the Departments of Commerce and Health and Human Service have provided sizable grants for projects in a number of States.

Therefore, I drafted a provision which is included in the conference report to require the Department of Commerce, in consultation with other appropriate agencies, to report annually to Congress on the findings of any studies and demonstrations on Telemedicine which are funded by the Federal Government.

My provision is designed to provide greater information for Federal policymakers in the areas of patient safety, quality of services, and other legal, medical and economic issues related to Telemedicine. With the enactment of this provision, I am hopeful that we can shed light on the potential benefits of Telemedicine, as well as existing roadblocks to its use.

I urge my colleagues to support the conference report to S. 652, this legislation will prove critical in defining our Nation's leadership role and economic viability in the 21st century.

Mr. TAUZIN. Mr. Speaker, as the principal author of section 365 of the conference report, I rise to amplify the limited description of this provision in the statement of managers. In essence, this provision will permit a large ocean-going American-flag vessel operating in accordance with the Global Maritime Distress and Safety System [GMDSS] of the SOLAS Convention to sail without a radio telegraphy station operated by a radio officer or operator.

In implementing this section, the Coast Guard can rely on the Federal Communications Commission to determine that a large-ocean going vessel has GMDSS equipment installed and operating in good working condition. We do not contemplate the Coast Guard conducting a rulemaking, public hearings, or other lengthy regulatory process. Rather, we contemplate a simple adaptation of current, well-established Commission certification procedures.

Under section 359 of current law, the Federal Communications Commission is authorized to issue a certificate of compliance to the operator of a vessel demonstrating that the vessel is in full compliance with the radio provisions of the SOLAS Convention. By law, this certificate must be carried on board the vessel at all times the ship is in use. Thus, once a vessel operator has installed the necessary GMDSS equipment and demonstrated to the satisfaction of the Commission that the equipment is operating in good working condition, the operator will obtain a new or modified certificate of compliance from the Commission. By confirming that a vessel has on board such a valid certificate, the Cost Guard would fulfill its responsibilities under section 365.

Let me emphasize, as well, that this provision does not alter the Commission's manning or maintenance requirements in any respect. Vessel operators, for example, will continue to be able to adopt two of the three permitted maintenance options: on-shore maintenance and equipment duplication.

For too long, American-flag vessels have been saddled with the antiquated telegraphy station requirements of the 1934 act. Through our action today, we hope to help American-flag operators become more internationally competitive and to speed the introduction of the satellite-based GMDSS technology.

Mr. SENSENBRENNER. Mr. Speaker, I support the conference report before the House today. I am hopeful this legislation will ensure that our telecommunications markets remain the most competitive in the world. The Justice Department's role in the success of the legislation before us is critical. For over a decade, the Justice Department has fostered competition in these markets and the bill requires that the Federal Communications Commission, as part of its interest review, will give ''substantial weight'' to the Justice Department's evaluation of a Bell Operating Company's application for entry into long distance.

The role included in this bill for the Department of Justice is truly essential to the ultimate success of this bill. In particular, the bill requires the FCC to rely on the Department's expertise to assess the overall competitive impact of the RBOCs entry into long distance. Clearly, there are other public interest factors which are entitled to their proper weight, and the FCC's reliance on the Justice Department is limited to antitrust related matters. In those instances when the cumulative effect of all other factors clearly and significantly outweighs the Justice Department's competitiveness concerns, the FCC should not be precluded from acting accordingly. However, I expect the FCC will not take actions that, in the Justice Department's view, would be harmful to competition.

Second, I strongly opposed a provision included in the House passed bill that would have allowed the Federal Communications Commission [FCC] to issue rules that would preempt local zoning on where to site cellular communications towers. Cellular communications companies would have been allowed to place towers in any location, regardless of local concerns and the actions of local city councils and planning commissions, provided that they had obtained approval from an FCC bureaucrat in Washington. It is estimated 100,000 towers will be sited across the country by the year 2000. I have consistently supported the rights of local governments to decide zoning questions and I opposed this bill because it dramatically infringed on the rights of local government with respect to zoning. I am pleased a compromise has been reached on this issue and the FCC will be prevented from infringing on the rights of local and State land use decisions. The authority of State and local governments over zoning and land use matters is absolutely essential and must be preserved.

I congratulate Chairmen HYDE, BLILEY, and FIELDS for their tireless work on this historic legislation.

Mr. HOLDEN. Mr. Speaker, the Telecommunications Act of 1996 furthers the vital local telecommunications competition goal by prohibiting States and local governments from erecting barriers to new entrants providing service. This is an excellent provision, but, because it is a general mandate, there may be creative attempts to get around it. At the very least, such attempts to skirt the law would result in lengthy litigation, which would slow investment and competition. It is for that reason that I would like to spell out in more detail the types of requirements that State and local governments should not be able to impose: A State or local government should not be able to require that any provider:

Demonstrate that its provision of service would not harm the competitive position of any current or future providers of service, would be beneficial to consumers, or would not affect universal service;

Show that its provision of service would not harm the network of any provider, other than

agreeing to abide by uniform technical requirements;

Agree to provide service in, or build out, all or any parts of a franchise territory;

Show financial capabilities not relevant to the service to be provided and not required of other providers;

Limit its offering of service until another provider obtains regulatory relief, that is, withhold offering a service until the incumbent provider receives pricing flexibility.

I hope this list proves useful to State and local governments in their efforts to implement this new law and to the FCC in its oversight of this provision.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 414, noes 16, not voting 4, as follows:

[Roll No. 25]

AYES—414

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
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
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—16

Abercrombie
Conyers
DeFazio
Evans
Frank (MA)
Hilliard
Hinchey
Johnson (SD)
Nadler
Peterson (MN)
Sanders
Schroeder
Stark
Volkmer
Williams
Yates

NOT VOTING—4

Bryant (TX)
Chapman
Filner
Rose

☐ 1623

Mr. MOAKLEY and Mr. YOUNG of Florida changed their vote from ''no'' to ''aye.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid of the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2924, THE SOCIAL SECURITY GUARANTEE ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–460) on the resolution (H. Res. 355) providing for the consideration of the bill (H.R. 2924) to guarantee the timely payment of Social Security benefits in March 1996, which was referred to the House Calendar and ordered printed.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1963

Mrs. KELLY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1963.

The SPEAKER pro tempore (Mr. HAYWORTH). Is there objection to the request of the gentlewoman from New York?

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1963

Mr. DAVIS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1963.

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

There was no objection.

## PRIVILEGES OF THE HOUSE—PROTECTING THE CREDITWORTHINESS OF THE UNITED STATES GOVERNMENT AND AVOIDING DEFAULT

Mr. GEPHARDT. Mr. Speaker, pursuant to rule IX, I rise to a question of the privileges of the House and offer a resolution (H. Res. 356) to protect the creditworthiness of the United States and avoid default of the U.S. Government.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 356

Whereas, the inability of the House to pass an adjustment in the public debt limit unburdened by the unrelated political agenda of either party, an adjustment to maintain the creditworthiness of the United States and to avoid disruption of interest rates and the financial markets brings discredit upon the House;

Whereas, the failure of the House of Representatives to adjust the federal debt limit

and keep the nation from default impairs the dignity of the House, the integrity of its proceedings and the esteem the public holds for the House; Now, therefore, be it

*Resolved*, That upon the adoption of this resolution the enrolling clerk of the House of Representatives shall prepare an engrossment of the bill, H.R. 2409. The vote by which this resolution is adopted by the House shall be deemed to have been a vote in favor of such bill upon final passage in the House of Representatives. Upon engrossment of the bill, it shall be deemed to have passed the House of Representatives and been duly certified and examined; the engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action; and (upon final passage by both Houses) the bill shall be signed by the presiding officers of both Houses and presented to the President for his signature (and otherwise treated for all purposes) in the manner provided for bills generally.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. GEPHARDT] is recognized on the question of privilege.

Mr. GEPHARDT. Mr. Speaker, let me explain why this is a question of privilege and why this Congress must act to extend the debt limit, with no threats or conditions, to preserve the integrity of this entire Government.

□ 1630

Rule IX of this House states very clearly that matters of privilege are those affecting the House collectively, those affecting its dignity and integrity, and those affecting the reputation of Members in their representative capacity.

I ask every Member of this Congress today, how can the dignity and integrity of this Congress be maintained if we tear down the dignity and integrity of this country? How can any single Member of the 104th Congress maintain our reputation and honor if we go down in the history books as the Congress that broke America's word, the very first Congress that dared to tarnish America's trust in the world.

Mr. Speaker, I know there are enough Democrats and Republicans to extend the debt limit and avoid this crisis right now, if we could only have that vote on the floor. It is unfair to all of us to have our rights, our reputations, our good names dashed for what I believe is a partisan purpose.

Some of our Republican colleagues are threatening to default on America's financial obligations, to turn our backs on seniors who need their Social Security checks, taxpayers who deserve their refunds, people throughout the world have invested in America.

There is no question that economic chaos would follow even a day of default. Interest rates on credit cards, car loans, and mortgages would skyrocket. The dollar would plummet. World financial markets could go into a tailspin. The damage would most likely be permanent, because such reckless delinquency would be without historical precedent in our country.

We had a bloody Civil War in the last century, when America was torn in half, probably our greatest crisis. But all through it and after it, we kept our credit whole. During two world wars when our economy was stretched to the limit, we found room to honor our word to the people who had invested in our debt. Through recessions and a great depression, we have guarded America's financial faith and integrity because it is as sacred as the Constitution itself.

This is not partisan hyperbole. Even the threat of default is damaging our credibility day by day, more and more with each passing day.

We cannot afford to play politics with that credibility. We cannot afford to delay to stand for our national word and honor.

What crisis is bigger than two world wars and the Great Depression? A disagreement over a budget. We Democrats think it is wrong to cut Medicare for huge tax breaks, especially since we think it is unnecessary to balance the budget. Republicans legitimately disagree. This is a valid debate. It is one we should resolve. But defaulting on our obligations, hurting millions of average Americans, damaging our most precious possession, our word and our credibility, is no way to resolve it.

After all, shutting down the Government twice did not resolve it. Why would an international economic crisis resolve it?

Mr. Speaker, parliamentary privilege exists for exactly this kind of crisis. This is more than an economic issue. It is a profoundly moral issue.

If we bargain away America's integrity for the latest political squabble, if we can bring millions of families to the brink of economic crisis because we cannot agree on this year's budget, then in my opinion we cease to serve the United States of America, and we no longer have honor to maintain.

This crisis, Mr. Speaker, is the very essence of privilege in this parliamentary body, and I urge the Chair, on behalf of our country and the promise and word of our country, to rule in its favor.

The SPEAKER pro tempore. (Mr. BARRETT of Nebraska). Do any other Members wish to be heard on the question of privilege?

Mr. KENNEDY of Massachusetts. Yes, Mr. Speaker, I wish to be heard.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Speaker, there can be no greater cause for a parliamentary privilege than the constitutional crisis that is being perpetrated by the elements of this House that have chosen a path to default on America's debt in order to get their particular view rammed through the House of Representatives and the Senate of the United States. Mr. Speaker, we have got to deal with this crisis.

The truth of the matter is that originally we were told that the reason why the Republicans so much wanted to have the debt default issue brought forward was to insist upon a balanced budget. President Clinton has agreed to a balanced budget.

We were then told, though, it was not a balanced budget, it was a balanced budget within 7 years. President Clinton agreed to a balanced budget within 7 years.

We were then told it was not a balanced budget within 7 years but it was with the CBO numbers. President Clinton greed to a balanced budget in 7 years using CBO numbers.

Then we were told it was not a balanced budget, 7 years, CBO numbers, but it had to have a tax cut. President Clinton agreed to a tax cut.

It is not as big a tax cut as the one the Republicans want, so the Republicans are insistent upon challenging the debt of this country, breaking the back of 200 years of history, breaking the parliamentary process that has been set up that says if we have disagreements between bills passed by the House of Representatives and the United States Senate, that we have in fact a President that can sign that bill or he can veto that bill. If he vetoes the bill, we have the right to override that veto. If we do not have the votes to override, we then compromise.

Mr. WALKER. Mr. Speaker, I demand regular order.

Mr. KENNEDY of Massachusetts. The truth of the matter is there is no willingness to compromise.

Mr. WALKER. Mr. Speaker, I demand regular order.

The SPEAKER pro tempore. Will the gentleman suspend. The Chair would remind the gentleman to confine his remarks to the question of privilege, please.

Mr. KENNEDY of Massachusetts. Mr. Speaker, I am talking about a question of privilege. I am talking about my dignity and my integrity, the integrity of this body, the integrity of every Member on the Democratic and Republican side.

Mr. WALKER. Mr. Speaker, I demand the regular order.

Mr. KENNEDY of Massachusetts. You are willing to break the back, break the debt of America in order to ram through your narrow political guerrilla tactics. It is time for a little dignity on the floor of this House, Mr. Speaker, and I want to be heard.

The SPEAKER pro tempore. Members must confine their remarks to the question of privilege.

Mr. WALKER. I demand the regular order, Mr. Speaker.

Mr. KENNEDY of Massachusetts. Mr. Speaker, I believe very strongly that this is an issue of parliamentary privilege. I could not agree more strongly with the words of the gentleman from Missouri [Mr. GEPHARDT], that this is an issue, the most important issue we have faced this year, the most important issue that we have faced in many years.

If we allow the debt of this country to be defaulted upon, we will hurt the future of our country's borrowing, we will hurt the future of our country's

children, and we will hurt our senior citizens.

Please pass a full debt extension. Allow us to pay our bills as every generation prior to ours has done throughout the history of this country.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, in the interest of time, I will make the argument brief as to why this resolution does not constitute a question of privilege under House rule IX, but just as I do that, let me preface those remarks by calling attention to the bill that will be on the floor directly after we finish with these two issues here. It states in the line 6, ''Congress intends to pass an increase in the public debt limit before March 1, 1996,'' and let me say that they will do this over my objections because I am just appalled that we are once again going to extend this debt limit.

But having said that, let us talk about this issue. The precedents are absolutely clear that a resolution raising a question of privilege may not be used to change those rules. This resolution would change House rules by automatically passing a specified bill. Nowhere in House rules is it contemplated or specified that legislation may be called up, let alone passed, by means of a question of privileged resolution. The Chair has already so ruled on numerous occasions during the last several weeks. I therefore would urge that this resolution be ruled out of order, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania desire to be heard on this question?

Mr. KANJORSKI. Mr. Speaker, I rise on the question of privilege.

The SPEAKER pro tempore. The gentleman from Pennsylvania may proceed.

Mr. KANJORSKI. Mr. Speaker, I know that this is an issue that other parliamentarians have ruled on in the history of this great House, but as we reflect, my friends on both sides, and to remove this from a partisan issue, the issue of the Constitution and the issue of the House of Representatives predates the existence of either parties that exercise influence in this House today.

We are in the 208th year of the American Constitution, the 104th Congress of the United States. We are here by virtue of the fact that our constituents elected us to come here and present ourselves under article I of the Constitution of the United States and take an oath of office that Constitution. Article I provides for the powers of the House of Representatives, one of which is to provide for the debt of the United States. Those of us in this House today, more than a majority, I daresay, because I have a letter addressed to the Speaker signed by more than 191 members of the minority side of the House, and I am aware of the fact that several dozen of my good friends on the majority side join me in this cause.

So clearly if a resolution for the raising of the debt limit presented to the House clean, it could and would receive a majority vote of the House of Representatives honoring the commitment we made in our oath of office under article I of the Constitution of the United States.

For the leadership of the House, for the Rules Committee or for the rules of the House to frustrate article I and the individual oath and the collective oath of this entire House and to argue that this does not fall within the purview of the privilege of the House going to the integrity and the dignity of individual Members or collectively of this House is the most fallacious and ridiculous argument I have ever heard in my years in public life.

I argue that we put aside today as we are about to leave on a 3-week vacation and send a message to America that the House of Representatives is going to pursue and follow its oath of office, the article I of the American Constitution, and allow for an open vote a resolution allowing for the provision to pay the debts of the U.S. Government under the existing Constitution of the United States.

□ 1645

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Does the gentleman from New York wish to be recognized?

Mr. RANGEL. Mr. Speaker, I would like to be recognized on the question of privilege.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York on the question of privilege.

Mr. RANGEL. Mr. Speaker, I am going to try desperately hard to be nonpartisan in my remarks, because I think we have reached that point as a Congress that the general public is just fed up with all of us and are not taking the time to determine whether it is the so-called Republican leadership or whether it is the House of Representatives, the Senators or even whether it is the Government of the United States.

All of us have had the opportunity to explain what our job is here in the House, and we are honored to serve in this House, and whether we are dealing with adults or whether we deal with children, compromise has never been a dirty word in explaining the work of the subcommittees, the full committees, what we do in conference and what we send to the President of the United States. If we are going to change the rules here, you are changing the rules not just for individuals and parties, you are changing the rules for every one of the Members of this House whether they are participating in this or whether they are not, and you are not giving them choices. You are not playing by the rules. You are not playing by the rules we were sworn in to endorse. Those rules are simple rules.

You do not like what the President has done. You do not like the veto; you override the veto, that is what you do, and if you cannot override the veto, you try to come back and work out something.

Oh, I know, you are in a hurry. You cannot talk about it. You cannot talk about compromise. All of a sudden this beautiful word has now become a stigma, because a handful of people have snatched what they think is principle, and they are threatening the United States of America's integrity throughout this world.

You can do what you want with your party or with your members. But it is unfair, and it takes away from our prerogative as sworn Members of this House to threaten the economic life of the United States of America and the free world by holding a debt extension hostage in order to reach your political end.

Politics are played at the polls, and they should not be the reputation of the United States that is being played on parliamentary maneuvers.

The SPEAKER pro tempore. The Chair is prepared to rule on the resolution offered by the distinguished minority leader.

The resolution offered by the gentleman from Missouri alleges that the failure of the House to take a specified legislative action brings it discredit and lowers it in public esteem. On that premise it resolves that the House be considered to have passed a legislative measure.

Under rule IX, questions of the privileges of the House are those ''affecting the rights of the House collectively, its safety, its dignity, [or] the integrity of its proceedings.'' But a question of the privileges of the House may not be invoked to effect a change in the rules of the House or to prescribe a special order of business for the House. This principle has been upheld on several occasions cited in section 664 of the House Rules and Manual, including June 27, 1974 where a resolution directing the Committee on Rules to consider reporting a special order was held not to present a question of privilege.

In this Congress, resolutions have been offered that attempt to advance legislative propositions as questions of privileges of the House on February 7 and December 22, 1995, on January 3, 1996, and, in particular, on January 24, 1996. The latter resolution similarly deemed a legislative measure passed to redress previous inaction. When ruling out that resolution as not constituting a question of privilege, the Chair posited that permitting a question of the privileges of the House under rule IX based on allegations of perceived discredit by legislative action or inaction would permit any Member to advance virtually any legislative proposal as a question of privileges of the House.

Applying the precedents just cited, the Chair holds that the resolution offered by the Gentleman from Missouri does not affect ''the rights of the House collectively, its safety, dignity, [or] the integrity of its proceedings'' within

the meaning of clause 1 of rule IX. Rather, it proposes to effect a special order of business for the House—deeming it to have passed a legislative measure—as an antidote for the alleged discredit of previous inaction.

The resolution does not constitute a question of privilege under rule IX.

Mr. VOLKMER. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SOLOMON] to lay on the table the appeal of the ruling of the Chair.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 187, not voting 17, as follows:

[Roll No. 26]

AYES—229

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

NOES—187

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

NOT VOTING—17

Becerra
Bryant (TX)
Chapman
Filner
Green
Hayes
Johnson (SD)
Lewis (CA)
Manton
Meyers
Packard
Radanovich
Rose
Sanders
Seastrand
Smith (WA)
Stockman

☐ 1710

So the motion to lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PRIVILEGES OF THE HOUSE—KEEPING THE HOUSE IN SESSION TO CONSIDER BILL REGARDING DEBT CEILING TO AVOID DEFAULT OF FULL FAITH AND CREDIT OF THE UNITED STATES

Ms. JACKSON-LEE of Texas. Mr. Speaker, I offer a privileged resolution (H. Res. 354) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 354

Whereas the inability of the House to pass a bill to raise the public debt limit will cause the Federal Government to default on its obligations and affect the dignity and integrity of House proceedings; and

Whereas the inability of the House to pass a bill to raise the public debt limit will cause severe hardship on Federal employees, Federal contractors, and the American people and cause millions of American citizens to hold the House in disrepute: Now, therefore, be it

*Resolved,* That upon the adoption of this resolution, the Speaker of the House shall take such action to keep the House in session until the House considers a clean bill regarding the debt ceiling to avoid default of the full faith and credit of the United States.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). This question is similar to questions previously raised, and, as indicated on page 321 of the manual, debate on questions of order is for the information of the Chair, and is thus within his discretion.

☐ 1715

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to be heard on the privileged resolution.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair will hear from the gentlewoman from Texas, and one other Member who would care to speak on the matter, and from two Members from the other side, if that should be the case, or whether the resolution constitutes a question of privilege.

PARLIAMENTARY INQUIRIES

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would ask your indulgence. This question is a weighty question. Several Members have asked permission to speak on the privileged resolution because it is quite distinct from the previous one in that it asks that we not recess in order to work on this matter. I would ask the Speaker's indulgence on adding at least another Member to speak on each side. I would

appreciate the Speaker's indulgence on that.

The SPEAKER pro tempore. Inasmuch as a line has been pretty well determined because of the prior resolution, and the similarity of this resolution, it would be the hope of the Chair that he could limit discussion on the procedural question to the two Members per side.

Ms. MCKINNEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. MCKINNEY. Mr. Speaker, who made that determination that the debate on this privileged resolution would be limited?

The SPEAKER pro tempore. It is the Chair's discretion as indicated on page 321 of the manual.

The Chair recognizes the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, although appreciating the ruling, I disagree and believe that this is, in fact, singular and distinct.

Mr. Speaker, rule IX, section 1 in particular, speaks to questions of privilege affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.

But second, Mr. Speaker, it talks about affecting the rights, reputation and conduct of Members individually. And, therefore, we can see in that rule that there may be actions taken collectively by this body that would put this House in ill repute in the eyes of its constituents, in the eyes of other Members, and in the eyes collectively, of the American people.

Mr. Speaker, I would affirm that recessing this House in light of the failure of the leader's privileged resolution to pass a clean debt ceiling will befall upon this House in the eyes of the American people a reputation that we would not be proud of. The House of Representatives will be held in disrepute by world leaders, international financial institutions, and most importantly the citizens of this country, if it does not pass a bill relating to the debt ceiling.

Mr. Speaker, it is my contention that this is a grave matter, and in many ways affects the dignity and integrity of these House proceedings. The Secretary of the Treasury has stated that the Federal Government will be in default of its financial obligations if the debt ceiling limit is not raised and a $5.8 billion interest payment made very soon.

In accordance with the responsibilities of his office, Secretary Rubin has already sent a letter on January 22, 1996, to the congressional leadership stating under the current conditions the U.S. Treasury will no longer be able to fulfill all of its financial obligations.

Clearly, Mr. Speaker, we have been on notice and we are on notice that actions by this body would put it in disrepute and have it viewed as not performing its responsibilities.

As we are aware, Mr. Speaker, the financial reputation of an organization is based solely upon the financial history it has established. Mr. Speaker, it has been an undeniable fact that this House was given 38 days of notice of the impending financial dilemma. If this body fails to pass a bill, which we have already done so by rejecting the leader's privileged resolution, then we would not be in good standing.

May I remind the Speaker that rule IX of the House states questions of privilege go to the dignity and reputation of this House.

Mr. Speaker, might I also say that, if on February 26, when we have the obligation of sending out to millions of Americans Social Security checks, I can tell my colleagues that if those checks go out with no clean debt ceiling, they will bounce. If that is not a blight on the integrity of this House, then I do not know what is.

Mr. Speaker, if I may personally say, having had the privilege of going to Bosnia, visiting with the people of those nations, Bosnia, the former Yugoslavia and Croatia, when making a very weighty decision by this body as to whether we would go in as peacekeeping troops in this effort, I had the privilege of talking to the men and women who are now serving in Bosnia. The only thing they asked of us is: Will the American people be with us?

Mr. Speaker, here we stand on the House floor about to recess and go home and jeopardize the opportunity and the responsibility to pay those military personnel by March 1. Mr. Speaker, I think that we have come to a point legitimately under rule IX that we must stand up because we provide a harm to the American people. That harm is the inability to pay Social Security; the inability to pay veterans' benefits; the inability to pay our military personnel; and, yes, the disrepute that will fall upon this House and this Nation when it is not able to pay its responsibilities and uphold the full faith and credit of this Nation.

Mr. Speaker, I would ask that we not recess and we stand with the American people. Do not bring a lack of dignity on this House on the American people.

The SPEAKER pro tempore. Does any other Member wish to be heard on the question of privilege?

Ms. WOOLSEY. Mr. Speaker, I rise to address the question of privilege.

Mr. Speaker, here we go again. The folks who brought two Government shutdowns are now threatening to bring our Nation to the brink of default one more time. They are doing this in one more attempt to force their extreme agenda on the American people.

That is right, once again the Gingrich Republicans have the Nation teetering on the edge of crisis, and instead of working to avoid disaster, the Speaker and his gang want to leave town this weekend.

My colleagues heard me. They want to leave the Nation's full faith and credit, as well as the fate of millions of Social Security and veterans' beneficiaries, hanging by a thread until Congress reconvenes 3 weeks from now.

Mr. SOLOMON. Regular order.

The SPEAKER pro tempore. The Chair would remind the gentlewoman to confine her remarks to the question of privilege.

Ms. WOOLSEY. Mr. Speaker, that is right. Mr. Speaker, I would like to ask why the motion to adjourn is a privilege and the resolution to prevent adjournment is not a privilege. I would suggest that we be able to speak on either side of adjourning or not adjourning, equally. And I would hope that I could then have another Member of our caucus speak to this same issue.

The SPEAKER pro tempore. Has the gentlewoman completed her statement?

Ms. WOOLSEY. Mr. Speaker, I would like to ask why, if the motion to adjourn is a privilege, that the motion not to adjourn is not the same privilege.

The SPEAKER pro tempore. Are there other Members who wish to speak to the matter?

The gentleman from New York [Mr. SOLOMON] is recognized.

Mr. SOLOMON. Mr. Speaker, it is not appropriate for me to refer to the next bill on Social Security that will come up, but I will advise my colleagues to look at it after we finish.

Mr. Speaker, I rise to argue briefly that the resolution does not constitute a question of the privileges of the House under rule IX.

As recently as 4:50 p.m. today, a few minutes ago, the Chair rules against a resolution purporting to raise a question of privilege, on the grounds that it effected a change in House rules by providing for passage of a specified bill.

The resolution before us is only a slight modification of the previous resolution, by requiring the Speaker to take action to keep the House in session until the House considers certain legislation. As such, the resolution attempts to change House rules by altering the duties of the Speaker as specified in House rule number I.

Presumably, the Speaker would even be required to not recognize anyone who offered a constitutionally privileged motion to adjourn. This is not only changing House rules, but it actually violates the Constitution of the United States. I would, therefore, urge the Chair to rule against the resolution in conformity with the Chair's previous rulings and House precedents, and I would urge the Speaker to rule.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, the resolution is obviously a resolution of the same nature as those that have been ruled on previously by Speakers extending back for several decades.

The cause being brought by the gentlewoman from Texas [Ms. JACKSON-LEE] is under rule IX. This is obviously

not a question of privilege under the provisions of rule IX, and so, therefore, I request that the Chair rule against this matter as a question of privilege.

The SPEAKER pro tempore. The Chair is prepared to rule.

PARLIAMENTARY INQUIRY

Ms. MCKINNEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. MCKINNEY. Mr. Speaker, is it not true that there is probably a rule in the rule book for anything trying to obstruct what we are trying to do over here?

Mr. SOLOMON. Regular order. That is ridiculous.

Ms. MCKINNEY. Is that not true, Mr. Speaker?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

The Chair is prepared to rule on this matter. The resolution offered by the gentlewoman from Texas alleges that the failure of the House to take a specified legislative action impairs its dignity and the integrity of its proceeding and lowers it in public esteem. On that premise, it resolves that the Speaker keep the House in session until it considers a pertinent legislative measure.

The resolution offered by the gentlewoman from Texas, like those offered on February 7, and December 22, 1995, and on January 3 and January 24, 1996, and earlier today, attempts to advance a legislative proposition as a question of the privileges of the House.

For the reasons just stated by the Chair when ruling that the resolution offered by the gentleman from Missouri did not constitute a question of privileges of the House, the Chair holds that the resolution offered by the gentlewoman from Texas [Ms. JACKSON-LEE] does not affect the rights of the House collectively, its safety, dignity, or the integrity of its proceedings within the meaning of clause 1 of rule IX. Rather, it proposes to impose a particular legislative schedule on the House, precluding an adjournment of the House until a specified legislative measure is considered, as an antidote for the alleged disrepute of previous inaction.

Therefore, the resolution does not constitute a question of privilege under rule IX.

Ms. JACKSON-LEE of Texas. Mr. Speaker, because I believe that we should not recess but should work, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

Mr. SOLOMON. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SOLOMON] to lay on the table the appeal of the ruling of the Chair.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 229, nays 181, not voting 23, as follows:

[Roll No. 27]

YEAS—229

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

NAYS—181

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
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)
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—23

Baker (LA)
Becerra
Bryant (TX)
Callahan
Chapman
Condit
Filner
Green
Hobson
Johnson (SD)
Kasich
Kleczka
Kolbe
Lewis (CA)
Manton
Meyers
Packard
Radanovich
Rose
Sanders
Seastrand
Spence
Stockman

☐ 1746

So the motion to lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish to raise a matter that involves a question of privileges of the House. Mr. Speaker, I affirm that the U.S. House of Representatives will be held in disrepute by world leaders, international financial institutions, and most importantly, the citizens of this country, if it does not pass a bill relating to the debt ceiling. It is my contention that this is a grave matter that in many ways affects the dignity and integrity of the House proceedings and I am more than able to prove this point unequivocably.

The Secretary of the Treasury has stated that the Federal Government will be in default of its financial obligations if the debt ceiling limit is not raised and a $5.8 billion interest payment made very soon. In accordance with the responsibilities of his office, Secretary Rubin sent a letter on January 22, 1996, to the congressional leadership stating that under the current conditions, the U.S. Treasury will no longer be able to fulfill all of its financial obligations very soon.

Throughout our country's history, investors have relied upon the words ''the full faith credit of the United States'' to guarantee the financial stability of this country. As you are fully aware, the financial reputation of an organization is based solely upon the financial history it has established. Mr. Speaker, it is an undeniable fact that this House was given 38 days notice of the impending financial dilemma and if this body fails to consider a bill regarding the debt ceiling and the impending debt payment not made on time, then the standing of the House will indeed be harmed.

May I remind the Speaker that Rule IX of the House rules states that questions of privilege are those which affect the rights of the House collectively, its safety, dignity, and the integrity of its proceedings. As specified in the dictionary, the word dignity relates to ''The quality or condition of being worthy,'' as well as ''The respect and honor associated with an important position.''

Hence, this body's decision not to address the debt limit problem will put into question, in the eyes of our creditors and our constituents, the reputation and fiscal integrity of this collective House. As evidence, it was announced last week by Moody's Investors Service that it is considering lowering the credit rating of the U.S. Treasury bonds for the first time in history. Under Rule IX of the House rules, this series of events and their repercussions would certainly cause our creditors, constituents, and international partners to hold this House responsible.

In addition to the irreparable damage that will be suffered, by the House, great harm will be done to millions of innocent American lives, young and old alike. The U.S. Government must make a $30 million payment to Social Security or these beneficiaries, dependent upon their monthly stipend for food, heat, and medicine, will be left without funds to meet these basic necessities of life. Also, 2.2 million veterans with service-connected disabilities and 300,000 survivors of veterans may receive for the first time in history bad checks effectively written by every Member of the House.

Mr. Speaker, there is significant concern by many economists that our economy is headed for a recession, and any default caused by our inaction will certainly drive us to it. The default of this Government will create uncertainly and anxiety in the financial, business, and consumer markets; as a result, investments will slow, capitol spending will wither, and consumer confidence will die. The reactions will only exacerbate any recession tendencies within the economy, propelling the United States into an economic dive, no one wishes. Taken together with the additional effects already mentioned, it is plainly evident that this crisis affects the very financial underpinning of our country.

The American people will be severely affected by any inability of this body to bring forth legislation to increase the debt ceiling. I contend that as a result, they will hold us, collectively and individually, responsible for their needless suffering and trauma. If that occurs, the reputation and conduct of each of us, in our representative capacity, will be called into question. Under rule IX, this too would be sufficient justification for my privileged resolution.

Treasury Secretary Robert Rubin has nearly exhausted all other measures to avoid a Government default. This resolution must be considered privileged because the reputation of the House is at stake. American citizens are tired of the partisan wrangling that has echoed through these halls. They want the Government to fulfill its responsibilities and meet its obligations, just as they must. With complete certainty, the U.S. House of Representatives will be held responsible and the integrity of everything that we do here will be questioned for our failure to consider a bill relating to the debt ceiling.

The House has voted to rise or extend the debt limit 33 times over the last 15 years to keep intact the good will, dignity and reputation of the U.S. Government and more specifically, this House; I do not see why we should now shirk the obligations we accepted upon our oath of office. We should not recess at this time, when America needs us to work to avoid a default on our debt.

Mr. HALL of Texas. Mr. Speaker, I rise in support of the resolution not to adjourn until a debt limit extension has been approved—and yet I believe the resolution does not go far enough. I regret that we are even having to consider a debt limit extension—rather than a balanced budget proposal or, at the very least, the remaining appropriations bills that should have been approved 4 months ago. I regret that this Congress plans to adjourn for a 3-week break when we have so much work left to do.

Mr. Speaker, we should not go home until all the appropriations bills have been passed and approved by the President. We should not go home until this Congress produces a balanced budget proposal that can be supported by both parties and by the President. A majority of Americans want a balanced budget—a budget that makes the most use of their tax dollars and a budget that also is kind and fair to our seniors, our children, and our less fortunate citizens.

Throughout the past year, Congress has had a golden opportunity to streamline Government, enact some needed reforms, and produce a balanced budget. But the shifting sands of time and politics have eroded that opportunity, and we are losing ground fast.

Let us not let another opportunity pass to discharge our responsibility to our fellow citizens. Let's stay and work until we've accomplished our Nation's important business.

## PROVIDING FOR CONSIDERATION OF H.R. 2924, THE SOCIAL SECURITY GUARANTEE ACT

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 355 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 355

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2924) to guarantee the timely payment of social security benefits in March 1996. The bill shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit. The motion to recommit may include instructions only if offered by the Minority Leader or his designee.

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

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

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time given is for the purpose of debate only.

Mr. Speaker, this is a straightforward, fair rule that allows for consideration of H.R. 2924, a bill to ensure that Social Security payments will not be needlessly delayed by the administration. Let me repeat that, Mr. Speaker. This is a bill to ensure that Social Security payments will not be needlessly delayed by the administration. In other words, the checks are going to go out, they are going to go out on time, they are going to be paid in full.

Mr. Speaker, because this legislation involves a matter of simple fairness, and due to the predicted impending winter storm, we are bringing it up under the expedited authority granted earlier by this House. The rule provides for 1 hour of general debate, and preserves the right of the minority to offer a motion to recommit, with or without instructions.

Mr. Speaker, we should not really have to be working on this matter at all. Despite the fact that this Congress will pass a responsible debt limit increase prior to the March 1 deadline, and despite the fact that the President has already vetoed two debt limit increases, the administration has suddenly called into question its ability to pay for the March Social Security benefits. President Clinton made suggestive remarks along these lines at State of the Union. Well Mr. Speaker, passage of H.R. 2924 will make absolutely clear that the Secretary of the Treasury has the authority to process and send these Social Security benefit checks—which are printed in late February. I find it appalling that the sanctity of the Social Security System should be brought into question in such a cynical manner. Yet we have listened to the President and some in this body employ similar scare tactics for: School lunches, Meals on Wheels, Medicare, and so on. Each time they resort to these threats, I think their credibility drops, and certainly the President's ability to work in good faith with the majority of this Congress diminishes.

I would like to address the concerns raised by those who claim that Congress is somehow acting less than responsibly by going into a district work period before passing a full debt limit increase. I disagree—the truth is that this Congress has passed two debt limit measures, both vetoed by President Clinton. So, it is clear that in order to produce a bill that will pass Congress and be signed by the President, it must be negotiated. And these negotiations have not concluded. It makes little sense to keep Members in town waiting for the Clinton administration to get its act together, while Members could be spending time usefully working in their districts. That is where I am planning to spend the bulk of the upcoming work period—and the truth is that even when we are back in our districts we are still on call, ready to return at a moment's notice to deal with the people's business. So I would urge my colleagues to ignore the Clinton scare story du jour and support this rule and this bill which ensures Social Security checks are sent out on time payable in full.

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

Mr. FROST. Mr. Speaker, before I proceed any further, I yield 30 seconds to the gentlewoman from Oregon [Ms. FURSE].

(Ms. FURSE asked and was given permission to speak out of order.)

CONGRATULATIONS TO SENATOR-ELECT WYDEN

Ms. FURSE. Mr. Speaker, this is obviously a very important bill, and I would love to talk about it, but what I really want to talk about is the dean of my delegation, the Oregon delegation, and congratulate him for having become the newest Senator from the State of Oregon [Mr. WYDEN].

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

Mr. Speaker, I listened with great interest to my friend and colleague, the gentleman from Florida [Mr. GOSS], trying to blame the administration for what is going on here today. This, of course, is a classic case of the person who kills his parents and throws himself on the mercy of the court because he is an orphan.

What the majority has done is stubbornly refused to schedule a clean debt ceiling vote prior to February 26. It is their refusal to schedule a vote before February 26 which jeopardizes, potentially jeopardizes Social Security checks being sent out. They are the ones that have caused this crisis, and now they are coming to the Congress and saying, we have to pass this bill because we want these Social Security checks to go out. If they had scheduled a debt ceiling vote in a timely manner, this would not be necessary.

Mr. Speaker, why can we not just do the Nation's business? Why do we have to continue to play these games? Why can we not just vote on a clean debt ceiling?

I, for one, would like the House to have that opportunity this afternoon. At this hour, it appears the only option open to us is to amend this rule. In order to do that, we must defeat the previous question. It is my intention, therefore, to oppose ordering the previous question.

Mr. Speaker, there seems to be no other way to bring a clean debt ceiling increase to a vote. I urge each and every Member of this body to oppose the previous question so that we can vote up or down on a debt ceiling increase.

Mr. Speaker, the intentions of this legislation are honorable, but rather than perpetuating this Government by piecemeal funding, the far better course of action would be just to take up a clean debt ceiling tonight and pass it. If we do not defeat the previous question, we are passing up a golden opportunity to do the responsible thing. We should not continue to play chicken with the full faith and credit of the United States of America.

Mr. Speaker, we are supposed to be here to do the Nation's business, and the most pressing piece of business before us is to pass a debt ceiling to ensure that our Nation does not, for the first time in its 200-plus-year history, default on its obligations.

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

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

I would suggest that the full faith and credit of the United States of America would be better served if we got our budget into balance.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. SAXTON].

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

Mr. SAXTON. Mr. Speaker, I would like to shed some light on this issue in terms of the recent history of what we have been through, vis-a-vis the administration and claims made by the administration. As everybody knows, this rule is here, and the subsequent legislation, because the administration has stated that come February 26, they will be unable, because of the way the law is written, to cut the checks for Social Security beneficiaries.

Obviously, everybody on our side of the aisle and, I assume, everybody on the other side of the aisle wants people to get their Social Security checks come the last day of this month or the first day of next.

Now, the recent history of what this administration has done is that this action by the administration, as claimed by the administration, is simply not unparalleled. On November 12 and 13 and 14 of this year, Secretary Rubin told us and the American people that we had to pass a debt ceiling because default on our inability to pay our bills would be unthinkable, and we agreed.

What Secretary Rubin did not tell the American people was that there was already a plan in place to permit the United States Government to pay its bills by borrowing from trust funds. In other words, the Secretary went out of his way to create a situation in which the American people thought that the United States Government was going to default, knowing full well the entire time that they had been working since June 24 at least to put in place a mechanism and a plan whereby the trust funds would be tapped to avoid default and still claiming to tell us, the Congress of the United States and the American people, that we were going to face a horrible default.

□ 1800

Of course they wanted a clean debt ceiling. Now we hear just a few days ago that if we do not pass a clean debt ceiling, we will not be able to send out the Social Security checks. We are not going to let that happen. If there is a problem with the law, this bill straightens it out. We know that it is not a dollars problem. We know there is enough money there to do it. So the Secretary now claims that under the statutes as they presently exist, he does not have the flexibility to send out the Social Security checks for older Americans, Social Security beneficiaries, and therefore, we are now in another state of alarm where we have to pass a clean debt ceiling.

This bill fixes the problem for the Secretary that he claims he has. I doubt if there is really a problem there any more than there was a real problem the last time around. But in this event, in this case, the rule permits the consideration of a bill to make sure that there is no reason why the Social Security checks cannot be mailed out.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Speaker, I would like to address the remarks of the former speaker with regard to the issue of raiding the Social Security Trust Fund. Secretary Rubin has done everything humanly possible to try to avoid the default on the debt of this country that the Republican Congress has insisted upon.

It was Secretary Rubin who wrote a letter to this Congress saying that he would not under any circumstances allow the Social Security Trust Fund to be raided for the purposes of continuing to pay our bills, No. 1.

No. 2, there were elements of the Republican Party, on your side of the aisle, that started a movement to impeach Secretary Rubin for the very actions of him trying to avoid default.

So here you come onto the House floor and condemn Secretary Rubin for his efforts to try to keep the country afloat. You suggest that he is the one who is trying to raid the Social Security trust fund. You do not have the willingness to enter into a debate or a colloquy with me to discuss the truth of what has actually occurred.

The truth of what has occurred is very simply that a group of ideological

zealots in the Republican Party have tried very hard to get an agenda called the contract on American passed. They have failed because the American people did not believe in the kinds of changes that the Republican contract called for.

But rather than agreeing to the procedures of this House of Representatives that allow us to formulate compromise, you have gone back and insisted upon guerrilla tactics to force your own views on how this country's budget ought to be balanced. It is not enough to balance the budget, it is not enough to do it in 7 years. It is not enough to do it with CBO numbers, it is not enough to do it with a tax cut, it has to be with the biggest tax cut that takes the money out of the pockets of working families and hands it to the richest people in the country.

Only if that balanced budget, raiding the Medicare fund, raiding the Medicaid fund, is passed, will you allow the debts of this country to be paid. You ought to be ashamed.

Mr. GOSS. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Speaker, this bill became necessary really because the President, Mr. Panetta, and Secretary Rubin have used our seniors as political pawns in the public debate. Instead of working on solving the problems remaining, the President has resorted to scare tactics, pure and simple, demagoguery to try to frighten our seniors on a variety of issues.

But we as Americans cannot stand by while this administration blatantly misstates the facts to make seniors believe that their Social Security checks are in jeopardy. I find this outrageous. Leon Panetta himself back in 1993, believe it or not, said it is important to tie the debt limit to other disciplines people would like to put in place.

Maybe he forgot about saying that, but I bet Leon did not forget about voting ''no'' against debt limit increases two times back there because it did not have anything tied to it. These comments are ridiculous. I urge my colleagues to pass this bill, not only to reassure our seniors but to prevent the President from playing the scare game once again. The purpose of this bill is to ensure that seniors continue, as they have for the past 55 years, to receive their checks without fail. This will be another Republican promise that will not be broken, which is more than the President can say.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. MOAKLEY].

Mr. MOAKLEY. Mr. Speaker, this bill is a very very bad sign. It means it's time to hold onto your hats, the Republicans are going to try it again.

But this time, instead of closing down the Government for political reasons, they are going to try something else. They are going to force the country to default on its loans, for political reasons.

And how do we know this, Mr. Speaker? Because this bill we are considering today will not avert the disastrous consequences of massive Federal default. It doesn't even come close. It simply says, ''Stop us before we hurt 43 million American seniors.''

With this bill my Republican colleagues are admitting, ''We're gong to make the Government default, but we want you to raid the Social Security trust fund when we do.''

Mr. Speaker, this is outrageous. It's irresponsible, and it's no way to run the Congress.

The American people are sick and tired of these political games. They didn't like their Government held hostage for the sake of politics, and they are going to like it even less when they find out what congressional Republicans are about to do to their mortgages.

And it won't stop there.

For the sake of politics my Republican colleagues will stop benefits for 3.2 million veterans.

For the sake of politics they will not pay our troops in Bosnia.

For the sake of politics they will delay pensions for 4.1 million civilian and military retirees.

For the sake of politics they will leave bond holders holding worthless paper.

And for the sake of politics they will hurt any and every American who tries to borrow money for a car, a house, or a college education.

In fact, if you have a loan now, look out. Your interest rate may be about to go through the roof.

I ask my colleagues, on behalf of a lot of very frustrated American citizens, stop these games. Congressional Republicans can't possibly want to be remembered as the people who made the United States of America default on its loans for the first time in history.

Such dangerous games would have far-reaching, devastating consequences for the entire country for years to come, and it's definitely not something to write home about.

Mr. Speaker, the American people don't want their mortgage rates to go up. They want to get college loans, and they expect and deserve their military benefits.

I urge my colleagues to defeat the previous question so that we can offer a clean debt limit extension and stop these games.

The creditworthiness of the United States, and all of its consequences, is no place to pursue budget politics.

Mr. GOSS. Mr. Speaker I yield myself such time as I may consume.

It is important to note and the record should show that the distinguished gentleman from Massachusetts, who just spoke, voted for and attached to the 1993 debt limit bill the largest tax increase in history. There was nothing clean about that debt limit bill, I am sure he would agreed.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Glens Falls, NY [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Sanibel, FL for yielding me this time and I join him in urging the adoption of this rule.

Mr. Speaker, I sit here and I listen to this debate, and I just wonder if many of these people could really earn a living outside the beltway of this Congress, this Washington, unless of course they are lawyers, in which they pass all these doggone laws and people have to go and hire them then to defend them. I just quite do not understand it.

This bill, and I would just say to the previous speaker and others, if you do not want to vote for this bill, vote it down. This bill says that we are going to enact a public debt limit extension before March 1. If you do not want to do that, vote it down. This bill guarantees that Social Security checks are going to go out on time. If you do not want them to go out on time, vote it down.

Mr. Speaker, this bill is being brought forward to deal with an emergency situation raised by the President and the Secretary of the Treasury, and that is the threat of not sending out Social Security checks until the debt limit has been increased. That is what this is all about.

Mr. Speaker, while the crisis may have been fabricated to scare seniors, we have to take the administration at their word, that they will carry out their threat whatever their motivations might be. We will take them at their word.

Mr. Speaker, the bill this rule makes in order first restates the commitment made by the leaders of both Houses that we will enact a debt limit prior to March 1. That is what this bill says. The bill goes on to assure our country's senior citizens that in the interim they will receive their Social Security checks on a timely basis in March. That is what this bill does.

The bill then gives the Secretary of the Treasury the legal authority needed to issue obligations prior to March 1, and we checked with Secretary Rubin, to ask him if he needed this authority, and he said yes, in an amount equal to the monthly Social Security benefits payable in March of this year, estimated at $30 billion. To further amplify on the legal status of this authority, this bill, which the Secretary of the Treasury Mr. Rubin says he needs, makes clear that this transaction will not count against the legal debt limit now in existence.

Are you listening to that?

Mr. Speaker, I think this is an important interim step to take in assuring our Nation's seniors of the seriousness of our intention and commitment to not let their benefits lapse. But more importantly, it also signals to the rest of the country our clear intention not to let this Nation default on its obligations. We will increase the public debt limit.

Mr. Speaker, why, as our Democratic colleagues have asked, do we not just raise the debt limit today? That is a good question. And I am here to answer it.

The answer is that a majority of this House, including me, do not want to continue to raise the debt limit over and over and over again without taking decisive action to begin to reverse the curse of continuing deficit spending for as far as the eye can see. That is sickening, what you are doing to my children and my grandchildren. Instead of a glide path to a balanced budget, we are currently embarked on a collision course with financial disaster.

At the very least, we need a substantial downpayment on a balanced budget that is agreeable to the Congress and the President. It is what Ronald Reagan used to do. He used to sit down with this Congress and negotiate. That agreement will not be easy to come by, but I am convinced we can have something that is acceptable prior to March 1 if we sit down and work together.

In the meantime, we do need this interim measure to ensure that Social Security benefit checks will go out and to assure our citizens and the world that this Government will not default on this Nation's obligations. I cannot imagine that any Member of this House opposes or disagrees with those two very lofty yet critical essential purposes of this legislation. It is very clear in this bill. I therefore strongly urge adoption of the previous question and the rule and then the overwhelming passage of this bill.

I want all of you standing up here with all of this rhetoric to come over here and tell me you are going to vote against this bill. You are not going to do it. You are going to vote for the bill because the bill is right and the American people want it.

□ 1815

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, this rule should ultimately pass, this resolution should ultimately pass. But it is not because it is a good rule, and it is not because it is a good resolution. It is because the Republicans will not let us do anything else.

Since early this morning, I have been working with the Committee on Rules and with other people here in the House trying to get permission for the Democrats just to simply say we would like to have a vote on a permanent extension against default to the end of this fiscal year, and they will not let us have that vote. It is simply just a simple vote, like that. Now, we would not win that vote, but you know, we would at least have the opportunity to vote, but they have cut off our right to vote on that simple question.

This resolution they present is the silliest thing I have ever seen. Ultimately, all it does is raise the debt ceiling by $29 billion until March 15, and then it snaps it back to where it is now. That is all it does. It has got a lot of other verbiage in it. It is the darndest dance I have ever seen. It runs all around the bush like I am doing right now, but it comes back to the same place, right back to the same place, they raise the debt ceiling. They cannot do that, because politically it is embarrassing for them to do that, and so we have got to dance this crazy dance. We have got to dance this crazy dance for their purposes.

Mr. Speaker, I am willing to limit the debate here tonight. I am willing to cut out all of this garbage. Let us protect the credit of the United States. Let us not force our good country into default. I think we can all agree to that.

If the Republicans will only let us have it until March 15, it may give them a little time for them to think their way out of this mess that they have gotten themselves into and they have gotten our country into, but you know, this is the silliest operation that I think I have ever seen in my 34 years around here.

It should ultimately pass, but the rule is lousy. I would hope that by some luck, and it would be luck, that we could amend the rule, but you know, that is not going to happen.

I would hope that they would allow just a simple vote on this floor that we could get over in 5 minutes to vote on whether or not we want this crazy dance or whether we want a permanent.

I am trying to limit, cut out all of this long talk and get on and get to a vote. There is a snowstorm approaching. I would feel terrible if my long-winded talk led to the death of some Member of this House or some member of this fine staff.

We ought to get our business done and get it over with and get out of here.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Speaker, the record should show that the gentleman from Florida who just spoke voted for and attached to the 1993 debt limit bill the largest tax increase in history. I do not believe that was a clean debt ceiling increase.

This is a good rule on a good bill. It is going to make sure Social Security's recipients get their Social Security checks.

I have a lot of elderly seniors in my district who rely on those checks. This is a good bill. Everybody in the body should support this.

We are getting bogged down talking about how the minority wants a clean debt ceiling increase. Prior to coming to the Congress as a physician, I had the opportunity to treat AIDS patients, some of whom had acquired their AIDS through drug abuse. I had the opportunity to deal with drug addicts. I have to say there are some Members of this body who are addicted to spending taxpayers' dollars, addicted to spending money that is not theirs, and it is just wrong.

We put on the President's desk two increases in the debt ceiling, and they had attached to them provisions that would get us to a balanced budget, and he vetoed them twice on two occasions, he said, ''No,'' and now we hear all of this clamor about a clean debt ceiling from a party that has Members like Senator CHRIS DODD in 1987, who is now the general chairman of the Democratic National Committee, who said it does not take any imagination, when he was attempting to pass a controversial financial industry legislation, questioned by the Reagan administration, he said, ''I can attach an amendment to the debt ceiling bill which he has to sign, and the vote will be overwhelming.'' In 1984, Senator TED KENNEDY tried to force his nuclear freeze legislation onto the debt limit, justifying his amendment as the most important issue of the day.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore (Mr. WALKER). The gentleman will state his parliamentary inquiry.

Mr. FROST. Mr. Speaker, the gentleman in the chair is an authority on the rules of the House and I believe under the rules of the House, we may not mention individual Members of the other body by name. Is that correct?

The SPEAKER pro tempore. The gentleman is correct. Members are not supposed to refer to Members of the other body by name nor actions of the other body as a part of their remarks.

Mr. FROST. I urge the speaker in the well discontinue those actions.

The SPEAKER pro tempore. The gentleman from Florida is recognized to proceed in order.

Mr. WELDON of Florida. Mr. Speaker, If I could conclude, let me just say in 1982, in 1983, again in 1985 and 1986, the minority party has attached legislation to a debt ceiling increase. To hand this President a debt ceiling increase that does not have provisions in it to get us to a balanced budget would be to turn our backs on the people who voted us in as the majority party in November 1994, saying they want the budget balanced.

Support this rule. It is a good rule.

Mr. FROST. Mr. Speaker, I insert extraneous material at this point in the RECORD, as follows:

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

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 1* | Compliance | H. Res. 6 | Closed | None. |
| H. Res. 6 | Opening Day Rules Package | H. Res. 5 | Closed; contained a closed rule on H.R. 1 within the closed rule | None. |
| H.R. 5* | Unfunded Mandates | H. Res. 38 | Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference. | N/A. |
| H.J. Res. 2* | Balanced Budget | H. Res. 44 | Restrictive; only certain substitutes | 2R; 4D. |
| H. Res. 43 | Committee Hearings Scheduling | H. Res. 43 (OJ) | Restrictive; considered in House no amendments | N/A. |
| H.R. 2* | Line Item Veto | H. Res. 55 | Open; Pre-printing gets preference | N/A. |
| H.R. 665* | Victim Restitution Act of 1995 | H. Res. 61 | Open; Pre-printing gets preference | N/A. |
| H.R. 666* | Exclusionary Rule Reform Act of 1995 | H. Res. 60 | Open; Pre-printing gets preference | N/A. |
| H.R. 667* | Violent Criminal Incarceration Act of 1995 | H. Res. 63 | Restrictive; 10 hr. Time Cap on amendments | N/A. |
| H.R. 668* | The Criminal Alien Deportation Improvement Act | H. Res. 69 | Open; Pre-printing gets preference; Contains self-executing provision | N/A. |
| H.R. 728* | Local Government Law Enforcement Block Grants | H. Res. 79 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 7* | National Security Revitalization Act | H. Res. 83 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 729* | Death Penalty/Habeas | N/A | Restrictive; brought up under UC with a 6 hr. time cap on amendments | N/A. |
| S. 2 | Senate Compliance | N/A | Closed; Put on Suspension Calendar over Democratic objection | None. |
| H.R. 831 | To Permanently Extend the Health Insurance Deduction for the Self-Employed. | H. Res. 88 | Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision. | 1D. |
| H.R. 830* | The Paperwork Reduction Act | H. Res. 91 | Open | N/A. |
| H.R. 889 | Emergency Supplemental/Rescinding Certain Budget Authority | H. Res. 92 | Restrictive; makes in order only the Obey substitute | 1D. |
| H.R. 450* | Regulatory Moratorium | H. Res. 93 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 1022* | Risk Assessment | H. Res. 96 | Restrictive; 10 hr. Time Cap on amendments | N/A. |
| H.R. 926* | Regulatory Flexibility | H. Res. 100 | Open | N/A. |
| H.R. 925* | Private Property Protection Act | H. Res. 101 | Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text. | 1D. |
| H.R. 1058* | Securities Litigation Reform Act | H. Res. 105 | Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it. | 1D. |
| H.R. 988* | The Attorney Accountability Act of 1995 | H. Res. 104 | Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 956* | Product Liability and Legal Reform Act | H. Res. 109 | Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered. | 8D; 7R. |
| H.R. 1158 | Making Emergency Supplemental Appropriations and Rescissions | H. Res. 115 | Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment. | N/A. |
| H.J. Res. 73* | Term Limits | H. Res. 116 | Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered. | 1D; 3R |
| H.R. 4* | Welfare Reform | H. Res. 119 | Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments. | 5D; 26R. |
| H.R. 1271* | Family Privacy Act | H. Res. 125 | Open | N/A. |
| H.R. 660* | Housing for Older Persons Act | H. Res. 126 | Open | N/A. |
| H.R. 1215* | The Contract With America Tax Relief Act of 1995 | H. Res. 129 | Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute. | 1D. |
| H.R. 483 | Medicare Select Extension | H. Res. 130 | Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time. | 1D. |
| H.R. 655 | Hydrogen Future Act | H. Res. 136 | Open | N/A. |
| H.R. 1361 | Coast Guard Authorization | H. Res. 139 | Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute. | N/A. |
| H.R. 961 | Clean Water Act | H. Res. 140 | Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business. | N/A. |
| H.R. 535 | Corning National Fish Hatchery Conveyance Act | H. Res. 144 | Open | N/A. |
| H.R. 584 | Conveyance of the Fairport National Fish Hatchery to the State of Iowa. | H. Res. 145 | Open | N/A. |
| H.R. 614 | Conveyance of the New London National Fish Hatchery Production Facility. | H. Res. 146 | Open | N/A. |
| H. Con. Res. 67 | Budget Resolution | H. Res. 149 | Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language. | 3D; 1R. |
| H.R. 1561 | American Overseas Interests Act of 1995 | H. Res. 155 | Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee. | N/A. |
| H.R. 1530 | National Defense Authorization Act FY 1996 | H. Res. 164 | Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins. | 36R; 18D; 2 Bipartisan. |
| H.R. 1817 | Military Construction Appropriations; FY 1996 | H. Res. 167 | Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget. | N/A. |
| H.R. 1854 | Legislative Branch Appropriations | H. Res. 169 | Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments. | 5R; 4D; 2 Bipartisan. |
| H.R. 1868 | Foreign Operations Appropriations | H. Res. 170 | Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ). | N/A. |
| H.R. 1905 | Energy & Water Appropriations | H. Res. 171 | Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority. | N/A. |
| H.J. Res. 79 | Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag. | H. Res. 173 | Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr. | N/A. |
| H.R. 1944 | Recissions Bill | H. Res. 175 | Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment. | N/A. |
| H.R. 1868 (2nd rule) | Foreign Operations Appropriations | H. Res. 177 | Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments. | N/A. |
| H.R. 1977 *Rule Defeated* | Interior Appropriations | H. Res. 185 | Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority. | N/A. |
| H.R. 1977 | Interior Appropriations | H.Res. 187 | Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority. | N/A. |

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

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 1976 | Agriculture Appropriations | H. Res. 188 | Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority. | N/A. |
| H.R. 1977 (3rd rule) | Interior Appropriations | H. Res. 189 | Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise. | N/A. |
| H.R. 2020 | Treasury Postal Appropriations | H. Res. 190 | Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority. | N/A. |
| H.J. Res. 96 | Disapproving MFN for China | H. Res. 193 | Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act. | N/A. |
| H.R. 2002 | Transportation Appropriations | H. Res. 194 | Open; waives cl. 3 Of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*. | N/A. |
| H.R. 70 | Exports of Alaskan North Slope Oil | H. Res. 197 | Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395. | N/A. |
| H.R. 2076 | Commerce, Justice Appropriations | H. Res. 198 | Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.. | N/A. |
| H.R. 2099 | VA/HUD Appropriations | H. Res. 201 | Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title. | N/A. |
| S. 21 | Termination of U.S. Arms Embargo on Bosnia | H. Res. 204 | Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee. | ID. |
| H.R. 2126 | Defense Appropriations | H. Res. 205 | Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title. | N/A. |
| H.R. 1555 | Communications Act of 1995 | H. Res. 207 | Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652. | 2R/3D/3 Bipartisan. |
| H.R. 2127 | Labor/HHS Appropriations Act | H. Res. 208 | Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title. | N/A. |
| H.R. 1594 | Economically Targeted Investments | H. Res. 215 | Open; 2 hr of gen. debate. makes in order the committee substitute as original text | N/A. |
| H.R. 1655 | Intelligence Authorization | H. Res. 216 | Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record. | N/A. |
| H.R. 1162 | Deficit Reduction Lock Box | H. Res. 218 | Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority. | N/A. |
| H.R. 1670 | Federal Acquisition Reform Act of 1995 | H. Res. 219 | Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority. | N/A. |
| H.R. 1617 | To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS). | H. Res. 222 | Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text. | N/A. |
| H.R. 2274 | National Highway System Designation Act of 1995 | H. Res. 224 | Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority. | N/A. |
| H.R. 927 | Cuban Liberty and Democratic Solidarity Act of 1995 | H. Res. 225 | Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report. | 2R/2D |
| H.R. 743 | The Teamwork for Employees and managers Act of 1995 | H. Res. 226 | Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority. | N/A. |
| H.R. 1170 | 3-Judge Court for Certain Injunctions | H. Res. 227 | Open; makes in order a committee amendment as original text; Pre-printing gets priority | N/A. |
| H.R. 1601 | International Space Station Authorization Act of 1995 | H. Res. 228 | Open; makes in order a committee amendment as original text; pre-printing gets priority | N/A. |
| H.J. Res. 108 | Making Continuing Appropriations for FY 1996 | H. Res. 230 | Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee. | |
| H.R. 2405 | Omnibus Civilian Science Authorization Act of 1995 | H. Res. 234 | Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority. | N/A. |
| H.R. 2259 | To Disapprove Certain Sentencing Guideline Amendments | H. Res. 237 | Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption. | 1D |
| H.R. 2425 | Medicare Preservation Act | H. Res. 238 | Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes). | 1D |
| H.R. 2492 | Legislative Branch Appropriations Bill | H. Res. 239 | Restrictive; provides for consideration of the bill in the House | N/A. |
| H.R. 2491<br>H. Con. Res. 109 | 7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform. | H. Res. 245 | Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes). | 1D |
| H.R. 1833 | Partial Birth Abortion Ban Act of 1995 | H. Res. 251 | Closed | N/A. |
| H.R. 2546 | D.C. Appropriations FY 1996 | H. Res. 252 | Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each. | N/A. |
| H.J. Res. 115 | Further Continuing Appropriations for FY 1996 | H. Res. 257 | Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee. | N/A. |
| H.R. 2586 | Temporary Increase in the Statutory Debt Limit | H. Res. 258 | Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform. | 5R |
| H.R. 2539 | ICC Termination | H. Res. 259 | Open; waives section 302(f) and section 308(a) | |
| H.J. Res. 115 | Further Continuing Appropriations for FY 1996 | H. Res. 261 | Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr). | N/A. |
| H.R. 2586 | Temporary Increase in the Statutory Limit on the Public Debt | H. Res. 262 | Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr). | N/A. |
| H. Res. 250 | House Gift Rule Reform | H. Res. 268 | Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered. | 2R |
| H.R. 2564 | Lobbying Disclosure Act of 1995 | H. Res. 269 | Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments. | N/A. |
| H.R. 2606 | Prohibition on Funds for Bosnia Deployment | H. Res. 273 | Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr. | N/A. |

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

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 1788 | Amtrak Reform and Privatization Act of 1995 | H. Res. 289 | Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority. | N/A. |
| H.R. 1350 | Maritime Security Act of 1995 | H. Res. 287 | Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority. | N/A. |
| H.R. 2621 | To Protect Federal Trust Funds | H. Res. | Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate. | N/A. |
| H.R. 1745 | Utah Public Lands Management Act of 1995 | H. Res. 303 | Open; waives cl 2(l)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min.). | N/A. |
| H. Res. 304 | Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia. | N/A. | Closed; makes in order three resolutions; H.R. 2770 (Dorman), H. Res. 302 (Buyer), and H. Res. 306 (Gephardt); 1 hour of debate on each. | 1D; 2R |
| H. Res. 309 | Revised Budget Resolution | H. Res. 309 | Closed; provides 2 hours of general debate in the House | N/A. |
| H.R. 558 | Texas Low-Level Radioactive Waste Disposal Compact Consent Act | H. Res. 313 | Open; pre-printing gets priority | N/A. |
| H.R. 2677 | The National Parks and National Wildlife Refuge Systems Freedom Act of 1995. | H. Res. 323 | Closed; consideration in the House; self-executes Young amendment | N/A. |
| | | PROCEDURE IN THE 104TH CONGRESS 2D SESSION | | |
| H.R. 1643 | To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria. | H. Res. 334 | Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. | N/A. |
| H.J. Res. 134<br>H. Con. Res. 131 | Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134. | H. Res. 336 | Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131. | N/A. |
| H. R. 1358 | Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts. | H. Res. 338 | Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. | N/A. |
| H.R. 2924 | Social Security Guarantee Act | H. Res. 355 | Closed | N/A. |

*Contract Bills, 67% restrictive; 33% open. **All legislation 1st Session, 56% restrictive; 44% open. ***Legislation 2d Session. 100% restrictive; 0% open. ****All legislation 104th Congress 60% restrictive; 40% open. *****Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. ******Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

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

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

Mr. RANGEL. Mr. Speaker, I was just talking to my dear friend, the gentleman from New York [Mr. SOLOMON], who sits over there, but I asked him to yield when he was reading the paper there, because I wanted to make it abundantly clear that as he extends this debt limit, as he gives us the ability for the United States to pay off its obligations, that he is only doing it for the old people on Social Security, he says, he says.

So it means that these people have a lot of compassion, but they give it to us a little bit at a time. Who knows, maybe the disabled veterans will get some political attention over there, and we will get another 15 days. How about the widows of those who died defending our country? How about the crippled, the veterans in the hospital? Oh, I know, you want to make Clinton change the rules. You do not want to do it at election time. You cannot do it with overriding a veto, and so what we are going to do is select who will receive their benefits.

Do you think the United States Congress should be doing this? And of all of the committees that is doing this to the American people, it is the Committee on Rules. What substance jurisdiction do you have to select one group of Americans, people who serve their country, which groups you decide will receive their checks on time? And we get 15 days. Well, thank you, Mr. Chairman for 15 days we get. Thank you. Maybe when we come back, the rest of the veterans and all the Americans who deserve their checks, you might give them 10 or 15 days, and ultimately the rest of the world would say, Can you trust the United States of America? Just as far as you can check with the chairman of the committee that determines when they pay their debts.

All I can say is this, if you think we screwed this place up for 40 years, you have broken the record, because you have brought to this Congress Members who are more anxious to change the policies that we have had in the last 40 years than to legislate. We are not doing this by legislating. We are doing it by fear, and it is wrong.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentlemen from New York [Mr. SOLOMON], the distinguished chairman, who is making sure that everybody gets their paycheck.

Mr. SOLOMON. Mr. Speaker and my colleagues, do you know that every single day that passes by, the national debt goes up another $600 million? Think about that, $600 million a day. Every day it goes up $600 million, that means there are $600 million less to help all of those people that truly need it.

You people on that side of the aisle, more than anyone else, ought to be standing up here trying to put an end to this deficit spending that is actually ruining this country and turning it into a sea of red ink.

The Record should show the gentleman from New York voted for an attachment to the 1993 debt limit bill, the largest tax increase in history. There was nothing clean about that debt limit bill.

What is different now? Nothing.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN], another member of the Committee on Ways and Means.

Mr. LEVIN. Mr. Speaker, I say to the gentleman from New York [Mr. SOLOMON], the answer is in 1993 the debt ceiling extension was part of an overall package. We were not trying to blackmail the White House. You are; you are.

Look, this is nothing but a 2-week extension. That is all this is. Yes, from March 1 to March 15, 2 weeks.

And why the reference to Social Security? It is because if there were no extension, Social Security payments would, indeed, be jeopardized, contrary to the earlier communications from your side. But, look, the other obligations are also going to be paid, not only Social Security.

So really you are voting for a 2-week straight debt ceiling extension. You put in Social Security, because some of your extremists do not want to vote for a debt extension of any kind, and then it says in here Congress intends to pass an increase in the public debt limit before March 1, 1996.

Why do you not pass it tonight? I will tell you why, you have got an addiction of some kind playing with fire. You have been burned twice in terms of the CR: You played with fire, twice burned, you want to burn yourself again.

But I think the main reason is you do not know what else to do, so you are doing the same thing all over again. That is the problem. You do not have a game plan, so you punt.

The trouble is this is not a game. This is the lives of Americans that you are playing with lightly.

Stop the blackmail. Pass a clean debt ceiling period, and do it tonight.

Mr. GOSS. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan [Mr. SMITH], a member of the Committee on the Budget.

□ 1830

Mr. SMITH of Michigan. Mr. Speaker, I just sort of handed out this sheet

to both sides as a reminder to us that we have not given clean debt ceiling increases. So it seems like tonight, with this clean increase in borrowing authority for the Federal Government to make sure that we get by the rest of this month and into toward mid-March, that we should pass it and say,''Look, it is a good first step, let us move on.''

Mr. Speaker, to the gentleman from Michigan, I would still like to point out that the last couple debt limit bills that we had represented a huge tax increase of $137 billion over the 5-year period in 1990 when there was pressure on President Bush. Again, there was a large $252 billion tax increase in 1993. Some of these put pressure on an administration. So the debt ceiling is not very wholesome, not being used as leverage.

As we researched the records, Treasury does not have the right to withhold Social Security payments. The trouble is they have not managed cash flow, so they are out of money right now. They have no legal authority to withhold payments for Social Security or any other trust fund when there are surpluses coming into those trust funds.

This action tonight is to give money back to Treasury because they have not had the kind of cash flow management that allows them to pay Social Security benefits and the other retirement benefits.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, just so I can set the Record straight so my colleagues over here do not make a mistake, I was not here in 1993. In fact, I was in the private sector, in fact outside the Beltway, where I was earning a living in an industry very similar to what we are talking about. In fact, my friend from New York, I have been in the private sector for a while, while you have been in the Congress, in the public sector, since I have been in high school. Quite some time.

If I wanted to, I could come down here, we could come down here as Democrats and we could say fine, go ahead and crash the capital markets of the United States. You will make Herbert Hoover look like an economic genius if you do this. But that is wrong. It is wrong for this country. This is a scary situation.

My other colleague from Texas said it is scary. Yes, it is very scary, because if we allow the Nation's debt to default, we will pay forever. If we do it for a day, it will be like Chernobyl; it will last for years and years.

Moody's said over the years that you could invest in treasuries because they would not default. This is from 1994. They said last week that they think they are going to default now, and they are looking to downgrade the debt. That is going to affect at least $300 billion of State and local debt and school debt. Mr. Druckmiller, your expect, came out last week and said this was a failed strategy and you should not do it.

Now, let us understand this bill. You are going to give the Treasury $30 billion, but the Treasury needs another $55 billion to meet the payments. Now, I tried to find in the Washington Times so I could explain to you when Treasury bonds come due. They come due on the 1st and 15th of the month. The Washington Times does not carry the Treasury thing, maybe that is why there is a misunderstanding here. But the fact of the matter is that this is totally irresponsible.

My colleague talks about the private sector. If you were on the board of a corporation that had a debt payment coming due in 29 days and you decided that you were going to take the board to Hawaii instead of staying here and working on it, the stockholders would throw you out, and they would be right for doing it.

If you were a homeowner and you did not have the money to pay your mortgage and decided you would take a vacation instead, the bank would come and take your house and they would have the right to do that.

That is what we are doing. We are not going to deal with the problem; we are going to go on a vacation. I find that hard to believe, regardless of whether I am a Democrat or a Republican. What has gotten into us here? It is incredible. It is simply incredible.

You tell us by March 1 you will get this done. My friends, you did not make the date for the appropriations bills; you did not even bring half of them to the floor by the end of the fiscal year. How are we to believe you will do this by March 1? You know what you are going to do? You are going to default on the debt that our children, my children, your children, your grandchildren are going to have to pay for, for money you already spent in previous years. That is simply unconscionable.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BOEHNER], the distinguished chairman of the conference.

Mr. BOEHNER. Mr. Speaker, the Congress of the United States and the Government of the United States is not going to default on its debt, not now nor in the future. But if we are at some point going to increase the debt limit, which we are going to do the last week of February, we are going to make a downpayment for the future of our children and theirs.

For 30 years politicians in this town have done the same thing, pile up the debt, pile up the debt, and imprison our children and theirs. So every child born in America today owes $19,000 as their share of the national debt. A child born this year will pay $187,000 over the course of their lifetime in taxes just to pay the interest on the national debt that their parents and their grandparents have left for them. That is unconscionable.

What is the President of the United States asking? Raise the debt limit. Let us have more debt. The fact is, it is time to get serious about balancing the budget of the United States and saving the future for our kids and theirs. Oh, but no, we do not want to do that. The President says we can agree on the numbers, but we will save the policies until later: The same kind of Washington gimmicks, the same kind of smoke and mirrors that have been used in this town to say one thing and do something else, year after year after year.

What we are saying on our side of the aisle is it is time to get serious. It is time for no more gimmicks, no more tricks. It is time to do the right thing to save the future for our kids and theirs, and we are going to do it.

Now, in the meantime we want a downpayment on extending the debt limit of this country. We ought to make some generous effort in a bipartisan way to move us toward saving the future, and we ought to do it over the next couple of weeks so that when we get back here on the 26th, we can have a bill that can be agreed to.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, if I could enter into a colloquy with the previous speaker, could I ask a question of the gentleman from Ohio? The gentleman from Ohio just made a statement that the U.S. Government was not going to default now, not ever. Let me ask you this question: Suppose that you put the conditions on the extension of the debt and the President of the United States does not blink and refuses to sign the budget or whatever downpayment you call it. Are you going to let the United States default on its obligations?

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

Mr. HEFNER. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Speaker, I am sure the President of the United States would like to make a downpayment toward balancing the budget just as much as you would and we would.

Mr. HEFNER. Mr. Speaker, reclaiming my time, the gentleman just made a statement that we will not default on our obligations now, not ever. He had no qualifications; he was just taking for granted that everything is going to fall in place and they would yield to blackmail demands. What he is saying is unless they do, you will let the U.S. Government default. Enough is enough.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, it is time to get serious and it is time to stop the blackmail. It is the extremists in the House Republican conference that are playing political chicken with the credit rating of the United States. That is what it is about, is our credit rating. This Government has always paid its bills. For 220 years, through a Civil War and a Great Depression.

Paying our bills is not just important to the bond market and to the investment bankers on Wall Street. If this

nation defaults, the consequences will be most sharply felt by ordinary Americans. It is not only Wall Street, it is Main Street who pays the price. If this bill passes, Social Security checks will not bounce, and that is a good thing. But what about the countless other consequences of default? What about students whose college loan rates are set by the Government borrowing rate? What about people who bought their homes with adjustable rate mortgages, and what about those who hold credit cards?

At a time when too many Americans are swamped with bills, they are afraid that they cannot afford to pay their bills. These are people who have not seen a raise in their salaries in months and years. A Government default would make paying their bills all the more expensive. This tactic hits working families in their pocketbooks.

Mr. Speaker, we can easily avoid this crisis. Let us pass a bill that prevents default by lifting the debt ceiling and that protects the credit rating and the honor of this great Nation of ours.

Mr. FROST. Does the gentleman not have any speakers at this point?

Mr. GOSS. Mr. Speaker, may I inform the Chair and the distinguished gentleman from Texas that I have one other speaker who is on his way, and possibly we will have some stimulation in the debate here from somebody who is here. We are looking at winding down, but I am in the range of three or four Members.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, our Republican colleagues have, of course, already voted four times in this very Congress to adjust the debt limit to the full amount necessary. But now that it really counts, now that we are up against the line, they break their promise to the American people.

They whine and moan about a budget deficit, but as soon as the President proposes a balanced budget calculated by their numbers, the Speaker declares defeat. A broken promise. You see, that is the watchword of this Gingrich Republican leadership: Promises made, promises broken. The Republicans promised to give us a country that is governed responsibly, and then they come forward and waste $1.5 billion with two Government shutdowns that were totally unnecessary, which even Speaker GINGRICH has now confessed was an error.

They promised to guarantee the fiscal integrity of this country, and now they act in a way that constitutes the biggest broken promise in American economic history. They promise to breach the promise of the full faith and credit of this country.

Republican promises made and Republican promises broken, the whole story of the 104th Congress. They have broken so many promises in this Congress to the American people, they now want to go out and break somebody else's promise, and that is the promise that generations of Americans have stood by to protect the fiscal integrity of this country.

Can any responsible American, regardless of party, regardless of philosophy, conceivably be out there saying, Oh, go to Washington. Do not pay the bond holders. Do not pay those who rely on U.S. savings bonds. Just bring everything to a halt and default until you get your way?

Mr. Speaker, that is precisely what has been advocated here tonight. Nobody but a crackpot would advance that point of view. But indeed, while that might have been true a few years ago, and though we just heard promises, let us listen to what the Speaker of the House of the United States said: ''I don't care what the price is. I don't care if we have no bonds for 30 days.''

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

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

Mr. Speaker, tonight our action is really about choices. The administration and the other side of the aisle has made their choices. They would choose in fact to cut off payments for Social Security and maybe veterans at this point if in fact they run out of additional money to steal. In fact, the irony of this is they have been stealing and robbing Federal retirement trust funds to keep the indebtedness extended for this country.

□ 1845

So tonight is really about choices. We have seen on TV they are going to stop the printing presses. They do not want us to pay seniors.

Mr. Speaker, that is not what the Republicans want to do tonight. We want to see, in fact, that our seniors receive their check. We want to tell seniors that, in fact, we have made a different choice, that we think that we should choose in this budget whether people should continue to be paid for not working; whether we should pay illegal immigrants who come in and get better health and medical and housing benefits than our seniors and our veterans.

Those are some of the choices before us, and that is part of the choice in our budget, in our proposal. And we are going to face that measure and those choices.

So, tonight the choice is we stop the show, we stop printing the funny money or continue in a responsible fashion. We set a deadline, and that is what we have been doing and what we have been trying to do to get this Nation's finances in order. So our choice is to pay seniors tonight, to pass this rule, and to act responsibly, and we will meet our debt obligations; but we will not continue to drive this country further and further into debt, in an irresponsible fashion.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, this H.R. 2924 is about the most convoluted piece of legislation that I have seen in terms of what is going on. They say, the Republicans that they bring this bill to us, that they intend to extend the debt limit. Well, why do they not just do it? No, they bring this 2-week bill. In other words, the bad news is the fact that they feel the necessity for a 2 week measure.

If we take them at their word, the face value of what this bill says, we are going to avert the possibility that the Social Security checks are going to bounce March 1. We want them to go out, and we all want to be on the side of those receiving Social Security. But the bad news is that the veterans' checks are going to bounce, that they are not going to cash those, that the soldiers and sailors that get checks, even those in Bosnia, will not be able to cash them. The contractors who have done work in good faith will not be able to cash checks.

The fact is that this result would result in the ultimate Government shutdown. Already this year for 4 weeks out of 16, the irresponsibility in terms of the way that this majority Republican Party has run this Congress has resulted in partial shutdown of the Government. The fact is, yes, things were attached to the debt ceiling limit. But under Reagan and under Bush, and under Clinton, the Democrats got an agreement with them. We could find common ground and compromise to achieve this, so we averted the default of bonds, the credit rating of the country wasn't harmed.

We have been through Reagan and Bush and Clinton. We did it through World War I, then World War II, the Depression, the recessions, but all of a sudden now my Republican colleagues cannot do that. They cannot come to a agreement, and that is what the bad news is in terms of this bill.

Mr. Speaker, yes, we ought to protect Social Security, but we ought to protect the faith and credit of this Nation. We ought to really prevent the type of economic shock wave and damage that this proposal pretends to do through intention but not action. The fact that the Republicans want to pass just this measure of platitudes, shows that they do not understand what they are doing, I think this action unfortunately underlines the experience and the credibility of what has been said over here for 2 months. What has been said by the Speaker and their leader, over the past year that is in fact if default comes, it comes. Let us just accept it says Speaker GINGRICH. That is unacceptable says this Member. The only snow job is not the one outside; there is one going on in here tonight from the majority Republicans.

Mr. GOSS. Mr. Speaker, the record should show that the gentleman who just spoke so eloquently voted to attach to the 1993 debt limit bill the largest tax increase in history. There was nothing clean about that debt limit bill.

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

Mr. FOLEY. Mr. Speaker, all the screaming needs to subside. This Government has been running deficit for a long time. Our credit card is about to be canceled. Our checkbook is dry.

In America's communities, if we had produced the types of budgets this Congress has over the last 40 years, we would have had our home foreclosed, our credit card canceled, our checkbook confiscated, and we would be sent to jail.

Everybody is yelling about the full faith and credit of this Government, and many Members that have been on this floor screaming have been the ones who have run up, through the use of their Member card, this card that they give us when we are sworn into office, the credit card of the United States, they have been running deficits each and every budget year. And now there is screaming going on about the full faith and credit of the United States of America.

People have to accept responsibility for being the ones that charged the balance. If we give our child a credit card with a $500 balance and they run out and use it in one day and we scream at them for not paying the bill, we have helped get them the credit. We have taught them to spend maybe recklessly.

I agree that the faith and credit of this Government is essential. This bill will allow the temporary borrowing of additional monies to cover Social Security. My grandmother depended on her Social Security before she died. She worked as a maid in a Travel Lodge motel. She was not a wealthy women. She had $10,000 in the bank. That is all the money she had in her life. Social Security was important to her, as it is to every other American.

Mr. Speaker, we are allowing the debt limit to increase to provide for that, but we are not perpetrating the sham on the American public with $200 billion in excess spending year in and year out and call that democracy, call that compassion, call that good government. We need to stop the yelling, start working on the problems that face America.

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

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

Mr. SCHUMER. Mr. Speaker, well, my colleagues know we have heard a lot of talking here. We just heard about giving a child a credit card. And what they are advocating on that side is once the child spends on the credit card, maybe the child should not have, the parents are saying we will not pay. That is un-American. That is being a deadbeat. That has nothing to do with resolving the child's behavior in the future. That has to do with the past obligation that was incurred by the family that people on this side are saying we will not pay.

Mr. Speaker, the average homeowner does not have the opportunity to renege on his or her mortgage. The average credit card purchaser does not have the opportunity to renege on his or her credit card. These people are struggling. They cannot do it, and at the height of irresponsibility, some of the leaders of this Nation are saying, well our country can do it. What lesson is that to the child we are talking about? I would say that to the gentleman from Florida.

Mr. Speaker, is it happenstance that we are playing this ridiculous game of chicken? Is it just unbelievable that we could say we would renege on our debt? Let us listen to what Speaker GINGRICH said: ''The President will veto a number of things and then we will put them all on the debt ceiling. And then he will decide how big a crisis he wants.''

That is good government? That is responsibility? That is bullying at best, and lunacy, irresponsible lunacy at worst. Here is another quote from the Speaker: ''I do not care what the price is, I do not care if we have no executive offices, and no bonds for 30 days. Not at this time.''

He just said that in September. Mr. Speaker, there is a lot of blame going on. Some extremist, immature freshmen are saying let us let the country default on its debt. But it came from the Speaker. He should be ashamed of himself.

Mr. SMITH of Michigan. Regular order.

Mr. SCHUMER. He knows that the credit rating of the America is at stake. It is a shame.

Mr. GOSS. Mr. Speaker, the Record should show that the gentleman from New York who just spoke voted for an attached 1993 debt limit bill, the largest tax increase in history. There was certainly nothing clean about that debt limit bill either, and I suspect that the gentleman from New York would not agree with my conclusion that it is not responsible parenting to stop children from runaway spending.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, there was a lot of talk on the Republican side of the aisle tonight about scare tactics, but I have to tell my colleagues I am really scared tonight. Until this evening, I did not really believe that the Republicans would actually default on the debt. Now I believe that they will.

Mr. Speaker, I listened to what the gentleman from Ohio said, that in order to avoid default there would have to be a downpayment on the balanced budget. I listened to the gentleman from New York who said that, in order to prevent default, there would have to be certain commitments made by our side of the aisle by March 1.

Now I see a resolution coming before us that says that we will extend the debt ceiling with regard to Social Security. What is happening here is the same kind of hostage atmosphere that we saw with the Government shutdown. The Republicans are saying that we are going to go home. We are going to come back at the end of the month when there are a few days before March 1. And if we on the other side do not do certain things and make certain commitments, if we do not vote for certain things that they want, then they are going to default.

So I do not believe it when they say that they are not going to default. The bottom line is if they are willing to say tonight that they will only extend the debt ceiling for Social Security, I have no guarantee that they will extend the debt ceiling on anything else. I think that is the height of irresponsibility.

We are talking about defaulting on a debt that is going to downgrade the credit rating of these United States in a way that has never happened before. The bottom line is that if that happens, there is no precedent for it. There is no way of ever recovering from it, whether it is mortgage interest rates, whether it is interest rates on car payments, whether it is the securities in our general credit rating. Other countries that hold our Government bonds may decide they want to sell them.

We have no idea what kind of uncharted waters we will be walking into if we ever default on the debt. This resolution tonight ways that Congress intends to pass an increase in the public debt limit before March 1, 1996. But if my colleagues listen to the other side, there is no reason to believe that.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I am going to speak from this side because I am going to quote one of the most distinguished members in the Clinton administration when I finish.

But it is no coincidence, and I have been keeping track, that almost every single speaker that has spoken from the Democrat side of the aisle is listed by the National Taxpayers Union as the biggest spenders. They classify us. Biggest spenders in the Congress. Almost every one of them. That is important to note.

Let me read to my colleagues the Washington Post, March 25, 1993, that is about 2 years ago. Now listen carefully to this, because this is the statement that was made by the present chief of staff of President Clinton. Listen to this because it will really turn this thing around.

He said: The Clinton administration has waited as long as possible to seek an increase in the debt ceiling so that lawmakers, that is you and me, ladies and gentlemen, so that lawmakers can vote for budget resolutions designed to rein in deficits before being asked to increase Federal borrowing. Now, this

is Mr. Leon Panetta. He said it is important to tie, listen to this, it is important to tie it, the debt limit, he says, to other discipline people would like to put in place.

That is what Leon Panetta said. That is exactly what we are doing here. Secretary Rubin has said he does not need this authority until March 1. We want to wait as long as we can to get as much of the savings as we can to put the fiscal house in order of the people of this country. That is what we are doing. Come over here and vote for this good bill.

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

Mr. Speaker, I urge a no vote on the previous question. If the previous question is defeated, I shall offer an amendment to the rule which would make in order an amendment in the nature of a substitute to provide for a clean debt ceiling.

This amendment consists of the text of H.R. 2409 and provides for a clean debt ceiling increase for a full year. This number is the same figure that was in the Republican budget resolution and reconciliation bill. Our country's economy is far too important to be used as a political pawn. We cannot risk the catastrophe that will occur should we default on our Nation's debts.

□ 1900

Let us stop the game playing and pass a clean debt ceiling. I urge Members on both sides of the aisle to take the moral high ground and to vote down the previous question, so the substitute amendment can be considered by the full House.

Mr. Speaker, I include for the RECORD a copy of the amendment:

The amendment referred to is as follows:

At the end of the resolution add the following new section:

''Section—. Notwithstanding any other provision of this resolution, it shall be in order without intervention of any point of order to consider an amendment in the nature of a substitute consisting of the text of H.R. 2409, if offered by the Minority Leader or his designee. The amendment shall be considered as read and shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent. The previous question shall be considered as ordered on the amendment.''.

Mr. FROST. Mr. Speaker, again, I urge that we defeat the previous question. This is a very serious matter. It is the other side of the aisle that will not bring a debt ceiling vote to the floor this week. They bring only this little piece of it. It is an important piece, and we will want Social Security checks to go out, but they will not bring a debt ceiling increase.

Mr. Speaker, they want to take this right to the brink. They want to walk us up to 2 or 3 days before the deadline, and hope that the perils of Pauline will somehow rescue the lady from the track, as the train heads to hear. If the people on the other side have miscalculated, and if the train in fact runs over that maiden on February 29, this country is in enormous, enormous trouble.

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

Mr. Speaker, I many times watched the Perils of Pauline, and I never actually saw the train run over the victim.

Mr. Speaker, I would like to close with a couple of points. First of all, this has been a very intriguing debate about the rule. I do not think I have heard the rule mentioned, more than in passing at the beginning, but we have had a pretty good debate on some other things.

I frankly have gotten to see my colleague, the gentleman from Florida, my good friend, the distinguished ranking member of the Committee on Ways and Means, show us that in addition to his extraordinary oratory, he has exemplary footwork as well in the well of the House, and I commend him on that. That was certainly a fresh moment in my experience in the U.S. Congress.

Mr. Speaker, some on the other side have mentioned that we are going on vacation. If Members are going on vacation over there, I wish them well. I do not believe anybody over here is planning to go on vacation. We have a considerable amount of work to do. We are doing some negotiating. We will be in our district in a work period. I know some of us will actually be here working on committee work as well, as is our custom. If those Members have time to go on vacation on the other side of the aisle and can work it into their schedules, they are fortunate, indeed.

Mr. Speaker, the next question I wanted to raise very briefly is this sort of switching of the debate from what is really adding on, piling onto a $5 trillion national debt an unlimited amount of money for the future without any kind of control. That is really what Members are proposing to do. What you are doing, however, is switching the subject and saying ''My gosh, if we do not do that, we are affecting the full faith and credit of our country.'' I think that is very bizarre.

The people who keep score about full faith and credit are more interested in us getting control of our spending now. That is the signal they are looking for. I would suggest, Mr. Speaker, that if we do not do the responsible thing, we will in fact do more damage to the full faith and credit, which, or course, nobody wants to cause any problem for in any way.

The next thing that has happened, Mr. Speaker, my friend, the gentleman from New York, said we are going to have a big vote on this. We are indeed going to have a big vote on this. We are going to get probably a unanimous vote on this piece of legislation. Who would vote against sending out the Social Security checks? Who would vote against making sure those checks were not going to bounce? It seems to me that is a pretty good proposition to vote for. We have a good rule, we have a good proposition to vote for. I am having a little trouble understanding what, therefore, the problem really is.

Mr. Speaker, we have heard a lot of talk about gloom and doom and the sky falling. I would suggest, Mr. Speaker, that those who are talking about all this red hot partisan rhetoric, self-fulfilling rhetoric I hope it is not, about the world ending and the full faith and credit coming apart and so forth, need to go back and look at their voting records. I did not read them all because of time, but most everybody, as the chairman has said, who got the low rating from the NTU for being big spenders are also the people who, by and large, have voted for the largest tax increase in history, and that was attached to a debt limit bill, so let us get real.

The other point I would make is I would suggest that Alan Greenspan's pulse rate is probably more important to the interest rates than the debate we are having here today in terms of the well-being of our economy, so I urge that we pass this rule and get on with it. We will then pass this legislation and remove anxiety.

Mr. Speaker, I move the previous question on the resolution.

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

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time which a vote by electronic device, if ordered, will be taken on the question of the adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 229, nays 178, not voting 26, as follows:

[Roll No. 28]

YEAS—229

| | | |
|---|---|---|
| Allard | Bunning | Cubin |
| Archer | Burr | Cunningham |
| Armey | Burton | Davis |
| Bachus | Buyer | Deal |
| Baker (CA) | Calvert | DeLay |
| Ballenger | Camp | Diaz-Balart |
| Barr | Campbell | Dickey |
| Barrett (NE) | Canady | Doolittle |
| Bartlett | Castle | Dornan |
| Barton | Chabot | Dreier |
| Bass | Chambliss | Duncan |
| Bateman | Chenoweth | Dunn |
| Bereuter | Christensen | Ehlers |
| Bilbray | Chrysler | Ehrlich |
| Bilirakis | Clinger | Emerson |
| Bliley | Coble | English |
| Blute | Coburn | Ensign |
| Boehlert | Collins (GA) | Everett |
| Boehner | Combest | Ewing |
| Bonilla | Condit | Fawell |
| Bono | Cooley | Fields (TX) |
| Boucher | Cox | Flanagan |
| Brownback | Crane | Foley |
| Bryant (TN) | Crapo | Forbes |
| Bunn | Cremeans | Fowler |

Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Sensenbrenner
Shadegg
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—178

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clayton
Clement
Clyburn
Coleman
Collins (MI)
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)
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Yates

NOT VOTING—26

Baker (LA)
Becerra
Bryant (TX)
Callahan
Chapman
Clay
Collins (IL)
Filner
Gibbons
Green
Harman
Kolbe
Lewis (CA)
Manton
Martinez
Meyers
Mfume
Ortiz
Packard
Radanovich
Rose
Sanders
Seastrand
Shaw
Wilson
Wynn

□ 1922

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. COLLINS of Illinois. Mr. Speaker, during rollcall vote No. 28 on House Resolution 355 I was unavoidably detained. Had I been present, I would have voted ''nay''.

The SPEAKER pro tempore (Mr. WALKER). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment a bill of the House of the following title:

H.R. 2657. An act to award a congressional gold medal to Ruth and Billy Graham.

## REQUEST TO DISCHARGE COMMITTEE ON AGRICULTURE AND COMMITTEE ON WAYS AND MEANS FROM FURTHER CONSIDERATION OF H.R. 2854, AGRICULTURE MARKET TRANSITION ACT

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that the Committees on Agriculture and Ways and Means be discharged from further consideration of the bill H.R. 2854, the Agriculture Market Transition Act, and that it shall be in order today to consider the bill in the House, and that all points of order against the bill and against its consideration be waived; and that the previous question be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture; (2) one amendment, if offered, by Representative DE LA GARZA of Texas or his designee, said amendment to be debatable for not to exceed 1 hour, to be equally divided and controlled by the proponent and a Member opposed thereto, and all points of order against the amendment be waived; and (3) one motion to recommit, with or without instructions.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive speakers and recorded on page 534 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request until it has been cleared by the bipartisan floor and committee leaderships.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROBERTS. Mr. Speaker, I know that the Agriculture Market Transition Act, H.R. 2854, has been cleared for floor consideration by the Republican side. Am I to understand that the Democrat side has objection to consideration of this bill?

The SPEAKER pro tempore. The Chair cannot respond to that. That is not an appropriate parliamentary inquiry.

Mr. ROBERTS. It may not be appropriate, but it sure as hell is true.

Mr. VOLKMER. Regular order, Mr. Speaker, Regular order.

The SPEAKER pro tempore. The Chair is attempting to keep order. The gentleman from Missouri and his comrades are not helping at the moment.

## PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM THURSDAY, FEBRUARY 1, 1996, TO MONDAY, FEBRUARY 26, 1996, AND ADJOURNMENT OR RECESS OF THE SENATE FROM THURSDAY, FEBRUARY 1, 1996, OR THEREAFTER, TO MONDAY, FEBRUARY 26, 1996

Mr. SOLOMON. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 141) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 141

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on the legislative day of Thursday, February 1, 1996, it stand adjourned until 12:30 p.m. on Monday, February 26, 1996, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, February 1, 1996, Tuesday, February 6, 1996, Wednesday, February 7, 1996, Thursday, February 8, 1996, Tuesday, February 13, 1996, Wednesday, February 14, 1996, or Thursday, February 15, 1996, pursuant to a motion made by the majority leader or his designee in accordance with this resolution, it stand recessed or adjourned until 3 p.m. on Monday, February 26, 1996, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the majority leader of the Senate, acting jointly

after consultation with the minority leader of the House and the minority leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 199, answered not voting 28, as follows:

[Roll No. 29]

AYES—207

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

NOES—199

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

NOT VOTING—28

Baker (LA)
Becerra
Bevill
Bryant (TX)
Callahan
Chapman
Crane
Dingell
Fawell
Filner
Gibbons
Green
Greenwood
Kolbe
Lewis (CA)
Manton
Martinez
Meyers
Mfume
Packard
Peterson (FL)
Radanovich
Ros-Lehtinen
Rose
Sanders
Seastrand
Shaw
Wilson

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Mr. CHRISTENSEN and Mr. NUSSLE changed their vote from ''aye'' to no.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE SOCIAL SECURITY GUARANTEE ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 355, I call up the bill (H.R. 2924) to guarantee the timely payment of Social Security benefits in March 1996, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text at H.R. 2924 is as follows:

H.R. 2924

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

**SECTION 1. TIMELY PAYMENT OF MARCH 1996 SOCIAL SECURITY BENEFITS GUARANTEED.**

(a) FINDINGS.—

(1) Congress intends to pass an increase in the public debt limit before March 1, 1996.

(2) In the interim, social security beneficiaries should be assured that social security benefits will be paid on a timely basis in March 1996.

(b) GUARANTEE OF SOCIAL SECURITY BENEFIT PAYMENTS.—In addition to any other authority provided by law, the Secretary of the Treasury may issue under chapter 31 of title 31, United States Code, obligations of the United States before March 1, 1996, in an amount equal to the monthly insurance benefits payable under title II of the Social Security Act in March 1996.

(c) OBLIGATIONS EXEMPT FROM PUBLIC DEBT LIMIT.—

(1) IN GENERAL.—Obligations issued under subsection (b) shall not be taken into account in applying the limitation in section 3101(b) of title 31, United States Code.

(2) TERMINATION OF EXEMPTION—Paragraph (1) shall cease to apply on the earlier of—

(A) the date of the enactment of the first increase in the limitation in section 3101(b) of title 31, United States Code, after the date of the enactment of this Act, or

(B) March 15, 1996.

The SPEAKER pro tempore (Mr. WALKER). Pursuant to House Resolution 355, the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes, and the gentleman from New York [Mr. RANGEL] will be recognized for 30 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2924, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, the debate we are entering into today really should not have to occur at all.

Our Nation is a great nation. We are financially sound, and our credit is secure. We always have, and we always will pay our bills on time and in full.

Regardless of the occasional wrangling that goes on between the White House and the Congress, we have always found a way to protect the full faith and credit of the United States of

America, and this year will be no different. Republicans in Congress have pledged that we will take action to raise the debt limit prior to March 1. We will fulfill our responsibility, and I am confident that the President will fulfill his by signing the legislation that will come before the end of this month.

That is why I deeply regret President Clinton and his advisers have fanned the political flames of fear by raising the specter that Social Security checks will not go out as a result of the current debate.

Mr. Speaker, the bill before us is designed to protect America's seniors from the scare campaign President Clinton and his allies have been waging for political purposes. The Social Security checks will go out, and everyone knows it. The President is wrong to scare senior citizens, and he should not use them as pawns in this budget debate.

But in an effort to reassure our seniors, this bill will give them a guarantee that they will get their checks no matter what President Clinton does. With the passage of this bill, President Clinton has no excuse not to send out Social Security checks. Seniors have worked all of their lives and have already paid for their Social Security checks. The Social Security fund contains their money. Seniors deserve peace of mind, and this bill gives it to them.

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

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

Mr. Speaker, there is no need to debate this bill. I do not see where there is any need to debate what is going on here when the whole world knows exactly what it is.

This has nothing to do with protecting the full faith and credit of the United States of America.

The majority party has seen fit to select who they want to protect, so this week it is the Social Security beneficiaries. Who knows, three weeks from now it may be the widows, those that are left behind from our veterans or those that are disabled. Who knows how they want to issue their compassion?

The only question we should have to vote on is whether this Congress is prepared to pass a clean long-term debt ceiling bill. The majority, without consultation, without compromise, have decided themselves that the only thing they want to do is to extend it for a couple of weeks to protect the Social Security beneficiaries. I hope, Mr. Speaker, and Members of the other side, that over this so-called break when we should be here working that you might decide that you want to extend that compassion to each and every American who deserves not only their check but deserves to know that the full faith and credit of the United States of America will stand tall, notwithstanding the fact that there is a serious disagreement between both sides of the aisle on what our policy should be. This should be clean.

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

Mr. ARCHER. Mr. Speaker, with the understanding and agreement that we have had with the minority, I have no further speakers, but I will close and will yield myself the balance of my time with that understanding.

Mr. Speaker, the individuals that the gentleman from New York just referred to will also have their checks protected by this legislation. Let that be understood.

But this debate is really not about Social Security, and it is not about default. It is about our Nation's debt. Our debt stands at over $4.9 trillion and growing.

For a family of 4, their share is $72,000, increasing each week by $89, each month by $383, and each year by $4,594. Sometime, someday, someone has to pay this debt, and that someone is today's younger workers, their children, and their children's children.

What do the Democrats want to do with this debt problem? They want us to respond by sending more debt to our children. It is business as usual. They want us to pass a so-called clean debt limit.

Most of them do not support a balanced budget, and they want to borrow our Nation's way into deeper debt and eventual bankruptcy and default, and that is why we believe it is highly appropriate to attach to the 1995 debt limit bill legislation that puts a down payment on deficit reduction and tax relief.

Their strategy is borrow, default and blame Republicans. Democrats used the 1993 debt limit bill to pass the largest tax increase in history, an increase even President Clinton admitted was ''too much.'' The Democrats think it is OK to pass tax hikes on debt limit bills, but they oppose reducing spending, shrinking the Federal Government, and leaving more money in the taxpayers' pockets as a part of the 1995 debt limit bill.

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Republicans believe that there is nothing clean, Mr. Speaker, about leaving more debt to our children. It is wrong to give our children more debt, and if the President's State of the Union speech was more than idle words, he will agree with our plan to put a reasonable and responsible down payment on the deficit, on the debt limit bill later this month.

We have kept in this House of Representatives every promise we made to the American people, and today we can assure them we will pass a debt limit bill before the first of March. We need to pass this bill now to assure and guarantee to senior citizens that their Social Security checks will go out.

Mr. GILMAN. Mr. Speaker. I rise to speak in support of H.R. 2924, the Social Security Guarantee Act. As Congress continues to negotiate with the administration on how to balance the budget if is imperative that we ensure that Social Security benefits will be paid on time.

It is not right that our Nation's seniors be held hostage to any partisan bickering and the failure of the administration to come forward with a credible, workable balanced budget. Instead, Congress should be doing all it can to ensure that our seniors receive their Social Security checks on time. As many of us know, their Social Security check is all some of our seniors have to help pay for their food and shelter.

Accordingly, I urge my colleagues to fully support this important measure.

Mr. SMITH of Michigan. Mr. Speaker, the Secretary of Treasury has repeatedly warned of the impending collapse of our financial system if Republicans did not give up on their quest for a balanced budget and simply increase the debt limit. His lack of credibility is now established.

His recent statements about not having enough cash to make retirement payments on March 1 is again designed to put political pressure on the Congress in hopes that Congress will abandon the balanced budget and allow the addition of more debt to the trillions that our children will be responsible for.

This bill will ensure that Social Security payments must be made on March 1. It does not add to the debt, but it does allow Treasury to overcome a timing problem that they have created by their claim that they cannot manage the cash of this country.

Under normal circumstances Treasury would sell bonds a few days before benefit payments are due with a settlement date the same as the benefit payment date. Then the trust fund is disinvested and the debt limit has returned to what it was. Because we are at the debt limit Treasury cannot use this normal procedure.

Because the Social Security Trust is void of any cash, Treasury must sell securities to make benefit payments that come due. This bill will allow these securities to be sold outside the debt limit, then as the benefit payments are met the trust fund securities will be redeemed. The securities which were sold will then come under the debt limit, so by March 15, when all benefit checks have been paid, the debt will be the same as it was before.

Congress makes the decision about what the pattern of debt will be in the future. The current Congress, however, no longer directly controls the amount of spending that will occur in the near future. This is because of the growth of entitlement programs. In 1955, nearly nine-tenths of the Federal budget was discretionary programs. Today only about one-third of the budget is discretionary. Congress can only alter the spending pattern to match its wishes with regard to the time path of debt by amending statutes which authorize the entitlement programs. Although it is true through budget reconciliation Congress does authorize mandatory spending, and can thus make changes, Congress recently offered such legislation under the guise of the Balanced Budget Act of 1995. This legislation was vetoed by the President. Unlike an appropriations bill, which if vetoed results in no spending and no additional debt, a veto of a reconciliation bill, or changes in mandatory spending through

new authorizing legislation, results in continued spending under the old programs. The results is that, in the case of mandatory spending, Congress cannot affect a change and alter the time path of debt without the consent of the President, unless it has a two-thirds majority to override the President's veto.

Due to the inextricable link between the entitlement programs and the future debt of the Federal Government, there is an inextricable link between the budget bills and the debt limit. To argue that the debt limit is not to be tied into the budget process is to miss this vital point. Congress's last hold on its authority to borrow money under article 1, section 8 is the debt limit. Because the amount of debt that will be needed in the future is directly related to the amount of spending that will occur, the authority to borrow under section 8 is tied directly to Congress' authority to spend under article 1, section 9. It is quite appropriate to link budget bills to debt limit increases.

Historically, this has been the case. Indeed, with the decrease in the share of the budget that is accounted for by discretionary spending, the linkage has become ever closer. In 1993, H.R. 2264 raised the debt limit in the Omnibus Budget Reconciliation Act, which included a tax increase of $250 billion.

In 1990, the debt limit increase incorporated the Omnibus Reconciliation Act of 1990, which also included large tax increases.

In 1987 and 1985 the debt limit increases were included in the debate over Gramm-Rudman I and II. In recent years, a clean permanent increase in the debt limit simply doesn't occur.

Thomas Jefferson: I place economy among the first and most important of Republican virtues, and public debt as the greatest of dangers to be feared.

Mr. STOKES. Mr. Speaker, I rise to strongly urge my colleagues to support the passage of a clean debt limit extension bill. The American people must clearly understand why this is so critical. If the Congress fails to pass the measure before the first of March, the Government will not be able to pay its bills.

For the first time in history, Social Security and Veterans' benefits checks could bounce, citizens' tax refunds could be withheld, those doing business with the Government could not be paid including hospitals, and mortgage payments could increase.

With so much work left to be done on critical pieces of legislation—especially the debt limit, I strongly urge my colleagues on the other side of the aisle not to recess. This irresponsible approach to the management of the Government must end. The Republicans' politically contrived shutdown of the Federal Government has already cost the country over $1.5 billion. This did not reduce the deficit, it increased the deficit. Such blatant waste must not be tolerated.

The GOP majority in Congress is continuing to recklessly and needlessly place the country's economic future and seniors', veterans', and children's quality of life and standard of living at risk in order to give a tax break to the rich.

This hostile takeover must end. We would not tolerate such threats to our economy, our national security, and our children's future from our foreign colleagues, and the American people must not tolerate political tactics that could lead to economic ruin from our colleagues on the other side of the aisle.

Mr. Speaker, the House must not adjourn. We are 4 months into the 1996 fiscal year, and it is now time to start action on the fiscal year 1997 budget, yet action is still pending on 5 of the 13 fiscal year 1996 appropriations bills.

I strongly urge my colleagues to stop holding the American people hostage, put an end to operating the Government on piecemeal continuing resolutions—pass a clean debt limit extension bill, and complete action on the remaining fiscal year 1996 appropriations bills.

Mr. STOKES. Mr. Chairman, we choose not to respond, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. WALKER). Pursuant to House Resolution 355, 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.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 396, nays 0, not voting 37, as follows:

[Roll No. 30]

YEAS—396

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

NOT VOTING—37

Baker (LA)
Becerra
Berman
Bevill
Bryant (TX)
Burton
Callahan
Calvert
Chapman
Diaz-Balart
Ewing
Filner
Gallegly
Gibbons
Green

| | | |
|---|---|---|
| Hoekstra | Meyers | Sanders |
| Jacobs | Mfume | Sanford |
| Kolbe | Moakley | Seastrand |
| LaFalce | Packard | Shaw |
| Lewis (CA) | Peterson (FL) | Solomon |
| Manton | Radanovich | Wilson |
| Martinez | Ros-Lehtinen | |
| Meehan | Rose | |

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Mrs. CLAYTON changed her vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. SANFORD. Mr. Speaker, on rollcall No. 30, my wife Jenny is about to have our third child and the doctor says if I don't leave now I will be missing the big event. Had I been present, I would have voted ''yea.''

## PERSONAL EXPLANATION

Mr. SANDERS. Mr. Speaker, I was unavoidably absent during the votes on default legislation. If I had been present, I would have voted ''nay'' on the motions to table the appeal of the ruling of the Chair with regards to the resolutions offered by Mr. GEPHARDT (rollcall No. 26) and Ms. JACKSON-LEE (rollcall No. 27), I would have voted ''nay'' on the ordering of the previous question on House Resolution 355 (rollcall No. 28). I would have voted ''nay'' on H. Con. Res. 141 (rollcall No. 29). I would have voted ''yea'' on H.R. 2924 (rollcall No. 30).

## PERSONAL EXPLANATION

Mr. CALVERT. Mr. Speaker, due to a hearing on future energy policy by the House Resources Committee, which I served as chairman, I was unavoidably detained, and thus unable to vote for final passage of H.R. 2924.

Had I been present, I would have voted ''yea'' on the Social Security Guarantee Act—H.R. 2924. I feel it is absolutely imperative to express Congress' intention to pass legislation increasing the public debt limit before March 1, 1996, and ensure that March Social Security benefits will be paid on time.

Senior citizens should not be held hostage on account of the budget deliberations we are holding today. I will continue to fight for a balanced budget by the turn of the century, and at the same time, protect America's obligations to its seniors.

## RESIGNATION AS MEMBER AND ELECTION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore (Mr. METCALF) laid before the House the following resignation as a member of the Committee on the Budget:

FEBRUARY 1, 1996.

Hon. NEWT GINGRICH,
*Speaker of the House,*
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to your letter dated Jan. 29, 1996, I hereby resign as a member of the House Committee on the Budget, effective immediately.

Thank you for your consideration in this matter.

Sincerely,

PETE HOEKSTRA,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

Mr. ARMEY. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution, House Resolution 357, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 357

*Resolved,* That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Budget: Mr. Neumann of Wisconsin.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## DESIGNATION OF HON. CONSTANCE A. MORELLA TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH FEBRUARY 26, 1996

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

WASHINGTON, DC,
*February 1, 1996.*

I hereby designate the Honorable Constance A. Morella to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Monday, February 26, 1996.

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

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

## RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

WASHINGTON, DC,
*January 19, 1996.*

Hon. NEWT GINGRICH,
*Speaker, House of Representatives,*
*Washington DC.*

DEAR MR. SPEAKER: Attached herewith is a copy of my letter of resignation as presented to the Governor of the State of Maryland, the Honorable Parris N. Glendening.

Effective February 18, 1996, I am resigning as Representative to the United States Congress from Maryland's 7th Congressional District.

Sincerely,

KWEISI MFUME,
*Member of Congress.*

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2281

Mr. SHAYS. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2281.

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

There was no objection.

## AWARDING CONGRESSIONAL GOLD MEDAL TO RUTH AND BILLY GRAHAM

Mr. CASTLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2657) to award a congressional gold medal to Ruth and Billy Graham, with the Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, strike out lines 8 through 19.

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

Mr. FLAKE. Mr. Speaker, reserving the right to object, and of course I will not object to this particular bill, but I yield to the gentleman from Delaware [Mr. CASTLE] so that he might explain the Senate changes in H.R. 2657.

Mr. CASTLE. Mr. Speaker, Members may recall that in the past week or two, we passed H.R. 2657, which was a bill to award a congressional gold medal to Ruth and Billy Graham. Members on both sides of the aisle, with the exception of one, voted for this. It was supported almost unanimously in this body, 403 ''yes'' votes at that time, and there was no known opposition.

Mr. Speaker, tonight the Senate amended H.R. 2657 deleting section 5, and it is a small change to the legislation. But because it takes some time to get this ready, they wanted to run this through tonight to get it done. Mr. Speaker, we have no objection to the change and wanted to put it before the House tonight.

Mr. FLAKE. Mr. Speaker, reclaiming my time, I, of course, concur with the changes of the Senate. I am proud to share with the gentleman from Delaware [Mr. CASTLE] in our support of this particular legislation and for Reverend and Mrs. Billy Graham.

Mr. Speaker, I urge our colleagues to congratulate them for putting themselves in the position to be worthy of having a medal of honor named after them.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

## GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO REVISE AND EXTEND REMARKS IN CONGRESSIONAL RECORD ON LEGISLATIVE DAY OF TODAY

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that for the legislative day of today, all Members be permitted to extend their remarks and to

include extraneous material in that section of the RECORD entitled Extension of Remarks.

The SPEAKER pro tempore. Is their objection to the request of the gentleman from Delaware?

There was no objection.

## AUTHORIZING THE SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that notwithstanding adjournment of the House until Monday, February 26, 1996, the Speaker and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore. Is their objection to the request of the gentleman from Delaware?

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, FEBRUARY 28, 1996

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, February 28, 1996.

The SPEAKER pro tempore. Is their objection to the request of the gentleman from Delaware?

There was no objection.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## THE NATION'S BUSINESS HAS NOT BEEN TAKEN CARE OF

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

Mr. VOLKMER. Mr. Speaker, and what few Members are left, here we go again. It is interesting to see how this House has been run. We have not done very much. We took all last year, we ended up doing less than what they have done all the way back to 1933. We have not really done the Nation's businesses.

We have never appropriated now two, I guess, the D.C. appropriation bill has finally been passed but there is still one hanging over in the Senate. We had to appropriate the money for the foreign affairs by continuing resolution.

Now we have all run home. I do not know what for. I do not know why everybody is going home. I am not. I am staying, and I will be honest. If my colleagues want to do something tomorrow, I will be here tomorrow. If my colleagues want to do something next Monday, Tuesday, Wednesday, anytime next week, I can be here. The following week? I could be here.

We have to run off. And my farmers back home and all over this Nation, especially in the South, there is a great deal of uncertainty about what kind of program they are going to have or even if they are going to have a program. To be honest with my colleagues, the way the Committee on Agriculture and the chairman thereof and the Members of the majority have decided to go, there is not going to be a program. The bill that came out of that committee, if that is the bill that goes to the President, is going to be vetoed. It has already been vetoed once. It will be vetoed again.

Now if my colleagues want to wait until March or sometime to find out that we really have not done anything, so be it. There is nothing I can do about that. I am not in control. I am not in the majority.

I do not know why the Members voted to adjourn until February 26. We could easily do a farm bill next week. Now, in 1977, when we had a farm bill, we had it under an open rule and it took about 4 days to do it. In 1981, when we did a farm bill, we had an open rule, and it took about 3½ to 4 days to do. In 1985 it took about a week, 5 days to do it. In 1990, 3 days to do it again.

But the chairman of the Committee on Agriculture we presently have has requested an almost completely closed rule.

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One amendment in the nature of a substitute, one motion to recommit, that is it. Everybody else, shut up. In other words, I, who come from a rural district and have a lot of farmers, have some ideas about agriculture, but have no opportunity on this floor at all to offer even one amendment.

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

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

Mr. CHAMBLISS. Did the gentleman ask for an amendment to the bill in the meeting the other day? I missed it. Did the gentleman offer an amendment the other day?

Mr. VOLKMER. I sure did, to get rid of the three-entity rule. The one that permits—it is my time, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Missouri has the time.

Mr. VOLKMER. I offered an amendment to get rid of the three-entity rule, the one that under that bill gives the big cotton farmer down in Texas and other places, and some of the rice farmers, $80,000 a year, folks, for 7 years. They do not even have to farm. I do not think that is right.

I do not think we need welfare in agriculture. My farmers do not want freedom to farm or freedom not to farm. My farmers, even the best, and I just talked to one again yesterday, he has been very active in Missouri. It does not take a position on this farm bill of yours. I do not know of many farmers in my area of northern Missouri that do.

They do not want to be paid by the Government. They want money from the marketplace. That is where they want their money. Yet you want to give them money every year; even if they make 1 million bucks, or if they make $100,000, you want to give them money. They do not want your money under those circumstances.

They will be willing to take the money if the times are bad and they need it and prices are low; then, yes, they would like to have a little help to get through. I am willing to give them that help. But I do not think it is right to give major corporations in this country, major corporations, $80,000 a year, even if they make a half a million on their farm operations.

At the same time, you are cutting back on all other programs, and the biggest thing out of this whole farm bill mess, the biggest thing out of this mess, what they are doing on the majority side is they are cutting $13 billion in the next 7 years out of agriculture, $13 billion out of agriculture. Why? So they can give their wealthy friends a big tax break. It is all part of the tax-break money.

It is not necessary. If you looked at the Democratic coalition budget, you do not have to make that cut in agriculture. We do not have to do that.

Let us stay here next week and do a farm bill, a good farm bill, and not the lousy freedom not to farm. You do not have to farm to get your payment, folks.

## 1999 WOMEN'S WORLD CUP TOURNAMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. MORELLA] is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, in an effort to support the continued growth of women's sports in general, and of women's soccer in particular, I, along with 37 House colleagues, have introduced a resolution recognizing and supporting the efforts of the U.S. Soccer Federation in bringing the 1999 Women's World Cup tournament to the United States.

Recent evidence demonstrates that there is unprecedented interest in the sport of soccer in the United States—the 1994 men's games had the highest attendance and the largest viewership of any World Cup ever. On the heels of this success, the U.S. Soccer Federation has resolved to submit a formal bid to the Federation Internationale de Football Association [FIFA] to host the 1999 Women's World Cup.

The Women's World Cup tournament, like the men's, is hosted every 4 years by a different country. It is considered the most important women's soccer

tournament in the world; the 1995 Women's World Cup was broadcast to millions of fans in 67 nations.

Our country's previous participation in this event has displayed to the world the abilities and dedication of our gifted female athletes. The U.S. National Team won the inaugural title in 1991, and finished third in last year's event before sold-out crowds. We now have the opportunity to afford the American people the chance to see their athletes represent them in person at the highest level.

In order for the U.S. Soccer Federation to successfully submit a bid to the Federation Internationale de Football Association, it must show that it has the support of our Government. In 1987, a similar resolution was passed to demonstrate support for the U.S. bid to host the 1994 World Cup. Additionally, the White House has already pledged its support for the event and will designate a senior administrative official to be its representative to the Women's World Cup.

This is an exciting time of growth for women's athletics and U.S. soccer. By supporting the U.S. Soccer Federation's bid to host the 1999 Women's World Cup tournament, we can help be a part of this growth and reaffirm our commitment to American athletic excellence and the good will and competitive spirit that these games represent.

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The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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## NCI ELIMINATES MAMMOGRAPHY GUIDELINES

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

Mr. TOWNS. Mr. Speaker, in 1989, the National Cancer Institute [NCI] recommended that women age 40 to 49 undergo biennial mammography screening and an annual mammography at age 50. Six years later, without the consensus of any medical or cancer organizations and against the recommendation of its own national advisory board, NCI eliminated its mammography guidelines for women in the 40 to 49 age group.

Last Congress, Mr. Speaker, the Subcommittee on Human Resources and Intergovernmental Relations, which I formerly chaired, found that the elimination of these guidelines was without scientific foundation. In fact, the subcommittee issued a report entitled ''Misused Science: The National Cancer Institute's Elimination of Mammography Guidelines for Women in Their Forties.'' In that report, we recommend that ''NCI further research on American women, in the 40 to 49 age group, to determine the importance of mammography screening.

Fortunately, others have produced new research to demonstrate that both early detection and screening in younger women can be beneficial in combating this disease. Of the 180,000 cases of breast cancer that are diagnosed each year at least two-thirds, if detected early enough, give women the choice of a breast-conserving procedure—a lumpectomy, rather than a mastectomy. Moreover, a recent CBS investigative report by Michele Gillen has highlighted the importance of mammography screening in the early detection of breast cancer and the inability of the NCI to explain its abrupt changes to the guidelines in 1993.

Even more troubling is the fact that the Gillen investigation has uncovered that NCI now wants to back away from recommending any mammographies for women age 50 and over.

This kind of callous attitude could lead to insurance companies refusing to cover the cost of mammography screenings. Over 40,000 women will die from this disease in 1996. If you can recommend an appropriate daily allowance for vegetables in the American diet, you should be able to recommend life-saving screenings for American women.

I say to NCI tonight don't eliminate the only tool American women have to protect themselves against breast cancer. Retain the original 1989 guidelines for mammography screenings and self-breast exams.

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## THINK TWICE, COMMUNIST CHINA, BEFORE YOU USE FORCE AGAINST TAIWAN

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

Mr. HORN. Mr. Speaker, the diplomatic recognition of the government in Beijing in 1979 did not end our relationship with Taiwan. The Taiwan Relations Act of 1979 formally reiterated United States support for the people of Taiwan. Since 1979, U.S. relations have grown steadily closer with both the People's Republic and the Republic of China within the framework of ''One China, Two Systems.'' Despite the growing interaction of the United States with both governments, a dark cloud hangs over future peaceful development. This dark cloud is the refusal of the Beijing Government to renounce the use of force against Taiwan.

Beijing still regards Taiwan as a renegade province that is destined to return to the motherland of China—by peaceful means if possible, by force if necessary. If the people of Taiwan freely and fairly choose to reunite with the mainland—which they have not yet done—then that is their business. If the people of Taiwan are forced to reunite with the mainland—or are intimidated into doing so—then that situation will become the business of the whole world, including the United States of America. The people of Taiwan are friends of the United States, as we are friends with them. We respect the aspirations of the Taiwanese and support them in the pursuit of their dreams.

Increasingly, the people of Taiwan also seek a role in governing themselves—a dream that will be fully realized on March 23 when they freely elect their own president and national assembly. This free election is the culmination of years of reform in the political process in Taiwan. It is an obvious contradiction to those who say that Asian cultures cannot and do not support widespread democratic reforms. That is the view by many of the autocrats of Asia. Sadly, it is also the view within some Western circles. March 23 will be an historic date in the advance of freedom during this troubled century.

There is no freedom for the 1.1 billion people of mainland China. There is growing economic freedom. But the aging Communist oligarchy that rules the People's Republic of China is out of step with the aspirations of its own dynamic citizenry.

Now, in recent weeks, officials of the government in Beijing have recklessly escalated their rhetoric, threatening the lives of not only the people of Taiwan, but even the United States. In an appalling turn, the veiled threat of nuclear destruction has been leveled against Taiwan and the United States. Apparently, the mainland Chinese believe that the people of the United States, and Congress, will be cowed by their bluster. They are wrong.

Shortly before the invasion of South Korea in June, 1950, it was suggested by the American Secretary of State that the Korean peninsula was outside of direct United States interests. This played a large part in encouraging the leaders of North Korea that the United States would not interfere with their plans to reunify Korea by force. The recently dedicated memorial on the Mall to the thousands of Americans who died to prevent aggression is proof that they were wrong. It would be a tragic mistake for the current leaders in Beijing to make the same mistake that their then allies in North Korea made nearly a half century ago. It is time for the President to clarify a somewhat stealth China policy that could invite disaster for the people of China, Taiwan, and the United States.

The United States supports peace, and will welcome the opportunity to discuss and resolve our current differences with the people of China. The people of the United States have no dispute with the Chinese. We share many of the same interests. We agree on many important issues. It would be foolish to throw away years of careful progress. That progress has led to mutual friendship and mutual respect. That progress should not stop over aggressive moves that threaten peace. Unfortunately, recent actions by the

Government of the People's Republic of China suggest that these hopes are not important to that current government.

This, however, begs an important question: Is this situation important to the Chinese people? Do the people of China support the bellicose statements of their government? We have no way of knowing because, of course, their government has not asked them, and does not care what its own people think. This is why the United States supports Taiwan, and that is a fundamental reality that those in Beijing cannot ignore.

Mr. Speaker, I ask consent to include the House Republican Policy Committee statement concerning ''Communist China's Taiwan Invasion Threat.''

COMMUNIST CHINA'S TAIWAN INVASION THREAT

On January 30, Communist China's Premier Li Peng emphasized that in trying to absorb Taiwan as ''a region of China . . . in the final analysis, we cannot promise to give up the use of force.''

This statement is the latest example of the PRC ratcheting up unsubtle threats against Taiwan. In recent weeks, Chinese Communist leaders told American visitors that the PRC was preparing a plan for a sustained attack on Taiwan should it pursue a policy that they deemed too ''independent.'' These threats against Taiwan were coupled with threats of attack on the U.S. should we seek to protect Taiwan—a remarkable slap in the face to the President after three years of the Administration's ''engagement'' policy, and in a region the Administration has highlighted as its top foreign policy priority.

While a number of observers have been startled by Communist China's most recent provocations, its threats against Taiwan are part of a pattern aggressive behavior in territorial deputes in the Asia-Pacific region. Moreover, Communist China's economy and military structure have recently undergone enormous changes, including a sustained nine-percent economic growth rate and dramatic—and ominous—transformation of the military's force structure and doctrine. This recent growth and modernization of the Communist Chinese military threatens vital U.S. national security interests in Asia.

A GROWING PEOPLE'S LIBERATION ARMY

Trends in People's Liberation Army (PLA) expenditures for foreign military technology over the last decade reveal an emphasis on force projection through air and naval power, with a 2:3:5 ration for the Communist Chinese Army, Navy, and Air Force respectively. In 1992, Admiral Liu Hauqing, Vice-Chairman of the Central Military Commission and the PRC's highest ranking military officer, publicly affirmed that the PLA Air Force and Navy would remain primary recipients of funding for foreign military technology and weapon systems. Recent notable purchases include: 26 Su 27 Soviet fighters from Russia (with an additional 26 under negotiation); 24 Mil Mi 17 helicopters from Soviet Union; 10 I1–76 heavy transport planes from Russia; In-flight refueling technology; 100 Russian S–300 surface-to-air missiles and four mobile launchers; Rocket engines and missile guidance technology from Russia; Uranium enrichment technology and nuclear reactors from Russia; Airborne Early Warning (AEW) technology from Israel; Stinger anti-aircraft missiles from the U.S.; 100 Klimov/Sarkisov RD33 jet engines from Russia; Avionics from US for F–8II fighters; Artillery munitions production equipment from the U.S.; Mark 46 MOD 2 anti-submarine torpedoes from U.S.; 50 T–72 tanks from Russia; and 2–4 Kilo-class conventional submarines from Russia.

The PLA has recently given a greater degree of attention to development of combined arms, rapid deployment units, air mobility, and a blue-water naval capability. Doctrinal changes, weapon systems modernization, and imports of advanced foreign weapons systems indicate an interest in increasing the PRC's ability to project power beyond its borders. Similarly, Beijing has announced its plans to develop two 45,000-ton aircraft carriers within the next decade, and the PLA is already capable of conducting military actions in close proximity to China's borders.

The PLA's greater emphasis on force project through the development of naval and air power resulted in substantial changes in budget allocations. The PRC's official defense budget has expanded every year since 1989, for an increases of 141 percent. The annual increase are as follows: 1989, 13%; 1990, 15.5%; 1991, 12%; 1992, 13.8%; 1993, 13.9%; 1994, 20.3%; and 1995, 25%.

Beijing argues that these six years of hikes were offset by 130 percent inflation. Yet the PRC's stated defense budget does not include research and development, military education, and extra-budgetary appropriations, such as the 1992 purchase of 26 Shukhoi-27 fighters from Russia. Modest salaries, free housing, and free medical services represent far lower outlays for pay and benefits for military personnel than in the West; hence, more of the PRC's defense budget goes to hardware.

Assessing the real value of Communist China's defense budget is extraordinarily difficult because of the aforementioned vehicles, unknown levels of civilian production from the PRC's military-industrial complex, and Beijing's reluctance to publish accurate statistics. As a result, comparative analyses of the PRC's defense budget range from $18 to $90 billion.

CHINESE COMMUNIST AGGRESSION IN DISPUTES WITH TAIWAN AND ELSEWHERE

The recent PLA buildup in land, sea, and air forces and the overall increase in military spending in the last six years are fueling the fears of Communist China's neighbors—especially Taiwan. The buildup aggravates a number of longstanding disputes in Asia involving the PRC. series of overt Communist Chinese provocations have further heightened tensions in the region.

One of Asia's most volatile strategic issues is the relationship between the PRC and Taiwan. Beijing has repeatedly declared its intent to use military force against Taiwan should the latter move toward independence. The PLA regularly holds large-scale combined air and naval exercises in close proximity to Taiwan. The most recent exercises coincided with Taiwan's national legislative elections and were designated to browbeat the Taiwanese electorate and show that Beijing is serious about using force in the event the island chooses an independent course. The PRC fired six nuclear-capable missiles in July 1995 about 100 miles north of Taiwan, shortly after Taiwanese President Lee Teng-hui's visit to his alma mater, Cornell University.

The PRC's belligerence has recently been raised to a new plane. Chinese Communist political and military leaders told former Assistant Secretary of Defense Chas Freeman that the PRC had drafted plans to attack Taiwan with conventional missile strikes for 30 days if President Less refuses to desist in his calls for international recognition. Beijing's threatening statements and actions towards Taiwan are profoundly troubling, at a time when Taiwan prepares to fully enter the worlds family of democracies by holding its first free presidential election in March 1996.

Ownership of the Paracel and Spratly Islands is one of the most contentious territorial issues in Asia. The strategically-located Spratly Islands extend some seven hundred miles south of mainland China and hold oil and natural gas reserves of an estimated 45 billion tons, valued at $1.5 trillion. The island chains are claimed by seven nations (the PRC, Brunei, Taiwan, Vietnam, Malaysia, Indonesia, and the Philippines), with five (all but Brunei and Indonesia) deploying military forces in the area.

In July 1992, Vietnam signed a contract for Spratly Island oil exploration rights with the Mobil Oil Corporation. Exploration was blocked by PLA naval forces. And in February 1995, Communist China was discovered to have established an outpost on Mischief Reef, located in part of the Spratly Islands claimed by the Philippines. In March, the Philippine Navy responded by destroying small structures and concrete markers the PRC had erected on three reefs. Since then, PLA and Philippine warships have provoked each other, and both nations have detained the other's fishing ships in the area.

Communist China has additional territorial disputes with Japan over the Senkaku-Shoto Islands and with India concerning the Himalayan frontier, a dispute that led to armed conflict between India and China in 1962. Moreover, the Communist regime faces separatist movements in the northwestern provinces of Xinjiang, Ningxia, Inner Mongolia and Tibet. The PLA build-up has ominous implications for how the PRC might employ expanded military capabilities both abroad and at home.

U.S. INTERESTS AND CLINTON ADMINISTRATION VACILLATION

The U.S. has an immense economic stake in stability in the Asia-Pacific region, which accounts for more than 36 percent of U.S. international trade. Seventy percent of Asia-Pacific oil transits the South China Sea and the Spratly Island chain. Communist China's bellicose approach to territorial disputes in that region could affect a significant part of American foreign commerce.

The United States has a substantial stake in supporting fledgling and established democracies in Asia, and a special stake in supporting Taiwan. Taiwan is America's sixth largest trading partner, with hard currency reserves of over $90 billion. Also, the Taiwan Relations Act of 1979 implies a commitment of U.S. assistance in the event of foreign aggression.

Recently, as a sign of its commitment to Taiwan, the Congress initiated legislation to permit the sale of F–16 aircraft to that nation and to support Li Teng-hui's visit to the U.S. Unfortunately, the Clinton Administration has made its commitment to supporting Taiwan anything but crystal clear. In the event of military attack by the PRC on Taiwan, a senior State Department official was quoted by U.S. News & World Report on October 30, 1995 as saying, Clinton Administration policy is ''meant to be ambiguous. . . . You don't really know what would happen until you get there . . . we would not be in a position to react with force. We would not elect to do that I'm sure.'' Such a posture seems quite unambiguous, and it's small wonder that the Chinese Communist leaders view the Administration's policy as a green light to bully Taiwan—or worse. One Chinese leader told Chas Freeman that the PRC does not fear retribution from the U.S. because American leaders ''care more about Los Angeles than they do about Taiwan,'' which the former Clinton Administration official interpreted as a threat to use nuclear weapons against the U.S. should it defend Taiwan.

Clinton's Taiwan policy is not an isolated case of weakness encouraging the PRC's bellicosity. The Clinton Administration has squandered U.S. credibility through a dizzying series of policy flip-flops and retreats in the region. The most noticeable reversal to the PRC was on most-favored nation (MFN) trade status. Candidate Clinton excoriated President Bush for kowtowing to the PRC's leadership after the Tianenmen massacre of June 1989. In May 1993, Clinton issued an Executive Order formally linking the PRC's MFN status to progress on human rights in Communist China, which he had charged Bush with overlooking. Then, on May 26, 1994—almost exactly one year after the Executive Order—President Clinton tore up the Order, separating MFN trade status from human rights.

Another Asian policy cave-in that did not go unnoticed in the PRC followed the Administration's May 16, 1995 threat to slap 100 percent tariffs on luxury cars exported by Japan to the United States as a result of a Section 301 unfair trade practices case involving sale of autoparts in Japan. On June 28, 1995, the Administration cast aside its threat in a ''compromise'' in which Japan made no commitments to particular numbers of foreign autoparts it had to buy or of dealerships that would sell foreign cars. And yet again Clinton's vow not to allow the North Korean tyranny to retain nuclear weapons was promptly followed by the August 12, 1995 ''framework agreement,'' in which the Administration *rewarded* Communist North Korea for its nuclear weapons program with aid and reactor technology. Whatever the merits of Clinton's ultimate position, the fact that he was so willing to alter his policies in the face of any resistance has not been lost on the Chinese Communists.

CONCLUSION

Asian nations are concerned because the Chinese Communist leadership has historically shown a willingness to use military force to settle disputes within what it regarded as its sphere of influence. The PLA has seen battle at least 11 times since the inception of the Chinese Communist dictatorship in 1949. China's build-up of naval forces is designed to expand this sphere by enhancing its ability to project force; this program has already spawned a naval arms race among Asian nations. These developments have created mounting regional instability.

Its vast size, population, economy, and air and naval force projection capabilities make Communist China a tremendous regional power. The PRC's growing force-projection capabilities are further destabilizing the Asia-Pacific region. The rising military profile of Communist China in that region—in terms of both capability and aggressive intent—necessitates policies to protect American economic interests and the democracies in the region. And the greatest danger is to the Taiwanese democracy—which the PRC is now threatening to attack or invade. Despite repeated claims that the Asia-Pacific region is its top priority, the Clinton Administration has unwittingly encouraged Communist Chinese imperialism, and has completely failed to promote robust policies to counter these ominous trends.

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

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

## MEXICO MUST GET SERIOUS ABOUT STOPPING DRUG TRAFFICKING

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

Mr. MILLER of California. Mr. Speaker, today I am proud to join my colleagues, Senators DIANNE FEINSTEIN and ALPHONSE D'AMATO, by introducing bills to force Mexico to crack down on drug trafficking and money laundering operations as that country has pledged—but failed—to do.

The bills would prohibit the extension next month of United States guarantees for multibillion dollar loans to Mexico, deny applications for entry of Mexican commercial vehicles into the United States under NAFTA, and express the sense of the House that Mexico has not cooperated in antinarcotics efforts, and therefore should not be certified under the Foreign Assistance Act.

All of these measures would remain in effect until Mexico meets specified conditions proving it is taking steps to eradicate drug activities. Senators FEINSTEIN and D'AMATO introduced this legislation this week and I am introducing identical legislation here today. I applaud them for their initiative in this area.

Last year, Congress approved President Clinton's request to guarantee $20 billion in loans to Mexico following an economic crisis there. The year before that we passed NAFTA, a free-trade agreement that gives Mexico special and unique access to America's markets. And now, next month, President Clinton will likely ask Congress to approve the extension of loan guarantees to Mexico for at least 6 months, and possibly longer.

But the President will be unable in good faith to certify that Mexico has met its obligation to crack down on drug smuggling, money laundering, and government corruption as it has pledged to do.

Mexico is one of the most significant source countries for the transport of narcotic and psyshotropic drugs into the United States. The Drug Enforcement Agency estimates that 75 percent of all cocaine available in the United States travels through Mexico, up to 80 percent of all foreign-grown marijuana in the United States originates in Mexico, and 90 percent of the chemical used to make the drug speed flows through Mexico before infecting our neighborhoods.

But, Mexico is not only shipping drugs to the United States, it is also shipping its drug smugglers. Nearly 90 percent of drug smugglers arrested at the border are Mexican. Mexico is also a major transshipment point for Columbian drugs and drug money. And because it has no reporting requirements for large cash transactions, Mexico has become a haven for drug money laundering.

To make matters worse, Mexico is also preventing the United States from enforcing our own drug laws. The United States has 165 extradition requests pending with Mexico. And despite our extradition treaty with that country, Mexico has never allowed the extradition of a single Mexican national, even though we are supposed to be close allies. In fact there are reports that leaders of drug cartels, known to the Mexican Government and its police, are frequently seen in public. Apparently they have no reason to be afraid: reports are rampant of widespread government corruption , extending possibly even to higher levels of power.

Time and time again, the United States treats Mexico like a trusted ally and what we get in return is an increase in drugs flowing from Mexico to the United States poisoning our kids and making the American ''War on Drugs'' ineffectual.

Why should the American taxpayer support Mexico's Government or its economy when Mexico is undermining American antidrug laws? We should not.

We should not extend multibillion-dollar loans to Mexico, provide foreign aid, or allow entry of their commercial vehicles without evidence that Mexico is taking concrete steps to eradicate drug activities. We have too much at stake—in America's schoolyards, workplaces, and homes—to tolerate this level of inaction on such an important issue.

Again, I applaud Senators FEINSTEIN and D'AMATO for their initiative in this area and I encourage all my colleagues to join me in cosponsoring these three pieces of vital legislation.

Mr. Speaker, I submit the following for the RECORD:

SENSE OF THE SENATE RESOLUTION THAT MEXICO SHOULD NOT BE CERTIFIED

Expresses the sense of the Senate that the President should not certify:

(1) Mexican cooperation with international drug enforcement efforts; or

(2) that is it in the vital national interests of the U.S. to give this aid notwithstanding Mexico's noncooperation.

If the President does not make these certifications, the result would be: a 50% reduction in U.S. aid to Mexico; and the United States not supporting the provision of multilateral development bank assistance by various international bodies.

The resolution sets out the basis for this recommendation:

Mexico is one of the most significant source countries for the transport of drugs into the United States.

Mexico has failed to prevent or punish money laundering.

The Drug Enforcement Administration estimates that at least 75 percent of all cocaine available in the United States travels through Mexico.

Various U.S. drug enforcement agencies estimate that 70 to 80 percent of all foreign-grown marijuana in the United States originates in Mexico.

According to U.S. Customs Service, 69.5 percent of those arrested for drug smuggling at border stations in the United States are Mexican Nationals.

The Drug Enforcement Administration has stated that drug smugglers have been flying airplanes carrying 10 to 20 tons of cocaine at

a time into Mexico, which then return to Colombia with 20 to 30 million dollars of U.S. currency.

FEINSTEIN LEGISLATION ON MEXICAN TRUCKING COMPANIES AND NAFTA

On December 18, 1995, the Secretary of Transportation indefinitely postponed the approval of applications from Mexican trucking companies seeking cross-border access to points in Texas, New Mexico, Arizona and California.

The legislation I have introduced would require three things occur before pending applications can be approved:

(1) The Secretary of Transportation must certify to Congress that Mexican carriers are in compliance with U.S. size, weight, insurance and hazardous materials requirements;

(2) The President must certify to Congress that Mexico is taking sufficient steps to combat international narcotics trafficking pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2291k(b)); and,

(3) The Congress approves the application by passing a prescribed joint resolution.

SENATOR FEINGSTEIN'S MEXICO LOAN GUARANTEE LEGISLATION

1. Unless the President of the U.S. certifies Mexico's progress on drug enforcement issues, Mexico should not receive the benefits of the loan guarantees. The certification addresses the following:

(1) Complies with all outstanding requests for extradition by the United States.

(2) Enacts and implements effective ''money laundering'' laws.

(3) Takes action to prevent Mexico's drug profiteers from taking advantage of plans to ''privatize'' formerly public assets, such as banks.

(4) Enacts effective laws to inspect and license trucks, cars and aircraft, as well as their owners and operators to assist drug crime enforcement.

(5) Enacts effective laws to control the import of major pre-cursor chemicals for methamphetamines and other narcotics.

(6) Takes specific action to effect the arrests of Mexican drug cartel leaders or other individuals involved in organized crime.

(7) Adopts a comprehensive program for drug enforcement and assists U.S. law enforcement to take effective action.

(8) Implements a plan and takes specific action dedicated to detecting and halting the large scale air transportation of narcotics.

(9) Take specific action to prosecute graft and corruption among civilian government and military officials that assist drug production/smuggling.

(10) Allows for asset forfeiture of property derived through fraud in connection with the loans or any illegal activity, such as drug trafficking.

2. Legislation would prohibit further disbursements from the Treasury Department's Exchange Stabilization Fund (ESF).

3. Legislation would require repayment of any short-term swaps within 90 days and prohibit any new medium-term swaps entirely.

4. Legislation would prohibit the exercise of the six month renewal option.

□ 2145

## THE VALUE OF A BALANCED BUDGET

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

Mr. TIAHRT. Mr. Speaker, clearly we are having a very difficult time achieving a balanced budget. After taking the brunt of opinion from the liberal media, this Congress has been wondering why the President has vetoed so many reforms.

As a freshman, I ran on the principle of sound fiscal policy and a balanced budget, and as a part-time college instructor at Kansas Newman College, I taught the value of a balanced budget in economics classes. It was confirmed by the chairman of the Federal Reserve, Alan Greenspan: A balanced budget means a stronger economy. It means more jobs. It means more money in the pockets of working people.

But the President is staunch in defending the status quo, in defending big government and preventing Congress from right-sizing the Federal Government, which must happen if we ever hope to balance the budget. Instead, he is protecting big government waste.

For example, there is Clinton's Secretary of Energy, who is a congenital flier. Secretary O'Leary traveled more than 100 trips, 16 overseas. She has leased Madonna's luxury jet, taking some of those trips. The Government Accounting Office audited two of the overseas trips. They cost $1.7 million and there are $255,000 of expenses that are unaccounted for.

When you consider Travelgate, where the White House fired Billy Dale and seven other employees and drag Mr. Dale through the court system for 2 years over $18,000, it seems inconsistent that we would allow Secretary O'Leary to go without accounting for that quarter of a million dollars.

And then there is Clinton's Secretary of Commerce, out-of-town Brown. His travel budget is 150 percent of his predecessor's, Robert Mosbacher. As reported in the Washington Times, an audit by a Department inspector general said, and I quote:

> In Mr. Brown's case, the auditors found the Secretary seems to have been habitually accompanied by a slew of private-sector deadbeats masquerading as consultants who collectively still owe the government, that is, the taxpayers, $360,000 for unpaid advances.

Going on, it says,

> One wonders whether any of them were the same Democratic Party fat cats who routinely accompanied Mr. Brown around the world, grabbing their slice of the pie to which they no doubt felt entitled by virtue of their huge donations to the Democratic National Committee before, during and after Mr. Brown's tenure as chairman of the Democratic Party.

That article goes on to talk about how the Inspector General uncovered unpaid charges on government credit cards. Three hundred Commerce Department employees were delinquent on their payments on government credit cards. Six hundred people, some of them not even government employees, who have government credit cards, were using the government credit cards at automatic teller machines, ATM's, to get cash.

Can you imagine what it is like for taxpayers like David Walker, who works the second shift at the Boeing Company? How long does he have to stand at his machine to pay enough taxes to cover the cash that has been withdrawn at the Commerce Department?

Those dollars were very much wasted. How long are we going to put up with this? I think we have put up with it for too long. I hope that the President will stop defending this tremendous waste, stop condoning this tremendous waste, stop defending and condoning the status quo, balance the budget. Our families do not deserve this type of treatment.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

## TRIBUTE TO KWEISI MFUME

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. PELOSI] is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, earlier this evening I heard it announced that our colleague, Representative KWEISI MFUME, was submitting his resignation to the Congress of the United States. Tonight he cast his last vote, a vote which followed hundreds of votes in support of people across this country. I was pleased to serve in the Congress with him but especially on the Banking Committee a number of years ago when we both came to the House of Representatives. On that committee Congressman MFUME was a champion for affordable housing, for low-income housing, for consumer credit for all Americans and for access to loans for people who wanted to gain equity in business but who had been banned from doing so, also for those who wanted to buy homes but who had been red-lined in the past.

Congressman MFUME served very well in the Chair that you occupy now, Mr. Speaker. He knew how to keep order in the House. He did so with great dignity. But he also knew how to raise a ruckus in the name of social justice. We will all miss him greatly here. I feel as a Californian, I rise to speak about Congressman MFUME, and he is a representative, as you know, from Baltimore, MD, because I, too, am a native of Baltimore. My father Thomas D'Alesandro served as a Member of Congress for parts of Mr. MFUME's district that he now represents. So I was sorry not to be part of the Maryland delegation's tribute yesterday to Congressman MFUME but my committee assignments prevented me from doing that. Nonetheless, I am proud to have been a colleague of Mr. MFUME's.

I wish him and the NAACP much success under this new, fresh leadership and know that every Member of this

Congress who has ever served with him will be proud to make that boast.

Mr. Speaker, I want to once again commend Mr. MFUME for his great service to this House of Representatives.

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

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

## HOUSE FAILS TO PASS FARM BILL

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

Mr. CHAMBLISS. Mr. Speaker, I would certainly commend the gentlewoman from California for her kind words about Congressman MFUME. Members on both sides of the aisle are going to miss him. He spoke with a lot of emotion and from his heart and spoke with a lot of reason in a House that does not always exercise reasonableness, and he will be missed.

I have with me tonight my colleague and agriculture friend from Iowa, TOM LATHAM. We come here tonight out of a sense of terrible frustration for what is going on in the agriculture business in this House.

We made an attempt today to bring the 1995, and here we are in 1996, farm bill to the floor for a vote. The Committee on Agriculture has worked very diligently and very hard over the last 13 months trying to formulate and change the agricultural policy in this country to ensure that we have strong and viable agricultural programs moving into the 21st century. We met all day on Tuesday to discuss what is now the new form of the farm bill that is the second bill that has been passed by that committee, the first one having been a part of the Balanced Budget Act of 1995 that unfortunately was vetoed by President Clinton. Had that bill not been vetoed, our farmers would have had back in December the ability to plan and determine what they were going to be able to do with their farm operation for 1996. But that did not happen. So we came back to the table on Tuesday of this week. We again brought forth the bill that was contained in the Balanced Budget Act of 1995, debated it thoroughly in the Committee on Agriculture on Tuesday and were in great hopes that it would come to the floor today. But, unfortunately, our friends on the other side of the aisle would not agree with us to bring this bill up today.

TOM, I know you share that same frustration and I know your folks in Iowa are as upset as I am and you are and as my farmers in Georgia are.

Mr. LATHAM. You are exactly right. I appreciate the chance to visit with you about it.

I do not know how to explain to my farmers in Iowa who last year were devastated by floods in southern Iowa going down into northeast Missouri, what to tell those people, why a group of people, led by the leadership on the minority side, would stop a farm bill that would finally give them some hope, give them some income next year. Just continuing what we have now would give them no income next year. These people are going to be asked to pay back their deficiency payments.

If you will remember just last week, we tried to put the farm bill on the continuing resolution and once again, because of the leadership of the minority party, they threatened a filibuster on the continuing resolution and thereby stopped the farm bill at that time.

I am very discouraged at this point, because even though we were promised cooperation so that we could advance a farm bill, it was not brought forth from the minority.

We will continue to work very hard and during the next few weeks to make sure that we do get an agreement, that we get a farm bill. It is needed very much for people who are in desperate straits at this time.

Mr. CHAMBLISS. We are leaving here today. We voted on and passed a bill to adjourn this House until the 26th day of February. So we know it is going to be then. You are going to have the same problem in going home to your farmers and saying, ''Folks, you know, we're not even going to be able to take this bill up until the 26th of February,'' and it really will not make any difference whether we took it up in advance of that or not because the Senate is out until the 26th of February, they have already said that, and we are sort of going to be in limbo until then.

I am very frustrated, I am very upset about this, and I certainly hope that during these next 3 weeks as we are out of this House, that all Members on both sides of the aisle are going to take the opportunity to sit back and reflect on the fact that 2 percent of the population of this country feed 100 percent of the population of this country, as well as many, many other hundreds of thousands and millions of folks all across this world, because we grow not only the finest quality and most abundant agricultural products in the world but the cheapest agricultural products in the world.

□ 2100

Our farmers need good, solid farm programs to ensure that they are able to get some sort of return on their investment to keep them going. That has been our goal in this farm bill from January 4, 1995, when we started last year. It is still our goal.

Mr. LATHAM. You are exactly right, and this farm bill is real reform, a way of getting our farmers to respond to the market rather than the government control, the centralized control that we have had in the past, and looking at the floor here, I mean, there are three people on the floor here this evening. If it had not been for what happened this evening because of the minority's technical procedural glitch they put in, we could be having this farm bill debate right now and passing the farm bill for the people at home.

Mr. CHAMBLISS. I thank the gentleman for joining me tonight. I know you have the same deep regret that I do that we do not right now have a farm bill in place that we could have had tonight. We will continue to work over the next 3 weeks and hopefully on February 26 we will come back in the frame of mind to get it done and get it done soon.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. MALONEY] is recognized for 5 minutes.

[Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

## HERE THE CONGRESS GOES AGAIN

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

Mr. WISE. Mr. Speaker, I am going to follow up on the previous speakers a little bit.

Mr. Speaker, here the Congress goes again, quite literally goes right out that door, heads for the airport, heads for the trains, heads for the highway, heading home.

Of course, it has been a rough week that the Speaker's leadership has presented to the Congress. The Congress has been in session all of 2 days of which part of it was being here for a joint session to hear the President of France, Mr. Chirac. There was a well-known Republican Attorney General named John Mitchell who served under President Nixon who had a saying, I believe it was Attorney General Mitchell, that when the going gets tough, the tough get going. The Republican leadership had modified that a little bit to when the going gets tough, it is time to go, go home, go anywhere, get out of here, because the going is tough right now.

By March 1, this country will default on its debt, that is right, for the first time in 209 years, this country runs the risk of defaulting on the national debt.

Now, I might express, Mr. Speaker, this is not debt, this is not voting to extend the debt ceiling so that you can borrow more for future spending. This is simply acknowledging and paying the debts you have already incurred. If you do not like future spending then you do it the old-fashioned way, you legislate it so you do not have any more. You cut the programs. This is honoring the country's debt that it owes.

The previous gentlemen talked about the farm bill. Yes, that is also in crisis, and, yes, the Congress ought to be here working on it.

But why is it not being brought up tonight? They provided the answers themselves. It came out of committee on Tuesday. There are many of us, such as myself, who are not on the Committee on Agriculture. The rules of the House provide for a 3-day layover so you can study these bills, and yet this Republican leadership is not willing for this House to be in session tomorrow, Monday, Saturday, whatever it takes to get this bill done.

You know, Mr. Speaker, everyone knows about credit ratings. America's families worry a great deal about keeping their credit ratings solvent. Why is not this congressional leadership worrying as much about keeping the Federal Government's credit rating?

I was thinking about this the other day, Mr. Speaker, as I wanted to look at our mortgage. We have an adjustable rate mortgage, and so we keep our mortgage and we keep a lot of our important papers like a lot of Americans keep their important papers in a metal box under the bed. We do that, we keep it in a metal box because if there is a fire, they will be protected, or a flood, those important papers like a mortgage will be protected, perhaps even from prying hands.

But you know, Mr. Speaker, there is one danger, one crisis that a metal box cannot protect, metal, concrete, steel, Teflon, you name it, cannot protect against, and that is from a default. That is from interest rates going up on variable rate loans. That metal box cannot protect our variable rate mortgage from the $1,200 that the average family will pay additional if this country goes into default. That metal box cannot protect future car payments from being 2 to 3 percent higher. That metal box cannot protect us against these credit rates, Visa credit rates, Visa, MasterCharge, and so on, from going up. That metal box cannot protect us from the higher rates we will have to pay for our children to go to school. That metal box cannot protect us. Just as that metal box cannot protect this family, and a lot of us are families, guess what happens if this country goes into default, that metal box cannot protect the country.

The country has a metal box, and in it it keeps Social Security, it keeps veterans payments, it keeps payments to veterans, honors its obligations to contractors. What happened to the country's metal box? Why cannot that be protected?

This Congress voted by a narrow margin to go home instead of making sure that metal box was secure. The fact of the matter is that failing to deal with the deficit or failing to deal with the debt ceiling, Mr. Speaker, failure to keep this country from going into default now can only worsen the deficit, because this country will have to pay more for the inevitable borrowing that is going to take place.

I voted against adjourning, Mr. Speaker. This Congress needs to stay here until it gets this problem worked out, until it gets the farm bill worked out we have got to preserve the credit rating for the United States.

The first time in 209 years it has really gotten to this point. Does anyone really want to push the country to this edge?

Mr. Speaker, in preserving the credit rating of the United States, this Congress could preserve a lot of credit for itself. We should not be going local this week.

## FAREWELL TO REPRESENTATIVE MFUME

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

Mr. SCOTT. Mr. Speaker, I rise to pay tribute to a great American, a great humanitarian, a great representative of the people, a great friend—KWEISI MFUME, whose letter of resignation from this body was read earlier tonight. The event of the 104th Congress brought with it many changes. Many of these changes do not bode well for African-Americans, other minorities, the elderly, the poor, students, and working class Americans. Knowing this, I cannot be totally saddened by the departure of my distinguished colleague from this body, because I know that this leaving Congress is truly for the greater good of all these groups and the American community at large. Representative KWEISI MFUME's leadership is needed elsewhere at this time, and I look forward to supporting his efforts in his new role as President and CEO of the NAACP.

The NAACP is gaining the experience and leadership of a man who recognizes the importance of coalition building—he has shown his ability to move coalitions towards their goals without sacrificing principle. The NAACP is gaining the knowledge of a man who recognizes the importance of economic development and empowerment, and one who has used his legislative experience to advance the causes of small and minority-owned businesses and to encourage banks to invest in economic development opportunities within inner city communities. The NAACP is gaining the expertise of the former chairman of the Congressional Black Caucus, who during his tenure, elevated the Black Caucus to a position of national prominence.

KWEISI MFUME now takes on a new challenge—to rebuild the NAACP and elevate its prominence. With this is mind, I cannot be saddened by is departure—there is too much to look forward to.

## A HISTORICAL DATE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, I am sure glad that there is an outstanding member of the freshman class and a friend and compadre in the chair. I like to feel good vibrations coming down on the back of my neck from that lofty high perch up there.

Today is a historical day for me personally, Mr. Speaker. Today is the first day that when we adjourn here, that I will be a full-time candidate for the Presidency of the United States. My eight worthy men of high character who are all out there competing have been full-time candidates for an entire year.

I declared in this well at this lectern on February 7 last year, which was the 40th anniversary of my receiving my Air Force wings of silver. It was the 25th anniversary of the POW–MIA bracelet I still wear, No. 1, for a master sergeant, Jimmy Holt, from Hope, AK, one of the heroes from Hope who went missing on February 7 of 1968, right at the end of the infamous Tet offensive, and in the whole year, the leader of the other Chamber set the schedule so he was a full-time candidate whenever he felt like it. He has 100 percent attendance record last year and this year, never missed a vote. When there were three Senators in, when my friend Mr. SPECTER of Pennsylvania was in, all he had to do was watch the leader. When he left, they left. He went to New Hampshire, they followed him, or he went to Iowa or somewhere else. The other five are all literally full-time. My friends Allen Keyes and Pat Buchanan gave up their broadcasting and writing careers, to their credit, and have been full-time candidates for a year.

The two millionaires, multi millionaires, make $15 million a year, Morry Taylor, and Steve Forbes, Malcolm Forbes, Jr., worth $500 million or so, they have been full-time candidates, turning their corporations over to chief operating officers, and Lamar Alexander on ''Meet the Press'' this Sunday said he draws almost $300,000 a year from his law firm in Nashville, from Howard Baker's law firm. He has been a full-time candidate for 3 years. They have all raised among them tens, twenties of millions of dollars. It is almost all gone, and the only one with

the bottomless purse, kind of like Ross Perot this go-around, is Steve Forbes, and the media is just rocketing him to stardom, because he spent about $18 million on commercials.

So now I get in the fray full time starting tonight, and obviously there is not much you can do in 3 weeks. I have been a chairman of two subcommittees. Here is the difference: Which has voted for the 30th time, Mr. Speaker? The Senate has voted once this year. Last year we were in session 30 to 40 days more than they were. Are you aware we voted 272 times, each vote taking between 15 to 20 minutes, 272 more votes in this House. This is the House of the Contract With America, the revolutionary House, and even in a normal year, it is the appropriations House. All taxing bills and all money spending bills originate in this Chamber.

So I have no regrets. It has been the most successful year of my life. I have go so much DNA invested in the defense authorization and appropriation bills that my staff kiddingly called one the ''Dornan Authorization Bill,'' and in a shootout with Clinton on three major items he stripped out of the authorization bill, which is on his desk as I speak, and he will either veto it, which nobody predicts, or pass it after having ripped out of it the language on no U.S. troops under foreign command; I wrote that language for the Contract With America. It went into the bill, went through a tougher conference with the Senate. He demanded it come out. He wants U.S. troops under U.N. and foreign command.

No. 2, no missile defense. I do not care whether you call it Strategic Defense Initiative, as took place under Reagan in his third year, with Dr. Teller's guidance and that of an absolute American Paul Revere hero, three star general, Gen. Danny Graham who is buried with full military honors, 15-cannon salute at Arlington, the son of an Army sergeant, honored West Point graduate. Danny Graham brought me into his organization High Frontier. I ran the American Space Frontier PAC for him the 2 years I was gerrymandered out of the Congress between being sworn in in 1977, where I had 2 years, 1983 and 1984, out. That was the year of the nuclear freeze nonsense, and I traveled all over. I think I hit all 50 States for Danny Graham on defending the American homeland.

Clinton demanded that national missile defense on line by 2003 by ripped out of the defense authorization bill. Out.

No. 3, the unconstitutional right that he claims and mysteriously the leader of the Senate subscribes to, that he has the constitutional right to send American troops at his whim to Somalia, to Bosnia, to Haiti, back to Somalia, to Rwanda, Chechnya, Tibet, anywhere in the world, and all he has to do is to say to this Chamber ''ah, ah, ah, ah, I just bailed out a radioman into Tibet, we must support our trooper on the ground.'' The next day, if he gets two men in, then they pluralize it, ''support our troops.''

□ 2115

You cannot exercise your constitutional right to control the armies and the navies that you raise. It is totally the prerogative of the President.

I carry around my Constitution. Here it is right here. Article 2, section 2, ''The President shall be commander-in-chief of the Army and Navy and of the United States.'' That is only 16 words. Take the action words. ''President,'' ''commander.'' That is all. It does not say anything else. It is followed by 18 words, ''and of the militia of the several states,'' thirteen at that time, ''when they are called into the actual service of the United States.'' They had no National Guard or full-time militia. Every Minute Man went back to his plow. So that is it. It says nothing.

But for the Congress of the United States it, it delineates we shall have the power to raise armies and build navies, and that means what they will be paid, what they will wear, their colors, their numbers, where they will be posted or bivouacked or stationed throughout the world, what they will fly, what they will shoot, how many ships they will have, how fast they will go, how much we will spend on intelligence, on research and development. Every single weapon system, from the Beretta pistol, the Sig Saur for the Special Forces, or up to the new F–22 or the joint advanced tactical fighter we are developing. All of that is determined by this Congress.

Where did Clinton or the leader of the Senate think that these two words, ''President,'' ''commander,'' embodied in 16 baffled words there, where did this give him the right to send Americans into the minefields of Bosnia? Of course, it did not, and every scholar worth his salt across this country, and particularly the scholarly people over at the Library of Congress, say he does not have that constitutional right.

Now, what about Michael New, Specialist Michael New, the outstanding paramedic specialist in the 3d Division in Germany, court-martialed a little over a week ago, a bad conduct discharge.

Amazing. I spoke with Michael. Only one other Congressman, no, one Senator, has ever spoken to him, and did not give him much time. But I advised Michael to go to Macedonia; that I agreed with him it was illegal to order our men to wear a blue beret or put on a blue U.N. arm band, but I told him that was our battle here in the Congress, and I would win it for him; to bite his lip, go down there, take that order.

He said no, sir, I respectfully am not going to do it. My parents are behind me. I asked if he was married. He said no. I said all right, if your parents are in your corner, you are walking in a minefield. You are liable to get a discharge you will not like, but I am still going to continue to fight the battle here in the House. I am sorry you do not take my recommendation, but Godspeed. I guess you are showing a lot of courage of your conviction.

Now he has a bad conduct discharge. He is appealing, so he remains on the payroll until then. I just sent a letter over to the Army asking them to delineate every single thing he can do and what course they expect us to take when there is, I think, soon to be a majority in this body and in the U.S. Senate, that feels that they only raise their hand to swear to uphold the Constitution of the United States.

Here before me, sent to me by a young enlisted man who just took this oath of office, and his name is a mouthfull, he took this oath to sign up in the Army for 4 years on 28 November, 1995. His first name is Allen, I am going to spell his last name. C-H-E-R-N-O-M-A-S-H-E-N-T-S-E-V.

He sent this to me to show what they sign. It has not changed from the time I took it at 19 years of age to go in the Air Force, took it less than 2 years later to become an aviation cadet, took it again as a Second Lieutenant on February 7, 1955, as I mentioned at the top of my remarks, and then I took it again after a break to go back on active duty in the reserves, and I have taken it in this Chamber nine times, the first time holding the hand of our youngest daughter, kind of snuck on the floor as a teenager, and then I held the hand of several grandchildren the last two or three Congresses. So I have taken it 9, 10, 11, 12, 13 times. Here is the oath for enlisted men.

I, ROBERT K. DORNAN, (I did this January 30, 1953, wow, 42 years and 2 days ago.) I, ROBERT K. DORNAN, do solemnly swear that I will support and defend the ''Constitution of the United States'' against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me according to the regulations and the uniform code of military justice, so help me God.

Now, therein lies the problem of the court martial of Specialist Michael New. He wanted to defend the Constitution and its laws, and he said he was torn by the verbal orders he was getting from his officers through the President of the United States. So he was torn, and the court martial came down on the side of the following the direct orders of his commanders. That is why I advised him to go on to Macedonia and let us fight the battle here.

Here is an officer's oath, and this for warrant officers too. I, ROBERT K. DORNAN, (I first took this February 7, 1955, having been appointed an officer in the Air Force of the United States in the grade of Second Lieutenant,) do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same, that is the

Constitution, and that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office upon which I am about to enter, so help me God.

Now, did you notice the difference there, Mr. Speaker? There is no mention of the President and no mention of the orders of officers appointed over me. If Michael New were a brand new Second Lieutenant, would he have had a stronger case in that court martial that he was bearing true faith and allegiance to the Constitution that he swore to support and defend? And the Constitution does not talk about wearing the regalia of any foreign power or of serving anything but your United States Constitution. Certainly not a UN charter!

Now, what is happening from Bosnia? People in my cloakroom, and I will bet in the other, were shocked at this front page article on the great Washington Times last Monday, the 29th, four days ago. ''Put on a happy face, troops in Bosnia told.'' ''Praise Clinton if press asks,'' an Army written guide says. Tusar Air Force Base, Hungary, this is by Bill Gertz, a great reporter who spent three weeks to a month embedded with the troops over there.

U.S. troops are grumbling about a pamphlet that advises them to tell any inquiring reporter they have full confidence in their commanders from President Clinton on down. The pamphlet entitled ''answers you can use'' was prepared by the Army's 5th Corps and has been distributed to all Army troops in Bosnia to help them deal with pesky press inquiries. One suggested answer is U.S. forces are competent, are trained and competent leaders. We have pride in our leadership from the President on down and full trust in their decision.

The problem is, not all of the soldiers feel that way. ''That one answer particularly got me,'' said a colonel, who asked not to be named. A female sergeant with the 4th Aviation Brigade passed at Koperzar Airfield, that is also in Hungary, last stop before Bosnia, also took issue. It says she voted for Clinton, but never again. The story gets more interesting as you get into it.

So I called up the Pentagon and said I want that 5th Corps pamphlet. No results to this day. But, Mr. Speaker, as you well know, I have my ways, and I got hold of the pamphlet, a reasonable fax copy thereof. 5th Corps emblem. Fifth Corps media reference card. Guidelines for dealing with civilian news media.

I find this extremely offensive. Listen to this, Mr. Speaker.

I just read that line, U.S. forces are competent and have trained and competent leaders. We have pride in our leadership, from the President on down, and full trust in their decisions.

U.S. forces have a long tradition of working with the United Nations. (Yes, like in Somalia. Nineteen dead American heroes, including two Medal of Honor winners.) And are confident in our abilities to work together in their missions.

It goes on to say, you will not respond ''no comment.'' It says you may not discuss future plans and operations, of course, foreign policy matters, operational capabilities, or give opinions or hypothesized situations.

''Stay in your lane, soldier!''

If a reporter comes to your unit and is unescorted by a public affairs officer or escort, well, how do you handle Ernie Pyle in these circumstances? Refer them to the joint information bureaus. If they are escorted you may answer their questions, but inform your chain of command immediately about their presence in your area.

Do not make off the record statements. Assume that a reporter's recorder is always on. Anything you say to the reporters will be used.

And the thing that just blows me away is that they are not supposed to say ''no comment.'' I thought that was pretty standard.

Now, this reporter, who was embedded with the troops, continues with some fascinating observations. Listen to this: Some soldiers said they were offended by the attempt to guide their responses. The guidelines include that list of do's and don'ts I just went through.

Be positive in your answers. This is your opportunity to tell the public what a great job you are doing.

In Bosnia?

We are trained, ready and fully prepared to conduct peace operations.

Now here is where it starts to sound like we want our soldiers to be automatons, maybe ''Coneheads from the planet Remulac.'' ''We are trained, ready and fully prepared to conduct peace operations.''

Here is another good one. We are not here to fight, but we have the capability when required to enforce the treaty and to protect ourselves.

Another: We are disciplined and trained force. We understand our mission and the rulings of engagement.

Another: U.S. forces have a long tradition of working with the United Nations and NATO. We are confident in our abilities to work together in this mission.

Many soldiers privately expressed dislike of Mr. Clinton, who avoided service in the military during the Vietnam War. One soldier said he lost all respect for President after he learned about Mr. Clinton's efforts to avoid being drafted. One Lt. Colonel confided that he disliked the President, and was careful not to express his opinions when enlisted personnel were around.

Good. Do not, colonel.

Another captain, I think I will not use his name, a spokesman for the Army in Hungary, referred questions about the pamphlet to another captain, he is in a world of hurt, so I will not mention his name either, who took part in writing the guidelines. He would not return a telephone call.

Now, this reporter, an excellent reporter, I might add, told me that the men ride around in their Humvees sitting on one leg. They pull one leg up under them so if they have the misfortune to hit a land mine, they will at least salvage one leg. Guess what? John Martin Begosh, who is now recuperating at home with part of his foot torn away, severe injuries to his lower leg, I understand from this reporter was sitting on his foot when his Humvee hit that land mine, and it saved the leg that he was keeping under him on top of a piece of armor plating to protect his body from a land mine.

The three British soldiers and the Swedish soldier were not so lucky. They all died a few days ago. We are all holding our breath, hoping that will not happen to one of our Americans.

Now, we had a Conference today, with the 236 Republicans, I think just about everybody was there, and this issue of Michael New, what Clinton demanded be stripped out of the defense authorization bill, and I left out something I had worked very hard on, and that was this whole Bosnia operation, no U.S. troops under foreign command.

You will recall I brought an amendment up the hard way, all the way through conference, battling all the way, without help from the leadership from either House in the majority party, brought it to the Floor, and shocked the leadership here by almost cutting off the funds to Bosnia. My amendment got 210 votes to 218. I had some of my best conservative friends in this House take orders beyond what they wanted to do and voted against me. I would have only needed 4 votes to tie that and the Speaker to vote with me to win 215 to 214.

□ 2130

Mr. Speaker, 13 lieutenants went the other way, lieutenants of the leadership. So there were things that maybe I was not aware of on deals that had been made to soften the budget deal when it fell apart anyway, that this House would not stand in the way of Mr. Clinton's unconstitutional prerogative to send our troops anyway. He wanted it. His win.

This whole thing started by an offhanded comment 2 years ago that he said he would give 25,000 troops to the U.N. to help extract the U.N. forces that were there, the way we used 15,000 to extract in a fighting withdrawal. We did not have to shoot, our forces from the failed U.N. mission in Somalia.

So today at the conference it came up. Some of the freshmen said, what actually did Clinton write to Colonel Holmes, the Bataan Death March survivor, head of the ROTC in Arkansas? I told the conference that I would put it in the RECORD again tonight for the twelfth time, and I would also put in Colonel Holmes's letter 23 years later to the American people. And I think this time I will reverse the order.

This is a letter from Colonel Eugene Holmes. I had dinner with him a year

ago this month on the 24th, and his lovely wife Irene. He still is as tall at 6-foot-4 and distinguished looking as he ever was as an Army officer when he was captured on Bataan. Survived the Bataan Death March. Ditched an order to join the infamous prison ships that we inadvertently bombed killing almost 5,000 of the men who had survived 2½ years of torturous captivity by the Japanese. He did not go. His friends died and he survived.

Here is what he wrote September 7, 1992. It was published in the aforementioned great newspaper, The Washington Times. No other outlet in the country would publish this letter. I have never heard of it being published in a single newspaper anywhere in our wonderful 50 States except The Washington Times:

September 7, 1992, memorandum for the record. Subject, Bill Clinton and the University of Arkansas ROTC program. Each page is signed. The news media circulated rumors that he was near death. He is healthy, as my dinner attested to a year ago. And he just did not want to hassle with sharper media types. He put the truth out as he saw it. They claimed his daughter wrote this. She did not. He wrote it. And if this man had more witnesses he would have won the Medal of Honor. He holds the second highest honor in the United States, the Distinguished Service Cross.

To the American people, but nobody knew it, there have been many unanswered question as to the circumstances surrounding Bill Clinton's involvement with the ROTC department at the University of Arkansas. Prior to this time, I have not felt the necessity for discussing the details. The reason I have not done so before is my poor physical health, a consequence of participation in the Bataan Death March and subsequent three-and-a-half year interment in Japanese POW camps has precluded me from getting into what I felt was unnecessary involvement.

However, present polls show, September 1992, that there is imminent danger to our country of a draft dodger becoming the Commander in Chief of the armed forces of the United States. While it is true, as Mr. Clinton has stated, that there were many others who avoided serving their country in the Vietnam war, they are not aspiring to be President of the United States.

The tremendous implications of the possibility of his becoming Commander in Chief of the United States armed forces compels me now to comment on the facts concerning Mr. Clinton's evasion of the draft. This account would not have been imperative had Bill Clinton been completely honest to the American public about this matter. But, as Mr. Clinton replied on a news conference this evening, September 5, 1992, after being asked another particular about his dodging the draft, quote, almost everyone concerned with these incidents are dead. I have no more comments to make.

An aside here: that was not true. The lady head of the draft board said that he told her that ''I am too educated to serve as an enlisted man.''

Colonel Holmes continues: Since I may be the only living person, he did not know he was not the only one, who can give a firsthand account of what actually transpired, I am obliged by love for my country and my sense of duty to divulge actually what happened and make it a matter of record.

Keep in mind, Mr. Speaker, about 20 Americans died in his arms or in his influence those 3½ years of Japanese brutal captivity. ''Mr. Clinton came to see me in my home in 1969 to discuss his desire to enroll in the ROTC program at the University of Arkansas.''

Another important footnote: I asked Colonel Holmes why he remembered this one student over all those years because he also commanded the ROTC at the University of San Francisco. He said this was the only student that ever came to see him in 10 years in all those years. He said he did not let him in his home but spoke to him in the back and front yard back and forth as the Colonel continued gardening. We engaged in an extensive, approximately 2-hour interview. At no time during this long conversation about his desire to join the program did he inform me of his involvement, participation, and actual organizating of protests against the United States' involvement in Southeast Asia. He was shrewd enough to realize, had I been aware of his activities, he would not have been accepted in the ROTC program as a potential officer in the United States Army.

What Colonel Holmes did not know, and I informed him of it, was that Clinton has already flunked his naval officer's test and then in England at Lakenheath Air Force Base he flunked his Air Force officer's test and then decided no way was he so educated. Even though he was not going to classes at Oxford, but ditching them to demonstrate against our policy in all of Southeast Asia, that included Laos and Cambodia, he decided he was not going to serve as an enlisted man.

The next day I began to receive phone calls regarding Bill Clinton's draft status. I was informed by the draft board that it was of interest to Senator Fulbright's office that Bill Clinton, a Rhodes scholar—that should read Rhodes candidate scholar—only three people in the class failed to complete the program. He was one of the three. Another was a Mississippi student who has since died of AIDS who Clinton brags that the greatest thing he did was write a letter to help this Mississippi student to dodge the draft, that he should be admitted to the ROTC program.

I received several such calls from the chief of staff of the governor's office. His wife thought Fulbright had called and he corrected her, that, no, the chief of staff had. The general message conveyed by the head of the draft board to me was that the Senator Fulbright's office was putting pressure on the draft board, and they needed my help. I then made the necessary arrangements to enroll Mr. Clinton in the ROTC program in the University of Arkansas.

Remember Clinton had already graduated a year out of the Jesuit Catholic Georgetown University. He had already had a year in England ditching class. And so he was going to have to go back and take ROTC classes with undergraduates, go to one summer camp, and on a short abbreviated program because he would have been training for a lawyer there and would join the JAG Corps. It was a special program that the Colonel told BOB DORNAN had just been created in the nick of time for Clinton.

Holmes continues: I was not saving, he is quoting from Clinton's letter, I was not saving him from serving his country, as he erroneously thanked me for in his letter from England, dated December 3, 1969. I was making it possible for a Rhodes scholar to serve in the military as an officer. Lawyer, eventually. In retrospect I see that Mr. Clinton had no intention of following through with this agreement to join the Army ROTC program at the University of Arkansas or to attend the University of Arkansas law school ever. I had explained to him the necessity of enrolling at the University of Arkansas as a student in order to be eligible to take the ROTC program as an undergraduate at the university. He never enrolled at the University of Arkansas, but instead enrolled at Yale after going back to Oxford.

I believe that he purposely deceived me using the possibility of joining the ROTC as a ploy to work with the draft board to delay his induction to get a new draft classification. Actually, he destroyed and suppressed his induction. I never heard of that in my entire life. The December 3 letter written to me by Mr. Clinton was subsequently taken from the file by Lieutenant Colonel Clint Jones, my executive officer, and was placed into the ROTC files so that a record would be available in case the applicant should again petition to enter the ROTC program. Never.

Important footnote, Mr. Speaker: Colonel Holmes never kept this letter over 23 years. Lieutenant Colonel Clint Jones, as much to hurt Colonel Holmes as to hurt Clinton, kept the letter. Clinton had some confederates break into the ROTC building, steal all of his records when he was getting ready to run for Congress in 1974, 4 years later. And all of those records, including the original of the letter, disappeared, or a copy. The original had been purloined by Lieutenant Colonel Clint Jones to hurt Colonel Holmes.

Fascinating piece of investigative work by yours truly that nobody in the media knows to this day. And why? Because Colonel Holmes did not like the way Clint Jones was downgrading the captains who were military, what do they call them, professors of military

science. And he was mistreating a Korean decorated veteran who was a master sergeant making him sharpen pencils and carry out wastebaskets. And this ultimate statuesque Distinguished Service Cross colonel, Bataan Death March survivor said: Colonel Jones, I am taking the sergeant out from under your control and also all of these young captains. I will rate them. You are downgrading their efficiency reports. The whole system has slid to the high side up in the Pentagon and you are costing these people getting promotions. So that is what caused this bad blood.

Colonel Holmes continues: The information in that letter, the infamous letter, alone would have restricted Bill Clinton from ever qualifying to be an officer in the United States military. To this day, do the men in Tuzla know that? To this day, he could never apply to even get a secret clearance to serve in the CIA, the FBI, any police department, most of them, and never the Coast Guard Academy or any of our four military services ever. This letter ended that forever.

Only by getting elected to the House, the Senate, or the Presidency or to be a governor or a ROTC program would he never in his whole life have access to top secret material. Even more significant was Clinton's lack of veracity in purposely defrauding the military by deceiving me both in concealing his antimilitary activities overseas and his counterfeit intentions for later military service. These actions cause me to question both his patriotism and his integrity.

Mr. Speaker, if that line had been written about Ronald Reagan or George Bush, certainly Richard Nixon, it would have been on the evening news over and over and over again. I read it again: These actions cause me to question both Mr. Clinton's patriotism and his integrity. This from a Bataan Death March survivor.

When I consider the caliber, the bravery and the patriotism of the fine young soldiers whose deaths I have witnessed and whose funerals I have attended, when I reflect on not only the willingness but the eagerness that so many of them displayed in their earnest desire to serve their country, and he told me story after story with their names that he and Irene recall to this day it is untenable and incomprehensible to me that a man who was not merely unwilling to serve his country but actually protested against its military should ever be in the position of Commander in Chief of our armed forces.

I write this declaration not only for the living and future generations, but for those who fought and died for this country. If space and time permitted, I would include the names of the ones I knew and fought with. And along with them I would mention my younger brother, Bob, who was killed during World War II and is buried in Cambridge, England. He was killed at the age of 23, about the age Bill Clinton was when he was over in England protesting the war. He had the age exact.

Another footnote Mr. Speaker, when I went over for the 50th anniversary of Normandy, we went to a ceremony in Cambridge, England. I looked for Bob Holmes's grave and found it. He died on board a B–17 coming over the English Channel. This wall of all the missing hundreds and hundreds of men who crashed into part of Europe and were never found or died in the English channel. Bob's remains are buried there.

I visited the grave, then went back to my seat with my wife. And then in came the Clintons, waving at the crowd. A Spitfire, Mustang and B–17 flew over at a very low altitude, pushed the minimums. There was hardly a dry eye in the place. All I could think of is over there is Bob Holmes's grave; died at 23 for his country. And here is the first draft dodger to ever serve in the position of our Commander in Chief.

I go back to Colonel Eugene J. Holmes's concluding paragraph: I have agonized over whether or not to submit this statement to the American people. But I realize that even though I served my country by being in the military for over 32 years and having gone through the ordeal of months of combat under the worst of conditions followed by years of imprisonment by the Japanese, it is not enough. I am writing these comments to let everyone know that I love my country more than I do my own personal security and well-being.

He was worried, Mr. Speaker, releasing this letter: I will go to my grave loving these United States of America and the liberty for which so many men have fought and died. Because of my poor physical condition this will be my final statement.

He is actually in very good physical condition. He did not want to hassle with the liberal dominant media culture, and I can understand that.

I will make no further comments to any of the media regarding this letter.

He did not want to tell the Lt. Col. Clint Jones story. And he released this letter, and the media had already made their choice between Bush and Clinton, so they ignored it.

□ 2145

So they ignored it.

Now, here is the infamous letter, and it gives new meaning to the word ''infamous.'' All of the freshmen and sophomores wanted me to go put this in again; they did not want me to go look it up from 1991 or 1993, where I have put it in about 10 times. Here is the letter that Bill Clinton wrote to Col. Eugene Holmes, Director of the ROTC program, University of Arkansas, on December 3, 1969.

He drew a low lottery number, 319, I believe, on the 1st; applied for Yale on the 2d, still being mentored by all of his political friends in Arkansas; and on the 3d he wrote this letter to Holmes and it is filled with inaccuracies.

''I am sorry to be so long in writing, Colonel. I know I promised to let you hear from me at least once a month.''

Colonel Holmes does not remember that promise at all. He did not think he was going back to Oxford; he thought he was going back to Arkansas.

''And from now on you will.''

Never wrote again.

''But I have to have some time to think about this first letter. Almost daily, since my return to England, I have thought about writing, about what I want to and ought to say.''

Pause.

On Lincoln's birthday, Feb. 12, 1992, with Clinton sitting there, having been given this letter after it popped up in the press, having been given this letter by Rich Kaplan, one of Clinton's Renaissance, Hilton Head, SC friends, he gave this letter to Clinton, Rich Kaplan.

Head of ABC Evening News to this day, Peter Jennings, he had been Ted Koppel's producer for 14 years, he called Ted and said, ''Ted, put Clinton on.'' Clinton was running third in New Hampshire and in free fall. And since I am running 5th, 6th, 7th, or 8th, I know what that must have felt like. He had spent the money that I do not have.

And Rich Kaplan gave the letter to Clinton to prepare for 3 days. Koppel puts him on, the whole show, and goes into overtime as though it is Margaret Thatcher or some world leader. While Clinton sits there, biting his lower lip, Koppel read the entire letter. That ate up the whole first part of the show, which I am going to do now.

I will continue, second paragraph. ''First, I want to thank you, not just for saving me from the draft, but for being so kind and decent to me last summer,'' 1969, ''when I was as low as I have ever been. One thing which made the bond we struck,'' 2 hours in his garden, ''in good faith somewhat palatable to me was my high regard for you personally. In retrospect, it seems that the admiration might not have been mutual had you known a little bit more about me, about my political beliefs and activities.''

Footnote: This was no Joan Baez peace-worker who said ''A pox on both of your houses'' and would quote St. Francis: ''Where there is hatred, let me so love.'' No, no, he was pro-Hanoi, pro-Ho Chi Minh, the George Washington of his country.

We, the interventionists, the imperialists. We know the whole routine of these teachings that Clinton conducted at the University of London, School of Economics, after hours. That is the school where JFK spent some time.

He says, ''At least you might have thought me more fit for the draft than for ROTC. Let me try to explain. As you know, I worked for 2 years in a very minor position on the Senate Foreign Relations Committee. I did it for the experience and the salary, but also for the opportunity, however small, of

working every day against a war I opposed and despised, with a depth of feeling I have reserved solely for racism in America before Vietnam. I marched with Martin Luther King.''

I can respect that, but he was just a 16-year-old.

''I did not take the matter lightly, but studied it carefully, and there was a time when not many people had more information about Vietnam at hand than I did.''

Good grief. What a braggadocio, foolish statement.

''I have written and spoken and marched against the war.''

He did not tell any of this to Colonel Holmes.

Mr. Speaker, before I continue my Special Order, let me add my words, that I too have enjoyed the friendship of Mr. KWEISI MFUME, and also can state emphatically that I have never met a harder-working Member of Congress or a better gentleman, or just a more upbeat person that saw no challenge in this life that he did not think he could solve personally or that all of us could not solve together.

You have taken on a very tough job with one of the oldest and most respected civil rights organizations in America, the NAACP, and I think that you will bring it to its heights of new glory. I am going to miss you, KWEISI, and I am sorry that I was ahead of you. I was going to let you have your Special Order first, or course.

Mr. Speaker, I think I have 20 minutes left. Let me speed this up.

Here is Bill Clinton, writing from somewhere in Yale. I think he was sleeping on Strobe Talbott's floor, 43 Lechner Road; he did not even register to live in a dormitory at Oxford, never went to class; took his Rhodes scholarship money and never pursued it, never tested and left for Yale in the spring of 1970 after a curious trip to Moscow, Prague, Helsinki, Leningrad, and other Scandinavian countries.

So here he is writing somewhere. Strobe Talbott, by the way, is number 2 at the State Department; he had hoped to make him number 1. That is why they put in Warren Christopher, but they did not plan on JESSE HELMS becoming chairman of the Foreign Relations Committee in the Senate. So everything is kind of dead in the water.

Clinton continues in the third paragraph of the Dec. 3, 1969 letter: ''Let me try to explain,'' to Colonel Holmes. ''As you know, I worked for 2 years in a very minor position on the Senate Foreign Relations Committee. I did it for the experience and the salary, but also for the opportunity, however small, of working every day against a war I opposed and despised with a depth of feeling I had reserved solely for racism in America before Vietnam. I did not take the matter lightly, but studied it carefully, and there was a time when not many people''—I have been over there eight times as a journalist—''had more information about Vietnam than I did.''

He has never been there.

''I have written and spoken and marched against the war. One of the national organizers of the Vietnam moratorium is a close friend of mine.''

I guess that would be David Mixner, who helped raise $4 million in the homosexual community.

''After I left Arkansas last summer, I went to Washington to work in the national headquarters of the moratorium,'' right before he met with Colonel Holmes and after, and then he went up to Martha's Vineyard for another big organizing session.

''Then to England to organize the Americans here for demonstrations October 15 and November 16.''

One demonstration was the new Mobe committee; the other was the moratorium committee. I do not know which was which.

''Interlocked with the war is the draft issue, which I did not begin to consider separately until early 1968.''

Yes, graduating from Georgetown when they had announced there would be no more deferments for graduate studies. How he swung that, no one knows.

''For a law seminar at Georgetown, I wrote a paper on the legal arguments for and against allowing within the Selective Service System the classification of Selective Conscientious Objection for those opposed to participation in a particular war, not simply to 'participation in war in any form.'''

Mr. Speaker, imagine if Specialist Michael New had quoted from this letter and used 23-year-old Bill Clinton, who I believe is a year older than he is, to use this as his rationale why he would serve honorably but not go to Macedonia in that particular situation wearing the U.N. powder-blue beret.

Back to the Clinton letter. ''From my work I came to believe that draft system itself is illegitimate. No government really rooted in limited parliamentary democracy should have the power to make its citizens fight and kill and die in a war they may oppose, a war which even possibly may be wrong, a war which in any case does not involve immediately the peace and freedom of the Nation.''

Mr. Speaker, does Bosnia involve immediately the peace and freedom of the Nation? Young people would quickly say, I do not think so.

Continuing the letter: ''The draft was justified in World War II because the life of the people collectively was at stake. Individuals had to fight''—

No, they did not. We had 6 million draft dodgers in World War II.

—''if the Nation was to survive.''

No, that is wrong. We had about a million and a half. We had 6 million people who were turned away. Out of the 18 million drafted, 6 million were told, you are not properly schooled or you are too heavy, you are too skinny, or you cannot do enough pushups or chinups. You are too weak. Six million were turned away of the 18 million that were drafted, and then lots were turned away that tried to join.

Some came back and back and back and made it, even with one eye, even with curved spines. Those that really wanted to serve in many cases got by. Roger Young won the Medal of Honor on the island of New Georgia in the Solomons, and he only had one eye. Took his eye test like that, both with the same eye.

Now, he continues: ''That individuals had to fight, if the Nation was to survive, for the lives of their countrymen and their way of life. Vietnam is no such case, nor was Korea an example where, in my opinion, certain military action was justified, but the draft was not, for the reasons stated above.''

Do not think I did not think of that line, and why I left before he spoke at my war where I was in pilot training when it ended, mercifully, at the dedication of the Korean Memorial on its 43d anniversary last July 27, 1995, 42d anniversary of it ending.

''Because of my opposition to the draft and the war, I am in great sympathy with those who are not willing to fight, kill, and maybe die for their country; i.e., the particular policy of a particular government.''

Thank heaven, Michael New had the integrity not to use that line, Mr. Speaker.

''Right or wrong. Two of my friends at Oxford are conscientious objectors. I wrote a letter of recommendation for one of them to his Mississippi draft board, a letter which I am more proud of than anything else I wrote at Oxford last year.''

He did not write much; he never went to class, Mr. Speaker.

''One of my roommates is a draft resister who is possibly under indictment.''

This is the fellow that committed suicide whose picture is in Clinton's bedroom.

''And may never be able to go home again. He is one of the bravest, best men I know. His country needs men like him more than they know. That he is considered a criminal is an obscenity.''

The problem was he came home, he turned himself in. The FBI said, we have no more interest in you, the war is winding down. His family was not happy with what he had done, they had a military tradition, and that is when, let me see if I recall his name, Frank Aller, A–L–L–E–R, tragically committed suicide two years after this in 1971 when no one was looking for him. Hardly a brave act when he could have gone on with his life.

''The decision not to be a resister and the related subsequent decisions were the most difficult of my life. I decided to accept the draft in spite of my beliefs for one reason: To maintain my political viability within the system.''

Those are the words that Ted Koppel repeated: ''To maintain my political viability within the system.'' The fact is, he never went back into the draft system.

''For years I have worked to prepare myself for a political life characterized

by both practical, political ability and concern for rapid social progress. It is a life I feel compelled to try to lead. I do not think our system of government is by definition corrupt, however dangerous and inadequate it has been in recent years.''

The society may be corrupt, but that is not the same thing. And if that is true, we are all finished, anyway. When the draft came, despite political convictions, I was having a hard time facing the prospect of fighting a war I had been fighting against, and that is why I contacted you.

□ 2200

Law school and being a JAG, a Judge Advocate, is hardly being under fire.

ROTC was the only way left in which I could possibly but not positively avoid both Vietnam and resistance.

In other words, he did not have the courage to be identified as a resistance person.

Going on with my education, even coming back to England, played no part in my decision to join ROTC. I am back here and would have been at Arkansas Law School because there is nothing else I can do. In fact, I would liked to have been able to take a year out perhaps to teach in some small college or work on some community action project and in the process to decide whether to attend law school or graduate school and how to begin putting what I have learned to use.

Well, Sergeant Jimmy Holt of Hope, Arkansas goes missing in Vietnam, not found to this day.

But the particulars of my personal life are not nearly as important to me as the principles involved. After I signed the ROTC letter of intent to you, I began to wonder whether the compromise I had made with myself was not more objectionable then the draft would have been because I had no intention in the ROTC program in itself and all I seem to have done was protect myself from physical harm.

Mr. Speaker, in other words, he did not want to be a lawyer and wear the Army uniform. He wanted to go to Yale Law School and not to Arkansas Law School.

''Also I began to think I had deceived you, not by lies, there were none''—that is not what Colonel Holmes wrote—''but by failing to tell you all the things I'm writing now. I doubt then that I had the mental coherence to articulate them.''

The Colonel told me he was very articulate as a 23-year-old student, following him from the front yard to the back yard during two hours of gardening, back and forth.

Back to the letter.

At that time after we had made our agreement and you had sent my 1–D deferment to my draft board, the anguish and loss of my self-respect and self-confidence really set in.

I bet, Mr. Speaker.

I hardly slept for weeks and kept going by eating compulsively.

Does that sound familiar? What were they doing in Vietnam? Sleeping, and kept going by eating compulsively?

I read until exhaustion brought sleep. Finally on September 12 I stayed up all night writing a letter to the chairman of my draft board.

And preparing for the demonstrations on October 15 and November 16 that he mentioned in the first paragraph.

''I sent a letter to the chairman of my draft board saying basically what is in the preceding paragraph, thanking him for trying to help me in a case where he really couldn't and stating that I couldn't do the ROTC after all''—I can't do it—''and would he please draft me as soon as possible.

Nobody has ever found that letter, I doubt it was ever written. So does Colonel Holmes. Oh.

I never mailed the letter. But I did carry it on me every day until I got on the plane to return to England. I didn't mail the letter because I didn't see in the end how my going in the Army and maybe going to Vietnam would achieve anything except the feeling that I had punished myself and gotten what I had deserved.

And maybe given the integrity to tell young men to go die in Somalia, 19 of them, and to tell them to go drive over land mines in Bosnia.

So I came back to England to try to make something of the second year of my Rhodes scholarship.

Footnote. And ditched every class and flunked out and left.

''And that is where I am now, writing to you, because you have been good to me and have a right to know what I think and feel. I am writing too in the hope that my telling this one story will help you to understand more clearly how so many fine people have come to find themselves still loving their country but loathing the military.

Loathing the military,

To which you and other good mean have devoted years, lifetimes to the best service you could give.''

In Vietnam, people who went a few steps further than Clinton were rolling grenades into the tents of what they call lifers, sergeants and officers from the academies who were giving their life to military service, and killed them, and the names are on the wall, only known to God how many, but I know of at least 10, men that were murdered by the man under them because of both drugs and the poisonous atmosphere, some of which was developed in the other body and this body during this incredible war in Vietnam.

He says,

Loathing the military to which you and other men have devoted years, lifetimes to the best service you could give. To many of us, it is no longer clear what is service and what is disservice, or if it is clear, the conclusion is likely to be illegal.

I debated men who had the guts to go to jail, and I respected them, like Joan Baez's husband David Harris, student body president, Stanford. It is the people who hid out like this and let others go in their place and then wanted to be commander-in-chief some day that perplex me.

Closing paragraph.

Forgive the length of this letter, Colonel. There was much to say. There is still a lot to be said but it can wait. Please say hello to Colonel Jones for me. Merry Christmas. Sincerely, Bill Clinton.

That would be Lieutenant Colonel Clint Jones, who stole this letter out of the ROTC files to keep it and use it at some point against Colonel Holmes because Holmes had disciplined Colonel Jones, and when the files were stolen from the ROTC building and destroyed—and we are looking for a lot of missing files this day, a quarter of a century later—Colonel Jones gets a good-bye and a Merry Christmas from Bill Clinton.

Mr. Speaker, one of the networks attacked me tonight, I think unfairly, so I do not have to ask for a point of personal privilege. I will fix it right now.

It is over an amendment that I have on the defense authorization bill to give an honorable discharge and 6 months to get their affairs in order to everybody who has tragically contracted the AIDS HIV virus. Surgeons General and the Surgeon Admiral of the Navy, which handles the Marine Corps, and the Air Force and the Army have all told me, sometimes on the record, but always off the record, that they do not think people who have the HIV virus, who cannot contribute to the walking blood bank in the military, who have to be brought home from every country in the world where they serve, taken out of their aircraft, their helicopters, off the ships, out of the submarines, out of the Abrams tanks, the fighting vehicles, the Humvees, nobody in Bosnia, Somalia or Haiti carrying the HIV virus, that they all have to be brought back stateside, for the Marines and the Navy and only two wonderful States with a high tourist budget, California and Virginia, have to be within 300 miles of a hospital for treatment, and then since they have been taken out of a combat-ready job and brought home from overseas, we fire, we pink slip with an honorable discharge but not 6 months other people who are healthy, who are part of the walking blood bank, are trainable for combat and can go be deployed overseas any day of the week. Those people are let out of the military so that these people can be trained at our tax expense into their new job.

Mr. Speaker, I knew when I saw the article in the Post yesterday that this woman—and I must take her at her word and believe her, even though she is anonymous, using a false name, Marie—was in the ''Post'' saying that her husband contracted AIDS through unprotected sex, the implication is cheating on her, and that is a tragedy, brought it home to her.

Remember, this Congress has done nothing in a decade to force doctors to call the roommate, the live-in girlfriend, the homosexual roommate, the fiancee or the wife of a person who has the HIV virus and tell them that that person can kill them. I have read that it takes about 700 normal intercourse events to contract heterosexual contact AIDS, and no doctor in this country, and the chief doctor in the military, Dr. Joseph, who sent me a book that is frightening about his battle with the New York health services,

not to win this battle, and that we still have not won it.

So the husband came home, the doctor could not call the wife, he infected her, and then he dies and widows her with one child. Fortunately the child was conceived, because breast milk is one way you transmit the HIV virus, and now she is a sergeant, 10 years, left alone.

All I could do was say that she must be patriotic and accept this honorable discharge 6 months from now, and not expect us to keep 1,100 people on active duty when the doctors in the military tell me that the largest group of the 3 is probably 500 or more people, young people, who are conned by our deteriorating culture into sticking a dirty needle in their arm, and that to help a woman in this tragic situation we have to keep 500 people who broke the Uniform Code of Military Justice, who played Russian roulette with a dirty drug needle and lost, that they get cover because of this one tragic case?

There are no more tainted blood people left on active duty. The last one died 3 years ago. We have all learned on this floor, from the limited debate on the worst plague in American history, almost going to pass the flu epidemic in 1919 that killed millions of senior citizens, we are getting there.

We have now lost more young men in their prime of life than were killed in combat in World War II. Three hundred twelve thousand in World War II, depending on your encyclopedia or your military records, 350,000 to AIDS if you put bisexuals and drug users, a mixed category, in with homosexuals. And then we add about 10 or 20,000 cases, Dr. Koop, the Surgeon General, told me, that were attributed to the primary cause of death, pneumonia, dementia, heart failure, cancer, rather than put down that it was AIDS that broke down their immune system and caused the death. So they add another 10 or 20,000 on there from 1980 through 1983 when doctors mercifully, it is understandable, tried to help the family keep some privacy on what killed their young loved male adult and some few women.

So here we are with the networks structuring this thing as though, and they keep saying this, the Army Times said it, the networks have said it, the Post said it and the New York Times calling any of us who voted for this, which is a majority of the House and Senate and the majority of conferees, calling us anti-AIDS bigots. They keep saying these men stay on the job and that they are healthy.

No, by definition they are not healthy, that is why they cannot give blood. By definition we in this Congress added them to the Americans with Disabilities Act. Every HIV person in this country is considered disabled, so they are not healthy.

Then they stay on the job, and this is where I want to stay down and plead with people to listen. They do not stay on the job if they are a pilot, a helicopter pilot, on a ship, a sub or in a tank or in an artillery unit or a paratrooper or special forces. They are given a safe job in the States, never to be deployed again.

Mr. Speaker, I will put in my remarks and several other articles that I wrote about the Clinton letter comparing it to the letter of Major Sullivan Ballew in the Civil War, and I will put in my explanation of why this is fair, and it has to do with readiness, only to give an honorable discharge and 6 months to prepare to go into civilian life and special health treatment that a car accident victim does not get if they have a career-ending injury while serving in uniform in our military services.

Mr. Speaker, I submit for the RECORD my news releases and some key letters on this HIV-military controversy:

DORNAN PROVISION ON HIV/COMBAT READINESS PASSES AS PART OF FISCAL YEAR 1996 DEFENSE CONFERENCE BILL

''The necessity of retaining personnel who have been found to be HIV positive imposes significant problems for all the services, but especially the Navy. . . . The immediate discharge of HIV infected members would increase personnel readiness. . . .'' commented Admiral Frank Kelso, former Chief of Naval Operations, in response to an inquiry by Congressman Robert K. Dornan of California. Dornan, Chairman of the House Subcommittee on Military Personnel, successfully passed a provision in the FY 1996 Defense Conference which would accomplish this goal.

Dornan's legislation would require discharge of HIV+ military personnel, who, because of their condition, are unable to deploy overseas or participate in most other combat requirements such as flying aircraft, serving on board ship, or operating as a ground infantryman. A Pentagon quality-of-life task force echoed Dornan's concerns in a recent report which stated, ''The Defense Department should enforce non-deployable policies.'' Currently, HIV-infected members, though permanently non-deployable, are allowed to remain on active duty until they develop full-blown aids.

''This is an issue of readiness and fairness,'' said Dornan. ''In a time of increased defense downsizing, we cannot afford to keep on active duty personnel who are not fully deployable worldwide. We also must be fair to those who are fully deployable. They should not have to spend additional time away from friends and family because they have to remain overseas in place of someone who is not deployable.''

Dornan points to the statement of an active duty Marines Corps company commander, who wrote, ''By not being able to rotate from our non-deploying company, my one HIV Marine kept another Marine from leaving a deploying unit. This may not seem like much to some Congressmen. . ., but I'm sure it meant a lot to the guy and his family who had just spent 54% of their last three years separated due to normal deployment patterns.''

The defense conference report will now be sent to the President and hopefully signed into law.

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DEPARTMENT OF THE NAVY, HEADQUARTERS, U.S. MARINE CORPS,
*Washington, DC, July 23, 1993.*

Hon. ROBERT K. DORNAN,
*House of Representatives,*
*Washington, DC.*

DEAR MR. DORNAN: Thank you for your letter of July 1, 1993, concerning Marine Corps policy governing HIV positive servicemembers.

Navy and Marine Corps regulations require that discharge proceedings be initiated through the disability evaluation system in cases of HIV–1 positive servicemembers who are found unfit for duty. Members who are found fit for duty are retained; however, they must be assigned within the United States to a unit that is not normally programmed for deployment. Further, they must be assigned within 300 miles of a Medical Treatment Facility (MTF) designated by the Surgeon General that is capable of providing the care required by HIV–1 positive members. The MTF's designated are the Naval Hospitals at San Diego and Oakland, California, Bethesda, Maryland, and Portsmouth, Virginia.

The costs associated with retaining HIV–1 positive Marines have not yet been analyzed. It must be noted, though, that the total number of HIV–1 positive Marines currently on active duty represents an extremely small percentage of our total force.

Marines who are HIV–1 positive are not assigned to ship's detachments or to extended deployments afloat, although HIV–1 positive officers are not precluded from embarking on ships for short durations for training exercises, or from participating in training deployments within the United States or its territories. Federal Aviation Administration regulations prohibit HIV–1 positive servicemembers from flying aircraft or being certified as pilots. Navy instructions also restrict the assignment of HIV–1 positive aviators to duty as both pilot and aircrew aboard military aircraft. Further limitations on the assignment of HIV–1 positive Marines to operational units or specific duties may be established based on the necessity to protect the health and safety of the HIV–1 positive member and of other military personnel.

Current Department of Defense regulations governing physical disability prohibit the determination of unfitness based solely on a servicemember's inability to perform his or her duties worldwide, a provision that does not apply exclusively to HIV–1 positive servicemembers. The Marine Corps supports a recent recommendation by the Director, Naval Counsel of Personnel Boards that this prohibition be removed.

We consider this a manpower issue vice a medical issue. The deployed time for certain Marine units currently exceeds the Navy's guidelines, and the retention of non-deployable Marines prevents us from filling those billets with Marines who are worldwide deployable. This not only impacts readiness but also increases the deployment tempo of fully fit Marines.

I trust this information will be of assistance to you.

Very Respectfully,
C. E. MUNDY, JR.,
*General, U.S. Marine Corps,*
*Commandant of the Marine Corps.*

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CHIEF OF NAVAL OPERATIONS,
*September 2, 1993.*

Hon. Robert K. Dornan,
*House of Representatives,*
*Washington, DC.*

DEAR MR. DORNAN: Thank you for your letter of July 1, 1993, concerning our HIV policy and the problems associated with caring for HIV infected personnel.

The necessity of retaining personnel who have been found to be HIV positive imposes significant problems for all the Services, but especially Navy. Assignment limitations cause significant disruption in the sea/shore rotation for all our personnel.

The Department of Defense (DoD) requires assignment of HIV infected service members only within the continental United States

due to the high priority assigned to the continued medical evaluations; Alaska, Hawaii, and Puerto Rico lack Navy medical treatment facilities required by HIV infected members.

HIV infected members are not eligible for service on ships, due to insufficient medical treatment facilities aboard; however, HIV infected members do continue to perform in their rating in shore duty billets in close proximity to adequate medical care. Members who normally are assigned to a flight assignment are grounded when found to be HIV infected. This is consistent with established procedures for other medical conditions. Fifty-five percent of all Navy ratings serve the majority of their careers at sea. All HIV infected members in sea duty intensive ratings no longer take their turn for assignment to a ship, drastically altering an already tight sea/shore rotation schedule. HIV infected Physicians, Nurses, Dentists, Hospital Corpsmen (HM), and Dental Technicians (DT) are not allowed to perform exposure, invasive procedures.

HIV is an expensive disease to treat. Costs are not limited solely to providing medical care. The average length of time between diagnosis of an HIV infection and medical separation is approximately 4 years. Members are not medically separated until they display clinical illness symptoms.

An asymptomatic active duty member's medical care consists of an initial hospitalization for a thorough medical evaluation and staging, and periodic reevaluations conducted semiannually. The cost of an initial evaluation is approximately $4,000 and reevaluations cost $2,400. Medications such as AZT cost approximately $2,200 per year. Total lifetime treatment adds up to approximately $208,000. This figure does not include time lost from their assigned duty station, psychological counseling, travel to and from the medical center or the costs of separation.

The Navy has approximately 787 HIV infected active duty members, 35 officers and 752 enlisted. The average FY–93 cost in pay and benefits to retain one officer is $71,436 and $30,541 for each enlisted member on active duty. The total pay and benefits for the 787 personnel is $25,467,092 for this fiscal year.

A member found medically unfit for duty is transferred to the Temporary Disability Retirement List (TDRL) and provided a 30 percent minimum disability benefit and continued Navy medical care. We place the member on the Permanent Disability Retirement List (PDRL) and provide a 100 percent disability benefit and continued Navy medical care when the member's condition deteriorates. The Navy has medically retired 1,193 HIV infected members since the beginning of the program in 1986. An estimated lifetime treatment cost (not including pay and benefits) for all the infected retirees is a total of $248,144,000. Only members who become eligible for the Temporary or Permanent Disability Retirement Lists are provided continued treatment at a Navy medical treatment facility. All members discharged for other reasons are eligible for Veterans Administration care upon separation.

The immediate discharge of HIV infected members would increase personnel readiness during a time of significant downsizing. Additionally, it would allow the Navy to replace the 787 infected members with members who are healthy and world-wide assignable. Sea/shore rotation schedules would be readjusted, thereby increasing readiness. Discharging these members would place the responsibility of monitoring the physical condition of HIV infected members on the civilian sector.

If I may be of any further assistance, please do not hesitate to contact me.

Sincerely,

FRANK B. KELSO II,
*Admiral, U.S. Navy.*

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NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,
*Alexandria, VA, June 7, 1994*

Hon. ROBERT K. DORNAN,
*House of Representatives,*
*Washington, DC.*

DEAR MR. DORNAN: The Non Commissioned Officers Association of the USA (NCOA) strongly supports the proposal contained in the House version of the FY 1995 Defense Authorization Bill (H.R. 4301) that ensures that all members of the military be physically and medically worldwide deployable.

During a time when manpower levels of the military services have been and continue to be reduced to minimum levels, NCOA believes that the taxpayers of this country should reasonably expect that all servicemembers serving in the military services be able to serve wherever and whenever needed. If necessary readiness capabilities are to be realized from a ''boot-on-the-ground'' standpoint, everyone in uniform must be eligible for deployment under field conditions. NCOA further believes that failure to adhere to such a policy presents false strength indicators and will undoubtedly result in unfair assignment practices and rapidity for those who meet and maintain established deployability criteria.

NCOA is opposed to any legislative effort to reduce or lessen the deployability requirements of H.R. 4301.

Sincerely,

MICHAEL F. OUELLETTE,
*Sergeant Major, U.S. Army, (Retired),*
*Director of Legislative Affairs.*

Here is my ''Dear Colleague'' on this, Mr. Speaker:

DEPARTMENT OF DEFENSE OR MINISTRY OF PROPAGANDA?

DEAR COLLEAGUE: I'm sure you'll share my outrage after reading the following article from the January 29, 1996 edition of the Washington Times regarding a ''Media Reference Card'' issued to our troops in Bosnia. This is another blatant attempt by this administration to use our military for purposes other than national security. In this case, U.S. troops—troops risking their lives against land mines and terrorists in the cold of winter—are being directed to tell reporters they have full faith in the President and the United Nations! Besides the article, I'm also including a copy of part of the card itself—Disgusting!

Sincerely,

ROBERT K. DORNAN,
*U.S. Congressman.*

PUT ON A HAPPY FACE, TROOPS IN BOSNIA TOLD—PRAISE CLINTON IF PRESS ASKS, GUIDE SAYS

Taszar Air Base. Hungary—U.S. troops are grumbling about a pamphlet that advises them to tell any inquiring reporter they have full confidence in their commanders, from President Clinton on down.

The pamphlet, titled ''Answers You Can Use,'' was prepared by the Army's V Corps and has been distributed to all Army troops in Bosnia to help them deal with pesky press inquiries.

One suggested answer is: ''U.S. forces are confident in our trained and competent leaders. We have pride in our leadership, from the president on down, and full trust in their decision.''

The problem is, not all of the soldiers feel that way.

''That one [answer] particularly got me,'' said a colonel who asked not to be named.

A female sergeant with the 4th Aviation Brigade, based at Kaposvar Air Field, also took issue with the statement. ''I voted for him [Mr. Clinton] last time, but not this time,'' said the sergeant, who also declined to be named.

Some soldiers said they were offended by the attempt to guide their responses.

The guidelines include a list of do's and don'ts for speaking with reporters, including an admonition not to discuss ''political or foreign policy matters . . . or give opinions on hypothetical situations.''

They also contain commonsense suggestions about not revealing classified information or details of future plans and operations or operational capabilities.

Soldiers are advised not to say ''no comment'' but instead to answer difficult questions by saying ''We don't comment on future operations'' or ''I'm not qualified to answer that question.''

The troops also are told never to lie to reporters and not to interfere with news gatherings.

''Be positive in your answers,'' the guide says. ''This is your opportunity to tell the public what a great job you and your unit are doing.''

Other handy news bites suggested by the guide include the following:

- ''We are trained, ready and fully prepared to conduct peace operations.''
- ''We area not here to fight but we have the capability, when required, to enforce the treaty and to protect ourselves.''
- ''We are a disciplined and trained force. We understand our mission and the rules of engagement.''
- ''U.S. forces have a long tradition of working with the United Nations and NATO and are confident in our abilities to work together in this mission.''

Many soldiers privately expressed dislike of Mr. Clinton, who avoided service in the military during the Vietnam War. One soldier said he lost all respect for the president after he learned about Mr. Clinton's efforts to avoid being drafted.

One lieutenant colonel confided that he disliked the president but was careful not to express his opinions when enlisted personnel were around.

Capt. Mark Darden, a spokesman for the Army in Hungary, referred questions about the pamphlet to Capt. Robert Hastings, who took part in writing the guidelines. Capt. Hastings did not return a telephone call seeking comment.

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ANSWER YOU CAN USE—V CORPS MEDIA REFERENCE CARD—GUIDELINES FOR DEALING WITH CIVILIAN NEWS MEDIA

1. Throughout this operation, there will be excessive media coverage of Army activities. Reporters will be present everywhere in the area of operations. They are allowed to record your actions and activities. Politely ask them to stay out of your way, but you should not interfere with their news gathering activities. If there is time and it doesn't interfere with your mission, you may answer their questions as long as you follow the guidelines on this card.

2. Don't make ''off the record'' statements to reporters. Assume that a reporter's recorder is always on. Anything you say to reporters can be used in their reports.

3. If a reporter comes to your unit and is not escorted by a Public Affairs Officer or main escort, refer them to the Joint Information Bureau. If they are escorted, you may answer their questions, but inform your chain of command about their presence immediately.

4. You are not required to talk to the media. If you do, you have the responsibility to protect classified information and the security and privacy of your fellow soldiers. Do not discuss anything outside your area of expertise and do not speculate.

5. You may not discuss future plans and operations, political or foreign policy matters, operational capabilities, or give opinions on hypothetical situations. ''Stay in your lane.''

6. Don't say ''no comment.'' Simply state ''we don't comment on future operations,'' or ''I'm not qualified to answer that question.''

7. Never lie to the media. If you can't answer a question or don't know the answer, say so. Suggest where, or with whom the answer may be found.

8. Be brief and concise in answering questions. Use simple language, not military jargon or acronyms.

9. Think before you speak. When asked a question, stop, think, and then answer.

10. If you accidentally say something inappropriate, say so. Ask the reporter not to use your comment, and then report the incident to your commander.

11. Don't allow yourself to be badgered by the media. If necessary, politely end the interview and contact your commander or the PAO.

12. If you observe a reporter recording or viewing something classified, take immediate steps to protect the information and report the incident to your commander. Under no circumstances should you try to take notes, film or equipment from a reporter. Get the reporter's name and organization for your report.

13. Be positive in your answers. This is your opportunity to tell the public what a good job you and your unit are doing.

## CONTINGENT ADJOURNMENT OF THE HOUSE FROM CALENDAR DAY OF FRIDAY, FEBRUARY 2, 1996 TO TUESDAY, FEBRUARY 6, 1996

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on the calendar day of Friday, February 2, 1996 (legislative day of Thursday, February 1, 1996), it stand adjourned until 8 p.m. on Tuesday, February 6, 1996, unless the House sooner receives a message from the Senate transmitting its concurrence in House Concurrent Resolution 141, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

Mr. MFUME. Mr. Speaker, reserving the right to object, and I will not object, I do want to, for the RECORD, indicate that the minority has been consulted on the unanimous-consent request. We understand the merits of it and the necessity of it, and we have no objections at this time.

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

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

Mr. ARMEY. Mr. Speaker, under the gentleman's reservation, I would like to just take a moment to say farewell to my good friend from Maryland, Mr. MFUME. I have enjoyed my time that I have had the privilege of serving here, and we have worked well together, and I must say that I can say, as my grandfather said about many of his acquaintances, that the gentleman from Maryland is indeed, as my grandfather would have said, a gentleman, a scholar and a poor judge of good whiskey, and I thank you for having allowed me the privilege of being your friend in this body.

Mr. MFUME. Mr. Speaker, I thank the distinguished gentleman very much for his kind remarks and for his friendship over the last decade as we have served together on a number of committees, fought a number of battles, and at the end of the day recognized that friendships really do matter and the ability to work together and compromise really is what this body is all about. I thank the gentleman for his kind remarks.

Mr. ARMEY. Mr. Speaker, I thank the gentleman.

Mr. MFUME. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

## FAREWELL ADDRESS BY KWEISI MFUME

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of May 12, 1995, the gentleman from Maryland [Mr. MFUME] is recognized for 60 minutes as the designee of the minority leader.

Mr. MFUME. Mr. Speaker, for those Members that are still in their offices and others who are watching, this is in fact probably the last time that I will come into the well of the House of Representatives to address this Chamber and to address the people of the United States in this capacity.

As many of you know, on the 18th of this month, I will conclude my service here in the House of Representatives, lay my resignation forward, and move from that point on on the 18th into a new capacity, that being the President and CEO of the NAACP.

Mr. Speaker, I come to the well with mixed emotions but I come nonetheless because this has been for me a place of partisan wrangling and a place quite frankly to make amends. This well is used by Members for a number of things, most of which is to talk about their legislation, but it also, I think, ought to be a pulpit from which we seek to bridge a better understanding of one another, from which we try to build coalitions and from which we try to understand not just the Members of this Chamber but ourselves differently and also the millions upon millions of people throughout the United States who watch on a daily basis our actions as Members of this august body.

I came here, Mr. Speaker, 10 years ago, in the class of 1986. We were 51 in number and we were a part of what was known then as the historic 100th Congress, a unique class, I think, in many respects, but a class nonetheless that I regret having to depart from as many others have before me.

□ 2215

But those were different days, and in many respects this was a different Congress and, indeed, perhaps even this was a different Nation.

I have fond memories of the years that I have served in this capacity. I would be remiss if I did not thank the people of Baltimore City and Baltimore County that comprise the Seventh Congressional District of Maryland for vesting in me year after year both in this capacity and previously in a local capacity their trust, their goodwill to represent them here in elected office. They have been good to me over the years, returning me to office with 84 percent of the vote in a day and in an age where there is a great deal of cynicism, when totalities are considered landslides if they approach 65 percent. So in that respect, I have been blessed.

I have also been blessed in these 10 years to have an opportunity to serve with a number of distinguished Members of the House, many of whom are still here, others who have gone on to other careers, and some of whom are no longer on this Earth.

I remember the days of serving with Claude Pepper of Florida, a distinguished gentleman who had in his heart of hearts one desire and one true commitment, to try to bring about change in this body with respect to how we viewed those in the twilight of their lives. I listened to Claude Pepper from this well as others did as he continued to talk about why we needed catastrophic health care in this country and why we ought to understand the treasure chest that we have and the repository that we have in our senior citizens, why we had to have a sensitivity toward them as we must have a sensitivity toward young people.

I remember Sil Conte of Massachusetts, a Republican who understood partisan debate and partisan discourse, but, who at the end of the day, recognized that we were all the same people cut in many respects from the same cloth and given, if we were lucky, the same challenge in this institution to heal and bring us together. Sil Conte passed away many years ago also, but it is the memory of him and Claude Pepper that reverberate in this Chamber, the memory of Mickey Leland coming from Houston, TX, with the desire to represent not only those in his district but those around the country who were voiceless and, indeed, ultimately those around the world who had no voice who in the end gave his life on a mountaintop in Africa trying to feed the hungry and to clothe the naked.

So it has been an interesting 10 years. Having served as I have under three Presidents, I have developed at least a different appreciation beyond what I learned in the classroom about the relationship between the legislative branch and the executive branch of

Government. Coming here as I did under Ronald Reagan's administration and leaving as I prepare to do now under the administration of Bill Clinton, it has for me been enlightening, and it has also been humbling.

Someone asked me today what things do you think about when you think about leaving this Chamber, and I said what I will miss most of all are the people, those who are here who serve now, those who were here, and perhaps even those who are running now in districts around the country because they have a desire to come here and to help this institution. I would caution those people, wherever they may be, no matter what State or region of this country, who seek to serve to remember that service has with it a great sense of humility, that these seats before us in which we sit day in and day out are not our seats. They belong to the people of the district that we represent. They are on temporary loan to us, and if we learn nothing else, if we are fortunate enough to get here, we must remember that at some point in time, and at some day in time we must return those seats to them.

I think about at this moment many of the major bills that have gone through this House in the last 10 years, how we debated in one of the more finest hours of this Congress the whole issue of the gulf war, whether or not there ought to be an American involvement, and to what extent that ought to be, a debate that carried over several days, and I think brought out the best of Members of this body on both sides of the aisle in a very wrenching issue that 5 years ago confronted us in the starkest of ways and one that we were able to come to grips with. I remember the passage of the Americans with Disabilities Act when people in this country with all sorts of disabilities were thought somehow in some way to be second-class citizens, and many even thought that they had no rights or privileges that the law and this Congress were bound to respect, and when STENY HOYER of Maryland and others got together and allowed me to be a part of the sponsorship of that very historic piece of legislation, how even then people found problems with it. And yet you ask the disabled have their lives changed as a result of the Americans with Disabilities Act, and most would say it in fact has.

I remember in 1990 the desire to deal with what we thought was a rather aggressive Supreme Court, a Supreme Court that had turned back a number of civil rights cases, for whatever reason had begun moving judicially toward the right at a great speed, and how in that year we prepared for what was to ultimately be introduced in the next year the Civil Rights Act of 1991, and everyone then thought that we would either pass this or we would not pass it on the merits of the bill. But regrettably the merits got lost in the sauce, and people began to throw things on the table that were not here. They spoke of quotas. They played the race card. They fanned the fears of everybody in this body to the extent that we became as polarized as the problems that we were trying to solve. But we worked on that day in and day out, month after month. Serving as an original cosponsor and as a conferee, watching as we did when the White House vetoed the bill and then working diligently because we did not give up to try to come up with something that would pass this body, we ultimately did that. It became known as the Civil Rights Act of 1991, and also became known as one of this body's most shining moments of the last 10 years.

Some of you recall the 5-year deficit reduction plan spearheaded by the Democratic leadership in this instance, ultimately passed by the full House that gave us real deficit reduction at a time in our history when people talked about it and if you were ready to move forward with it.

I could go on and on about what I consider to be the best moments of this body. But let me also talk about those moments that were far from the best, and in many instances became the worst, those moments when we fought beyond the principle and the power of ideas, when our ideas were put aside and put asunder so that we might then in a very emotional and gut sort of way deal with things that had nothing to do with the power of ideas and nothing to do with the right to object on principle, but went to the personal nature of Members of this body, personal attacks that not only belittled the person making them but lowered, I think, the dignity and the esteem of this body, times when we decided to talk about one's orientation or times when we laughed at the fact that one was in a minority group or times when we even spoke in a very strange, discordant way about what was wrong with the Democratic Party or what was wrong with the Republican Party on a personal level; the low points of this or any other Congress, those instances when we got out of the lofty, privileged, and blessed positions of being Members of Congress that would come here and debate the issue and debate the power of ideas and to stand on principles, and when we lowered ourselves to make very personal and vicious attacks at one another. I know the sort of tense debating that takes place in this body. I understand the emotion and the passion that comes with it.

But I would caution those who continue to serve and those who seek to serve to remember that the words that are inscribed behind me on this desk that speak of tolerance and justice and union and the words above me that say ''In God we trust'' must in fact be words that we live by. Otherwise, we lose our ability to effectuate the hearts and minds of other people and to effect change in such a way that we then have added to what we consider to be the lifestyle and the decor and the principles of America and instead have detracted from them in a very evil and vicious way.

Now, I need to say just a couple of things, if I might, about staff. Obviously my own personal staff who year after year served with me, worked with me, believed in me, trusted me, became a family and became the kind of staff that I have been very proud of; I had a very, very low turnover rate in those 10 years, and I took a great deal of pride in that, because I think if you treat people as people, if you let them know what is expected of them and you give them goals and objectives and you allow them to work toward them, people then give you the maximum amount of productivity. People give you everything they have, and people in turn feel like people. They feel like they are included. I say that about my personal staff.

But I say it also about the committee staffs that serve this institution. Oh, they are significantly reduced from what they used to be. Maybe that is good, and maybe it is not so good. But they are still people, and they serve every committee of this institution, and they serve day in and day out, and they do not get a lot of fanfare or notoriety. But we are empowered as Members of Congress, because we have their wisdom and because we have their views and because we have what they give us in terms of their friendship.

Finally, it also includes the staff that works this floor. Some of you who watched the debate and the discussion on C–SPAN oftentimes will get a glimpse of some of the people who work here. Many of you will never get to know, however, the special people that they are, because they are people with their own unique stories, their own unique beliefs. They are Republican and they are Democrat, they come from different regions, they are different in many respects, but they serve this institution long hours, laboring day in and day out. Oh, they get a salary for it, true. But they also do it because they recognize how important this institution is, and the function of this institution is to the society that we all love and the society that we all come to embrace as Americans.

I have had some partisan battles here like all of us. I leave this place not with regrets but with fond memories. I leave it also with an understanding of what it takes to find true compromise and what it takes also to find true respect. I know that respect is earned, that it ought to be reciprocal, but it must first be earned.

And so I leave to take up the leadership of the National Association for the Advancement of Colored People, the NAACP, 87 years old, formed in 1909 in an apartment in Manhattan, brought together by a number of converging forces in the first decade on this century, not that different from converging forces in the last decade of this century.

Charles Kellogg, in his book that chronicles the first two decades of the

NAACP writes about those forces when he says it was in fact a retreat judicially by a Supreme Court that had begun to render decisions that were moving the Negro back and not moving him forward. He spoke also about a Congress that was very reactionary in their moment and legislated in such a reactionary way that they were polarizing the country and not always bringing it together. He spoke about the periodicals of the intellectuals that, in their own way and through an academic entree, decided to talk about what was in fact wrong with people, so that in order for you to justify how you felt, you had now the periodicals of the intellectuals that talked about inferiorities that were genetic and otherwise, and he also talked about the need among the Negroes in this country to find a way to organize, to do the best they could to bring the best from them, to add and to contribute to the society.

But when you look at those converging forces that were there in 1909 in the first decade of this century and you look at the converging forces that are here now in 1996 in the last decade of that century, the similarities are frightening. There is still a Supreme Court that is legislating or, rather, rendering judicial decisions, as was the case in 1909, that are making it more difficult, not less difficult, for the Negro, as it were, to empower himself or herself and to move into the mainstream of American society. They talked about then, and there pretty much is today, reactionary forces in the Congress of the United States that legislate in such a way that we polarize communities too often and polarize people.

There is, as there was then, the periodicals of the intellectuals. We refer to them now as the bell curve. They are the academic entrees that talk about inferiority being genetic, thereby giving one the basis to legislate accordingly.

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Mr. Speaker, and then there is also, as there was then, the need among African-Americans to understand that in bringing out the best in ourselves, and in working with other people, that we could, in fact, and will, contribute mightily to the fabric of the Nation that we all have come to love.

So, because it is the NAACP and because it is the same organization that offered the word ''coalition'' in the civil rights struggle and meant it, and means it today; because it is still prepared to work with all people; because it welcomes the support of Latinos, of like-minded whites, of Asians, of Native Americans, of people throughout the African diaspora in this country and elsewhere; because it recognizes that one must not be measured by their religious beliefs but, rather, what they have in their heart and what they bring to the table in the spirit of real compromise. That young people, those who were 4 and 5 and 6 years of age, tonight really represent in a mirror image what this Nation will look like 20 years from now and why their fate is so desperately sealed to our fate. And because it understands also that as a historic American institution, it has a mission and a mandate to do all that it can as the NAACP, to once again try to heal our Nation, and to bring people together and to forge a new day.

We focus so much in our society on differences. Our differences of race, our differences of religion, our differences of ethnicity, our differences of opinion, that so much time is spent on differences that we have little time left over to spend on similarities, those ways in which we are all alike.

Everybody in this country believes that, if they could, they would like to have a better life for their children than they had. That is a very big similarity. Every person in this country wants to believe that they can have safe streets and a safe community. They want to think they can educate their children. They want to think they can grow old and die and watch America be a better nation at the point of their death as opposed to the point of their birth. Similarities that cut across race and gender and religion and everything else.

But when we focus on differences only, and focus on them in a negative way, we do a disservice. I think cultural differences are important. I think every cultural and religious group and ethnic group and racial group in this country ought to hold proudly to their heritage, ought to find ways and monuments that speak to them and pass on those traditions to another generation.

Those are positive differences that in the aggregate make America what she is. But when we focus on differences for the purpose of putting people down, and developing inferiorities, when we focus on differences to point out what is wrong instead of what is right, we do a disservice.

America at her best has treated such differences with a blend of common sense and compassion. America at her worst has treated those differences with the empty evenhandedness of Marie Antoinette. And so I would say to this Chamber and to all who serve here and in fact those who seek to serve, that we have a bigger mission in life because we carry a sacred trust. We asked to come to this body. We asked for people to vest their votes and their support in us. We asked for the opportunity to cast important votes.

We came here because we asked to be here, and someone heard us in the majority and we were elected. But it is a sacred trust, so we are responsible for more.

And as such, we must do more and worry less about whether or not we are going to get reelected in 2 years, and worry more about what kind of nation we help to build.

So, I leave this Chamber and this institution to do, as Kipling said, and that is to take ''the road less traveled.'' The road less traveled is still the road less certain. But in traveling it, if we navigate properly, if we understand what our road signs are, if we keep our eyes on our objective and on our mission, if we seek to be the good Samaritan on the way, and if we believe in our heart of hearts that at the end of that road there is a reward not for ourselves but for our country, then we do the sort of service that I think we can and must provide as people of America, from all walks of life and from all religions and races who understand the gift of this country. What makes it so very special is the unique way in which we have grappled with our problems and, because we are so diverse, we have before us a very unique and special history.

When you read Gibbons, ''Rise and Fall of the Roman Empire'' and other empires, there are certain things that are always precursors to those declines. Fortunately, every time we have met a precursor in this country, whether it was the evil institution of slavery; whether the denial of suffrage to women; whether it was the second class citizenship to minorities, we have tried to recognize those precursors when we met them and to recognize also that, if we did not deal with them, then all that led to the decline of other great empires would in fact lead to the decline of America.

I think we can still do that. We can still understand when things are wrong. We can still have the courage enough to recognize that the salvation of this Union is utmost. And if we are daring enough and believing enough both in God We Trust and in ourselves, then we will find a way to do that.

And this Union will be secure and safe for generations still unborn. So I bid a fond farewell to the Chamber and to all that I have served with. To those who taught me and to those who I have had a chance to teach, I shall be back again and again in another capacity. But I shall always be forever fond of the 10 years that I have served as a Member of the U.S. Congress.

Mr. Speaker, it has been said that the NAACP is the oldest and largest organization of its kind in the world—and it is.

It is said that it is the most effective of its kind—and it is. It said that it is the most consulted, most militant, most feared, and most loved organization of its kind in the world—and it is.

We have been charged with this from the genesis of our beginnings, in 1909.

Just a few moments ago we stood, ankle deep in mud in the roadways of the Old South, after blacks had trudged through hot fields and dusty hills to the ballot box only to be turned away due to the manufactured grandfather clauses, literacy clauses and, poll taxes. But we fought back.

In 1915, we stood side-by-side and took the battle back to the white marble chamber of the Supreme Court, where those racist tools of disenfranchisement were found to be in violation of the Constitution. But the battle did not end there.

Just a few moments ago in history, a black man could not walk down a road, could not go

into a store, could not go into a courtroom without the threat of a noose hanging over his head or a torch being thrust into his life.

Two years after the NAACP was founded, in a grimy steel town in southwestern Pennsylvania, a seriously wounded black man was charged with killing a police officer. He never had the chance to prove his innocence.

A mob of people dragged him from his hospital room in Coatesville and burned him alive. A conspiracy of silence prevented the mob leaders from receiving the justice they deserved. Racism was alive in the North.

On November 14th, 1915, southerners were witness to one of the most notoriously racist films of all time: D.W. Griffith's ''Birth of A Nation.'' In it, reconstruction was distorted, emancipation was assailed, and blacks were reviled. And the heroes of the movie were the Ku Klux Klan.

From 1910 to 1919, 840 African-Americans were lynched in the United States of America.

In a Texas town in May of 1916, a mentally retarded black teenager was convicted of murdering a white woman. He would never have a chance at an appeal.

He was seized by a mob and taken to the public square. Before a crowd of 15 thousand people, fire and flames were the center of attention in what was then called ''the Waco Horror'' as the boy was tortured and burned alive.

When black soldiers were baited and harassed, they in the end would pay the harshest penalties. On a hot Houston day in 1917, race prejudice against members of the 24th Infantry let to violence. Seventeen whites and two blacks were dead when the smoke cleared.

A court martial sent 41 members of the all-black unit to life in jail. Four others were given long prison terms. And 20 of them were condemned to death. One-fifth of the condemned men were summarily executed without even the benefit of an appeal.

It was the NAACP that worked long and hard through four presidential administrations. Eventually 10 lives were saved, and the last man from the 24th Infantry was released from jail—21 years later. The battle did not end there.

In 1919, there was rampant brutality and military occupation of the Republic of Haiti. Three thousand citizens there were cut down by troops who claimed they were ''bandits.''

Censorship was rampant, news of the brutalities inflicted by the troops on our brothers and sisters there was suppressed. Why? The forces occupying Haiti were from the United States of America.

The NAACP pressured President Wilson. James Weldon Johnson went to Haiti and showed the world through his writings what kind of inhumanity was being visited upon the people there by the troops sent from the nation calling itself the land of the free.

It was this great organization that helped Haiti create an organization for independence, one modeled on our own. When they came to New York to lobby for their freedom, the offices they used their were the NAACP.

The NAACP learned early the political game and played presidential candidates off presidential incumbents. When Woodrow Wilson wouldn't listen to us, Warren Harding would, and then President Wilson sat up and took notice.

Through the actions of the NAACP, the military presence was cut back. Through their investigations, the abuses were brought to light. And with the continued pressure, American occupation of Haiti was fully ended — almost 20 years later. And the battle did not end there.

From 1920 to 1927, 304 people were lynched in the United States of America.

The NAACP was issued a challenge to help end lynching by the philanthropist Philip Peabody. Peabody would help us help ourselves by donating ten-thousand dollars and more if we could match his grant by fundraising on our own.

It was the NAACP, massed and clad in white, that marched silently down New York's Fifth Avenue, to protest treatment of African-Americans.

Four times anti-lynching laws were introduced and passed in this House of Representatives. Four times those laws went down to defeat due to stonewalling, filibustering and indifference in the Senate. But people paid attention.

The esteemed and historic magazine of the NAACP, The Crisis was set upon by the Department of Justice as radical and seditious. In the end, it prevailed, and even flourished.

In 1929, 10 lynchings were recorded for the year.

But the battle could not end there.

Just a few moments ago in history, in the second decade of the 20th century, we stood arm-in-arm, as the NAACP took to the hallways of the courts of the District of Columbia to fight again. We were denied the simple right to ride streetcars as we chose, marry as we chose or be promoted within the Armed Forces as we deserved.

As this historic organization was in its infancy, African=Americans were limited within the military to two cavalry regiments and two infantry regiments. In many cases the only fighting seen by the rest of the blacks in uniform came only when the action got too close to the mess tent.

African-Americans were fighting regularly for the right to become commissioned or even non-commissioned officers in the military then, with the highest-ranking black officer of the era having been cashiered on the grounds of so-called ''physical disability.''

Later on, the Army was found out. When it was proven that they were reluctant to promote Charles Young, a graduate of west Point and the highest ranking African-American in the military. It just would not do to have a black general in the Army — heavens no. Only a colonel would do, and they felt he could also retire that way, as a colonel.

It was the NAACP that made sure Charles Young was restored again to active duty. But the battle did not end there.

We had to fight for every inch, we had to fight for every right — even in the military, which nowadays is one of the most integrated aspects of American life.

The Surgeon-General then, William Gorgas, felt what color you were determined who you worked on. It mattered not who was sick, who was ill, who was dying. Black nurses only nursed black wounds. Black dentists only fixed black teeth. Black doctors only saved black lives. And black units were still separate—and unequal.

It was the NAACP in 1931 that organized the defense of the Scottsboro Boys who were unjustly accused of rape. And the legal battles intensified and this organization sharpened itself and began to come into its own.

In 1938, when the Daughters of the American Revolution denied Diva Marian Anderson the use of Constitution Hall, it was once again the NAACP who took up the cause an fought for what was just and right.

In the 1950's, the desegregation battle began to take on a new urgency as the NAACP successfully battled against segregated public housing. And in 1954, it was the great Thourgood Marshall, who as the Director of the NAACP's Legal Defense and Education Fund, fought and won that historic Surpreme Court case, Brown versus Board of Education, which outlawed once and for all the separate but equal doctrine in public education.

The next year, the NAACP joined with other civil rights groups and concerned Americans by taking an active role in the Montgomery, Alabama bus boycott. This boycott was initiated after Rosa Parks made her valiant stand by refusing to give up her seat for a white passenger.

As our Nation entered the turbulent 60's, the NAACP was there, front and center. In 1963 I remember marching the historic March on Washington from our black and white television. We couldn't afford the bus trip from Baltimore, but I felt the power nevertheless.

By 1965 the power of the NAACP had reached a new pinnacle when President Johnson signed the Voting Rights Act. After years of fighting for basic equality, the dream was finally becoming real.

As the needs of the African American community have changed, so has this historic, beloved organization. In the 1970's and 80's the NAACP tackled educational excellence and established SAT Preparation clinics which helped raise the average test scores by 50 points. And the organization continues to grow and meet the demands of the day.

New efforts have been made to attack discrimination through legal and legislative means. Child welfare and mentoring programs have taken on a new urgency. Economic empowerment programs have been launched to make the logical next step in the civil rights movement. And just last month in Stone Mountain, Georgia we launched the new Voter Empowerment Project, which seeks to energize the electorate from the bottom up. This new effort was initiated because of court rulings that have eroded the Voting Rights Act.

Some of our gravest crises have come from within. This was an organization born of wealthy white liberals, nurtured by newspapers and brought into its own by the black intelligentsia.

Booker T. Washington had honest differences of opinion with W.E.B. DuBois at the start of this organization. Washington's Niagara Movement was in open disagreement with the new association tasked with the advancement of our peoples. It continued until Washington was dead, and debate and differences continue even now.

W.E.B. DuBois differed with Walter White over the future of the NAACP and the finances necessary to run it. It continued until DuBois resigned.

How little times change.

It is time we stand up to say again—''The battle begins here.''

Where once it was poll taxes and literacy tests, now it is cries of reverse discrimination and a roll back of voting rights.

When we once were subject to the noose and the torch, we are now plagued by the pipe and the needle and crimes against each other.

Where once our mother and sister countries of Africa and Haiti were run through by colonization and occupation, so they are now by militarization and discrimination.

We were not monolithic then, nor are we now. We have different agendas, we follow different drummers, we have differing destinies. But all of them are intertwined with who we are.

If we cannot remind ourselves of the challenges overcome in the past, we will never overcome the obstacles set in our future. The battle begins here.

We have fought in the courts—we can do so again, now. We have made presidents listen by the force of our numbers and our will. We can do so again, now.

We can vote in greater numbers. . .

Speak, in louder voices. . .

Write, with sharper pens. . .

Walk, with bigger strides. . .

Act, with firmer conviction. . .

Look forward, with stronger resolve. . .

And fight . . . fight with the knowledge that history is on our side. We have won before. We can do so again, now.

Just a few moments ago in history we overcame all that 41 percents, nine wars, and innumerable verdicts could put in our way. That is all history now. .

The conscience of America is resting in our hands. We can cup them and nourish our freedoms or we can open them and see them blow to the winds.

Let us pray that our hands, joined together, will know what's right for us, our children and our future.

And so, it is for me a high honor and a distinct privilege to be selected in the capacity of President-designate or our Nation's largest and oldest civil rights organization. I am honored to have been chosen for this opportunity, and I am moved by the support that our Chairwoman, the members of the search committee and the members of the board have shown me.

The decision to accept this new opportunity did not come lightly. For the last 16 years, I have served in elected office: seven years in local government and the last nine as a Member of the United States Congress. To the people of Baltimore, who year after year have given me the opportunity to represent them and who continue to vest their confidence and trust in my abilities, I am, and forever will be, grateful.

At this point in time, however, I am convinced, without reservation, that I can best affect social, economic and political change in the broader capacity that the NAACP represents.

As you all know, the NAACP is at a critical point in its history. In fact it is at the most critical point. Our focus must be on: First, increasing political power by organizing and energizing voters in every congressional district in America; second, emphasizing educational excellence and individual responsibility; and third, creating an infrastructure for empowerment and economic parity. There is much work to be done and the time for such work is now. We must, without equivocation or timidity, reclaim our rightful place as the voice of African-Americans and others who believe in the power and the premise that all persons are, in fact, created equal. The task before us will be significant, but all challenge is significant. The greater challenge will not be measured by its size, but rather by our willingness to accept it. As such, there must be an ever escalating crescendo of clear and consistent voices that become part of the national dialogue and the national debate.

The extreme ultra-conservative policies of the far right wing in our nation are draconian and punitive. They are policies that punish the elderly, restrict the poor, and deny opportunity to our children. Those policies must be countered with effective and realistic responses that reflect our need as a society for inclusion and tolerance. We can only do that by reinvigorating the age-old concept of coalitions where people work together for the common good.

Racism, sexism, anti-Semitism cannot, and will not, be allowed to enjoy a comfortable and quiet acceptance. The damaging divisions brought about by xenophobia cannot be allowed to color our thinking about those who come to our shores in search of a better life. Fear, which often finds its incubator in our refusal to stand up for what is right, will forever be challenged by a new NAACP—reunited and reinvigorated at the threshold of change.

At the risk of understatement, we all know that the task ahead will not be easy. The time is now to restore the financial, spiritual and political health of this historic American institution. As such, we must move quickly toward that end, and my job is to provide the leadership to make that happen. Make no mistake about it, there will be change. It will be swift, it will be focused, and it will be constructive. Efficiency and fiscal integrity within the organization will not be just a concept. It must, in fact, become a reality. We will re-tool our apparatus and re-harness our energies.

The time is now for a new generation to join the NAACP. While we value maturity and experience, we must also learn to cherish youth. Thus, I reach out today to a new generation to join in this effort. And I reach out to the current generation and say to you in the clearest of terms that it's alright to come back home to the NAACP.

We are at the crossroads of tremendous change in our nation. Despite the gains made by African-Americans, racism continues to divide our country and polarize people. We can stand by and watch in the comfort of our own circumstance, or we can step forward and dare to lead.

The NAACP has a long and proud history filled with major accomplishments that have changed forever the America that we know and love. The lives of millions of our citizens who are black, white, Asian, and Hispanic have been made better because of it. Yet, our country is still in desperate need.

In his renowned chronology of the NAACP from 1909 to 1920, Charles Kellogg begins his historical work with the following observation: ''In the first decade of the twentieth century few voices were raised in defense of the Negro and his rights as a citizen of the United States. Reactionary attitudes about race had been strengthened. [And] by 1909, the civil rights gained during reconstruction had been severely limited. The prevailing attitudes toward the Negro were reflected in the sensational press, in the hate literature, in the periodicals of the intellectuals, in court decisions reinterpreting the fourteenth and fifteenth amendments, and in legislation.''

Eighty-six years later, in the last decade of the same century, again, few voices are being raised in defense of African-Americans and their rights as citizens of the United States. Reactionary attitudes about race regrettably continue to be strengthened. Civil rights gained during the second reconstruction have now also been severely limited. And, the prevailing attitudes toward minorities are still reflected in the sensational press, in the hate literature, in the periodicals of the intellectuals and in court decisions.

Only a strong, revitalized and focused NAACP can accept the realities that were present in that first decade and readjust to the challenges still present in this last decade.

I look forward to this gift of opportunity to serve in a different but continued public capacity and I thank God Almighty for continuing to bless me.

Mr. HOYER. Mr. Speaker, I rise today to join my colleagues Louis Stokes and Donald Payne in celebration of Black History Month. This special order has now become a time-honored tradition in the House, and I always enjoy participating.

Black History Month is a time of reflection and honor. During Black History Month, we recall and pay tribute to the towering achievements and inspiring contributions that African-Americans have made to this country. It is a time to reflect on the progress we have made as a society based on the constitutional principles of liberty, equality, and justice. It also is a time to assess, as individuals, our personal role and responsibility to our fellow citizens, our children, and our Nation's future.

During Black History Month, we honor those men and women who influenced, shaped, and altered American life, culture, and politics—those who believed in a democracy that would not tolerate prejudice and discrimination, those who fought brutal injustice with the power of moral truth.

We thank those who through their writings and teachings have enabled all of America to know and appreciate the African-American legacy, past struggles and present dreams. We pay tribute to American's sports heroes, such as Arthur Ashe, the great activist and renowned humanitarian, who inspired all Americans with his courage. We honor the scientists and educators, who labored so hard to overcome the racial barriers in our society and proved that America could not afford to squander the talent and knowledge of African-Americans. We recall the words and visions of some

of our Nation's most revered ministers and theologians, such as Dr. Martin Luther King, Jr., who braved the wrath of society to change our society to fit the principles it espoused but did not practice.

Black History Month has a broader significance as well. It is a critical prism through which to view America's history overall. Our examination of this history is both painful and shameful, but it is also essential as only in this way can we appreciate the importance of this country's ability to redress past injustices. Only with the awareness of past wrongs can we define our future as one in which the right to live with dignity and freedom from persecution will be accorded all Americans. Only with the knowledge or our heritage and the conviction that we are indeed a Nation of people ''endowed by their creator with certain unalienable rights,'' can we practice the teachings of those whose legacy we remember today.

One of our better teachers, who I would like to honor today is the Honorable Barbara Jordan. She left us just a few short weeks ago but her incredible spirit will remain with us forever.

We all know of her impressive educational, political, and legal background. However, it ease her eloquence and sense of integrity which made here such a gifted leader. She championed opportunity, demanded equality, and vociferously espoused the principles of equal opportunity for all Americans.

There are some in this body who carry with them a ''Contract With America.'' But it was Barbara Jordan who carried in her purse a copy of the U.S. Constitution which we as American legislators all need to uphold. During the historic Watergate hearings, it was Barbara Jordan who said, ''My faith in the Constitution is whole, it is complete, it is total, and I am not going to sit here and be an idle spectator to the iminution, the subversion, the destruction of the Constitution.'' As we celebrate Black History Month, it is my hope that every Member of this body heeds Barbara Jordan's words.

Mr. MARTINI. Mr. Speaker, February has been celebrated as Black History Month since 1976, but the origins of this event date as far back as 1926 to Carter G. Woodson, a noted historian and author. Black History Month is a special month designed to recognize the heritage, contributions, and achievements of African-Americans, and I rise today to recognize and pay tribute to the holistic experiences and culture of African-Americans. Their experiences have contributed so much to this great Nation, and their culture is an inseparable part of American culture.

The 1995 National Black history theme, ''Reflections on 1895: Douglass, Du Bois, Washington'' causes us to be reflective of the visions and dreams of three men of vigor who tenaciously championed the cause for freedom through vigilant, assertive, non-violent action. These three men personified resolve, dedication, and commitment, and with these characteristics they were able to alter the course of history. Their courage and successes empowered Black Americans. Their memories and accomplishments should empower all Americans.

African-Americans have made great strides in recent years, assuming leadership positions in record numbers, and uniting to address and solve shared problems and ailments and celebrate successes and victories. A great amount of opportunities exist in an increasingly expansive number of fields. African-Americans in the 1990's are finding that mobility and equal opportunity are the norm rather than the exception.

At this time we should look to past and present leaders in the African-American community and heed their cries. Frederick Douglass, the foremost voice in the abolitionist movement of the nineteenth century called for freedom and equality; W.E.B. Du Bois, and editor, scholar, author, and civil rights leader called on Blacks to cultivate their own aesthetic and cultural values; Booker T. Washington, an educator and statesman advocated economic self-sufficiency, self-help, and moral advancement; and Martin Luther King, Jr., a cleric, educator, and recipient of the Nobel Peace prize, led the Civil Rights Movement in the 1950's and 1960's calling for equality. The list is expansive and we must not forget the prolific writings of Alice Walker, Toni Morrison, Richard Wright, and Ralph Ellison; the music of Louis Armstrong, Miles Davis, and Ella Fitzgerald; and the courage and moral rectitude of Rosa Parks.

These men and women have messages for us all. By rediscovering their hopes, aspirations, and successes we can forge ahead and continue where they left off. America is a special country indeed. We are privileged to be the most diversified, democratic country in the world. Our culture as a people is personified by our demographics. Everything that we are is interrelated to our history. Black History Month is not just for African-Americans, rather it is for all Americans. The separate but equal doctrine of the past has been abandoned, and a united and equal doctrine must be ushered in and secured; a nation divided is a nation at risk. The heritage, achievements, trials, tribulations, contributions, and successes of African-Americans should be remembered 365 days a year, not only in February.

Mr. FILNER. Mr. Speaker, I thank both the Congressional Black Caucus for reserving a special order to observe Black History Month, and the gentleman from Maryland [Mr. CARDIN] for reserving a special order yesterday to honor our distinguished colleague, Congressman KWEISI MFUME.

Mr. Speaker, 3 years ago this month, as a freshman Member of Congress, I delivered my first speech on the floor of the House of Representatives in honor of Black History Month. I could not have been more proud to dedicate my first address in this Chamber to the celebration of African-American freedom and accomplishment.

As many of my colleagues know, I have a special link to the African-American struggle for freedom. Some 35 years ago, I rode though Mississippi as a freedom rider and witnessed first-hand the desperate and often brutal attempts to preserve segregation. In that summer of 1961, Mississippi was a war zone. Innocent black Americans were beaten and killed. Angry mobs attacked black men and women at will. Random gunfire contributed to an environment of terror and fear.

I spent several months in a Mississippi State Penitentiary isolation cell as a result of my efforts in the struggle for equality.

We have come a long way since then. Today, African-Americans have more opportunities open to them then ever before. African-Americans attend our Nation's finest schools, are some of America's most successful entrepreneurs, and hold office at the highest levels of state and federal government.

African-American children can base their hopes and dreams on a host of African-American heroes: Dr. Martin Luther King, Jr., Rosa Parks, Thurgood Marshall, Maya Angelou, and many other who have led the fight for equality and justice. But we still have much to accomplish.

Thousands of people whose names do not yield national recognition bravely continue the struggle every day for the rights of African-American. The spirit of Black History Month applies to these local heroes who stand as more than a symbol of success to African-American youth. These are people who offer a helping hand, a smiling face, or a word of encouragement to young African-Americans. These are people who make a personal and direct contribution to the lives of young African-Americans in their communities.

There are many such heroes in California's 50th Congressional District. As the focus of this year's Black History Month is on African-American women, I will mention one who, along with her husband, has made a profound difference in the San Diego community.

Evelyn George of San Diego realized 18 years ago that the money her husband, Aaron, spent on cigarettes could be used on something more constructive. She implored him to give up his smoking habit, and together they transformed their home into a Christmas wonderland for neighborhood children each December—complete with ferris wheels, merry-go-rounds, caroling angels, a nativity scene, and nearly 5,000 holiday lights.

After 18 years, Aaron George has become known as the ''Black Santa'' of San Diego, handing out more than 2,700 candy canes, signing some 325 autographs, and posing for more than 250 pictures for area children this year alone.

This Christmas was a difficult one for Mr. George. Evelyn, his wife of 42 years, passed away in July. In her honor, Aaron has promised to maintain the display every Christmas, bringing joy to the lives of hundreds of young San Diegans.

There are thousands of other African-Americans in San Diego and across the Nation making unique and positive contributions to their communities. But there is also reason for concern in the African-American community. Division and hatred, always lurking in the depths of interracial relations, have begun to surface again with unprecedented ferocity, threatening the strides that whites and blacks have made together.

No one understands this threat better than Congressman KWEISI MFUME. During his 9 years in Congress, he has emerged as a national leader and advocate for the rights of African-Americans. His leadership abilities were brilliantly displayed during his 2-year term as chairman of the Congressional Black Caucus, a period during which the caucus achieved unprecedented levels of influence.

Individuals of Congressman MFUME's character and intelligence rarely are able to keep their value secret for long. It was to no one's surprise, then, that Congressman MFUME was chosen to be chief executive officer of the NAACP, a proud organization that has fought for the rights of African-Americans since the early part of this century.

The House of Representatives will lose a great leader, an ardent advocate and a brilliant legislator as Congressman MFUME leaves to assume his new responsibility. But our loss is the NAACP's gain. I am confident that Congressman MFUME will make great strides in the advancement of the rights of African-Americans and continue his effort to improve interracial relations throughout the country. These goals are given special significance during the celebration of Black History Month.

Mr. SABO. Mr. Speaker, I rise today to express my strong support for Black History Month. This year we are celebrating African-American women of yesterday, today, and tomorrow. In Minnesota, we are fortunate to have a fine tradition of civic leaders who have dedicated their lives to enriching the lives of others through their selfless contributions. Today, I'd like to recognize three, among many, of the African-American women in Minnesota who have become shining role models for us all.

In its brief history, the State of Minnesota has had many fine leaders who were also African-American women. In 1923, Ethel Ray Nance—1899–1992—was the first black woman hired by the Minnesota Legislature and was the first black police woman in Minnesota. During her long life, Ms. Nance was an activist in several civil rights organizations, including the National Association for Advancement of Colored People [NAACP]. She also served as the director of research for the National Urban League.

In more recent years, Nellie Stone Johnson, who celebrated her 90th birthday in December 1995, has been one of the most outspoken and thoughtful leaders in Minnesota's African-American community. Generations of Minnesotans owe Nellie a great deal for her dedication to community building, to civil rights, and to economic fairness. In the tradition of Hubert Humphrey and Walter Mondale, Nellie Stone Johnson has been rock solid in her commitment to the most vulnerable in our society.

Finally, representing a new generation of African-American women leaders, Minneapolis Mayor Sharon Sayles Belton, elected in 1993, is the first African-American and the first female mayor of Minneapolis. Mayor Sayles Belton began her public service career immediately after college—when as a civil rights worker she traveled to Jackson, MS, to register voters. She later became the first African-American president of the Minneapolis City Council. As mayor, she has continued her efforts to strengthen families and children by focusing on education, crime prevention, and the economic development of neighborhoods in the city.

I am proud to say that these women, and many other African-Americans, have had an important impact on my life and the lives of many Minnesotans. I wish to thank them for their service to the community, the women's movement, and the United States of America. All citizens should be grateful for their accomplishments and endeavors. Mr. Speaker, as we observe Black History Month, I commend Ethel Ray Nance, Nellie Stone Johnson, Mayor Sayles Belton, and all African-Americans for their contributions to our society.

Mrs. COLLINS of Illinois. Mr. Speaker, I rise today to join my colleagues in proud observation of Black History Month and its 1996 theme, ''African-American Women: Yesterday, Today, and Tomorrow.'' I thank the chairman of the Congressional Black Caucus, Congressman PAYNE, and the distinguished gentleman from Ohio, Congressman STOKES, for once again reserving this annual special order.

This year, as we celebrate the vital role which African-American women have played in our Nation's growth and development, I would first like to spend a moment reflecting on the life of one of the most influential of these women who recently passed away, the Honorable Barbara Jordan of Texas.

Having served with Barbara in this House, I can tell you first hand of the tremendous intellect, passion, and presence she commanded. As an untiring, articulate, and outspoken defender of the Constitution and the rights and liberties of all citizens, she was effective in ensuring access to legal services for the poor, advancing consumer protection at the Federal level, and securing a livable minimum wage for all working Americans among other numerous achievements.

Morton Dean of ABC News summed up the overwhelming impact Barbara Jordan had on American society when he said, ''Where she walked, barriers fell, historic barriers against blacks and women in politics. When she talked hearts swelled, awakened to America's potential.'' We will all miss her deeply.

But before Barbara Jordan, Mr. Speaker, there were other African-American heroines who blazed a path of opportunity for her, and there will be many more who will come after. It is each and every one of these women that we also honor today.

We all know of Hattie McDaniel, the first African-American to win an Academy Award for her role in ''Gone with the Wind'' in 1939. Her breakthrough performance opened the door for other black actresses and performers such as Lena Horne, Cicely Tyson, Whoopi Goldberg, and Angela Basset to showcase their talents and skills on both the American and world stage and screen.

Nor can we forget in the field of literature the incredible poetry of Phillis Wheatley and Maya Angelou, novels of Toni Morrison and Alice Walker, and writings of Jean Toomer and June Jordan. These African-American authors have lifted our spirits, our hopes, and our dreams with their thoughtful words and honest reflections.

From inspirational words stem inspirational music and we would be remiss not to mention the incredible jazz vocals of ''The First Lady of Song,'' Ella Fitzgerald, or the deep rhythm and blues notes belted out by ''The Queen of Soul,'' Aretha Franklin. What about Billie Holiday, Mahalia Jackson, Sarah Vaughan, and Dinah Washington?—each of them being an exceptional African-American female artist of the modern era.

In the world of sports, black women have as role models the outstanding track and field star Jackie Joyner-Kersee, holder of the world record in the heptathlon and winner of four Olympic medals in this event as well as Althea Gibson, the first African-American tennis player to participate in and win a championship at Wimbledon.

I could go on and on for hours Mr. Speaker, elaborating on the lives of courageous abolitionists Sojourner Truth and Harriet Tubman, the great civil rights activists Rosa Parks and Fannie Lou Hamer, and such deft legislators as Shirley Chisolm and, as I have mentioned, Barbara Jordan. As you can see, African-American women have an exceptionally rich history of contributions to this country, from the arts and athletics to politics and our overall social progress. It is therefore only fitting that this year's observance of Black History Month recognizes and heralds the many accomplished and talented among us, before us, and those yet to come.

Again, I thank my distinguished colleagues for this special order and yield back the balance of my time.

## RECESS

The SPEAKER pro tempore (Mr. METCALF). Pursuant to clause 12 of rule I, the House stands in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 38 minutes p.m.), the House stood in recess subject to the call of the Chair.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. METCALF) at 12 o'clock and 1 minute a.m.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. SEASTRAND (at the request of Mr. ARMEY) after 4:30 p.m. today and for the balance of the week on account of illness in the family.

Mr. RADANOVICH (at the request of Mr. ARMEY) after 4:30 p.m. today on account of illness in the family.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MILLER of California) to revise and extend their remarks and include extraneous material:)

Mr. VOLKMER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

(The following Members (at the request of Mr. BEREUTER) to revise and extend their remarks and include extraneous material:)

Mr. TIAHRT, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. BEREUTER, for 5 minutes, today.

Mr. CHAMBLISS, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

## BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following title:

On January 31:

H.R. 2029. An act to amend the Farm Credit Act of 1971 to provide regulatory relief, and for other purposes.

H.R. 2111. An act to designate the Federal building located at 1221 Nevin Avenue in Richmond, CA, as the ''Frank Hagel Federal Building''.

H.R. 2726. An act to make certain technical corrections in laws relating to Native Americans, and for other purposes.

H.R. 1868. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

On February 1:

H.R. 2353. An act to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain reports from the Secretary of Veterans Affairs, and for other purposes.

## ADJOURNMENT

The SPEAKER pro tempore (Mr. METCALF). Without objection and pursuant to an earlier order, the House stands adjourned.

Accordingly (at 12 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Tuesday, February 6, 1996, at 8 p.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1997. A letter from the Chairman, Panama Canal Commission, transmitting the Commission's report, including unaudited financial statements, covering the operations of the Panama Canal during fiscal year 1995, pursuant to 22 U.S.C. 3722; to the Committee on National Security.

1998. A letter from the Acting President and Chairman, Export-Import Bank of the United States, transmitting the semiannual report on tied aid credits, pursuant to Public Law 99–472, section 19 (100 Stat. 1207); to the Committee on Banking and Financial Services.

1999. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning a technology base research and development project with the Netherlands (Transmittal No. 04–96), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

2000. A letter from the Director, Defense Security Assistant Agency, transmitting notification concerning a cooperative project to conduct a 12-month feasibility study to investigate and define a standard submarine rescue system (Transmittal No. 03–96), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

2001. A letter from the Director, Defense Security Assistance Agency, transmitting a report of those foreign military sales customers with approved cash flow financing in excess of $100 million as of October 1, 1995, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

2002. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to the United Kingdom for defense articles and services (Transmittal No. 96–21), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2003. A letter from the Director, Defense Security Assistance Agency, transmitting a report containing an analysis and description of services performed by full-time U.S. Government employees during fiscal year 1995 who are performing services for which reimbursement is provided under section 21(a) or section 43(b), pursuant to section 25(a)(6) of the Arms Export Control Act; to the Committee on International Relations.

2004. A letter from the Director, Defense Security Assistance Agency, transmitting a report containing the status of loans and guarantees issued under the Arms Export Control Act, pursuant to section 25(a)(11) of the Arms Export Control Act; to the Committee on International Relations.

2005. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Review and Analysis of the District's Accounts Receivable,'' pursuant to D.C. Codes, section 47–117(d); to the Committee on Government Reform and Oversight.

2006. A letter from the Chairman, Advisory Commission on Intergovernmental Relations, transmitting the Commission's 37th annual report of the Advisory Commission on Intergovernmental Relations, pursuant to 42 U.S.C. 4275(3); to the Committee on Government Reform and Oversight.

2007. A letter from the Comptroller General of the United States, transmitting the list of all reports issued or released in November 1995, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.

2008. A letter from the Chairman, Consumer Product Safety Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2009. A letter from the Secretary, Mississippi River Commission, Department of the Army, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act for the Mississippi River Commission during the calendar year 1995, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

2010. A letter from the Director, United States Arms Control and Disarmament Agency, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2011. A letter from the Assistant Attorney General, transmitting a draft of proposed legislation entitled the ''Federal Debt Collection Procedures Improvements Act of 1995''; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOSS: Committee on Rules. House Resolution 355. Resolution providing for consideration of the bill (H.R. 2924) to guarantee the timely payment of Social Security benefits in March 1996 (Rept. 104–460). Referred to the House Calendar.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 2406. A bill to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes; with an amendment (Rept. 104–461). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARCHER (for himself, Mr. CRANE, Mr. THOMAS, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. BUNNING of Kentucky, Mr. HOUGHTON, Mr. HERGER, Mr. MCCRERY, Mr. HANCOCK, Mr. CAMP, Mr. RAMSTAD, Mr. ZIMMER, Mr. NUSSLE, Mr. SAM JOHNSON, Ms. DUNN of Washington, Mr. COLLINS of Georgia, Mr. PORTMAN, Mr. HAYES, Mr. LAUGHLIN, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, and Mr. CHRISTENSEN):

H.R. 2924. A bill to guarantee the timely payment of Social Security benefits in March 1996; to the Committee on Ways and Means.

By Mr. HYDE (for himself, Mr. ARCHER, Mr. WELDON of Florida, Mr. MCCOLLUM, Mr. GEKAS, Mr. COBLE, Mr. SMITH of Texas, Mr. HASTERT, Mr. SCHIFF, Mr. THOMAS, Mr. CANADY, Mr. INGLIS of South Carolina, Mr. GOODLATTE, Mr. BOUCHER, Mr. CRANE, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. MCCRERY, Mr. CAMP, Mr. CAMPBELL, Mr. SAM JOHNSON, Mr. CHRISTENSEN, Mr. GANSKE, Mr. LIPINSKI, and Mr. HANCOCK):

H.R. 2925. A bill to modify the application of the antitrust laws to health care provider networks that provide health care services; and for other purposes; to the Committee on the Judiciary.

By Mr. EWING (for himself, Mr. DREIER, Mr. KOLBE, Mr. KNOLLENBERG, and Mr. MANZULLO):

H.R. 2926. A bill to extend nondiscriminatory treatment—most-favored-nation treatment—to the products of certain nonmarket economy countries; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself, Mr. HUNTER, Mr. PACKARD, Mr. CUNNINGHAM, and Mr. FILNER):

H.R. 2927. A bill to amend the Fair Housing Act regarding local and State laws and regulations governing residential care facilities; to the Committee on the Judiciary.

By Mr. NEUMANN:

H.R. 2928. A bill to amend title II of the Social Security Act to ensure the integrity of the Social Security trust funds by requiring the managing trustee to invest the annual surplus of such trust funds in marketable interest-bearing obligations of the United States and certificates of deposit in depository institutions insured by the Federal Deposit Insurance Corporation, and to protect such trust funds from the public debt limit; to the Committee on Ways and Means.

By Mr. MARKEY:

H.R. 2929. A bill to amend title I of the Public Utility Regulatory Policies Act of

1978 to deregulate the electric power industry; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUMANN:

H.R. 2930. A bill to amend title II of the Social Security Act to provide for an improved benefit computation formula for workers who attain age 65 in or after 1982 by providing a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security amendments of 1977, and related beneficiaries and to provide prospectively for increases in their benefits accordingly, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUTHER:

H.R. 2931. A bill to amend title 10, United States Code, to expand the procurement program under which the Department of Defense assists State and local governments to purchase equipment suitable for counterdrug activities to include the purchase of any law enforcement equipment to the Committee on National Security.

By Mr. BURR (for himself, Mr. COBURN, Mr. STENHOLM, Mr. UPTON, Mr. BREWSTER, Mr. BILBRAY, Mrs. LINCOLN, and Mr. HEINEMAN):

H.R. 2932. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise the requirements of that act relating to the dissemination of scientific information on drugs; to the Committee on Commerce.

By Mr. BALDACCI (for himself, Mr. LAFALCE, Mr. HILLIARD, Mr. SISISKY, Mrs. CLAYTON, Mr. MEEHAN, Mr. BENTSEN, and Mr. FLAKE):

H.R. 2933. A bill to amend the Small Business Act concerning the level of participation by the Small Business Administration in loans guaranteed under the Export Working Capital Program; to the Committee on Small Business.

By Mr. BLUTE:

H.R. 2934. A bill to eliminate certain Federal programs and subsidies; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUNN of Oregon (for himself, Mr. WHITE, Ms. DUNN of Washington, and Mr. YOUNG of Alaska):

H.R. 2935. A bill to amend title 28, United States Code, to divide the Ninth Judicial Circuit of the United States into two circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAPMAN:

H.R. 2936. A bill to provide that if a member nation of the North Atlantic Treaty Organization, the Republic of Korea, or Japan does not agree, by the end of fiscal year 1997, to contribute to the United States for each fiscal year an amount equal to the full direct costs to the United States of U.S. military forces permanently stationed ashore in that country for that fiscal year, all such United States forces assigned in that country shall be withdrawn not later than the end of fiscal year 1999 and to provide that the amount of all such contributions and the amount of savings from such withdrawals shall be deposited in the Federal Hospital Insurance Trust Fund; to the Committee on International Relations, and in addition to the Committees on National Security, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLINGER (for himself, Mr. ARMEY, Mr. DELAY, Mr. WALKER, Mr. BURTON of Indiana, Mr. DAVIS, Mr. FOX, Mr. HASTERT, Mr. SCHIFF, Mr. BLUTE, Mr. LATOURETTE, Mr. FRANK of Massachusetts, Mrs. MORELLA, Mrs. VUCANOVICH, Mr. BALLENGER, and Mr. EHRLICH):

H.R. 2937. A bill for the reimbursement of legal expenses and related fees incurred by former employees of the White House Travel Office with respect to the termination of their employment in that Office on May 19, 1993; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr. MOORHEAD, Mr. MCCOLLUM, Mr. SMITH of Texas, Mr. HOKE, and Mr. BRYANT of Tennessee):

H.R. 2938. A bill to encourage the furnishing of health care services to low-income individuals by exempting health care professionals from liability for negligence for certain health care services provided without charge except in cases of gross negligence or willful misconduct, and for other purposes; to the Committee on the Judiciary.

By Mr. GUNDERSON (for himself and Mr. BEREUTER):

H.R. 2939. A bill to direct the Secretary of the Interior to conduct a pilot test of the Mississippi Interstate Cooperative Resource Agreement; to the Committee on Resources.

By Mr. HAYES (for himself, Mr. TAUZIN, Mr. BAKER of Louisiana, Mr. JEFFERSON, and Mr. MCCRERY):

H.R. 2940. A bill to amend the Deepwater Port Act of 1974; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEFLEY:

H.R. 2941. A bill to improve the quantity and quality of the quarters of land management agency field employees, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of South Dakota:

H.R. 2942. A bill to amend the Railroad Retirement Act of 1974 to prevent the canceling of annuities to certain divorced spouses of workers whose widows elect to receive lump-sum payments; to the Committee on Transportation and Infrastructure.

By Mr. JOHNSON of South Dakota (for himself and Mr. SKEEN):

H.R. 2943. A bill to provide for the collection of fossils on Federal lands, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:

H.R. 2944. A bill to reform the financing of Federal elections, and for other purposes; to the Committee on House Oversight, and in addition to the Committees on Commerce, the Judiciary, Government Reform and Oversight, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of California:

H.R. 2945. A bill to limit the provision of assistance to the Government of Mexico using the exchange stabilization fund established pursuant to section 5302 of title 31, United States Code, and for other purpose; to the Committee on Banking and Financial Services.

H.R. 2946. A bill to provide that applications by Mexican motor carriers of property for authority to provide service across the United States-Mexico international boundary line and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States shall not be approved until certain certifications are made to the Congress by the President and the Secretary of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 2947. A bill expressing the sense of the House regarding the failure of Mexico to cooperate with the United States in controlling the transport of illegal drugs and controlled substances and the denial of certain assistance to Mexico as a result of that failure; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii:

H.R. 2948. A bill to increase the amount authorized to be appropriated for additions to Haleakala National Park; to the Committee on Resources.

By Ms. MOLINARI:

H.R. 2949. A bill to strengthen Federal law with respect to the prohibitions against and penalties for acts which sabotage or otherwise threaten the safety of rail Transportation and mass transit; to the Committee on transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NETHERCUTT (for himself, Mr. MCHUGH, Mr. COOLEY, Mr. HASTINGS of Washington, Mrs. CHENOWETH, and Mr. JOHNSON of South Dakota):

H.R. 2950. A bill to preserve and strengthen the Foreign Market Development Cooperator Program of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. PETRI:

H.R. 2951. A bill to protect United States taxpayers by preventing the use of Federal funds for construction of a dam on the American River at Auburn, CA; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTER (for himself, Mr. SHAYS, Mr. CALVERT, Mr. MANZULLO, and Mr. PETRI):

H.R. 2952. A bill to amend the Internal Revenue Code of 1986 and title II of the Social Security Act to reduce Social Security taxes, to reduce old-age insurance benefits by a corresponding amount, and to provide for the establishment of individual Social Security retirement accounts funded by payroll deductions and employer contributions equal to the amount of the tax reduction; to the Committee on Ways and Means, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTER (for himself and Mr. INGLIS of South Carolina):

H.R. 2953. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for personal investment plans funded by employee Social Security payroll deductions; to the Committee on Ways and Means, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE:

H.R. 2954. A bill to amend title 18, United States Code, to provide Federal penalties for stalking; to the Committee on the Judiciary.

By Mr. SHADEGG:

H.R. 2955. A bill to stop abuse of Federal collateral remedies; to the Committee on the Judiciary.

By Mr. STUDDS:

H.R. 2956. A bill to amend the Interjurisdictional Fisheries Act of 1986 to authorize the provision of certain disaster assistance to commercial fishermen through State and local government agencies and nonprofit organizations, and for other purposes; to the Committee on Resources.

H.R. 2957. A bill to deauthorize a portion of the navigation project for Weymouth-Fore and Town Rivers, MA; to the Committee on Transportation and Infrastructure.

By Mr. STUPAK:

H.R. 2958. A bill to authorize the Secretary of the Interior to make appropriate improvements to a county road located in the Pictured Rocks National Lakeshore, and to prohibit construction of a scenic shoreline drive in that national lakeshore; to the Committee on Resources.

By Mr. TORKILDSEN (for himself, Ms. HARMAN, Mr. DELLUMS, Mrs. MORELLA, Mr. SHAYS, Mr. GUNDERSON, Mr. STUDDS, Mr. CAMPBELL, Mr. WARD, Ms. DELAURO, Mr. BOEHLERT, Mr. BILBRAY, Mr. GILMAN, Ms. PELOSI, Mr. ABERCROMBIE, Mr. MEEHAN, Mrs. MALONEY, Mr. SABO, Mr. YATES, Mr. GUTIERREZ, Mr. MARKEY, Mr. MILLER of California, Mr. FARR, Mr. WAXMAN, Mr. DEUTSCH, Ms. WATERS, Ms. RIVERS, Mr. MATSUI, Mr. BROWN of California, Mr. ACKERMAN, Ms. FURSE, Mrs. SCHROEDER, Mr. DEFAZIO, Mr. MARTINEZ, Mr. EVANS, Mr. BERMAN, Mr. FRANK of Massachusetts, Mr. HINCHEY, Ms. SLAUGHTER, Mr. NADLER, Mr. OLVER, Mr. STARK, Mr. KENNEDY of Massachusetts, Mr. GEJDENSON, and Mr. KENNEDY of Rhode Island):

H.R. 2959. A bill to repeal the requirement enacted in the National Defense Authorization Act for fiscal year 1996 for the mandatory discharge or retirement of any member of the Armed Forces who is HIV positive; to the Committee on National Security.

By Mr. ZIMMER (for himself and Mr. BLUTE):

H.R. 2960. A bill to amend the Internal Revenue Code of 1986 to provide that amounts derived from Federal grants in connection with revolving funds established in accordance with the Federal Water Pollution Control Act will not be treated as investment property for purposes of section 148 of such Code; to the Committee on Ways and Means.

By Mr. BARTON of Texas (for himself, Mr. PETE GEREN of Texas, Mr. SHADEGG, Mr. HALL of Texas, Mr. SAXTON, Mr. ALLARD, Mr. ANDREWS, Mr. ARMEY, Mr. BACHUS, Mr. BAKER of California, Mr. BAKER of Louisiana, Mr. BALLENGER, Mr. BARR, Mr. BARRETT of Nebraska, Mr BARTLETT of Maryland, Mr. BLILEY, Mr. BOEHNER, Mr. BONILLA, Mr. BROWNBACK, Mr. BRYANT of Tennessee, Mr. BUNN of Oregon, Mr. BUNNING of Kentucky, Mr. BURR, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. CHRYSLER, Mr. COBLE, Mr. COBURN, Mr. COLLINS of Georgia, Mr. COMBEST, Mr. COOLEY, Mr. COX, Mr. CRANE, Mr. CREMEANS, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DICKEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. DUNCAN, Ms. DUNN of Washington, Mr. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. FOLEY, Mr. FORBES, Mrs. FOWLER, Mr. FOX, Mr. FRANKS of New Jersey, Mr. FRANKS of Connecticut, Mr. FRELINGHUYSEN, Mr. FRISA, Mr. FUNDERBURK, Mr. GANSKE, Mr. GILMAN, Mr. GOODLING, Mr. GOSS, Mr. GRAHAM, Mr. GREENWOOD, Mr. GUTKNECHT, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HEINEMAN, Mr. HERGER, Mr. HILLEARY, Mr. HORN, Mr. HUNTER, Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mr. SAM JOHNSON, Mr. JONES, Mrs. KELLY, Mr. KING, Mr. KINGSTON, Mr. KLUG, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LARGENT, Mr. LATHAM, Mr. LAUGHLIN, Mr. LEWIS of Kentucky, Mr. LIGHTFOOT, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS, Mr. MANZULLO, Mr. MARTINI, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCKEON, Mr. METCALF, Mr. MICA Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEUMANN, Mr. NEY, Mr. NORWOOD, Mr. PACKARD, Mr. PARKER, Mr. PAXON, Mr. QUILLEN, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RIGGS, Mr. ROBERTS, Mr. ROHRABACHER, Mr. ROYCE, Mr. SALMON, Mr. SANFORD, Mr. SCARBOROUGH, Mr. SCHAEFER, Mrs. SEASTRAND, Mr. SENSENBRENNER, Mr. SKEEN, Mr. SMITH of Texas, Mrs. SMITH of Washington, Mr. SOLOMON, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STOCKMAN, Mr. STUMP, Mr. TALENT, Mr. TATE, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. THORNBERRY, Mr. TIAHRT, Mr. TORKILDSEN, Mr. UPTON, Mrs. WALDHOLTZ, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WICKER, Mr. YOUNG of Alaska, and Mr. ZELIFF:

H.J. Res. 159. Joint resolution proposing an amendment to the Constitution of the United States to require two-thirds majorities for bills increasing taxes; to the Committee on the Judiciary.

By Mr. SOLOMON:

H. Con. Res. 141. Concurrent resolution providing for the adjournment of the two Houses; considered and agreed to.

By Mr. BEREUTER (for himself, Mr. GILMAN, Mr. GEJDENSON, Mr. HASTINGS of Florida, Mr. HOUGHTON, and Mr. PAYNE of New Jersey):

H. Con. Res. 142. Concurrent resolution regarding the human rights situation in Mauritania, including the continued practice of chattel slavery; to the Committee on International Relations.

By Mr. DOYLE (for himself, Mr. GRAHAM, Mr. MASCARA, Mr. LARGENT, Mr. HOLDEN, Mr. MCHALE, Mr. KANJORSKI, Mr. FATTAH, Mr. BORSKI, and Mr. KLINK):

H. Con. Res. 143. Concurrent resolution expressing the sense of the Congress that the President should award a medal of honor to Wayne T. Alderson in recognition of acts performed at the risk of his life and beyond the call of duty while serving in the U.S. Army during World War II; to the Committee on National Security.

By Mr. SAWYER (for himself, Mr. BONIOR, Mr. CLAY, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BAESLER, Mr. BALDACCI, Mr. BARCIA of Michigan, Mr. BECERRA, Mr. BEILENSON, Mr. BENTSEN, Mr. BEVILL, Mr. BISHOP, Mr. BORSKI, Mr. BREWSTER, Ms. BROWN of Florida, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CARDIN, Mr. CHAPMAN, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Miss COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. COLEMAN, Mr. CONDIT, Mr. COYNE, Ms. DANNER, Mr. DEFAZIO, Ms. DELAURO, Mr. DINGELL, Mr. DIXON, Mr. DOGGETT, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FAZIO of California, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FRAZER, Mr. FROST, Ms. FURSE, Mr. GEJDENSON, Mr. PETE GEREN of Texas, Mr. GIBBONS, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HEFNER, Mr. HILLIARD, Mr. HINCHEY, Mr. HOLDEN, Mr. HOUGHTON, Mr. HOYER, Mr. JACKSON, Ms. JACKSON-LEE, Mr. JACOBS, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSTON of Florida, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mrs. KENNELLY, Mr. KILDEE, Mr. KLINK, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LINCOLN, Mr. LIPINSKI, Ms. LOFGREN, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MILLER of California, Mr. MINGE, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MORAN, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. ORTIZ, Mr. ORTON, Mr. OWENS, Mr. PASTOR, Mr. PAYNE of New Jersey, Mr. PAYNE of Virginia, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETERSON of Florida, Mr. PICKETT, Mr. POSHARD, Mr. RAHALL, Mr. REED, Mr. ROEMER, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SCOTT, Mr. SERRANO, Mr. SKAGGS, Ms. SLAUGHTER, Mr. STARK, Mr. STENHOLM, Mr. STOKES, Mr. STUDDS, Mr. STUPAK, Mr. TANNER, Mr. THOMPSON, Mrs. THURMAN, Mr. TRAFICANT, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VENTO, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WILLIAMS, Mr. WISE, Ms. WOOLSEY, Mr. WYNN, Ms. MCCARTHY, Mr. LUTHER, Mr. COSTELLO, Mr. SPRATT, Mr. CRAMER, Mr. TORRES, Mr. NADLER, Mr. MENENDEZ, Mr. BOUCHER, Ms. RIVERS, Mr. DOOLEY, Mr. VOLKMER, Mr. MURTHA, Mr. POMEROY, Mr. NEAL of Massachusetts, Mr. TORRICELLI, Mr. WARD, Mr. GONZALEZ, Mr. DICKS, Mr. SKELTON, Mr. FLAKE, Mr. MCNULTY, Mr. DURBIN, Mr. MOLLOHAN, Mr. KANJORSKI, Mr. TOWNS, Mr. MASCARA, Mr. MONTGOMERY, Mr. HALL of Texas, Mr. DE LA GARZA, Mr. FIELDS of Louisiana, Mr. OBEY, Mr. EDWARDS, Mr. DEUTSCH, and Mr. BROWDER):

H. Con. Res. 144. Concurrent resolution expressing the sense of the Congress with regard to the amount that should be appropriated for fiscal year 1996 for federally assisted education programs and activities; to the Committee on Economic and Education Opportunities.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. SOLOMON, Mr. HOYER, and Mr. DURBIN):

H. Con. Res. 1450. Concurrent resolution conerning the removal of Russian Armed Forces from Moldova; to the Committee on International Relations.

By Mr. GEPHARDT:

H. Res. 356. Resolution to protect the creditworthiness of the United States and avoid default of the United States Government; to the Committee on Rules.

By Mr. ARMEY:

H. Res. 357. Resolution electing Representative MARK W. NEUMANN of Wisconsin to the Committee on the Budget; considered and agreed to.

By Mr. DURBIN (for himself, Mrs. MORELLA, Mr. DAVIS, and Mr. LUTHER):

H. Res. 3580. Resolution amending the Rules of the House of Representatives to postpone final House action on legislative branch appropriations for any fiscal year until all other regular appropriations for that fiscal year are enacted into law; to the Committee on Rules.

By Mrs. MORELLA (for herself, Mrs. LOWEY, Mr. MORAN, Mr. SCHAEFER, Mr. MCDERMOTT, Mr. BROWN of California, Mr. HOKE, Mr. SERRANO, Mr. GENE GREEN of Texas, Mr. OWENS, Mr. FOX, Mr. FRANK of Massachusetts, Mr. TORRES, Mr. BRYANT of Texas, Mr. VISCLOSKY, Mr. JOHNSTON of Florida, Mr. MANTON, Mr. UNDERWOOD, Mr. LAFALCE, Mr. CUNNINGHAM, Ms. LOFGREN, Mr. WILSON, Mr. THOMPSON, Mr. GEJDENSON, Ms. NORTON, Mr. FILNER, Mr. OBERSTAR, Mr. LIPINSKI, Mr. FROST, Mr. ROMERO-BARCELO, Mr. NADLER, Ms. PELOSI, Mr. BERMAN, Mr. WARD, Mr. REED, Mr. KENNEDY of Massachusetts, Mr. BONIOR, and Mr. FOLEY):

H. Res. 359. Resolution recognizing and supporting the efforts of the U.S. Soccer Federation to bring the 1999 Women's World Cup tournament to the United States; to the Committee on International Relations.

By Mr. VENTO (for himself, Mr. SCHUMER, Mr. KANJORSKI, Mr. LAFALCE, Mr. FLAKE, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, Mrs. MALONEY, Mr. GUTIERREZ, Mr. WATT of North Carolina, Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. BENTSEN, and Mr. FRANK of Massachusetts):

H. Res. 360. Resolution affirming the support of the House of Representatives for the preservation of the integrity of the full faith and credit of the United States of America; to the Committee on Ways and Means.

By Mr. ZIMMER:

H. Res. 361. Resolution amending the Rules of the House of Representatives to prohibit foreign travel by a retiring Member; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DOYLE introduced a bill (H.R. 2961) for the relief of Wayne T. Alderson; which was referred to the Committee on National Security.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. WALSH.
H.R. 103: Mr. BLILEY.
H.R. 109: Mr. WISE.
H.R. 134: Mr. ZELIFF.
H.R. 135: Mr. ZELIFF.
H.R. 136: Mr. ZELIFF.
H.R. 138: Mr. ZELIFF.
H.R. 141: Mr. ZELIFF.
H.R. 143: Mr. ZELIFF.
H.R. 218: Mr. TATE.
H.R. 248: Mr. LEACH.
H.R. 303: Mr. WALSH.
H.R. 519: Mr. COX.
H.R. 528: Mr. OWENS and Mr. CONDIT.
H.R. 580: Mr. WISE.
H.R. 878: Mr. LEWIS of Kentucky, Mr. ENGLISH of Pennsylvania, Mr. WARD, Mr. QUILLEN, Mr. TORRICELLI, Mr. ROSE, Mr. GUTIERREZ, Mrs. KELLY, and Mr. DURBIN.
H.R. 958: Ms. MCKINNEY and Mr. NADLER.
H.R. 995: Mr. SAM JOHNSON.
H.R. 1090: Mr. WISE.
H.R. 1169: Mr. GEJDENSON.
H.R. 1500: Mr. MCNULTY.
H.R. 1621: Mr. BARRETT of Wisconsin and Mr. SMITH of New Jersey.
H.R. 1684: Mr. OBERSTAR, Mr. THORNTON, Mr. ENSIGN, Mr. SOLOMON, and Mr. PORTER.
H.R. 1711: Mr. HEFLEY.
H.R. 1733: Mr. FARR.
H.R. 1805: Mr. WARD, Mr. ROSE, Mr. MENENDEZ, and Mr. QUILLEN.
H.R. 1889: Mr. JOHNSTON of Florida, Mr. RUSH, and Mr. CLEMENT.
H.R. 1920: Mr. HOKE and Mr. LAFALCE.
H.R. 1950: Mr. FRANK of Massachusetts.
H.R. 1972: Mr. OXLEY, Mr. JOHNSON of South Dakota, Mr. CAMPBELL, Mr. ISTOOK, and Mrs. FOWLER.
H.R. 2011: Mr. HINCHEY.
H.R. 2209: Mr. OXLEY and Mr. GEKAS.
H.R. 2214: Ms. WOOLSEY.
H.R. 2270: Mr. SKEEN and Mr. CRANE.
H.R. 2281: Mrs. THURMAN.
H.R. 2416: Mr. HASTINGS of Florida.
H.R. 2421: Mrs. LOWEY, Mr. MEEHAN, Mr. MOAKLEY, and Mr. OLVER.
H.R. 2434: Mr. GENE GREEN of Texas, Mr. LAUGHLIN, Mr. POMEROY, Mr. BREWSTER, Mr. HEFLEY, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, and Mr. ABERCROMBIE.
H.R. 2441: Mr. BURR and Mr. MINGE.
H.R. 2445: Mr. COX.
H.R. 2463: Mr. FRAZER.
H.R. 2472: Ms. WOOLSEY, Mr. FAZIO of California, Mr. STARK, Mr. MILLER of California, Mr. SAXTON, and Mr. BRYANT of Texas.
H.R. 2497: Mr. BREWSTER, Mr. GUNDERSON, Mr. DORNAN, Mr. ISTOOK, Mr. DOOLITTLE, Mr. FOLEY, Mr. MILLER of Florida, Mrs. FOWLER, Mr. GOSS, and Mr. BALLENGER.
H.R. 2540: Mr. ALLARD, Mr. BACHUS, and Mr. DICKEY.
H.R. 2548: Mr. MARTINI, Mr. FRAZER, and Mr. COBLE.
H.R. 2579: Ms. WOOLSEY, Mr. LOBIONDO, Ms. PRYCE, Ms. LOFGREN, and Mr. OLVER.
H.R. 2585: Mr. VISCLOSKY.
H.R. 2651: Mr. SABO.
H.R. 2655: Mr. PETE GEREN of Texas.
H.R. 2658: Mr. BRYANT of Texas.
H.R. 2664: Mr. CHABOT and Mr. QUINN.
H.R. 2676: Mr. WILSON, Mr. SENSENBRENNER, and Mr. LAUGHLIN.
H.R. 2691: Ms. MCKINNEY and Mr. HILLIARD.
H.R. 2697: Ms. ROYBAL-ALLARD, Mr. CLEMENT, Mr. HINCHEY, Mr. CALVERT, and Mr. KENNEDY of Massachusetts.
H.R. 2727: Mr. BAKER of Louisiana.
H.R. 2731: Mr. CALVERT.
H.R. 2740: Ms. JACKSON-LEE, Mr. STOCKMAN, and Mrs. SMITH of Washington.
H.R. 2757: Mr. CARDIN, Mr. LOBIONDO, Mr. LATHAM, Mr. CANADY, and Mr. BONO.
H.R. 2762: Mr. MINGE.
H.R. 2776: Mr. BARCIA of Michigan, Mr. DAVIS, Mr. LEACH, Mr. PETERSON of Florida, Mr. HANSEN, Mr. FRAZER, Mr. JONES, Mr. BUNNING of Kentucky, Mr. DOYLE, Mr. MANZULLO, Mr. MCKEON, Ms. HARMAN, Mr. TOWNS, Mr. MOAKLEY, Mr. JEFFERSON, Ms. DELAURO, Mr. ACKERMAN, Mr. KING, Mr. TALENT, Mr. TORRES, Mr. PAYNE of Virginia, Mr. LIPINSKI, Mr. BEREUTER, Mr. TORKILDSEN, Mr. SAXTON, Mr. HOYER, Mr. LIVINGSTON, and Mr. EHRLICH.
H.R. 2777: Ms. MCKINNEY, Mr. JACOBS, Mr. GONZALEZ, Mr. THOMPSON, Mr. BEILENSON, Mrs. MINK of Hawaii, Mr. FROST, Mr. TORRES, and Mr. EVANS.
H.R. 2778: Mr. BATEMAN, Mr. MCINTOSH, Mr. MCKEON, Mr. JEFFERSON, Mr. PETRI, Mr. WELDON of Pennsylvania, Mr. GALLEGLY, Mr. SMITH of Texas, Mr. SHAYS, Mr. GOSS, and Mr. SKELTON.
H.R. 2802: Mr. CRAPO, Mr. PAYNE of Virginia, Mr. MONTGOMERY, Mr. BEVILL, Mr. BALDACCI, Mr. PARKER, Mr. KINGSTON, and Mr. LIPINSKI.
H.R. 2807: Mr. BARCIA of Michigan and Mr. BISHOP.
H.R. 2811: Mr. HYDE, Mr. CONYERS, Mr. GONZALEZ, Mr. LAFALCE, Mr. SKELTON, Mr. DE LA GARZA, Mr. KILDEE, Mrs. COLLINS of Illinois, Mr. CLAY, Mr. YATES, Mr. WAXMAN, Mr. MCDADE, Mr. WALKER, Mrs. MINK of Hawaii, Mrs. SCHROEDER, Mr. STARK, Mr. MILLER of California, Mr. WILSON, Mr. QUILLEN, Mr. ACKERMAN, Mr. MONTGOMERY, Mr. DINGELL, Mr. FRAZER, Mr. THOMPSON, and Mr. MCNULTY.
H.R. 2827: Mr. FAWELL, Ms. PRYCE, Mr. MINGE, Mr. FARR, and Mr. QUINN.
H.R. 2841: Mr. CALVERT.
H.R. 2854: Mr. EHLERS and Mr. GUNDERSON.
H.R. 2856: Mr. OLVER.
H.R. 2862: Mr. DINGELL, Ms. KAPTUR, Mr. SERRANO, Mrs. LOWEY, Ms. WOOLSEY, Mrs. CLAYTON, and Mr. TORRES.
H.R. 2867: Mr. CALVERT, Mr. TAYLOR of North Carolina, Mr. RADANOVICH, and Mr. EMERSON.
H.R. 2875: Ms. MOLINARI, Mr. FRISA, Mr. TOWNS, Mr. ACKERMAN, Ms. JACKSON-LEE, Mr. KENNEDY of Massachusetts, Mr. FALEOMAVAEGA, Mr. GEJDENSON, and Mr. LAZIO of New York.
H.R. 2894: Mr. CALVERT, Mr. HOEKSTRA, Mr. STUMP, Mrs. CUBIN, Mr. DOOLITTLE, Mr. POMBO, Mr. TATE, Mr. BAKER of California, Mr. CHRISTENSEN, Mr. DREIER, Mr. STOCKMAN, Mr. SHADEGG, Mr. FORBES, Mr. CHAMBLISS, Mr. JONES, Mr. SAM JOHNSON, Mr. FUNDERBURK, Mr. BALLENGER, Mr. NEUMANN, and Mr. CHABOT.
H.R. 2900: Mr. WICKER, Ms. DUNN of Washington, Mr. PAXON, Mrs. LINCOLN, Mr. BREWSTER, Mr. KNOLLENBERG, and Mr. BAKER of Louisiana.
H.R. 2921: Mr. BILIRAKIS.
H.J. Res. 121: Mr. INGLIS of South Carolina, Mr. HEINEMAN, Mr. CRANE, Mr. MCCOLLUM, Mr. COBLE, Mr. HANSEN, Mr. MCINTOSH, Mr. CALVERT, Mr. COOLEY, Mr. MOORHEAD, Mr. QUILLEN, Mr. LIPINSKI, Mr. HERGER.
H. Con. Res. 23: Mr. BONIOR, Mr. ROTH, Mr. KENNEDY of Massachusetts, Mr. DAVIS, and Mr. LIVINGSTON.
H. Con. Res. 47: Mr. WOLF, Mr. MCDADE, and Mr. CALVERT.
H. Con. Res. 63: Mr. KLUG.
H. Con. Res. 103: Mr. LEVIN, Mr. BERMAN, Mr. BILIRAKIS, and Mr. PORTER.
H. Con. Res. 134: Mr. STUMP, Mr. EHRLICH, Mr. LATOURETTE, and Mr. LARGENT.
H. Con. Res. 135: Ms. MCKINNEY, Ms. ROYBAL-ALLARD, and Mr. DELLUMS.
H. Con. Res. 138: Mr. BURTON of Indiana, Mr. STOCKMAN, Mrs. MEEK of Florida, and Mr. CUNNINGHAM.

H. Res. 30: Mr. PETE GEREN of Texas, Mr. BALLENGER, Mr. TORKILDSEN, Mr. WATTS of Oklahoma, Mr. COYNE, and Mr. GUTKNECHT.

H. Res. 346: Mr. GREENWOOD.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1963: Mrs. KELLY and Mr. DAVIS.

H.R. 2281: Mr. SHAYS.

H.R. 2745: Mr. KLINK.

## DISCHARGE PETITIONS

Under clause 3, rule XXVII, the following discharge petitions were filed:

Petition 9, January 30, 1996, by Mr. CONDIT on House Resolution 333, was signed by the following Members: Gary A. Condit, Blanche Lambert Lincoln, Mike Ward, Scotty Baesler, Tim Roemer, Bill K. Brewster, David Minge, Tim Holden, Jane Harman, Bill Orton, Thomas M. Barrett, Charles W. Stenholm, Thomas C. Sawyer, Pat Danner, Calvin M. Dooley, Glen Browder, Collin C. Peterson, Robert E. (Bud) Cramer, Jr., Earl Pomeroy, Bill Richardson, L.F. Payne, and Gene Taylor.

## DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 8 by Mr. KENNEDY of Massachusetts on House Resolution 292: Gerry E. Studds, Kweisi Mfume, Blanche Lambert Lincoln, John Joseph Moakley, Bill K. Brewster, William J. Coyne, Xavier Becerra, Calvin M. Dooley, Frank Tejeda, Maxine Waters, Henry A. Waxman, Paul E. Kanjorski, John J. LaFalce, James L. Oberstar, William P. Luther, Charles Wilson, Chaka Fattah, Jose E. Serrano, and Robert E. Andrews.