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House of Representatives

PROVIDING FOR CONSIDERATION OF H.R. 3666, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 456 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H.RES. 456

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3666) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, clause 7 of rule XXI, or section 302(f) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill (other than sections 204 and 205) for failure to comply with clause 2 or 6 of rule XXI are waived. The amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendment considered as adopted in the House and in the Committee of the Whole is as follows:

Page 68, line 23, strike ''future legislation'' and insert in lieu thereof ''future appropriations legislation''.

☐ 1345

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. 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 yielded is for the purpose of debate only.

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

Mr. QUILLEN. Mr. Speaker, House Resolution 456 is an open rule providing for the consideration of H.R. 3666, making appropriations for the Departments of Veterans Affairs, Housing and Urban Development and independent agencies for fiscal year 1997.

The rule waives points of order against the bill for failure to comply with clause 2(l)(6) of rule XI and clause 7 of rule XXI, which require the 3-day availability of the printed hearings and committee reports on appropriations bills. However, I'd like to inform Members that the committee report has been available since last Wednesday.

The rule additionally waives clause 2 of rule XXI prohibiting unauthorized appropriations and legislation on an appropriations bill, and clause 6 of rule XXI, prohibiting transfers of unobligated balances, against the bill with the exception of sections 204 and 205. These two sections pertain to housing matters, and have been left unprotected at the request of the chairman of the authorizing committee, Mr. LEACH.

Section 302(F) of the Budget Act is waived against consideration of the bill, and the rule provides for adoption of the amendment printed in section 2 of this resolution to remedy the Budget Act violation.

The rule allows for 1 hour of general debate, and provides priority in recognition to those amendments that are preprinted in the CONGRESSIONAL RECORD. Under the rule, the Chair may postpone and cluster rollcall votes, and may reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

This rule allows the majority leader or his designee to offer a motion to rise and report the bill after the final lines of the bill have been read.

Finally, the rule allows one motion to recommit, with or without instructions.

Mr. Speaker, once again, Chairman JERRY LEWIS and Ranking Minority Member LOU STOKES have done an outstanding job of addressing the needs of our country's veterans by ensuring

☐ 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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adequate funding to provide compensation and pension benefits, educational and vocational training, housing credit assistance, and medical care for over 70 million recipients of veterans benefits. There is a VA medical center located in my district in Johnson City, TN, and I've seen first hand the critical medical needs of our veterans and I'm proud of the excellent medical care provided by all of the VA medical centers across the country.

Mr. Speaker, I'm pleased to see that this bill provides an increase in spending for veterans programs—these funds are desperately needed to ensure that our veterans get the benefits they deserve for their unselfish devotion and sacrifice to their country.

H.R. 3666 also provides funding to meet the housing needs of the poor, the elderly, the disabled, and the homeless. Additionally, the bill funds various independent agencies, including the Environmental Protection Agency, NASA, FEMA, and others.

The Appropriations Committee did a remarkable job at funding all of these important programs at sufficient levels while still contributing toward the ultimate goal of achieving a balanced budget. I applaud their bipartisan spirit and I urge my colleagues to support this open rule and this important appropriations bill.

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

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

[As of June 19, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-Open [2]	46	44	75	60
Structured/Modified Closed [3]	49	47	33	26
Closed [4]	9	9	17	14
Total	104	100	125	100

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

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

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

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

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of June 19, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–199; A: 227–197 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).

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

[As of June 19, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 249–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	PQ: 221–197 A: voice vote (5/15/96).
H. Res. 309 (12/18/95)	C	H. Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	Tabled (4/17/96).
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235–175 (3/7/96).
H. Res. 380 (3/12/96)	C	H.R. 2703	Effective Death Penalty	A: 251–157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	PQ: 233–152 A: voice vote (3/19/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 234–187 A: 237–183 (3/21/96).
H. Res. 388 (3/21/96)	C	H.R. 125	Gun Crime Enforcement	A: 244–166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232–180 A: 232–177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229–186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232–168 A: 234–162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	C	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219–203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	A: 422–0 (5/1/96).
H. Res. 421 (5/2/96)	O	H.R. 2974	Crimes Against Children & Elderly	A: voice vote (5/7/96).
H. Res. 422 (5/2/96)	O	H.R. 3120	Witness & Jury Tampering	A: voice vote (5/7/96).
H. Res. 426 (5/7/96)	O	H.R. 2406	U.S. Housing Act of 1996	PQ: 218–208 A: voice vote (5/8/96).
H. Res. 427 (5/7/96)	O	H.R. 3322	Omnibus Civilian Science Auth	A: voice vote (5/9/96).
H. Res. 428 (5/7/96)	MC	H.R. 3286	Adoption Promotion & Stability	A: voice vote (5/9/96).
H. Res. 430 (5/9/96)	S	H.R. 3230	DoD Auth. FY 1997	A: 235–149 (5/10/96).
H. Res. 435 (5/15/96)	MC	H. Con. Res. 178	Con. Res. on the Budget, 1997	PQ: 227–196 A: voice vote (5/16/96).
H. Res. 436 (5/16/96)	C	H.R. 3415	Repeal 4.3 cent fuel tax	PQ: 221–181 A: voice vote (5/21/96).
H. Res. 437 (5/16/96)	MO	H.R. 3259	Intell. Auth. FY 1997	A: voice vote (5/21/96).
H. Res. 438 (5/16/96)	MC	H.R. 3144	Defend America Act	
H. Res. 440 (5/21/96)	MC	H.R. 3448	Small Bus. Job Protection	A: 219–211 (5/22/96).
	MC	H.R. 1227	Employee Commuting Flexibility	
H. Res. 442 (5/29/96)	O	H.R. 3517	Mil. Const. Approps. FY 1997	A: voice vote (5/30/96).
H. Res. 445 (5/30/96)	O	H.R. 3540	For. Ops. Approps. FY 1997	A: voice vote (6/5/96).
H. Res. 446 (6/5/96)	MC	H.R. 3562	WI Works Waiver Approval	A: 363–59 (6/6/96).
H. Res. 448 (6/6/96)	MC	H.R. 2754	Shipbuilding Trade Agreement	A: voice vote (6/12/96).
H. Res. 451 (6/10/96)	O	H.R. 3603	Agriculture Appropriations, FY 1997	A: voice vote (6/11/96).
H. Res. 453 (6/12/96)	O	H.R. 3610	Defense Appropriations, FY 1997	A: voice vote (6/13/96).
H. Res. 455 (6/18/96)	O	H.R. 3662	Interior Approps, FY 1997	A: voice vote (6/19/96).
H. Res. 456 (6/19/96)	O	H.R. 3666	VA/HUD Approps	

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

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

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

Mr. Speaker, I rise in support of this rule. This is an open rule which will allow for amendment and ample debate on the important issues related to funding for the Veterans' Administration and the Department of Housing and Urban Development. However, many of my colleagues will oppose this rule and during the debate, it is my intention to yield to opponents in order to allow them the opportunity to explain their position.

Mr. Speaker, I also rise in support of H.R. 3666. This bill reflects a spirit of cooperation between the majority and minority to craft an appropriation for these agencies that was not present in the last funding cycle. I commend the subcommittee chairman, Mr. LEWIS, for working closely with his ranking minority member, Mr. STOKES, to create this bill.

Mr. Speaker, the programs funded by this appropriation affect a wide range of essential Government services and projects—everything from low-income housing, to health care for our Nation's veterans, to our space program. Reconciling the funding needs of all these programs within the limits established by the budget resolution is no easy task. While this bill is not perfect and many Members may disagree with the priorities it establishes, this bill does reflect an honest attempt to fashion a bipartisan agreement.

I would also like to thank the Appropriations Committee for providing the funds necessary to begin construction of a new national veterans cemetery for the Dallas/Fort Worth area. For nearly 10 years I have worked closely with north Texas veterans to establish this cemetery. The Dallas/Fort Worth area is home to one of the most concentrated veterans' populations in the country—more than 1 million people eligible for burial in a veterans cemetery live within 100 miles of the site of this new cometary, yet there are currently no burial facilities for eligible veterans in this area. The Veterans' Administration has cited the North Texas region as one of the top 10 areas in the Nation most in need of additional burial space.

This funding, a total of $16.2 million, will change this situation and will enable this facility to open by the spring of 1999. For the veterans of the north Texas region who have worked so diligently on this project, the inclusion of these funds is the culmination of years of work. I want to thank them for all of their assistance in seeing this project through, from start to finish. I also want to especially thank Chairman LEWIS and Mr. STOKES for ensuring that this project was included in this appropriations bill.

Mr. Speaker, while this bill does not adequately fund many programs that are of vital importance to many Americans, we all understand that funding levels for domestic programs are rapidly shrinking. Given that fact, this bill represents an honest effort to fund the programs encompassed by the VA–HUD appropriations bill, and I urge support of this rule so that the House may move on to the consideration of this appropriation.

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

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

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

Mr. GOSS. Mr. Speaker, I thank the distinguished chairman emeritus, Mr. QUILLEN, for yielding me the time. I rise in support of this open rule. I'd like to commend Chairman LEWIS and ranking member STOKES for demonstrating that, even in this charged partisan environment, Republicans and Democrats can work together for the good of our citizens. The bipartisan cooperation that is evident in this VA–HUD appropriations bill is certainly a welcome breath of fresh air in Washington.

I am pleased to point out that this legislation provides funding for some of this Nation's highest priority commitments—those that we have made to our veterans. For too many years we have seen precious veterans' dollars parceled out to support projects in areas of the country where veterans' populations are declining, while those regions with growing populations of veterans made do on shoestring budgets. I am pleased to note that we have reversed that trend, and this legislation continues the effort to send the dollars where the veterans are. Veterans in southwest Florida know that we spent years seeking the modest funding needed to expand our dreadfully overworked and under-resourced Fort Myers Outpatient Veterans Clinic. This year, as part of the omnibus spending bill we passed a few months ago, we finally got the funding secured and the leasing effort is currently underway—so that in short order we will be able to provide more services to more people in our area. I wish to once again thank Chairman LEWIS and Ranking Member STOKES, as well as Chairman STUMP and Chairman LIVINGSTON for their assistance in making that a promise kept—at long last—to our more than 150,000 southwest Florida veterans.

Mr. Speaker, there is a ''Dear Colleague'' going around that talks about some turf fight going on with regard to this matter. I would suggest that the rule we have is a good, open rule and will get the job done, and I urge support for this rule from all colleagues.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I rise in opposition to the rule because the rule contains language that would amend the appropriation legislation to make $861 million of Superfund money contingent upon a future appropriation.

Mr. Speaker, basically what happened is about a week ago, many of the Republicans involved in this legislation and some of the projects announced that they were going to provide significant funds for the Superfund program in this appropriations bill. But what we found out is that a significant part of that money, as I said, $861 million, is essentially not real. It was put in with a contingency that the Superfund bill would be reauthorized. Apparently the parliamentarian correctly ruled that that would have to be scored as an allocation under the appropriation which would raise the appropriation to a level that was unacceptable based on the allocations that had been provided by the Republican leadership. And so now in the rule the language is changed to say that this money is contingent upon a future appropriation. Well, when an appropriation is contingent upon a future appropriation, essentially there is no appropriation at all. What that means is that in a sense we are being told that money for the Superfund program will be made available that is not going to be made available. The level of funding for the Superfund program is actually about $50 million less than what the administration proposed.

In addition to that, there is every reason to believe that the idea behind this $860 million is to ultimately give it back to polluters in the forms of rebates, because the Superfund reauthorization bill that has been proposed by the Republican leadership would require the Federal Government to rebate to the polluters for moneys that they have already spent in cleaning up Superfund programs. That is not the way to go. The principle of the Superfund program is that the polluter pays, not the taxpayer. It would be wrong to sneak into this bill this kind of contingency that would suggest that that money would be going back to the polluters.

Mr. Speaker, I am going to have some amendments later with the gentleman from Massachusetts [Mr. MARKEY] and the gentleman from Pennsylvania [Mr. BORSKI] to address these problems, and I would hope that I could get support from my colleagues.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Speaker, I do wish to point out to the gentleman from New Jersey [Mr. PALLONE] that the retroactive liability discount that concerned him also concerned me. That is off the table. That is not part of our proposal. That is history, as it should be.

Mr. Speaker, I do want my colleagues to know that I rise in support of the rule and in support of H.R. 3666. This bill increases the funding for the Environmental Protection Agency over the fiscal year 1996 spending levels. This is a good bill for the environment, and I urge Members to support it.

I would like to commend Chairman LEWIS and Chairman LIVINGSTON for providing $1.339 billion in funding for the current Superfund Program. I appreciate the constraints we face in this era of declining Federal spending. However, the cleanup of uncontrolled hazardous waste sites is very important and it must continue even though the statute that governs those programs is in desperate need of a major overhaul.

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I wish my colleagues on the other side of the aisle, and we could get together and have that meeting for Superfund reform. What our Committee on the Budget and the Committee on Appropriations have done is provide a mechanism that will allow increased funding for Superfund when we get a bill. Let me stress that: when we get a bill that overhauls Superfund in a way that requires additional funding and when the Superfund taxes go back into effect.

In the budget resolution, the gentleman from Ohio, [Mr. KASICH] provided a Superfund reserve account that allows him to increase the allocations of spending authority when new money is brought into the Treasury through the extension of those business taxes that fund the Superfund Programs. This reserve account will allow Chairman LEWIS and Chairman LIVINGSTON to appropriate $2.2 billion, $861 million more than the current funding level for Superfund, without busting the budget. That is a responsible way to proceed.

What the VA–HUD appropriations bill before us does is make the firm commitment that our Committee on Appropriations will appropriate that additional money after all the conditions are met. We are all committed to fully funding any reforms we make to the Superfund Program, and this bill demonstrates that we are ready, willing, and able to make good on those promises.

Now, the gentleman from New Jersey [Mr. PALLONE] and the gentleman from Pennsylvania [Mr. BORSKI], and I love them dearly, we work so well together, would like to call this promise smoke and mirrors. Well, it is not. The commitment to provide additional funding for a reformed Superfund is right there in black and white in the bill. All we need to do is agree on a Superfund reform package and reauthorize the Superfund taxes. So what are we waiting for? We are waiting for the administration and the leadership of the Democrat Party and the leadership of the Committee on Commerce from the Democrat side and the Democrat leadership of the Committee on Transportation to make good on their promises to work with us to achieve a fair and a responsible and fully funded reform of Superfund.

Last year I was very hopeful that we could achieve a bipartisan agreement. I really felt good about it. As a matter of fact, in July 1995, I issued a proposal to reform Superfund liability by allowing the most complex sites to proceed to clean up directly without waiting for years of litigation and negotiation among hundreds of parties. I wanted to

get out of the courts and get in the field and clean up these toxic waste sites. As a matter of fact, the EPA Administrator, Carol Browner, and I would love to call her Madam Secretary because I think that agency should be at Cabinet level, she called this proposal a very attractive proposal. Those are her words, not mine, but I was flattered. I agreed with her, as a matter of fact. She said it was one that the Clinton administration would feel very, very comfortable with, but the Administrator was pulled back by the political types at the White House.

Quite frankly, I think somebody is whispering in the President's ear, shhh, do not do it. Do not do that Superfund reform. If you dare do it, then the Republicans will claim credit because they are in charge and they are the one that proposed it. Do not do it, Mr. President.

Now, I am not one to question motivation, and I am not sure I have the inside track to the inside of the White House, but I think that is probably what happened.

Now, if I were cynical, I would say there is a conscious effort to deny the Republicans, which are trying to go forward with responsible Superfund reform, with an opportunity to claim that we have done something meaningful in this very sensitive area. I would like to see us move ahead with Superfund reform. I think we are, I know we are very serious about it. We have been working very hard, long and hard, people like my good friend from Pennsylvania, Mr. BORSKI, and I, have had hearings on this subject, extensive discussions. I know my friend, the gentleman from Michigan [Mr. DINGELL], who represents the southern part of the downriver area of Detroit is interested. We all are. Why are we not moving ahead with Superfund reform? We should be. Now is the opportunity. Let us do it, but this bill has the money to fund the program if we have the get up and go to do it.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Speaker, I am sorry my friend, the gentleman from New York [Mr. BOEHLERT], has left the floor, because the remarks I am about to make would have been of some use to him.

This is a wonderful day for scams and shams, and we are seeing them hard at work. I would like to first begin by telling the gentleman that they have the votes on that side. You want a Superfund bill? Report it out. If you want Democratic cooperation on a Superfund bill, talk to us, we will be glad to work with you.

What is at stake now in the committee is that my Republican colleagues want a Superfund bill which pays the polluter. They want to pay the polluter. They do not want to have the polluter pay. Now, this is nothing more or less than conversion of Superfund into a fine polluter entitlement program.

Now, having set the record straight, if the gentleman wants to support that kind of bill, I would urge him to work with Republican members of the Committee on Commerce, who are diligently working towards that end. The simple fact of the matter is that my Republican colleagues on the Committee on Commerce recognize that that stinks so bad that they cannot bring it to the floor. That is the problem.

Now that I have enlightened my good friend, I want to talk about some other matters which are of concern here. We have heard that there are precious few dollars available for Superfund cleanup. Citizens have been waiting for cleanup for a long time, yet my Republican colleagues have spent much of the time of this Congress in crafting what I have already described as a polluter entitlement program and other mechanisms to spend money for paying polluters instead of paying for cleanup.

Mr. Speaker, I recognize that the Superfund is a seriously flawed program, and I will support reasonable changes in it which will make it necessary for industry, which will reduce the enormous volume of litigation which that program contributes. I would remind my colleagues that when I was the chairman of the conference, I did everything I could to prevent that kind of situation obtaining with regard to Superfund. If I would have had more help from the gentleman from New York, and some of the other people that are now complaining about this, perhaps we would be discussing a different kind of Superfund package.

I would like to think that this rule, which includes a self-executing amendment making $861 million available for the Superfund program contingent on the enactment of a subsequent appropriation bill extraordinary. I want to commend my good friend, the gentleman from New York, Closed Rule SOLOMON, the chairman of the Committee on Rules, for the innovation that has gone into that step, that it might provide more money for cleanup. Unfortunately, the rule here is just meaningless from the standpoint of providing any real money for the program.

In short, we have no assurance that this money will ever be available. It is a wonderful paper entry, and what happened is my friends on the Republican side suddenly found that they had spent money which was going to break the budget, so they went then to the Committee on Rules to get that problem cured by converting the whole thing into what, frankly, is nothing more or less than a sham.

In any event, if this money then becomes available under the legislation that the gentleman from New York [Mr. BOEHLERT] was speaking about, I can assume that the money will then be make available not for the cleanup of pollution but rather for paying polluters along the lines of the splendid ideas that my colleagues on the Republican side have been setting forth today.

Last week we read with interest reports that the Committee on Appropriations had approved an additional $861 million for the Superfund program contingent on the enactment of a Superfund reauthorization bill. This now makes the appropriations of this money contingent on the passage of an appropriation bill. But the passage of the appropriation bill is not contingent on the passage of an authorization bill. So in point of fact, what is going to transpire here today is a great deal of nothing and probably a lot of subsequent finger pointing, but certainly nothing significant with regard to cleanup of pollution or Superfund site.

The plan, I would note, which was put together was foiled when appropriators realized that CBO would have to score that money and, in the process, blow the caps off the VA–HUD bill and subject it to a fatal point of order under the budget act. So the Committee on Rules provided this wonderful and I say adroit self-executing amendment making the $861 million contingent on the enactment not of a future authorization bill but on the enactment of a subsequent appropriations bill, something I have never seen before in the few years that I have had the pleasure of serving this body.

In other words, the new money will be appropriated in the future if new money is appropriated in the future. I hope that my colleagues on the Republican side have listened to that, because if there ever was a pea under the walnut shell game, this is it here.

Let us see who is being fooled here. CBO does not have to score these additional funds because they are not being appropriated now. So all the claims we have heard from our chairmen that more money is available to finance their proposed Superfund reform are false. There is no money.

What about the VA–HUD subcommittee's ability to appropriate these funds in the future? They cannot do that without an increased allocation or authorization. Between the budget resolution, the Superfund bill, and the VA–HUD appropriation bills, there is almost $900 million waiting to spill out, blowing an even bigger hole in the fiscal 1997 budget deficit that most of my colleagues have found reason to be distressed about.

Mr. Speaker, I would urge my colleagues to defeat this rule. It is a scam. It is a pea under the walnut shell, and I would urge my colleagues to look around and try and figure out under which walnut shell the pea is. I suspect that they will not be able to find the pea. In the great traditions of the carny showmen and scam artists who engage in that, I am certain that they will find that there is probably no pea at all here. Not a pea which has fallen under the table through a hole in the table, but it is probably in the hands of

one of my good Republican colleagues who is even at this minute clutching that pea with a hard grasp.

I would simply urge my colleagues to vote no. This is a scam, this is a sham, this is a game. My Republican colleagues are not approving money for Superfund. They want to complain about the fact that the Democrats do not want to pass a bill on Superfund which will pay the polluter instead of causing the polluters to pay.

Mr. Speaker, I include a communication to the chairmen for the RECORD.

Hon. THOMAS J. BLILEY, Jr.
Chairman, Committee on Commerce,
Washington, DC.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

Hon. MICHAEL G. OXLEY,
Chairman, Subcommittee on Commerce, Trade, and Hazardous Materials,
Washington, DC.

Hon. SHERWOOD L. BOEHLERT,
Chairman, Subcommittee on Water Resources and Environment,
Washington, DC.

DEAR CHAIRMEN BLILEY, SHUSTER, OXLEY, AND BOEHLERT: We are writing concerning the status of Superfund reform legislation. We greatly appreciate your efforts to seek a bipartisan consensus on this issue. Democrats and Republicans alike, as well as President Clinton and Administrator Browner, agree on the need for Superfund reform. Thus, your agreement in February to commence bipartisan negotiations was a welcome departure from last year's divisive and partisan proceedings. Since we commenced negotations in March, your staffs and ours have spent significant time and energy, as has the Administration, reviewing and analyzing scores of issues, proposals, and counterproposals. These activities have yielded a better understanding of each other's positions and a narrowing of our disagreements in certain areas.

Despite out mutual efforts, however, fundamental differences continue to separate us. Perhaps the most obvious example is our conviction that any responsible legislation must conform to the basic ''polluter pays'' principle underpinning the Superfund law. Upon careful analysis, we have concluded that all of your liability proposals are premised on some notion of ''paying the polluter.'' Your rejection of the fundamental ''polluter pays'' principle fails to meet our mutual objective of responsible reform.

Regrettably, we view the three ''options'' that you presented to us in your latest counterproposals as a mere reiteration of positions taken by the Majority before our negotiations began. Prior to our negotiations, Administrator Browner and others testified before House and Senate committees, and otherwise expressed their grave concerns about the site carve-outs contained in H.R. 2500 as introduced, and the wholesale exemptions for generators and transporters of hazardous substances set forth in Mr. Bliley's February 21 draft. Yet, we have been asked to choose among three options based entirely upon these same carve-outs and exemptions.

Our inability to reach an agreement with one another on this fundamental principle is particularly disappointing in light of the amount of time and energy we all have expended in the Superfund reform effort to date. During the 103rd Congress, Democrats and Republicans worked together to produce Superfund legislation that was approved unanimously by the Energy and Commerce Committee and on a voice vote in the Public Works and Transportation Committee. Seeking to build on this bipartisan compromise, the Democratic leadership of the two committees introduced H.R. 228 in January 1995. It was a great disappointment to see our compromise bill languish for ten months without so much as a hint of bipartiship. The contentious Commerce subcommittee markup in November confirmed the wide gulf between our vastly different approaches to cleaning up toxic waste sites and assuring that responsible parties and pay the costs of cleanup. Unfortunately, it wasn't until February 1996, well after the subcommittee vote, that you agreed to commerce bipartisan negotiations.

In the spirit of compromise, our April 1 proposals went significantly beyond H.R. 228 to address the liability of certain classes of parties, all within the framework of Mr. Bliley's February 21 proposal. These proposals were a significant step for us and for the Administration. We sought to address the liability of the same responsible parties that you specifically identified as most in need of relief, such as small businesses, municipalities, and contributors of minimal amounts of waste. Given the great deal of interest which we share in affording relief to these parties, reducing transaction costs, and most importantly expediting site cleanup, we are most disappointed that we have progressed no further toward achieving these mutual goals. We believe our proposal, as summarized below, can be signed by the President and will establish a fairer Superfund liability regime, including the allocation of liability and costs.

Our proposal significantly changes current law to create a fair share allocation system for parties who are not exempt from liability. This proposal essentially eliminates third party contribution lawsuits and was unanimously supported by the Commerce Committee and overwhelming supported by the Public Works and Transportation Committee in the 103rd Congress. However, in a genuine effort to find common ground, our proposal addresses many of your stated concerns and also contains the following additional liability relief provisions:

Our proposal would exempt small businesses with 25 or fewer employees and earning less than $2 million in annual gross revenues that are liable under Superfund as generators or transporters of hazardous substances from liability for activities prior to the date the legislation is enacted. Consistent with Mr. Oxley's stated desired to ''get the little guys, the small businesses whose margins are razor-thin to begin with, out of the system,'' this proposal recognizes the practical reality that these very small companies typically do not have the financial means to contribute meaningfully to the costs of a cleanup.

Our proposal would exempt from liability all businesses with fewer than 100 employees, residential homeowners, and small non-profit organizations that are liable under Superfund as generators and transporters of municipal solid waste. This provision would exempt thousands of parties from liability, including the Girl Scouts and the people who disposed of things like ''pizza boxes''—two types of generators frequently cited by Mr. Oxley as examples of those who should be relieved of Superfund liability.

In addition to businesses with fewer than 100 employees, residential homeowners and small non-profit organizations, our proposal also would exempt all other generators and transporters of municipal solid waste from Superfund liability at NPL sites for activities prior to the date of enactment. For activities after the date of enactment, the proposal limits liability at 10% of the total response costs at the site, so long as the generators and transporters participate in a qualified household waste collection program.

Our proposal would cap the liability of municipal owners and operators of landfills that accepted predominantly municipal waste.

Our proposal would double the ''de micromis'' exemption contained in H.R. 228 to exempt parties that, as generators or transporters, contributed less than 110 gallons of liquid materials containing hazardous substances or 200 pounds of solid materials containing hazardous substances.

Our proposal provides for expedited *de minimis* settlements for parties at National Priorities List sites who contributed a small volume of waste, presumed to be 1% or less of the total waste at the site, unless EPA determines that site specific conditions indicate that another greater or lesser amount constitutes a small volume.

Altogether, the Administration estimates that our proposal would provide relief from Superfund liability and a shield from contribution litigation for more than 40,000 parties. For the parties who remain liable under Superfund under our proposal, the process would be greatly streamlined, transaction costs would be reduced, and settlements would be expedited. Our proposal improves fairness and takes numerous smaller parties out of the liability net, but still preserves fundamental principles of corporate responsibility, which require as a general rule that companies responsible for hazardous substance contamination pay their fair share of the cleanup costs. This concept was endorsed by a wide range of industry and other stakeholders in the compromise bill in the 103rd Congress.

The principal difference we have identified between our proposals and yours is that your broader liability exemptions (and consequent allowance of fair share funding) will exempt those generators and transporters of significant amounts of hazardous substances that in most cases are driving up the cost of the remedy and the health hazards at Superfund sites, as well as the owners (in your second and third options) who profited from the disposal of hazardous substances. We believe the additional parties you are proposing to exempt from liability generally are able and should be willing to pay their fair share of response costs in order to clean up the contamination for which they are responsible.

We were informed by Commerce Committee Majority staff that Mr. Bliley's February 21 proposal had rejected site carve-outs in favor of retaining liability for the ''true polluters,'' *i.e.*, the owners and operators. Nevertheless, your latest counterproposal contains two options for site carve-outs which would exempt owners and operators. The Administration has informed us that of the approximately 250 codisposal sites, about seventy percent contain predominantly hazardous waste that is contributing significantly to the type of remedy selected or cost of the response action, and that was disposed of by generators or transporters. We believe that neither the Fund, which needs to be preserved for cleaning up abandoned sites, nor the citizen taxpayer, who contributes to the $250 million General Treasury portion of the Superfund budget and who will pay substantially more if the Fund cannot cover the cost of cleanup, should assume the responsibility of those who created the mess.

It is no answer in our view to say that the polluters pay because the Superfund into which they deposit taxes would bear the costs of your proposals. Superfund taxes are imposed on corporate taxpayers regardless of whether they are responsible for contamination at any site, and the greatest source of Superfund revenues, the Environmental Income Tax, is imposed regardless of the type

of business in which the corporation is engaged. Revenues from these taxes should be used to support the cleanup program and to fund cleanup of sites where insolvent, defunct, or recalcitrant parties are responsible for the contamination.

Quite apart from these fundamental policy considerations, we are troubled by recent developments in the Appropriations and Rules Committees relating to the Superfund appropriation. At our meeting on April 25, you sought to persuade us that the Appropriations and Budget Committees had signed off on, and would make available, hundreds of millions of new dollars for Superfund cleanups that would fund your liability proposals. Apart from our philosophical differences over whether the Fund should be used to let polluters off the hook, we expressed our skepticism that such funds could in fact be appropriated without offsetting reductions in other important environmental programs and priorities. Although it appeared at first that the Appropriations Committee last week would indeed make an additional $861 million available subject to enactment of a reauthorization bill, it quickly became clear that such a provision ran afoul of the Budget Act, would exceed the VA-HUD-Independent Agencies Subcommittee's allocation, and would be subject to a fatal point of order. The Rules Committee's self-confessed remedy for this Budget Act violation has been to make the $861 million subject instead to passage of a future appropriation. In other words, the additional money is either completely illusory and provides no independent justification for support of your liability proposals—or, the money may be appropriated at some indeterminate future time if the Appropriations Committee can figure out how to blow the top off the Subcommittee's allocation. This does not inspire great confidence.

For all these reasons, we cannot agree to proceed on the basis of any of the three options outlined in your letter. We are, however, willing to consider compromises that work within a basic framework consistent with the ''polluter pays'' principle. With productive and creative attention to these issues, perhaps a bipartisan compromise on liability remains possible. In this context, we would be willing to discuss additional funding, pursuant to the Administrator's discretionary mixed funding authority, for the purpose of facilitating comprehensive settlements at codisposal facilities that accepted predominantly municipal waste.

Your April 30 letter also presents a number of proposals on other issues that merit our response. Our review of your remedy selection proposals persuades us that they would result in a significant and unacceptable rollback of human health and environmental protection. During Subcommittee hearings on H.R. 2500, Administrator Browner testified that the bill inadequately protects human health and the environment and lacks sufficient emphasis on reliable, long-term protection at a reasonable cost. We support your efforts to make cleanup decisions based upon reasonably anticipated future use of property and to eliminate ''relevant and appropriate'' (as opposed to legally applicable) state standards. But any new remedy selection provisions must in our view meet the same test the industrial community and other key stakeholders used to favorably judge H.R. 228—the provisions must consider costs and risks ''realistically, fairly, and pragmatically.''

In particular, we believe that legally applicable state standards should apply to cleanups as they do in current law. Subjecting such standards to an incremental cost-benefit test weakens current law at the expense of human health and the environment. Moreover, preserving legally applicable state standards in remedy selection is an issue of vital importance to the overwhelming majority of states. We also believe, based upon staff discussions, that your groundwater proposals fail to provide adequate protection even for aquifers that may provide drinking water supplies, in part because your proposals maintain the prerequisite for establishing a ''substantial probability'' that groundwater may be used for drinking water in the future. Further, the proposals do not contain the necessary emphasis on restoration of precious groundwater resources that are of increasing importance to our communities' economic development. And we are finding it increasingly difficult to reconcile your Leadership's professed support for returning power to the states in some areas—for example, Medicaid and welfare reform—with the apparent willingness in so many other areas to override state laws when they are inconvenient for the business community.

Many of your proposals threaten to mire the cleanup process in litigation and delay. Under a process even more cumbersome than initially introduced in H.R. 2500, your proposal allows for reopening records of decision and eliminating the current law's bar on preenforcement review of remedies. This promises more delay and litigation, as past decisions are reconsidered and judges are asked to second-guess cleanup choices that were previously made by EPA or states. We fail to understand how these provisions can be reconciled with the overarching concern about reducing transaction costs that you have expressed in our liability discussions. Under these provisions of your proposal, bulldozers will be idled, health risks will remain unaddressed, and affected communities will have to wait for cleanup, while lawyers and consultants clean up with hundreds of new fee-generating opportunities.

While we could support limiting the preference for treatment in current law to the most contaminated and highly mobile toxic waste (hot spots), we cannot support a complete elimination of the preference for treatment. Rejection of this fundamental tenet of the President's Superfund reform proposal would create more brownfield sites that, for all practical purposes, could never be suitable for redevelopment or other productive future use.

Changing long-standing concepts, such as the definition of environment and minimum health standards (even as modified in your latest proposal), creates ambiguous and ill-defined terms and certainly will result in a litigation bonanza. These changes are, in our view, ill-advised and unnecessary.

While we are willing to consider adding a Governors' concurrence provision for new additions to the NPL, we cannot support the arbitrary constraints, or ''caps,'' contained in your proposals. Both the General Accounting Office and the Association of State and Territorial Solid Waste Management Officials have concluded that many states do not have the funding to address sites within their boundaries that otherwise would be placed on the NPL.

We also are highly concerned about your proposals for natural resource damages, a set of issues that are as important to us as liability and remedy. In our view, your proposals would dramatically limit the ability of federal, state, and tribal natural resource trustees to restore natural resources injured by releases of hazardous substances and allow losses to remain uncompensated. As you proposed, we are pleased to have our staff participate in stakeholder discussions on natural resource damages which commenced this week.

In summary, H.R. 2500—and the proposals you have made based on it—seeks to create a regime that abandons the ''polluter pays'' principle, rewards egregious and recalcitrant behavior, delays cleanups, drastically minimizes health and environmental standards, jeopardizes restoration of natural resources, encourages litigation (even to the extent of opening up previously settled decisions governing cleanups), and leaves states responsible for enormous financial obligations for cleanup. We cannot support such an approach.

If we are to achieve our shared goal of Superfund reform this year, we urge you to consider an approach that addresses concerns about further liability relief within the bounds of genuinely available fiscal resources and at the same time adheres to the basic ''polluter pays'' framework that always has been central to Superfund.

If you conclude that a comprehensive Superfund reform bill is not achievable this year, perhaps we can achieve some success yet. With a little futher work, we feel that we can reach agreement on issues relating to federal facilities, clarification of lender liability, grants to local government to assist in redeveloping brownfields, and providing liability relief to bona fide prospective purchasers of property.

The Commerce Committee's recent achievement of a comprehensive safe drinking water reauthorization bill makes clear that we can achieve consensus, even on highly contentious issues surrounding protection of human health and the environment. We look forward to continuing to work with you in that spirit.

Sincerely,

JOHN D. DINGELL,
Ranking Member, Committee on Commerce.

THOMAS J. MANTON,
Ranking Member, Subcommittee on Commerce, Trade, and Hazardous Materials.

JAMES L. OBERSTAR,
Ranking Member, Committee on Transportation and Infrastructure.

ROBERT A. BORSKI,
Ranking Member, Subcommittee on Water Resources and Environment.

U.S. ENVIRONMENTAL PROTECTION AGENCY,
Washington DC, June 24, 1996.

Hon. THOMAS J. BLILEY,
Chairman, Committee on Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the commitment EPA Assistant Administrator Elliott Laws made in May, I am writing in response to your proposal on liability issues, presented to us in your past letter.

I recognize that much hard work has been devoted to achieving our shared goal of Superfund reform in this Congress. We believe that the past several months of legislative negotiations have been productive in identifying issues where we may achieve a common understanding and clarifying issues where we still remain divided on substantive policy differences.

It is my firm believe that we can achieve responsible Superfund reform only through a genuine commitment to a bipartisan legislative process by you and the House leadership. I had hoped our negotiations would have helped revive the bipartisan dialogue that existed in the House Commerce and House Transportation Committees during the Superfund legislative process in the 103rd Congress.

At the start of the 104th Congress, we expected to build on the consensus developed in the bipartisan bill passed 44–0 by the House Commerce Committee and by near unanimous voice vote by the House Transportation Committee in the prior year. The bill was reintroduced as H.R. 228 with the hope that we could begin a bipartisan dialogue and finish our earlier work in the first session of this Congress.

We were disappointed when Superfund reform legislation was introduced that departed significantly from the bipartisan bill supported by a broad coalition of industry, small business, state and local governments, community groups, and environmental organizations that was crafted in the preceding Congress. H.R. 2500 as introduced did not reflect this consensus nor the Superfund reform principles supported by the Administration. My testimony on H.R. 2500 reflected the Administration's strong opposition to provisions that would compromise the ''polluter pays'' principle; increase litigation and delay cleanups; compromise cleanup standards at the expense of human health and environmental protection; and devastate the natural resource damage (NRD) programs administered by federal, state, and tribal natural resource trustees.

Unfortunately, the lack of a genuine process of bipartisan negotiation in which to resolve our differences resulted in a highly divisive Commerce subcommittee markup, and a significant delay in progress toward responsible Superfund reform.

Liability. In congressional testimony before both the House Commerce and House Transportation Committees in 1995, I urged that we begin a bipartisan process to pass responsible Superfund reform legislation. Regrettably, it was not until March of 1996 that you initiated bipartisan negotiations on H.R. 2500. You asked us to be open to compromise on all issues, and to base our liability and allocation discussions on a new liability repeal proposal that had not been the subject of a subcommittee hearing or markup. In an effort to further address your stated concerns that the current Superfund liability system generated too much litigation that resulted in large transaction costs, we improved upon the compromise liability proposal that we had all developed in the 103rd Congress, and offered a new liability proposal that would increase fairness and reduce transaction costs.

The Administration liability proposal offered on April 2, 1996, moved significantly beyond the compromise we had developed in the prior Congress. We eliminated parties from the system—such as small businesses—whose actual responsibility for contamination at a site, or whose limited ability to pay cleanup costs, was disproportional to the litigation generated and transaction costs associated with bringing them into the liability scheme. In these cases, the polluter pays principle is best served by eliminating the inefficiency associated with retaining these parties in the liability scheme, while preserving incentives for responsible behavior. We also sought to reduce transaction costs and promote certainty for other parties by capping or eliminating liability for parties whose liability is based on disposal of municipal solid waste (MSW).

Taken together, we estimate that the relief provided by these proposals would remove more than 40,000 parties from Superfund liability and provide transaction cost relief for many more parties that otherwise could be entangled in Superfund litigation. For the parties who remain in the system, the process would be simplified and settlements would be expedited. Our proposals would still preserve the polluter pays principle and maintain the principle of corporate responsibility that those companies responsible for hazardous waste contamination pay their fair share of the cleanup costs.

When we met in April, Chairman Bliley indicated that we could expect a counteroffer that would show ''substantial movement toward'' our position. Notwithstanding this suggestion, your letter of April 30 effectively rejected our proposal with no discussion as to the policy reasons for the rejection. As Assistant Administrator Elliott Laws outlined in his letter of May 2, the three liability options you proposed were essentially variations on prior liability repeal proposals made by the three Chairmen over the course of the past year. Your decision not to address our proposal of April 2, other than one small addition to your liability options, failed to provide the impetus for moving the discussions forward.

I have given careful and serious consideration to each of these options, evaluating each according to three criteria: fairness; efficiency, and the polluter pays principle in current law and our proposed administrative and legislative reforms. Under these criteria, I believe that all three of your options compare unfavorably to the Administration's liability proposal.

Option 1 consists primarily of a repeal of liability for generators and transporters of hazardous substances. This proposal replaced the fifty percent ''retroactive liability discount'' adopted at the Commerce subcommittee markup. This approach would exempt many large hazardous waste contributors who can afford to pay for cleanup, while retaining liability for owners and operators of those same sites. This disparate treatment of parties is unjustified, would significantly increase the transaction costs associated with determining the time of disposal; and would violate the polluter pays principle. By repealing liability for so many parties, this proposal would require a massive transfer of cleanup responsibility from private parties to the federal government, resulting in lost efficiencies and cleanup delays as sites are transferred to EPA.

Option 2 proposes a ''site carve-out'' that would exempt from Superfund liability all parties at certain co-disposal and recycling sites which together account for approximately twenty-five percent of the hazardous waste sites on the National Priorities List. There appears to be no principled basis or coherent policy rationale for eliminating these sites from the liability scheme while retaining others. Any purported reduction in transaction costs will be more than overwhelmed by other budgetary and social costs of the proposal, including the transaction and inefficiency costs of a massive transfer of sites into a government-conducted cleanup program under Superfund.

In addition, an analysis of the sites and parties who would be exempted from liability under this scheme has made clear that this proposal would exempt very contaminated sites, and would exempt from liability many large industrial generators of hazardous waste who should be called upon to pay for the cleanup before resorting to Federal Trust Fund dollars. Our review of these sites has also found that the recycling sites that would be carved out under your proposal include a number of sites at which serious environmental contamination has resulted from egregiously irresponsible conduct.

Option 3 is essentially similar to Option 2, except that it would append a portion of our liability counterproposal on top of the broad site carve-out in Option 2. While I acknowledge the attempt to accommodate our counterproposal in some small manner, combining Option 2 with our proposal fails to alter in any way the flaws we have identified in Option 2.

I also remain concerned by the lack of any assurance that adequate funding will be available for these proposals without rolling back remedy standards, compromising the pace of cleanup, or cutting funding for other environmental programs that are essential to protecting public health and the environment. Our analysis suggests that the cost of Option 1, for example, will far exceed the increases in funding proposed in your letter. Should any additional funds over and above the current Superfund appropriation be actually appropriated for the Superfund program, they should not be spent on proposals that delay cleanup, reduce protectiveness or violate the polluter pays principle.

Other Issues. You also placed other, non-liability issues on the table in your letter. Unfortunately, many of the proposals are so general in nature that it is difficult to respond in a meaningful manner. However, the proposals appear to remain far short of meeting our fundamental principles that Superfund cleanups remain protective of public health and the environment and that the current pace of cleanup be maintained or increased.

Your proposals still appear to place too much emphasis on cost as opposed to public health and environmental protection in the balancing test used for selecting cleanup remedies. There remains far too many qualifiers on when, if ever, groundwater would be cleaned up as opposed to selecting exposure control remedies. There is no requirement for treatment of the most highly toxic and mobile hazardous waste at Superfund sites. Hundreds of RODs would still be reopened under your proposals, potentially costing years of delay at Superfund sites. The arbitrary cap on listing NPL sites will undoubtedly leave hundreds of hazardous waste sites unaddressed by states that simply do not have the resources to clean them up.

In addition, your proposals to limit the ability of Federal, state and tribal natural resource trustees to restore damaged natural resources is unacceptable public and environmental policy.

Next Steps. I feel I must also respond to the letter sent by Chairmen Bliley and Oxley dated June 17, 1996. I am deeply disappointed that the Commerce Committee Chairs would question my commitment to enacting Superfund reform legislation. EPA has worked for more than three and one half years to secure a Superfund reform bill, while at the same time implementing significant and successful administrative reforms. No one has worked harder than this Administration to make Superfund faster, fairer, and more efficient. In my congressional testimony and private discussions with congressional committee chairs and ranking members, I have steadfastly urged that a bipartisan legislative process be developed so that we can build the consensus necessary to secure passage of a responsible Superfund reform bill. I remain committed to that goal. If you genuinely share that goal, I challenge you to offer responsible Superfund reform proposals that protect public health and the environment and that do not violate the polluter pays principle. Working together, we can enact Superfund reform legislation in this Congress.

Sincerely,

CAROL M. BROWNER.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the House Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the chairman emeritus and would ask the gentleman from Michigan, JOHN

DINGELL, if he would stand around just for a minute.

''This is a scam, this is a sham.'' Now, all of the Democrats voted for this. ''This is a scam, this is a sham,'' and I would just say to my good friend, and he is a very good friend and one of the most respected Members of the body, nobody came to complain. We work in the Committee on Rules 18 hours a day. We were up there the other evening putting this rule out, finally, and nobody complained. As a matter of fact, I think the rule, this open rule, incidentally, passed by a unanimous vote.

I would just say to my good friend, too, he ought to be careful about how he refers to Members because you could have your words taken down. I would never do that to one of my best friends, but we should be accurate. The gentleman, I happen to know, has served under former Democrat chairmen by the name of MOAKLEY and Pepper and Boland and Delaney and Madden and Colmer and Howard Smith of Virginia, and if you want to talk about closed rules, you ought to see them. We have turned that around where now we have mostly open rules, thank goodness.

Mr. Speaker, let me just talk about this thing that seems to be bothering some people. We have done one thing up in the Committee on Rules at the request, I think, of the Congress; it was not the request of any one particular person. But we changed one word. We did not change one word, we simply added a word, and that word was ''appropriations.'' We say ''future appropriation legislation,'' instead of ''future legislation.'' We simply add the word ''appropriation.''

Why did we do that? We do it because the Congressional Budget Office requires us to do it. We do it because the Committee on the Budget requires it of us. But let me tell you why we really did it. Because JERRY SOLOMON, this Member of Congress, requires it of us, because we are not going to do anything that is going to get us off that glidepath to a balanced budget.

The gentleman from Ohio, JOHN KASICH, the chairman of the Committee on the Budget, is sitting in the back of the room. He has got us on that glidepath for the second consecutive year, and we are going to continue for the next 5 years and we are not going to veer off it, no matter what. The most serious problem facing this Government today is these unconscionable deficits that are turning this Nation into a debtor nation, no better than a third-world debtor nation, and the American people have had it and we have had it.

Let me get back on to the bill itself, because I want everybody to come over here and I want Members to vote for this rule, then I want Members to vote for the bill. The major part of this bill is the funding of the Department of Veterans Affairs, and it is funded at a level that is going to take care of the veterans of this Nation. Why is that necessary? Because we have a contract with them. This is not some kind of welfare program or social program we are dealing with in funding the hospital medical care delivery system under the Veterans' Administration, the Department of Veterans Affairs now. In other words, that is an earned benefit and that is what we are doing here today. As a matter of fact, we are going to have an amendment by a good Democrat, the gentleman from Mississippi, SONNY MONTGOMERY, and a good Republican, the gentleman from New York, JERRY SOLOMON, and the gentleman from Arizona, BOB STUMP, and we are going to increase that a little bit.

We are going to take less than one-half of 1 percent out of all these other bureaus and agencies and offices that are funded under this complex little bill here, and we are going to take that $50 billion plus $15 million and we are going to add it into the Veterans' Administration hospital care delivery system because that is what it is going to take to keep that solvent and keep it going so that we do not loose ground.

So that is really what this entire debate is all about today. Let us not quibble over one word. We are doing it because we cannot afford to violate the Budget Act and then have CBO and all of these other people come down on us. We are going to change that one word, but then we are going to pass this, one of the most important appropriation bills that we have coming before this Congress this year.

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Mr. FROST. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I want to make it clear that no man holds the distinguished chairman of the Committee on Rules in greater esteem than do I or has greater affection for him, but he has just admitted, just admitted that there is no money in that $861 million. It is illusion. It is blue smoke and mirrors.

I want to compliment the gentleman because never before have I seen this so adroitly done, even in the Committee on Rules, where he reigns supreme and issues closed rules and handles the business of this House up there behind closed doors.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume, and in partial response to my friend, the chairman of the committee, I would like to insert some material in the RECORD.

Mr. Speaker, at the beginning of this Congress the Republican majority claimed that the House was going to consider bills under an open process.

I would like to point out that 60 percent of the legislation this session has been considered under a restrictive process.

Mr. Speaker, additional information for the RECORD follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; 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	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive	N/A.
H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open	N/A.
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park Preserve.	H. Res. 52	Open	N/A.
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 63	Open	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive	N/A.
S. 2	Senate Compliance	N/A	Closed	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive	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	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive	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	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open	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	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive	N/A.
H.R. 1530	National Defense Authorization Act; FY 1996	H. Res. 164	Restrictive	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open	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	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open	N/A.
H.R. 1977	Interior Appropriations	H. Res. 187	Open	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive	1D.
H.R. 2126	Defense Appropriations	H. Res. 205	Open	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive	2R/2D.
H.R. 743	The Teamwork for Employees and Managers Act of 1995	H. Res. 226	Open	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed	.....
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive	1D.
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive	1D.
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive	N/A.
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive	1D.
H. Con. Res. 109				
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	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive	5R.
H.R. 2539	ICC Termination	H. Res. 259	Open	.....
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed	2R.
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open	N/A.
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed	1D; 2R.
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed	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	N/A.
H.J. Res. 134	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed	N/A.
H. Con. Res. 131				
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; Rule tabled	N/A.
H.R. 3021	To Guarantee the Continuing Full Investment of Social Security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule	N/A.
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive	2D/2R.
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive	6D; 7R; 4 Bipartisan.
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive	12D; 19R; 1 Bipartisan.
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed	N/A.
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed	N/A.
H.R. 3136	The Contract With America Advancement Act of 1996	H. Res. 391	Closed	N/A.
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996	H. Res. 392	Restrictive	N/A.
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open	N/A.
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open	N/A.
H.R. 1675	National Wildlife Refuge Improvement Act of 1995	H. Res. 410	Open	N/A.
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed	N/A.
H.R. 2641	United States Marshals Service Improvement Act of 1996	H. Res. 418	Open	N/A.
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2974	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims.	H. Res. 421	Open	N/A.
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering.	H. Res. 422	Open	N/A.
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open	N/A.
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996	H. Res. 427	Open	N/A.
H.R. 3286	The Adoption Promotion and Stability Act of 1996	H. Res. 428	Restrictive	1D; 1R.
H.R. 3230	Defense Authorization Bill FY 1997	H. Res. 430	Restrictive	41 amends; 20D; 17R; 4 bipartisan
H.R. 3415	Repeal of the 4.3-Cent Increase in Transporation Fuel Taxes	H. Res. 436	Closed	N/A.
H.R. 3259	Intelligence Authorization Act for FY 1997	H. Res. 437	Restrictive	N/A.
H.R. 3144	The Defend America Act	H. Res. 438	Restrictive	1D.
H.R. 3448/H.R. 1227	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996.	H. Res. 440	Restrictive	2R.
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A.
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	N/A.
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive	N/A.
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive	1R.
H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	Open	N/A.
H.R. 3610	Defense Appropriations FY 1997	H. Res. 453	Open	N/A.
H.R. 3662	Interior Appropriations FY 1997	H. Res. 455	Open	N/A.
H.R. 3666	VA/HUD Appropriations	H. Res. 456	Open	N/A.

* Contract Bills, 67% restrictive; 33% open. ** All legislation 1st Session, 53% restrictive; 47% open. *** All legislation 2d Session, 60% restrictive; 40% open. **** All legislation 104th Congress, 56% restrictive; 44% open. ***** NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee. ****** PQ Indicates that previous question was ordered on the resolution. ******* 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. N/A means not available.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. OBERSTAR].

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

Mr. Speaker, the VA–HUD appropriations bill, as reported to the House, allocates, apparently, $2.2 billion for Superfund, but of that amount $861 million is contingent upon future legislation to make the funds available for obligation. Actually, we are talking about $1.3 billion that is really available for Superfund.

The majority clearly is trying to point to this appropriation of $2.2 billion as evidence of their commitment to Superfund and their commitment to environmental protection, but the Committee on the Budget, Congressional Budget Office, and the Parliamentarian scored the provision as exceeding the budget allocation and subject to a point of order. The Committee on Rules therefore included a self-executing provision in the rule that makes the additional $861 million available only upon a subsequent appropriation.

Now, I view that as a form of doublespeak intended to make Superfund appropriations seem larger than they really are. The appropriations provision does not include any money above $1.3 billion. So what is the status of that $861 million? That money is available only if subsequently appropriated. And what does that mean? There will be no additional money for Superfund unless Congress acts a second time to appropriate it. And then, at that time, the appropriation will be subject to budgetary ceilings. And that further means that at that subsequent time the Committee on Appropriations will have to come back and find $861 million to cut someplace else in these programs. Otherwise, they will run up against the caps. They will have exceeded their cap.

Now, that is not being candid and fair and open and honest about this process. We need real money to clean up hazardous wastesites, we need real money to protect human health and the environment, and doublespeak is not going to get us there.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. WELLER].

Mr. WELLER. Mr. Speaker, I thank the gentleman for yielding me this time to address the House and rise in support of the rule and in support of this VA–HUD appropriations bill.

I represent probably the most diverse district in the State of Illinois. I represent part of the city of Chicago, the south suburbs in Cook and Will Counties, bedroom communities, farm towns, and a lot of corn fields. When I represent a very diverse district, I always look for things where there is a very common consensus, and in my district there is one item where there is unanimous consensus and that is for redevelopment of the Joliet Arsenal, a former military facility, largest single piece of property in northern Illinois, to redevelop that for peacetime uses.

Frankly, I am very pleased that this effort, which has been a bipartisan effort, continues to move forward. The President signed our legislation in February to accomplish our goal setting aside 19,000 acres for conservation, 3,000 acres for job creation, 985 acres to create the second largest national veterans cemetery. The VA–HUD appropriation bill continues that effort by working to make this veterans cemetery a reality.

The Chicago area is now facing a shortage. We need new places to honor and bury our veterans. This legislation provides $18.4 million in funding for redevelopment and complete construction of this new veterans cemetery. I want to point out that the funding that is in this bill is exactly what the VA says they need in order to have this veterans cemetery in place and honoring our veterans by 1999.

Again, I want to thank the chairman, my friend, the gentleman from California, Congressman LEWIS, for his assistance, and the gentleman from Ohio, Mr. STOKES, the ranking member, for making this project, which has been a bipartisan project, to redevelop the Joliet Arsenal a reality. This legislation funds our veterans cemetery, and again I want to thank the House and urge bipartisan support and passage of this appropriations bill.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Speaker, in last year's appropriations bill the Republicans attacked the EPA and the Superfund Program, and they attempted to slash the Superfund Program by 25 percent.

When President Clinton refused to go along because of our success in highlighting this issue, the President vetoed the bill. The Republicans, because of Superfund and other programs, shut the Government of the United States down twice because they wanted to see programs like Superfund gutted. The truth of the matter is that there were furloughed Superfund Program workers all over the country and delays in the cleanup of toxic waste sites all over our country.

Now, in this bill the Republicans contend they are putting in $2.2 billion for Superfund. Sounds really great, but the truth is that this is really kind of a legislative sneak preview of coming attractions. But, like many Hollywood movie trailers, it is very deceptive, because while they are advertising that their bill is ''Rebecca of Sunnybrook Farms,'' the truth is that their actual bill is more like ''Nightmare on Elm Street,'' because in reality the $862 million which they contend is being put in the bill is not going to be appropriated this year in this bill. They are not putting the money in.

So, here they are today saying, well, we are going to add in an extra $860 million or so, but we are not putting it in this year; we are going to put it in sometime in the future. And by the way, when we put the money in, it is

going to be to give rebates to polluters. That is right. Instead of the polluter who messed up a particular neighborhood paying to clean up the site, we, the American taxpayers, we are going to pay the polluter.

Now, what kind of program is this? This is the Ed McMahon Polluters Rebate Sweepstakes program. That is right, the Ed McMahon Polluters Sweepstakes van pulls up in front of your corporate headquarters and announces that you may be a winner. If you have already been accused and accept responsibility for polluting and for cleaning up a hazardous waste site in your community, you may be eligible for million of dollars of taxpayers' money as the taxpayer pays the polluter for having cleaned up a site which they polluted.

Rather than using these hundreds of millions of dollars to clean up orphan sites, to clean up sites that would not be cleaned up otherwise, no, the money in the Republican bill will be used to hand it over to the polluters.

We must vote ''no'' on this proposal. It, in fact, represents just the opposite of where the American people want our Superfund Program to be headed.

Mr. Speaker, I rise in opposition to the rule.

In last year's appropriations bill for VA–HUD–independent agencies, the Republicans attacked EPA and the Superfund Program. They tried to slash funding for Superfund by almost 25 percent. And, when President Clinton refused to go along with their radical proposals, they shut down the Government twice. They furloughed Superfund workers and delayed the cleanup of toxic waste sites in dozens of communities around the Nation, including several in Massachusetts.

This year, instead of mounting a direct assault on the program's funding, the Gingrich Republicans are claiming to provide Superfund with $2.2 billion in funding, nearly a billion dollars more than they provided last year. But when you look at the bill—and especially when you look at the convoluted rule they have crafted—it is clear this sham increase is really only an advertisement for future money. It's a special legislative sneak preview of coming attractions. Unfortunately, like so many Hollywood movie trailers, the preview is much different than the actual film. In this case, we've been offered previews of a legislative ''Rebecca of Sunnybrook Farm'' when the actual bill is more like a ''Nightmare on Elm Street.''

The sad truth is that the Republican Superfund appropriations bill is still mean and still extreme. Instead of trying to slash Superfund funding, however, the GOP is trying to turn the Superfund program on its head by replacing the polluter pays principle with a new program of paying the polluter. The extra $861 million—if it is ever really appropriated—will be set aside in a polluter's slush fund, where it could be used to fund the new polluter's entitlement program contained in H.R. 2500, the Republican's Superfund reform bill which was approved last November by the House Commerce Committee's Subcommittee on Hazardous Materials. That bill replaces the polluter pays principle of the Superfund law with a requirement that taxpayer dollars and trust fund moneys be used to pay polluters rebate checks for cleaning up Superfund sites that they contaminated and may already have agreed to clean up themselves.

Under the Republican proposal, Superfund will be tansformed into the Ed McMahon Polluter's Clearinghouse Sweepstakes. Superfund polluters will be getting letters in the mail announcing the good news:

> Congratulations, polluters, you may have already won millions of dollars in fabulous cash rebates. All you have to do is wait for Congress to pass this Superfund ''Reform'' bill. Then, our Superfund Sweepstakes prize van will be pulling up to your corporate suite—with a big ol' rebate check in hand to pay you for cleaning up sites that you polluted!

We should oppose such radical and extreme proposals. Those who polluted the environment with hazardous wastes should bear personal responsibility for their actions. During House floor consideration of this bill I will be offering an amendment later in the debate, along with the gentleman from New Jersey [Mr. PALLONE] and the gentleman from Pennsylvania [Mr. BORSKI] that would preserve the current policy of polluter pays and prevent taxpayer dollars and Superfund trust fund moneys from being misused to pay rebate checks to polluters. Those who are liable for contaminating a Superfund site or have entered into a court-approved consent decree to pay the costs of such a cleanup should pay these costs themselves. At the same time, our amendment will not impair mixed funding for cleanups in those circumstances where EPA has reached a consent agreement with a polluter that a portion of the clearnup will be funded from Superfund moneys.

This amendment has the support of the Clinton administration, as well as a broad range of environmental and public interest groups, including the U.S. Public Interest Research Group, the Natural Resources Defense Council, Friends of the Earth, Taxpayers for Common Sense, and the Environmental Information Center. It will be one of the key environmental votes of the year, and we look forward to the floor debate on this critical issue.

At this time, I urge my colleagues to defeat this rule. We should not be passing rules which transform appropriations bills into advertising promos for future appropriations bills. Let's be honest about how much funding Superfund will receive this year, and let's be honest about how these funds will be spent.

Mr. QUILLEN. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Ohio [Mr. OXLEY].

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

Mr. OXLEY. Mr. Speaker, I rise in support of the rule and congratulate the gentleman from California, [Mr. LEWIS], the chairman of the committee, and the chairman and members of the Committee on Rules for putting together a very effective rule.

Let me answer my friend from Massachusetts, who was so concerned about the reform of Superfund becoming the ''Nightmare on Elm Street.'' I would say the ''Nightmare on Elm Street'' has been running for the last 15 years, and it is called the existing Superfund law that has fostered litigation to the point where we are spending half of the money on lawyers and we have only cleaned up about 5 percent of the sites.

Anybody who knows anything about the Superfund Program knows what a disaster it has been. Whether they are the most green of green environmentalists or whether they are an evil corporate polluter, they know that the Superfund Program as exists today is not working. We are trying to change that program.

Now, the gentleman from Michigan talked about scams. Let me show my colleagues what a scam is. I have a program there that shows how the cleanup of the Superfund sites takes place under today's program. Now, that is probably the lead-in to the ''Nightmare on Elm Street,'' and it may be the cartoon, but look at all the hoops one has to jump through. And meanwhile, meanwhile, the program has cost some $30 billion. That is billion with a ''B.''

We are here to change the program and make a lousy program work. I am disappointed with my friend from Massachusetts and others who apparently want to stay in a position where they are defending the status quo. I do not think that is defensible.

I see my friend from California, the chairman of the committee, and I would like to ask him a question. If, in fact, we pass a Superfund reform bill, I want to know what is going to happen to the funding of the Superfund Program under the rule that we are debating today.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague yielding. This bill is a bill that funds some 20 Federal programs including the EPA. The Superfund Program is a piece of the EPA. Presently, within this measure is $1.33 billion for the Superfund Program.

If we see a reauthorization bill, and the kind of work that will allow this program to go forward in a positive measure, we would add back the $861 million that is the subject of this discussion.

If the gentleman will continue to yield, I was a bit astonished by the comments of the gentleman from Massachusetts [Mr. MARKEY]. Almost since I have been here in the House, I have sat back in wonderment as the gentleman has been a member of the committee responsible for authorizing Superfund. The Administrator of EPA 1½ years ago told us this program was broken. I have never seen the gentleman's proposed legislation. I do not see fixes coming out of the committee. I do not see fixes coming from the department.

I hope that the authorizing committee will go forward with the bipartisan effort and support necessary for the program to work.

Mr. OXLEY. Mr. Speaker, reclaiming my time, I thank the gentleman and I think that is really the point here.

This is a big carrot out for the members to work in a bipartisan way to get a reauthorization of the Superfund Program so that that extra money is available and we can take that money, instead of giving it to the lawyers, and we can put it into cleanup.

That is really what the essence of this is all about. I am just disappointed with my friend from Massachusetts, who will be offering an amendment, as I understand during the title III of this bill, that apparently just says, hey, the status quo is fine. We can just continue on our merry way and pour money down a rat hole instead of really solving the problem. That is why I say I am disappointed with my friend.

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

Mr. OXLEY. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Speaker, I just want to remind my good friend, the gentleman from California, that in fact we passed the bill 44 to nothing out of the Committee on Commerce reforming Superfund in 1994. And just to let the gentleman know, as he remembers, it died there in the waning bitter days of the end of the 1994 Congress. We had reformed Superfund on a bipartisan basis out of our committee on 1994, Democrat and Republican alike, unanimously.

The larger question is where is this $850 million going to come from in subsequent years unless we lift the cap on the VA bill without increasing the deficit in other places?

Mr. OXLEY. Mr. Speaker, reclaiming my time, I yield to the gentleman from California [Mr. LEWIS] because I think this puts it into light in terms of the budget caps and the flexibility therein. The gentleman knows a lot more about it than I do.

Mr. LEWIS of California. Mr. Speaker, let me say that, first, we are about appropriating funds that are available under the lids that dramatically impact all of these agencies, VA, HUD, EPA, et cetera. Within that limitation, we are attempting to produce as much money as possible and can be meaningful insofar as the Superfund is concerned.

I remind the gentleman that the other party controlled the House and both Houses during the last Congress. They controlled this House for 40 years. They controlled the House since the Superfund was created. Everybody has known that the program has not worked almost from the beginning. It seems to me it is long past due that a bill was passed and sent to the President that changed this.

Indeed, they produced a bill last year that supposedly was going to work. For some reason, the director, Ms. Browner, has not chosen to take that bill up and send it up here and said, yes, this is the answer.

There is no doubt this is a complicated process. There has to be a reauthorization, hopefully to make this process make sense. There has to be appropriations. That is our job. There also has to be ways and means work that reexercises the tax in order to provide the fund in the first place. So it is a complex issue. We have to get on with it, indeed, instead of pointing fingers at other Members.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. Mr. Speaker, I thank my friend for yielding the time, and I rise in opposition to this unique rule. It is a rule which appears to say that about $860 million is appropriated but it is not appropriated. It is not counted.

This is and of itself is sort of strange. Then we have a strange provision in the Budget Act with says this money can be allocated to the Committee on Appropriations if certain things happen.

Mr. Speaker, I think it is just sort of a method of hiding the fact that many of the discretionary limits set by the majority simply were not working, are not workable and they are trying to find a variety of ways to get around the fact that their top dollar numbers simply do not work for discretionary spending. But this money appears to be very unique.

If the committee acts and the Congress acts to reenact some taxes that relate to the Superfund, it appears that money can be spent twice, once for the chairman of the Committee on the Budget to increase the allocation to the Committee on Appropriations so the money can be spent on the Superfund; but the revenue base was not increased, so these same dollars can be counted as offsets to other tax cuts for pay-as-you-go purposes.

So it would appear under the Budget Act we have these dollars in this bill now which are appropriated but we are going to be told have to be reappropriated again in some future time in a special budget allocation which makes some money available, if a tax increase for Superfund is enacted, but that can be both spent and used to offset other tax cuts.

Mr. Speaker, this is a very unique type of rule, very unique type of budget process that is the ultimate in game playing.

Mr. QUILLEN. Mr. Speaker, I ask the Chair the time remaining on both sides.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Tennessee [Mr. QUILLEN] has 7 minutes remaining, and the gentleman from Texas [Mr. FROST] has 11 minutes remaining.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Texas [Mr. STENHOLM].

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

Mr. STENHOLM. Mr. Speaker, I rise in opposition to the rule allowing for the consideration of H.R. 3666, the VA-HUD-Independent Agencies appropriation for fiscal year 1997.

My problem with this rule should come as no surprise to anyone, because it embodies precisely the shortcomings which are inevitable when supporters try to make a bill be all things to all people. The price of being less than forthright, the cost of refusing to decide what your priorities are, is always a dependency on gimmicks and parliamentary gymnastics, employed in the hopes that our colleagues, first, and our constituents, second, will fail to see through the ruse.

I stand here as one who wants to see the Superfund Program reauthorized. I largely support the majority in their efforts to reform the Superfund Program. I commend Mr. OXLEY and Mr. LEWIS for the work they have done in reforming the Superfund Program. I also stand here as one who believes we must be honest about the cost of those things which we say are a priority and then we must pay for those priorities by finding savings elsewhere.

This rule attempts to have it both ways when it comes to the cost of the Superfund Program. To those who support the $861 million appropriation, the bill says, ''Sure, we'll take care of you—here's your money.'' To those who are concerned about how this additional spending will add to the deficit, the rule says, ''Not to worry—you don't have to count this $861 million. We'll take care of that later on in a supplemental appropriation.''

Back home we call that being ''too cute by half.'' Not only is it dishonest; it also insults the people who are expected to buy off on a rationale that conflicting goals can be accommodated without sacrifice being made anywhere else.

There were many times during the previous Congresses that I spoke out against rules which abused a sense of democratic fairness. I especially protested the regular waiving of the Budget Act, an act designed to protect the integrity of the legislative process and impose a measure of fiscal discipline. But I have to say we are testing new depths of parliamentary gimmickry in this Congress with this rule. We have now waived the Budget Act over 700 times since its enactment. In addition to making a mockery of the act, this sort of behavior adds to the skepticism and cynicism which continues to undermine the credibility of this institution.

There are simple questions to be answered here: Are we appropriating funds or aren't we? If we are appropriating funds, are they adding to the deficit or have we made cuts elsewhere to support this priority? Are we honoring allocations and appropriation caps or are we attempting to spend nearly a billion dollars outside of the normal budget disciplines?

These are questions that should be easy to answer in a bipartisan way if legislation is being presented in a strightforward way.

Unfortunately, today's rule is anything but straightforward. Vote ''no''.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. ORTON].

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

Mr. ORTON. Mr. Speaker, I rise to speak about two amendments that I have filed which deal with modernizing the FHA single family mortgage program. I rise now because I expect that these amendments would be ruled out of order as legislating an appropriations bill. Therefore, I will not offer these amendments during the consideration of the bill, but let me explain them.

One of the most successful Government programs is the FHA single family loan program. Since its inception, it has provided over 50 million mortgages and has played an important role in increasing home ownership. In fact 40 percent of first-time home buyers use FHA. And it has been successful at no cost to the taxpayer.

Two years ago, the House enacted a housing bill which included important provisions to improve and modernize the FHA program. Unfortunately, these proposals died when the other body failed to act on that bill. With the end of the 104th Congress in sight, it is frustrating that there has been no legislative vehicle in the Committee on Banking and Financial Services to revisit these proposals.

Therefore, the first amendment I filed is an end to the law which prohibits parents from lending money to their children for a down payment on a home financed by FHA. This prohibition is antifamily and anti-home ownership. Why should the Government be telling parents they cannot lend money to their children?

The second amendment is an effort to simplify FHA regulations, reduce costs, reduce bureaucracy, and ultimately lower closing costs for FHA borrowers. It contains two parts: The first is a simplification of the unnecessarily complex two-part down payment calculation, which is a nightmare. This provision would greatly simplify the process, maintaining the same general down payment levels.

The second part allows designated FHA lenders to issue their own mortgage certificates. This change would remove a bureaucratic roadblock to the execution of FHA mortgages ending costly delays faced while waiting for HUD to issue certificates. Since such lenders have already been giving designated underwriting authority, this change will not affect the quality of loans approved. But it will reduce the need for HUD personnel and will eliminate unnecessary delays.

All three of these provisions passed the House 2 years ago with bipartisan support. They are supported by HUD, and they pose no additional risk to the solvency of the FHA reserve fund. They ought to be enacted into law, and we should find a way to do it before we adjourn this year.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentleman from New York [Mr. MANTON].

Mr. MANTON. Mr. Speaker, I rise in opposition to this rule.

Mr. Speaker, the majority's self-proclaimed love affair with an open and fair rules process appears to have soured. They apparently reserve the right to shamelessly use the rule to subvert the legislative process and fool the American people.

In crafting this rule for the VA–HUD appropriations bill, they have elevated legislative deception to a new height. This rule contains self-executing amendments that circumvent the majority's own budget caps and waives points of order against the bill for exceeding spending limits. Why? So the majority can claim they are spending more money on Superfund cleanup when, in fact, the money simply does not exist.

Clearly, the majority wants to improve their image on the environment. They have been severely battered by the public and the press for their aggressive attempts to dismantle environmental legislation and reverse the real progress that has been made on this front over the last 25 years. This has led to all types of proenvironment shenanigans, including today's attempt to paint themselves green with claims of substantial funding for the Superfund Program, an imaginary $2.2 billion.

But, therein lies the hoax, $861 million of that total is contingent not only on reauthorization of the Superfund Program, but more importantly, it is dependent on an appropriation that would potentially occur at a later date.

Last year, the majority shut down the Government demanding a budget based on honest numbers using CBO projections. But the so-called funding the majority has included in this measure for the Superfund Program is so illusory, CBO wouldn't even score it.

The blue smoke is getting thick. I urge my colleagues to defeat the rule.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], distinguished chairman of the House Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I really am just, I am sort of shocked at what I am hearing here. I am going to tell my colleagues something, they defeat this rule, this bill does not come to the floor, they better look out when it comes back the next time. As a matter of fact, I have a list of cutting amendments over there in the drawer. We might just offer all 75 of them.

I am getting a little fed up with this. We could have brought this rule to the floor and did what the Democrats have done for the last 40 years. That is, just waive the Budget Act, and let the deficits go up. We did not do that, my colleagues. What we did in order to get this bill to the floor, we waived the Budget Act, but then we self-executed the correction of the violation so that, when the bill comes to the floor, there is no violation.

Let us get something straight. President Clinton vetoed the Superfund business taxes that now have expired. If he had not vetoed them, they would now be in effect. So where we stand now is that the Committee on the Budget created a Superfund reserve fund in the fiscal year 1997 budget resolution. I see the chairman standing over there, the former chairman, the ranking member. But this reserve fund allows the gentleman from Ohio, Chairman KASICH, to increase the committee allocations when the Superfund Program is reformed and new money is provided by an extension, and this is the key, by an extension of the Superfund business taxes.

This is neutral and has nothing to do now that we have self-executed this portion out, has nothing to do with unbalancing the budget. That is where we stand.

I want my colleagues to come over here and vote for this rule. It is an open rule. If they have a problem with it, come over here and offer amendments. They are all in order, anything they want to offer that is germane, come over here and do it. Let us have it out, and have an even and fair debate. That is what this is all about, fairness.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise to oppose the rule. This Congress's continued attack on our Nation's environment is unforgivable. If this rule passes, the air we breath and the water we drink will become dirtier.

The American people need to know that more than $800 million included in this bill for cleaning up toxic waste dumps does not exist. How can this be, you ask? Even though this amount of funding is printed in the bill, the congressional majority has attached strings to the legislation that will prevent the money from becoming available.

The rule is bad for two reasons. First, it is budgetary smoke and mirrors. It contains money that doesn't exist. And second, it will prevent a vote on an amendment by Representatives MARKEY, PALLONE, and BORSKI that would make this $800 million for toxic cleanups available at the beginning of the 1997 funding period. The rule for the VA–HUD bill prevents this vote, and that's why I oppose it.

In my congressional district, children and families will continue to be threatened by a toxic waste dump because this trick of the light money for the Federal Superfund Program will not be available at the beginning of next year. For more than 80 years, Raymark Industries sent asbestos, lead, dioxins, and PCB's into the air. Stratford, CT became a dumping ground for

Raymark's toxic waste. Children's parks and schools were contaminated.

The Environmental Protection Agency has made great strides in cleaning up the Raymark site. It is on the verge of being a model of success, with development proposed for the site that will create jobs and bring in tax revenue. But this bill both cuts the cleanup program and prevents the expenditure of $800 million.

If any American believes that these cuts will not prevent the cleanup of toxic sites like Raymark, they are being misled. I ask my Republican colleagues to help defeat the budget gimmickry and the antienvironmental extremism this bill represents.

□ 1445

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

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

Ms. JACKSON-LEE. Mr. Speaker, I rise to call attention to the need to provide fair and adequate housing for our Nation's poor and to recognize the importance of support for our veterans and, as well, for us to stay ahead in space exploration. But however we find ourselves with a rule, once again, on appropriation legislation that helps some and hurts many.

A cornerstone of this country's public housing is affordability. The elitist notion that $25 a month is not too much to ask for rent is the same notion that resulted in the underfunding of this Nation's public and affordable housing. I believe it is important that public housing authorities have few requirements in creating a voice for residents of public housing, the decision-making process that affects their homes. It is important that when one is poor, the poor have the opportunity to have good housing.

I would simply like to add as well that we have a rule that has a funny mechanism that allows Republicans to pretend they are providing an additional $861 million for Superfund cleanups when, in fact, the funds cannot be spent until a second appropriation bill is approved.

So we have a rule that in fact disallows us helping some and hurts many. I would like to also add that because of what we face in my community that I will add an amendment to this process to give more flexibility to adding one-for-one replacement where there are waiting lists of 6,000 or more.

We need to confront the issues of this appropriations bill in a fair manner. This rule disallows that, and I ask my colleagues to not support this rule.

Mr. FROST. I have no remaining requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume to say this is an open rule and for the life of me I cannot understand why people would, any Member of this body would, oppose it, and I urge the adoption of the rule and passage of the bill.

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. HASTINGS of Washington). The question is on the resolution.

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.

The vote was taken by electronic device, and there were—yeas 249, nays 166, not voting 21, as follows:

[Roll No 269]

YEAS—246

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

NAYS—166

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

NOT VOTING—21

Andrews
Boucher
Browder
Bryant (TX)
Chrysler
Coleman
Cubin
Fields (TX)
Ford
Furse
Houghton
Istook
Lincoln
Longley
McDade
Ney
Peterson (FL)
Roth
Roukema
Schumer
Towns

□ 1509

Mr. MORAN changed his vote from ''yea'' to ''nay.''

Mr. JONES of North Carolina changed his 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.

DEATH OF THE HONORABLE BILL EMERSON

Mr. CLAY. Mr. Speaker, I offer a privileged resolution (H. Res. 459) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 459

Resolved, That the House has heard with profound sorrow of the death of the Honorable Bill Emerson, a Representative from the State of Missouri.

Resolved, That a committee on such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore (Mr. DREIER). The gentleman from Missouri [Mr. CLAY], the dean of the delegation, is recognized for 1 hour.

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

Mr. Speaker, as dean of the Missouri delegation, I rise today to pay tribute to a great man from Missouri, a thoughtful and pragmatic Member of this body, a widely respected colleague, a friend, and a man who truly loved this institution and all the good that it represents.

To know BILL EMERSON was to respect BILL EMERSON. I know of no other more likable Member of this institution. On many political issues, he and I had genuine disagreements. But it is not those differences of opinion that I remember as I recall the life of BILL EMERSON. Rather what I remember is that BILL EMERSON was a man who was not limited by ideology and party label. If a compromise could be reached, BILL would reach for it. If BILL EMERSON thought that political differences could be bridged in the best interest of the people of his district, his home State, or the people of this great Nation, BILL would help erect that bridge.

As we bid farewell to BILL EMERSON, let us be forever mindful of his gallant leadership to eradicate world hunger. As vice-chairman of the Select Committee on Hunger, BILL walked the walk by placing his own personal comfort and safety on the line. He traveled to Somalia in 1992 to gain firsthand knowledge of the horrors of mass starvation going on in that far-off land. Later, when that Select Committee was targeted for elimination, BILL joined our colleague TONY HALL, in his fast to bring attention to that regrettable decision by this institution. And, finally, BILL EMERSON made his own pledge to contribute $10,000 to the hunger caucus formed to fill part of the void left by elimination of the hunger committee.

On behalf of my family and the people of the First Congressional District of Missouri, let me express deepest sympathy to BILL's wife Jo Ann, his daughters, and other members of BILL's family. Thank you for sharing this decent and compassionate human being with our Nation. Rest well, BILL. All of us who serve in this institution that you loved so dearly will miss you.

□ 1515

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise with great sadness to join in the sorrow of this institution at the loss of our dear friend and colleague, BILL EMERSON. As our friend and leader from Missouri stated so aptly, BILL was one of our colleagues who was always there to work in a bipartisan way on the priorities of this country. Whether it would be the problem of hunger in the world or in this country, or agricultural problems that affect so many districts, or whether it be our relations with Germany, where BILL was so instrumental in starting the Bundestag, the congressional effort to strengthen ties, BILL EMERSON was in fact this institution's leader.

However, I knew BILL EMERSON in a different light, Mr. Speaker. In the last session of Congress he was named to be a bipartisan cochair of a task force dealing with disaster issues with our friend and colleague, the gentleman from Illinois [Mr. DURBIN]. Having had the pleasure of serving with both of them, we worked for 6 months on looking at ways that we could improve the response to handle those disasters that affect all of our districts, and in BILL's case the terrible floods that ravaged the people of Missouri and the central part of this great Nation. Again, BILL EMERSON rose to the task and was a leader in this institution and helped us craft a bipartisan bill that now enjoys the support of over 260 of our colleagues.

As a matter of fact, Mr. Speaker, last month BILL EMERSON was recognized by the 1.5 million men and women of this Nation's fire and emergency services as the 1995–1996 legislator of the year. That is because of BILL EMERSON's tireless efforts on behalf of those people who have to face the problems and tragedies associated with disasters in this great Nation.

On behalf of all of those people who have suffered and all of those 1.5 million people who day in and day out respond to disasters, I rise to pay tribute to our friend and colleague. I can think of no more fitting tribute, Mr. Speaker, than if this body would take up the Natural Disaster Protection Partnership Act, BILL EMERSON's bill, in this session to pay tribute and homage to this great American leader.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, I had the opportunity and the privilege for some 7 to 8 years to ride to and from McLean, VA to the Capitol with my fellow Missourian, BILL EMERSON. We would start out the day, we would solve all of the problems of the world and, unfortunately, by the time we went back to our houses in the evening together, all of the problems would fall apart. He was a wonderful companion, a wonderful friend.

Memory and friendship are funny things. They go hand-in-hand. I will long remember the discussions we had: Political, legislative, Missouri, Westminster College, where he went to school; families, angels, agriculture, Fort Leonard Wood, the gamut of subjects was nearly covered by our conversations. It was always in a spirit of warmth, joviality, kindness, and yes, vision, that he spoke of things we discussed.

This is a fitting tribute, and I compliment the gentleman from St. Louis, MO, Mr. CLAY for bringing it to the floor, for BILL EMERSON will long be remembered in this body, but he will long be remembered at home where he really cared for the people that he represented.

He talked about them. He told me stories about them. He was proud of them. He liked to talk about the unusual legislation that he had from time to time, the wild horses bill and how the bureaucrats were trying to do them in and how he won that here on the floor. How proud he was of his family, those wonderful four young ladies and his lovely wife, Jo Ann. BILL EMERSON will long be remembered, not just as a legislator, not just as one who was a child of this House, knowing that he started out as a page here, but he will long be remembered by so many of us as a warm and good and decent friend. I am so pleased and honored to have walked along life's pathway with him through those years.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. HANCOCK].

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

Mr. Speaker, I guess it was about 7½ years ago I was sworn in as a Member of the U.S. Congress. I had known BILL EMERSON for quite some time. He had been up here for about 8 years. BILL and I used to stand back there at the back row and I would ask him for his advice and counsel, but I remember long about February 1989, the first substantive vote that we actually had up here in the Congress, and I do not remember what the vote was, but I was green as a gourd and I did not really understand the process.

I had never held a public office, I had never held a legislative position. I was back there kind of scratching my head and BILL walked up to me and said, he

said, what is the matter, MEL? He said, you have a problem? And I said, well, I do not know for sure how to vote on this. He said, well, he said, here in the Congress you have one of two choices. You can either vote politics or you can vote what is right. Sometimes they are the same, sometimes they are not. But he said, I know you, and I know southwest Missouri, and I know the people of the State of Missouri. And he said, MEL, if you will just vote your gut feeling on anything that comes up here in Washington, DC, that we are voting on, he said, you will probably be right about 99 percent of the time.

Following that conversation, I went ahead and voted, and I thought about it regularly when some of these tough decisions come up. The only time, and there has only been once or twice that I did not follow his recommendation, and I went home at night and could not sleep about it. I decided that that was not going to happen.

So for the past roughly 7½ years when the tough decisions come up, I think back to what BILL EMERSON told me right back there at the rail about 6 weeks after I became a Member of the U.S. Congress. With the conversations we had, his loyalty to this organization, the House is going to seriously miss the institutional memory that BILL EMERSON had.

It is with deep regret that I think all of us mourn the passing of BILL EMERSON, but I also think we can be positive because of the way BILL did pass. He stayed here, he did his job, he was concerned right up to the very day that he went to the hospital about maintaining a voting record, and one of the things BILL EMERSON used to say is, the vote I cast here in the Congress does not belong to me, it belongs to the people that I represent. A great American, a great individual.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, I wish to join my colleagues today in honoring a person who to me was not just a colleague, but like many others was a friend. It is a day of sadness for us all, and it was a great day of sadness when I heard Sunday of the death of my friend BILL EMERSON.

Mr. Speaker, BILL and I go back. I was here a few years before he came, but when he came in 1981 and began his service on the Committee on Agriculture, and I was a member also of the Committee on Agriculture, we worked together, he for the people of southeast Missouri and I for the people of northeast Missouri.

Our districts border along that same Mississippi River, he in Cape Girardeau and I in Hannibal. We had a lot of similar interests in our districts and then we had some differences. We discussed them not only during meetings of the Committee on Agriculture, but as our colleague, the gentleman from Missouri [Mr. HANCOCK], has said before, back behind the rail many times discussing things, whether sitting on the floor, other times in our offices. Either he would visit me or I would visit him, and we would discuss legislation and what was good for our districts.

Just to give you some examples of things that we worked together on, back in the 1993 flood, it hit the northeast part of Missouri before it hit the southeast, but it hit the southeast just as hard as it did the northeast. We worked together working with the Corps of Engineers and others to bring about some relief for the flood victims.

One of the things that when I came up with the buyout bill so that people would be able to move out of that floodplain. It was his efforts in the Committee on Public Works, when that bill had to go through the Committee on Public Works, along with others on the committee, but primarily BILL, that he was able to move that bill within a few short weeks out of the House, through the Senate and on to the President's desk.

He not only had a love for the House of Representatives, he had a love for government in general, and he knew government. He believed firmly, strongly, in a government of the people, by the people, and for the people, and I too wish to join in saying to the people of the great State of Missouri and of the United States, we have lost a leader. To his wife, Jo Ann, who has lost a great husband, his four daughters who have lost a great father, I offer sincere condolences, to Jo Ann and the children, and I also wish that all of us would be able to attend the funeral, but I know that is not going to be possible. But I know that all of our hearts are with the family at this time, and to his mother who awaits him now in Cape Girardeau, I send my condolences also.

□ 1530

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Missouri [Ms. DANNER].

Ms. DANNER. Mr. Speaker, a good friend passed away the other day. BILL EMERSON was a friend of the Congress, a friend of the people of Missouri, and a friend of mine.

BILL was the type of individual whom others hope or aspire to become like. His interest was the public interest. His concerns were the public concerns, and his conscience was indeed the public conscience.

One of the many reasons BILL was so beloved by the people of Missouri and the other Members of Congress, both Democrats and Republicans alike, is because of his unique genuineness of character. People know that when they met BILL EMERSON, the candidate or the legislator, that they were first and foremost meeting BILL EMERSON, the man.

He always had a very clear understanding of where campaigning ended and when the business of legislating and serving began. If we had more public servants like BILL EMERSON, I have no question that the cynicism many Americans hold toward their Government would evaporate and be quickly replaced by the hope and optimism that was so evident in BILL EMERSON.

BILL was a man of enormous kindness and thoughtfulness, traits that even the scourge of cancer could not take away.

BILL worked diligently, he worked hard, and he worked faithfully right up until the very end. The very first day I noticed that he was not on the floor and was missing his first vote, I learned it was because one of his daughters was graduating from high school. Until the very, very end, he was on the floor voting for his constituents.

At a time here in the Congress, and in our United States, when the shifting demographics raised serious concerns that the voice of rural America, an area many of us represent, among others, would be reduced to a whisper, BILL stood as a giant for our small towns, farms, and the entire agricultural community.

All the while, he also stood as a bastion of civility, using reason and friendship to accomplish what others had failed to do through bombastic rhetoric and political gamesmanship.

I consider it a very real personal privilege to have worked so closely with BILL in prior weeks on some bipartisan legislation he supported so strongly, one that would provide more food for the hungry in our Nation, an effort that was ever foremost in his mind, that of nutrition and feeding the hungry amongst us.

I will miss BILL'S friendship, BILL'S leadership, BILL'S compassion, as will innumerable others. He departs our world leaving the State of Missouri and the U.S. Congress infinitely better because of his presence.

The career we honor in fitting ceremony today, the people of Missouri will remember in more everyday ways for years to come as their lives have been enriched by BILL EMERSON, an American treasure and one of the best and brightest ever to serve our State of Missouri.

BILL, we will miss you.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. GEPHARDT], the distinguished minority leader.

Mr. GEPHARDT. Mr. Speaker, I rise today to pay tribute to a dear friend of mine, and a fellow Missourian, who dies this week after a lifetime of service to his country and to his community. Of course we are talking today about our dear friend, Representative BILL EMERSON.

BILL'S passing is a tremendous loss for me personally and for all of us who came from his State. We worked very closely over the years, and I always knew him as a man of quiet peace and decency to every person that he ever met. He was simply one of the finest human beings to ever pass through these halls. How he did love this institution of the House of Representatives in which he spent most of his life.

But his passing is also a tremendous loss for the entire U.S. Congress. He was someone who could always reach across the aisle and work with both Democrats and Republicans for the sake of his beloved Missouri and the entire country.

He had more accomplishments than we have time today to list, like his dedication at home to improving Highway 32 or fighting for a new bridge across the Mississippi River, or just fighting for his constituents, in so many ways. All of this will serve as monuments to his life and to his work.

We all came to respect BILL's levelheadedness, even in the most tumultuous debates. His courage in the face of his illness is something that will stay with all of us for our entire lives. He missed only five votes in this Congress. His was a record of constant and consistent achievement.

Mr. Speaker, I ask my colleagues to join all of us in a celebration of the life of BILL EMERSON. His mark on this institution will forever be remembered. Our thoughts and our prayers and our wishes are today with his dear family, his dear friends, and all the loved ones who so much grieve today his passing.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri [Ms. MCCARTHY].

Ms. MCCARTHY. Mr. Speaker, I want to join my colleagues on both sides of the aisle in paying tribute to my fellow Missourian, the gentle man from Missouri, BILL EMERSON, and to thank the gentleman from Missouri [Mr. CLAY] for bringing this resolution before the House.

I joined the Congress a year and a half ago, but I have long admired Mr. EMERSON's ability to build bridges between this aisle, which oftentimes is very wide. He made friends with his engaging personality and he kept them with his honest and fair approach to lawmaking.

I had the opportunity to serve with him on the Committee on Transportation and Infrastructure where he was a wonderful mentor to me. We worked together to bring Federal assistance to Missouri, to three grossly deteriorated bridges across the State, the Chouteau Bridge in my district and Representative DANNER's district, the Hannibal Bridge in Representative VOLKMER's district, and a bridge in Cape Girardeau, which I hope will one day bear his name in tribute to his great efforts in this Congress.

We must never forget Representative EMERSON's commitment to upholding the integrity of this body, and we must embrace his cooperative spirit, which I hope will guide us through the remainder of this 104th Congress and the challenges that face us.

It has been an honor to have served with him, and he will be missed by all of us. I envy those who served with him far longer than I did. I will treasure those quiet, witty, thoughtful conversations, so rich in history and so full of wisdom.

I send my heartfelt condolences to his family, to the citizens of the 8th District, and to this great Nation, and I join with my leader in celebration of his goodness.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. I thank the gentleman for yielding me the time.

Mr. Speaker, BILL EMERSON was loved by all of us in this body and he will be missed by all of us.

We all knew BILL EMERSON was a skillful legislator who represented the best in public service. I always knew BILL EMERSON the person. He was one of my closest friends here. I knew the loving, caring, honest guy BILL was. He cared deeply about people, all people, from all walks of life. But his passion, Mr. Speaker, was to reach out to people like me, people recovering from alcoholism. Until his cancer incapacitated him, BILL held meetings in his office every Wednesday noon, always there, for all of us, always there with a listening ear, always there to help others still suffering the ravages of alcoholism and drug addiction, always there setting up interventions for families, always there to talk to spouses of Members who are in trouble with this disease of alcoholism. BILL EMERSON was a true inspiration to all of us who care about this disease of alcoholism. I am not breaching his anonymity because BILL EMERSON has given this talk before, publicly. He was a true profile in courage, a true profile in courage for the way he lived and the way he died.

I talked to BILL EMERSON a week before he passed on. He said, ''JIM, if I'm not going to make it, I'm going to go sober.'' BILL left us sober, and he left us a wonderful, wonderful legacy, those of us recovering and all of us as well as those still suffering from this disease. To Jo Ann and BILL's four wonderful daughters, thank you for sharing this truly wonderful human being with all of us. BILL, we love you.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, that moving speech by the gentleman from Minnesota is certainly one that is not going to be equaled for me to repeat, because I did not know Congressman EMERSON in the same sense that Mr. RAMSTAD did. In this fast and furious pace, Members touch us in different ways. While I am not a member of the Missouri delegation, Mr. EMERSON taught many of us by example a number of things. One was courage.

Mr. EMERSON was wheeled into this body about 2 weeks ago in his wheelchair with his oxygen on and I went over to say hello to him and asked if there was anything I could do. He removed the oxygen from his nose and he started to get up out of his wheelchair, and he said, ''TIM, you make sure you go around telling all my colleagues and all my friends that I'm going to beat this thing. This wheelchair only helps me get back and forth from my office to the floor to cast my votes.''

This place where BILL EMERSON started as a page was not just the House of Representatives. It was like BILL EMERSON's home. BILL EMERSON taught me the lesson not just of courage in casting votes up until the end, he taught me about civility and about being kind, to Democrats and Republicans, and treating everybody the same here. My heart goes out to Jo Ann and the four daughters and I will thank BILL EMERSON for the lessons that he taught me from farther away.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

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

Mr. GUNDERSON. Mr. Speaker, I join my friends from Missouri and thank them for giving all of our friends in the Congress and the friends of BILL EMERSON a chance to say how much we loved and respected our colleague.

I had the privilege of coming to this Congress with BILL EMERSON in 1980. We sat next to each other on PAT ROBERTS' Agriculture Committee and we reminisced and we talked and we went through so much.

The three things that I think come to mind: It is the courage, it is the basic decency, and it is the commitment to governing. The courage of commitment, the courage of the fight, the courage to be above it all and to be gracious in the most difficult of times.

The basic decency. He was, as few have talked about here, the chairman of the Subcommittee on Nutrition. He was the one who said in the midst of all of this effort to reduce the budget, ''Let's not forget our commitment to the hungry and to those on food stamps.''

It was his courage, I think, and his partnership with PAT ROBERTS that made sure that as we block-granted these programs, we kept a Federal commitment on the food stamps.

And then the final issue is the basic commitment to governing. No one would ever call BILL EMERSON a revolutionary, because BILL EMERSON believed in this institution and he believed in this Government and he believed in this country. It was his goal to preserve them and to make them work and to make them something that all of us could be proud of.

Ralph Waldo Emerson defined success as to laugh often and much; to win the respect of intelligent people and the affection of children; to earn the appreciation of honest critics and endure the betrayal of false friends; to enjoy beauty; to find the best in others; to leave the world a bit better place, whether by a healthy child, a garden patch, or a redeemed social condition.

□ 1545

To know that even one person has breathed easier because you have lived, is to succeed. Ralph Waldo Emerson did

not know it at the time, but he wrote the eulogy for our friend, BILL EMERSON.

Mr. CLAY. Mr. Speaker, I yield 2 minute to the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman from Missouri [Mr. CLAY] for this resolution and a chance to get up and say something about our friend, BILL EMERSON. He died Saturday night. I had the chance to visit with him Saturday morning at the hospital. It was very heard to see. It was excruciatingly hard to see how sick he really was, but there was peace about him in that room that in a way was a lovely thing to see. My heart goes out to him and his wife and his children, his mother. They loved him deeply. He was a great friend of so many of us, Republicans and Democrats alike. As a matter of fact, if he had any enemies, I would not know who they would be. He loved people and he cared for them deeply, both in his own district and in this country and overseas. He was a great humanitarian, and he had a wealth of knowledge about many subjects.

He was kind of a historian, especially about Lincoln and about the history of this place. As a matter of fact, the last time I had a long talk with him, he was again in his hospital room getting chemotherapy, and I asked him to tell me about Lincoln. An hour and a half later he was still talking about Lincoln. He did not take a breath. It was fascinating, it was exciting to hear about Lincoln and hear things I had never heard before, and that is the kind of person he was. He was enjoyable to be with, fun to be with, and a great man.

He is doing OK now. He is with his Lord. It is us that are really hurting. He was a great friend of all of us.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Speaker, I thank my colleague for yielding me the time and for introducing this resolution commemorating the service and the life and times of our good friend, BILL EMERSON.

We have talked a lot about BILL's beliefs and his enthusiasm, his principles and his character. I speak from the perspective of one who regarded BILL EMERSON not just as a friend and a colleague but as a mentor. From the moment I became involved in running for Congress, all through my service in the Congress, he was always available on a very practical level to help me; and he always did, and you knew you could trust him.

Another great Missourian, Harry Truman, said one time, ''If you want a friend in Washington, buy a dog.'' Well, that was not true with regard to BILL EMERSON. I look around at the people here on this floor and I know everybody regarded him as a friend and somebody that you could trust and confide in. I walked up to him in the Cloakroom one time. It was my first year here, and I was going through a bout of freshmanitis. I just felt like I was carrying the weight of the world around. I said, BILL, can I talk to you for a minute? He said sure. I said I am just so uptight. It is kind of vague anxiety. He says, ''Well, what is it? What is wrong, TALENT?'' I said, I just feel like it is hard for me to keep going day after day, there is so much going on that I do not understand. He said, ''What do you mean?'' He kept drawing me out. I finally said, it is like my neck is all tight. It is like I just cannot seem to move it. He said, ''Well, what you need, TALENT, are neck exercises.'' He started moving his head back and forth, and then he started laughing and I started laughing. By the time we were finished, my depression was gone. He knew exactly what I needed. He looked right down into my soul and he gave me the help that I needed.

He was a big fan, we have mentioned here, of Abe Lincoln. I do not know if anybody before I came talked about what a fan he was of Winston Churchill's. Winston Churchill said one time in a speech about Neville Chamberlain, and I think everybody in public life can relate to it, he said:

> At the end of the day, history is going to judge what we do, and we do not know what it is going to say. But at the end of the day, at the end of a life, the only shield you really have is the rectitude of your conscience.

Mr. Speaker, by that shield, our friend BILL EMERSON will do very well in the reckoning of history. He lived by his principles. He was faithful to his beliefs in his constituents. He fought the good fight. He finished the race. He kept the faith. It was a privilege to have known him.

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

Mr. MCNULTY. Mr. Speaker, I thank my good friend, the gentleman from Missouri, BILL Clay, for yielding me the time.

BILL EMERSON was one of my best friends, not just this Congress, but in life. When I first met him, it was not on the floor of the House of Representatives. It was not in Washington, DC. It was not even in this country. We were in the Horn of Africa and BILL was working with Mickey Leland and GARY ACKERMAN and others to try to see to it that the tragedy of 1988, when 250,000 people in Sudan died of starvation, did not recur. He was successful, along with Mickey, in that effort.

He came to the House of Representatives as a page, and he loved this institution until the day of his death. He was an outstanding legislator, an expert on agricultural issues, a great family man, a man of deep religious conviction, and he was a great friend to all of his constituents, to all of his colleagues, and especially to the hungry and the homeless of the world and all of those who had special needs.

I extend my deepest condolences to his wife Jo Ann, to his four children, to his lovely mother whom I had the opportunity to meet at the hospital last week, and I join with all of my colleagues in expressing the hope that our good friend BILL will continue to watch over all of us.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Speaker, I thank the gentleman from Missouri [Mr. CLAY] for yielding me the time.

Mr. Speaker, all of us feel the loss of BILL EMERSON because he was a friend to most of us and our condolences go out not only to his family, for which it is such a loss, but for the members of his constituency who could not have been better represented in this Chamber than he represented them. We all know BILL as a kindly person, a great sense of humor and a fine storyteller. He was a wise person.

He was truly a man of the House. I recall when I joined the committee on which he served, besides Agriculture, then called the Committee on Public Works and Transportation, he took me in hand and showed me a lot of the ropes.

Most of us have seen the photo which is in the Republican Cloakroom of a young page helping to carry Members off the floor who had been shot at and wounded. BILL was a hero as a page. He was a hero to all of us in his legislative craftsmanship, not only in Agriculture, in nutrition, but on our committee, now the Committee on Transportation and Infrastructure.

It was first the Mineta-Emerson Act, and then the Emerson Act—the Natural Disaster Act, H.R. 1856. I hope that in his memory during this session or perhaps the coming session that we can bring that legislation to the floor and pass it in his name because that measure meant so much to him. He had the constituency, as many of us do, that had suffered from a number of major disasters, and he thought the Federal Government could do better.

As has been said many times today, BILL EMERSON believed in governing, and this craftsmanship was certainly a good example of it. So our condolences to all of his family and to all of his constituents. A great man has been taken from us.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I want to thank the gentleman from Missouri [Mr. CLAY] for organizing this resolution so all of us can speak.

I did not know BILL EMERSON as well as most but had the opportunity to work with him on agriculture, and I also had the opportunity to know one of this pet concerns; that is, feeding the hungry. We also worked on a number of issues. BILL EMERSON was a man who cared about people deeply. I disagreed with BILL EMERSON on some issues, but even in his disagreement, he taught us how to disagree with activity.

He taught us how to have an advocacy for a position that differed from others, but yet respect. I was honored along with BILL EMERSON on two different occasions, so we got to be friends about the issue of hunger.

We should celebrate the life of someone who deeply cared about people. We also should share and celebrate the life of someone who had very strong positions that differed with others, but he could be an advocate for those positions with a sense of civility and respect. He will leave us a standard for the rest of us to be good legislators, to be advocates for our position, but also to honor this position.

His life brings honor to this House. If we could emulate that, we would honor the life that he has served.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank my friend for yielding me the time and taking out this time to talk about BILL. STEVE HORN just left and spoke about the picture. I would ask all colleagues who have not seen it to take a look at that picture of BILL EMERSON carrying the stretcher on which resided a Congressman who was shot up in, I believe it was, the 1954 shooting in the House Chamber when several Members were hit.

The picture of BILL EMERSON in that picture, I think, is representative of what we saw in our association with him in the House as a Member of Congress, because there was BILL EMERSON, the lead carrier on that stretcher. He was pointing out the direction in which they should go with that thing. As usual, he was big, he was fearless, he had a lot of courage. Just as he was in his career in Congress, he was right in the middle of things and that represented BILL.

BILL was a real fighter, and when he took on a cause, whether he had two people on his side or a majority, it did not make any difference. He believed in the good fight and yet he was also very forgiving. He was forgiving to us, his colleagues, when we disagreed with him on issues. On a personal basis, he was very forgiving, too.

We were sworn in in 1980, and as the Speaker knows, I was holding my son in my arms, little Dunk. BILL had his daughters on the floor. Incidentally, little Dunk held me in his arms the other day and would not put me down and it upset me. But BILL decided to buy firewood from the Hunter firewood organization. My boys would go up to the Blue Ridge Mountains with me. We would cut firewood, load it in a horse trailer and find victims, I mean customers, for that firewood in Washington, DC. I see the gentleman from Texas, LARRY COMBEST, back here is one of our victim purchasers.

I asked BILL after I delivered him about three loads of firewood, most of which daddy cut and the boys handled a little bit, but after I delivered that wood to him for several weeks and he had paid my sons, I asked him how it was burning. He said it is wonderful. He said, ''If you will just reimburse me for the gasoline I am having to put on it, everything will be fine, HUNTER. But that represented BILL EMERSON, big hearted, forgiving to his friends and all of his colleagues.

The Founding Fathers, in putting together this great structure for a government, for a democracy, needed one important ingredient, and that was to have people in this Chamber who were compassionate, who had courage, and were forgiving and would relentlessly represent the ideas and the philosophies of their constituents. BILL EMERSON was such a man.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. BISHOP].

Mr. BISHOP. Mr. Speaker, it is a real sad time for me to have to reflect on the life of BILL EMERSON, but BILL is the kind of person I think that I will never, ever forget. If there has ever been a person who represents what is stated in the 25th chapter of Matthew:

> When I was hungry, you gave me meat. When I was thirsty, you gave me drink. When I was naked, you gave me clothing. When I was in prison, you came unto me. When I was sick, you ministered to me.

BILL EMERSON was such a person.

BILL EMERSON was bipartisan. He was a leader. He was my subcommittee chairman on the Subcommittee on Department Operations, Nutrition, and Foreign Agriculture. He gave me the assurances that everything would be all right when we were worried about those people that were hungry and what would happen to them in this Congress.

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He gave me the assurance that it would be OK, and I am happy that BILL EMERSON was there. I am happy that BILL EMERSON was subcommittee chairman, and I am just happy to have been able to call BILL EMERSON my friend and my leader.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Speaker, I want to thank the gentleman from Missouri, Mr. CLAY, for yielding this time to me and also for setting up this effort on behalf of Mr. EMERSON.

It seems like we spend a lot of time on this floor berating each other and talking down the institution of Congress. I think it is wonderful that we are able to spend a little time now remembering some of the good things that happen here, and especially I think it has been interesting to me to sit here and listen to the many good things said about Mr. EMERSON.

He has been a real inspiration to me. I think he has been to many of us, and that is why so many of us are here on the floor today. I kind of thought that I had a special relationship with him, and so many of my colleagues have talked about instances that they had with him. I do not know how he was able to spread himself around so much.

I first saw him when he fought hard against our leadership last year to preserve the task force on hunger. As the gentleman from California [Mr. HUNTER] said, there were times that he fought if he only had two on his side. I think he was alone at that time., and he fought very hard because he believed in helping the underdog, those who needed help.

Later I had the opportunity of serving on the task force on disaster that was set up by the Speaker, and he and the gentleman from Illinois [Mr. DURBIN] headed up that task force. In serving with him on that, I had the opportunity to go to his office, and it is full of memorabilia. If Members have not visited his office, they should go do it. He has the picture there of him and the gentleman from Pennsylvania [Mr. KANJORSKI] when they were helping carry the Congressmen out of here when they served as pages.

He also served here as a staff member and then served as a Member of the House. And he loved the House and he loved each of the Members of the House and he loved all his constituents and his family. He had a great capacity for love.

When we had our kickoff for the 104th Congress, I had the opportunity of setting up some of the day's activities, and the first thing we started with was the prayer service in the morning. I asked him if he would head that up and he did a fantastic job. He did not suffer from ego. He was just here to serve, and it was just a wonderful thing to work with him.

I think the thing that hit me the most about BILL EMERSON was the last few months here when he was fighting this illness, and every time I have talked to him he has been an encouragement to me. He did not talk about his suffering. I know he was going through great pain, but he always had a big smile and always was uplifting. Fantastic. Reminds me of the words of John Donne:

> No man is an island. No man stands alone. Each man's joy is joy to me. Each man's grief is my own. We need one another, so I will defend each man as my brother, each man as my friend.

He was a great friend. He epitomized those words. We will miss him greatly, but I will always remember BILL EMERSON.

MR. CLAY. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I thank the gentleman for yielding me this time. BILL EMERSON was a friend of mine with strength, his compassion and his dedication to the ideals of America.

I met BILL on a CODEL to Somalia, where we both flew into a small town to witness the hunger and the lines of women and children to get nourishment. I did not know that BILL EMERSON was a Republican because he was

not the kind of person who was Republican or who was Democrat; he was an American.

In spite of all his trials and tribulations, he still found time to give me words of encouragement, and I would like to share those words with my colleagues because, to me, they personify the strength of BILL EMERSON.

He said, ''Barbara Rose, you must be strong to persevere and resolute to overcome.'' And he repeated that to me three times. ''You must be strong to persevere and resolute to overcome.''

I will never forget those words of encouragement and I think that those words describe BILL EMERSON and his work in the House. A good friend to America.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. LIVINGSTON. Mr. Speaker, I thank my friend for yielding me this time, and I rise in tribute to a great guy and a good friend, BILL EMERSON, the third of my friends to pass away in the last 2 months, all under 58 years of age.

We would all like to think we can make a difference in this world when we go. BILL EMERSON can certainly say he made a difference, whether as a page with the gentleman from Pennsylvania, PAUL KANJORSKI, when this place was shot up, as memorialized in the photograph that has been mentioned earlier, or as a graduate of Westminster College, where earlier Winston Churchill gave his famous Iron Curtain speech; whether through his efforts to travel to Africa and elsewhere to exhibit his concern for the hungry and the needy, to try to feed those who were most in need; whether through his dedicated and devoted representation of his constituents, or his guidance and oversight of the Mississippi watershed, taking trips to New Orleans with the wonderful people along the Mississippi River, go down there and try to make sure that those who needed flood protection were able to have that protection from the devastation of floods, and at the same time to partake of a little bit of New Orleans jazz and seafood, which he deeply loved and enjoyed with his wife Jo Ann.

In fact, he will be remembered for the love that he bore for his wife Jo Ann and his four daughters. BILL EMERSON, in fact, did make a difference. He was a good man and we will all remember him fondly, and we wish his family well.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas, [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding me this time and for his effort and leadership. As has been indicated many times, there is a picture of BILL EMERSON when he was a page in the Republican cloakroom leading the way in regards to assisting the wounded Members that were shot back in 1955, and he has been leading the way ever since.

We have had a virtual outpouring of affection and love for BILL here on the floor, as was the case a week ago Wednesday when the Jefferson Island Club, made up of many Members on both sides, named BILL their man of the year.

I think the word that really applies to BILL more than anything else is courage. I know the gentleman from California [Mr. HUNTER] and myself were there when he took that very courageous step to go to the Betty Ford Center, and he has been such a leader and has exhibited even more courage in such a manner to those, as expressed by the gentleman from Minnesota [Mr. RAMSTAD].

BILL was a back rail troop, as has been indicated by the gentleman from Missouri, Mr. VOLKMER, and the gentleman from Missouri, Mr. TALENT, and others. He would be back there as of today probably saying this is going on a little too much. In that regard, we had many discussions about Eisenhower and Taft and Lincoln and politics and Kansas and Missouri and family and everything else.

We are family in the House Committee on Agriculture, and we said this as of last Monday, ''We suffered a deep loss both professionally and personally at the passing of our dear friend and colleague, BILL EMERSON.''

From a personal standpoint, we came to Congress together back in 1981. We have served side-by-side on the Committee on Agriculture ever since. Four farm bills, countless legislative battles, he has been a unique champion for farmers and ranchers.

The gentleman from Texas [Mr. DE LA GARZA] the distinguished chairman emeritus of the Committee on Agriculture, has a statement as well, but I think it is interesting that at 1:30 in the morning when we finally finished the farm bill, BILL did not comment on some of the amendments, he did not comment on the farm bill, but when it came time to pay tribute to Mr. DE LA GARZA, the longest serving chairman of the Committee on Agriculture, BILL got up, and even though he was sick and had lost his voice, he paid tribute to KIKA It was at that time that I turned and said, BILL EMERSON, we love you.

Something has already been said about his motto for living. It was only a week ago Thursday he was sitting right over there looking very much like Winston Churchill, and he was in the process of making all those votes, and he got this quorum call card and he gave it to me, and as has been said before, he wrote on it, ''ROBERTS, I want you to be strong to endure and resolute to overcome.'' How many Members did he say that to? It is what the Prince of Wales said to the troops prior to World War I, and I have kept it. I have kept it ever since and I will keep it.

My colleagues, Helen Steiner Rice said this on such occasions.

> When I must leave you for a little while, please go on bravely with a gallant smile. And for my sake and in my name, live on and do all things the same. Spend not your life in empty days, but fill each waking hour in useful ways. Reach out your hand in comfort and in cheer, and I in turn will comfort you and hold you near.

That is BILL EMERSON. God bless you, BILL, and we miss you.

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

Mr. MORAN. Mr. Speaker, the last image that we have of BILL is one of courage and strength, an oxygen tube in his mouth, confined to a wheelchair. But the BILL EMERSON that will live on in our minds and our hearts is a gregarious man, just full of energy and goodness and pride that he was part of this institution.

I had the privilege of representing BILL and Jo Ann and their four daughters at their home-away-from-home in McLean, VA. In fact, I had a wonderful day one day when his daughter Tori shadowed me for the full day. And I will never forget when BILL joined us for lunch of seeing the pride in his eyes as he looked at his daughter, so beautiful, so bright, so accomplished, and he knew that this was largely because of his investment of time and caring and love in her and the rest of his family.

He lives on in that family, as he does in this body. He invested so much of himself in making this the kind of legislative organization that is the pride of Western civilization. he spent most of his life here. He loved this body. He loved its Members and we loved him.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me this time and for introducing this resolution.

I join with my colleagues in sending our condolences and love to Jo Ann and the entire Emerson family. Much has been said here today about the selfless individual that served among us as the Representative from Missouri. There are two things I would just like to remember with my colleagues about him that stand out for me.

Eight months ago, when we were considering whether or not we should continue the Select Committee on Hunger, BILL EMERSON asked me to go to lunch with him and a couple of staff people. He wanted to talk about this, just one-on-one, to talk about the passion he felt for that select committee and the work that it was doing.

I did not have to ask him, ''BILL, why are you doing this; what is in it for you?'' I knew there was nothing in it for him, but I knew how much he believed in it; that he took the time to meet with Members one by one to talk to them about this.

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The other thing was his service as chairman of the page board. I had the

privilege these last 2 years of serving with him on the page board. Like him, I started here as a page, though in the other body. Like him, I loved this institution of Congress. BILL EMERSON loved the institution of Congress that he started serving at such a young age, but he also loved the pages. He loved the young people that worked in that program. He took the time to talk to them. He took the time to understand what the program was about and how important it was.

Just 3 weeks ago when the group of pages that had served us for this last year left, he came to the floor. He wanted so much to lead the tribute to the pages, but he was taking oxygen, he was in a wheelchair. And he said: JIM, would you take this 5-minute special order to do this? He said: I really want to do it, but I just cannot.

But he stayed here on the floor. He listened to what was being said because he really cared about it, and he put his remarks in the RECORD so that they would appear there. BILL ended his life as he lived it, with courage, with love, and with caring. Sometimes we have to have a sad event like this to remind us that this body is not about Republicans or Democrats, conservatives or liberals, urban or rural, northerners, southerners. It is about people, flesh and blood who love and laugh and cry and hope and grieve.

Bill's life demonstrated that, and his leaving reminds us of it.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, I join in the sadness of the loss of BILL EMERSON, and I join my colleagues in the joy of celebrating his life and all that he did. As a Member of Congress, as a citizen, as a husband, as a father, as a friend, I had the fortunate opportunity to serve with him in the committee, to work on many of his endeavors, to share with him the zest for the underprivileged, for the hungry, not only here but around the world.

He dedicated his effort and his life, but for the grace of God, he was not on the plane with Micky Leland. He traveled to all of the corners of the world where most Members do not go. He traveled to where there was hunger, to where there was famine, to where there was a problem. We had a very pleasant relationship because I never could spell, and I do not think that I can spell now Cape Girardeau, so that was a constant thing with us.

As we recalled some of the personal relationships, my wife made me a present of a beautiful tie with continental type drums. The day that I wore it with great pride, he came straight to it and said, that is a beautiful tie, about three times. That evening I told my wife, I said: Do you know who liked your tie? BILL EMERSON. Can we get him one. She said: I got this in New York someplace. It was the last one. I do not know if we can. And I said: Well, if you do not mind, I am going to give it to him. And she said: Well, I think it would be nice.

We already knew that he had this ailment. So the next day I gave him the tie. May you wear it in good health. That afternoon he was on the floor showing me the tie. Those are the things that we will remember.

What we cannot forget is that we cannot say all these things about BILL EMERSON today and forget him tomorrow. We need to dedicate our lives, our service here to that which was his first interest, beyond his family, beyond his country, were those that needed nutrition, the hungry of the world, the hungry of our country.

I hope that we as a House and we as individuals dedicate ourselves and remember BILL EMERSON when we work, not necessarily on the budget or the priorities but that there are people hungry who need to be fed. That is what his purpose in life turned out to be. I hope we honor that.

I thank the gentleman from Missouri [Mr. CLAY] for allowing me the time.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. MCCOLLUM].

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

Mr. MCCOLLUM. Mr. Speaker, BILL EMERSON and I came to Congress together in 1980. We were in a great class of Congressmen. We were fast friends over a long period of time. I ran a number of leadership races. He supported me in every one of those, very committed through thick and thin, even those where I did not do so well.

I can remember on projects the hours he would spend actually making those telephone calls personally or rounding up whatever votes either for leadership or for a bill on the floor where necessary. Whenever BILL EMERSON made a commitment, he lived up to those commitments.

I remember a few years ago he made a tough decision that he consulted with me on more than one occasion about whether he should run again for Congress. He thought about retiring. I encouraged him strongly to continue. I knew his love for this institution, and I knew what he gave to his country and what it meant to all of us. He made the right decision to stay. In fact, it was not too many days ago that he reminded me of that and told me so. I was pleased that I was party to helping make that decision.

I also know that he had friends elsewhere. He was involved with the Interparliamentary Group with some of us with the German Parliament, the Bundestag. Just about 10 days ago I was reminded of that by a friend in that group from over in Germany where we spent a week together a year ago who asked me to be remembered to him, and I did that here on the floor of this House. BILL EMERSON was my friend. I wish him well. If there is a heaven, he is there.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

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

BILL EMERSON never gave up that he would not whip his cancer. That is the way he was in life. If he had a strong matter he was interested in, he would try and try.

He felt so much love for his wife Jo Ann and his family. Really, he knew that the good Lord would protect him and take BILL home when the Lord was ready for BILL.

At the House prayer breakfast every Thursday morning, we saw him gradually get weaker and weaker. He missed a few times, when he was taking chemo, from the prayer breakfast. he would call one of us the day before: ''I will not be at the prayer breakfast today but just think about me.'' Then we saw him come with a breathing apparatus, but he kept coming. Then soon he was coming in a wheelchair to the prayer breakfast but he kept coming.

As has been said here today, BILL EMERSON was one of the most beloved Members of the Congress. He was such a part of this House.

Now, BILL, you will be buried in the rolling hills of Missouri on Thursday. And as someone said earlier, if there is a haven, there is a heaven and BILL is looking down on us today.

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

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

Mr. GILMAN. Mr. Speaker, it is with genuine shock and sadness that I rise to join our colleagues in memorializing the passage of and honoring an outstanding Member of this body, BILL EMERSON of Missouri. We have all been aware for some time that BILL was grievously ill. However, this did not lessen the shock of his passing.

We all recall how he remained courageously active until the very end and, in fact, did not miss any rollcall votes, even though in a wheelchair just until a week before his passing. BILL EMERSON loved this institution from the time he served as a page until the present days. He was beloved back in his home district, the Eight of Missouri, and he served on the Agriculture and Transportation and Infrastructure Committees of the House. His dedication on both of those committees earned him the respect of his colleagues on both sides of the aisle.

In addition, BILL was a productive member of the Joint Committee on the Organization of the Congress and in may ways the reforms adopted by this House are a living memorial to BILL EMERSON. He was a 28-year veteran of the Air Force Reserves and his dedication to the needs of our veterans and our Nation is well known.

BILL leaves behind his widow Jo Ann and their four beautiful children. Hopefully Jo Ann and the children may receive some small solace from the knowledge that many share their loss, both here in the Congress and at home in Missouri.

Mr. Speaker, I shall never forget the efforts BILL EMERSON made to enhance the work of our Select Committee on Hunger a few years ago. As a member of our Hunger Select Committee, he became one of our more energetic, productive, and dedicated members. We shall all miss BILL EMERSON. His shoes will be difficult to fill.

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

Mr. CLAY. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore (Mr. DREIER). The gentleman from Missouri [Mr. CLAY] has 6½ minutes remaining.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I thank our colleague, BILL CLAY for this opportunity to give testimony to our friendship and the admiration that we have for our departed friend, BILL EMERSON.

I came to Congress with BILL EMERSON in the same class, but it was not that alone that drew us together. A few short years later Bob Michel appointed us to the Select Committee on Hunger, I, as the ranking member. and BILL as my strong right arm. And I will tell you, it was not long after that that Micky Leland brought us to Ethiopia at the height of the worst famine in history ravaging the country and it was also war torn and enduring a civil war. I will tell Members, once you go to Ethiopia together, you are bonded in friendship forever. It was an extraordinary character-building experience.

We saw children, women, and men dying in the streets from starvation. And BILL and I determined then that we would be in a partnership forever to help wherever that help was needed. I must tell you, even this year, when it came to food stamps and the school lunch program, and maintaining the agriculture nutrition standards, we always knew that BILL EMERSON was there. No children would go hungry while BILL EMERSON was on the job.

I must agree with what Mr. DE LA GARZA has stated. We in this Congress must continue that dedication in BILL'S memory. No child should go hungry on our watch.

To his daughters, Liz and Abigail, with whom my daughter Meg went to school back in Ridgewood, NJ, I want to say to Liz and Abigail, cherish the memory of your wonderful father and always remember the hope, the faith, the dedication, and the valor that he brought not only to life but to his death.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

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

BILL EMERSON, we will miss you and yet your influence will continue to inspire all of us.

BILL EMERSON was a man of commitment, compassion, civility, and courage. What an example he set for us. He was fair-minded, bipartisan and, as Members have attested, he never did complain. The House and Congress was his life, from the time he was a high school student and was a page here, and then as he worked for someone who became my mentor, Senator Mac Mathias, which is when I first met BILL EMERSON many years ago.

BILL then was elected in 1979 to Congress himself. And he then married into a family that are very close to me. His father-in-law is the late Ab Hermann, who became a political sage of mine. His mother-in-law, Sylvia Hermann, continues to be a leader in Montgomery County, MD. He married a beautiful Jo Ann Hermann and has raised four wonderful children who have all been inspired by their mother and indeed by their father.

He is a man who cared very much about the community. We know how he cared about the fact that people needed to be nourished, to be nourished in many ways, spiritually as well as physically nourished, and he was there. He does inspire us.

I am reminded of, as BILL EMERSON leaves, the Tin Man in the Wizard of Oz. The Tin Man was looking for a heart. When he meets the Wizard, he says, ''Now I know I have a heart, because it is broken.'' And the hearts of all of us in this House and in this Chamber are broken.

□ 1630

Mr. CLAY. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, the wound of this loss is so fresh for all of us that it is difficult to place into words the kind of love and respect and admiration that we held for our friend, and truly BILL EMERSON was a personal friend. He was not just a friend, he was a personal friend to all of us.

Mr. Speaker, it is rare that we will find this many Members of Congress from both sides of the aisle that would take the time and feel compelled to come here and say these words, whatever we say, to our friend, BILL, and yet that was the kind of magnetism that this personality, this loving, kind person, held for all of us.

There was always something personal that he would find between himself and another person that bound them together. He and I came here together. He always bragged that he was one day younger than me, born just the next day after I was, and that was his way of forming that friendship. All of my colleagues had some kind of connection in that respect with BILL.

And yet it was much more than that because BILL EMERSON, as has been said here, was a patriot. He loved history, was a great student of history and felt extremely and highly honored that he was serving in this body because it represented, so much, the history of our Nation and his participation in it.

As has been said many times here today, BILL EMERSON loved this House. As my colleagues know, it is fashionable these days, it seems, for many of our Members to be critical of the House, hoping, I guess, to find some sort of sympathy from the public in criticizing this body. But you never heard that from BILL EMERSON. We only heard respect and love for this body.

His greatest achievement in life, outside his family, I think, was presiding there in that chair, and he did it so wonderfully well, none better, and I always picture BILL EMERSON sitting in the Speaker's chair because I think that was the height of his professional life in his own mind.

It has been said that duty makes us do things well, but love makes us do them beautifully, and, BILL EMERSON, you made things so beautiful.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Speaker, I thank the gentleman for yielding this time to me, and I thank him for bringing this resolution today, and I send my condolences to the family of BILL EMERSON.

I came here in a special election, so friendship is very important, and BILL EMERSON showed me that friendship. I came here, and I was invited to the prayer breakfast by BILL EMERSON, and it became a very important part of my existence here in this Capitol. I come here today because I need to express my grief and my loss for this friend, and I say to all of my colleagues.

Let us look at what BILL EMERSON has given to us. He has shown us the way, love of country, love of family, love of each other, and finally he had such a deep love for his God that I know he is in good hands, and we should learn from his lessons.

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

Mr. SKELTON. Mr. Speaker, I ask that we continue for 1 hour and that I control the remainder of the time.

The SPEAKER pro tempore (Mr. DREIER). The gentleman from Missouri [Mr. SKELTON] is recognized for 1 hour.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

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

Mr. HEFNER. Mr. Speaker, I was a real admirer of BILL EMERSON, and there was an old former gospel singer I just happened to draw upon memory from, a gospel song writer from Missouri, Albert E. Bromley, who is one of the greatest gospel song writers in the world, and I think this just fits BILL EMERSON, and the words go something like this:

I'll meet you in the morning with a how do you do, and we'll sit down by the river and

with rapture our acquaintance renew, and you're going to know me in the morning by the smile that I wear, when I meet you in the morning in the city that is built four square.

If anybody is going to make it, BILL EMERSON is going to make it. He was one of the finest men that I have met, ever met, in this body, and he, and Bill Natcher, and men of that statute are going to make making it to Heaven worthwhile working for and something to look forward to.

And, BILL EMERSON, we are going to miss you more than you will ever know.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, our hearts and our prayers go to BILL's wife and daughter, certainly to all of his constituents, as well as his good friends.

BILL was my big brother when I came into Congress in 1993, and he just contributed so much time and so many hours in helping me learn how to adjust to Washington and to Congress.

So I wanted to be part of, if my colleagues will, this honor guard, thanking BILL again for all that he has done for many of us, certainly all that he did for me personally. BILL was a friend.

I served with BILL on the Committee on Agriculture. I mean his dedication, his willingness to study and learn and work with both Republicans and Democrats is not only to be admired, it is to be a good lesson for all of us.

BILL EMERSON was a great American.

BILL, we hope you continue to guide us, and our prayers are with you.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. BRYANT].

Mr. BRYANT of Tennessee. Mr. Speaker, I thank the gentleman from Missouri [Mr. SKELTON] for yielding time to me.

As a new Member of this body, it is wonderful just to sit here and listen to the more senior Members who have known BILL EMERSON longer than I have come before this body and lift up praises to him for the outstanding, not only the outstanding work that he did while he was in Congress and the outstanding family man that he was, but just the type of person; all those wonderful characteristics that we all look up to, that we all want to emulate, and I can verify from the 18 months that I knew BILL EMERSON that he certainly was that type of person and certainly led by example. I know when I was selected to join the Committee on Agriculture, he was one of the first folks I sought out, and he gave me wonderful advice and counsel throughout the entire time.

I also had the special occasion to go to Missouri with him one time and attend a hearing that he was conducting, and I know for a fact that BILL EMERSON loved his district, he loved it very strongly. He stood very strongly for he was a man of commitment for that district, and I know during the 18 months that I was here he displayed it very strongly. But having the occasion to go to Missouri and visit people there, I know that Missouri loved BILL EMERSON.

BILL was a wonderful congressman, a wonderful man, a wonderful father, a wonderful husband, a wonderful role model to many of us in Congress, and I know that he has gone on to better things, and I know that we are certainly going to miss him, I know that Missouri is certainly going to miss his presence here in Congress, and all we can do at this point is just add our appreciation to his family for what he did and continue to lift up his family in prayer because these are difficult circumstances, and I know all those Members here would agree with me on that, and we will continue to hold his family at this special time of their bereavement.

Mr. SKELTON. Mr. Speaker, I will yield 2 minutes to the gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Speaker, it was a young but brave BILL EMERSON who as a page helped move the mortally wounded Members of this body from the floor on a stretcher after a terrorist assassination attempt. Even as a teenager BILL EMERSON saw his duty, and he did it without any thought for his own safety.

BILL EMERSON and I had many things in common, our careers paralleling one another, we both worked here in Washington before returning home at young ages and being elected as Members of this body. BILL's personal office and staff is located next to mine in the Rayburn Building. Our families were neighbors in McLean, VA, and we were neighbors and colleagues on the House Transportation and Infrastructure Committee. Only four doors down from my family in McLean were BILL EMERSON, his wife Jo Ann and his four children. Our children attended school together, were often found in each other's homes, and participated in school and church activities together. BILL was a devoted family member and a devoted church member.

I know that my daughter Suzanne will never forget the times when BILL's daughter, Tori, and later Katherine, who we later called, ''Kat,'' would babysit. They loved having each other over, spending the night together, doing their home work together, baking cookies together.

I recall one instance when we noted in the neighborhood a large truck outside of BILL and Jo Ann's home. It was a huge delivery truck, and they had just unloaded hundreds of cartons in front of BILL's driveway. So we strolled over to see what was going on. Could not imagine what was being delivered to their home.

''These are my books,'' BILL said very proudly with a sense of excitement.

''Where on earth will you put them all,'' we asked him.

His wife Jo Ann laughed and said, ''That's a good question.''

The cartons went inside, and Jo Ann and BILL found a space for quite a library of their beloved history books.

So, BILL was not only a great team player here in this body, he was a great team player in his neighborhood. Theirs was a close-knit family. Their strength, their hopes, their faith over these past months as BILL struggled to ''beat this thing,'' as he put it, never faltered.

BILL, his wife Jo Ann and his four daughters are a source of love and stability for each other throughout this ordeal, but amazingly they took time to reassure and give strength to their neighbors as well, showing their deep and abiding Christian faith at all times.

So as we say goodbye, for a short time anyway, to our friend BILL EMERSON, we say it to a very honored, respected, and beloved friend of all of us, and while he is gone from us for a short time, he will live on through his wife Jo Ann and his four daughters and his mother, but more, he will live on through all of us in this body who had the great good luck and good fortune to have known BILL EMERSON and to have served with him.

MR. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I rise to pay tribute and honor to the memory of a good man, a special man, Congressman BILL EMERSON. BILL was a good Congressman, a good friend and more than anything else a good human being. He was a man who truly cared about his fellow man, here at home and across the world. BILL EMERSON was a gentle man.

In 1992 I had the great privilege of cochairing a congressional delegation to Somalia with BILL. It was a dangerous trip. Somalia was still filled with gangs of armed warlords and we had to wear flak jackets as we drove through the streets. But BILL EMERSON was committed to the starving people of Somalia. He put their health and their welfare above his own personal security. that was the kind of man BILL EMERSON was.

BILL had a warm, caring and sharing spirit. His sense of humor was able to overcome any situation, to break down any barrier.

I will miss BILL EMERSON. I will miss his wit and his wisdom. I will miss his caring and his compassion. More than anything else I will miss his companionship. BILL EMERSON was my friend and I will miss him, as we all will, greatly.

My condolences and my love go out to BILL's family and friends.

□ 1645

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, to those watching this debate, whether by television or in the gallery or wherever,

think it is obvious that they can see that this is not just an ordinary Member, this is an extraordinary Member that is being remembered here today; not in a flashy, necessarily charismatic sense, but as a solid, stable, and caring legislator who touched so many of us in so many different ways. He was a Member in the finest way, not a Democrat and not a Republican, necessarily, but a solid Member.

He brought me, as he brought so many of you, into a new experience. BILL recruited me to join with him when he was chair of the Congressional Study Group in Germany. He sort of brought me up through the ranks and made sure I was ready to handle the responsibilities. He made me the vice chair and this year, the chair. I got to visit BILL's district. A lot of us are used to visiting Members' districts with Members. I got to see BILL's district without BILL being present, because at the time that the Congressional Study Group on Germany was holding its meeting, and it was holding it in Cape Girardeau, BILL was not able to be there because of his chemo treatment. He hated that. He had arranged the whole trip. He wanted very much to be with the group. He had been with it for many years. It was being held in his district. He could not be there. Yet he carried on, his staff carried on marvelously.

I got to then represent BILL, so I saw firsthand the love and respect and caring that his constituents had. Of course, BILL checked in daily and did a phone conference with us. He wanted to make sure everything was running fine. We hear a lot about Republicans and we hear a lot about Democrats. I understand why BILL always won so handily, because I got to meet another party: Emercrats. These were folks who were voting for BILL, no matter what happened. I got to meet a lot of them, too.

One of the memories that I have most about that several-day visit was that at the end of it there was a function that BILL had arranged for the visiting German parliamentarians in a large hall. It was to be a reception and dinner with a lot of citizens in that area. They knew BILL was not going to be there. BILL had been very open about that. They still came. They came out and packed that hall. They came out for BILL EMERSON, because they knew that is what BILL wanted to do. Of course, every one of them was asking how BILL was doing.

If we could all live our lives as openly as BILL lived his, whether here on the House floor, fighting every day his fight against cancer, not asking for any sympathy, but just being here, and that being a message in itself; the struggles that he has fought openly. His constituents knew him and they loved him. They lived with him, they suffered with him, and they prayed with him.

Mr. Speaker, we all live through our children. As we all seek some balm for BILL's death, the balm that there is that BILL left four wonderful children that he talked about with me, as I know he talked about with you. But to Jo Ann and his four daughters, BILL lives through you, and for that we are all very lucky.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

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

Mr. FALEOMAVAEGA. Mr. Speaker, this is not a happy occasion for me to be standing here before my colleagues and to pay a special tribute to the late Congressman BILL EMERSON from the State of Missouri.

BILL EMERSON, I think, can adequately be described as stubborn as those Missouri mules, as I understand it, but BILL EMERSON also had a heart. He had a heart full of compassion, and one of real appreciation for the needs of America's elderly and the poor and the hungry.

It was my privilege to serve as a member of the Select Committee on Hunger, where BILL EMERSON was also one of the senior members of the committee. The occasions that I have had in having hearings with him and to listen to this man, I certainly have respected him very highly for his opinions about the needs of America's hungry.

It was also my privilege, Mr. Speaker, to attend or to be a member of the delegation that went to Somalia, as it was cochaired by the gentleman from Georgia [Mr. LEWIS]. BILL EMERSON was a member of that delegation. It was not until that trip that I felt the real sense of compassion that this man had for those who are really in need.

As my good friend, the gentleman from Georgia, indicated earlier, we had to wear jackets for our safety because of the dangerous situation that the people of Somalia were confronted with at that time. BILL EMERSON was there because he had compassion. I believe personally that it was because of his strong convictions that he was able and was one of the forces which led President Bush to send the troops that were needed from the resources that America had, that he wanted for humanitarian reasons to help the needs of that nation.

BILL EMERSON was a dear friend because he helped me, and I am sure this was true of so many of my colleagues here. For my elderly people and the disabled in my district, BILL EMERSON was one of the key players who helped me provide the legislation for their needs. I certainly would like to convey my heartfelt condolences to Jo Ann and to the members of his family and to this great gentleman, not because he was a Republican, but because he was a great American.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise as the representative of the 18th Congressional District in Texas, a district that was previously represented by the Honorable Mickey Leland. I know that if Mickey was here, he would have wanted to offer just a word of thanks for the life of BILL EMERSON.

BILL EMERSON and Mickey Leland were very good friends. They were good friends, but as well, they were committed to a singular cause. That cause was to ensure that there was no more hunger in this world and in this Nation, particularly as it relates to children.

As a freshman, let me say to BILL EMERSON's family, Jo Ann and his four daughters, that we can only wish that others would follow in the tradition of the friendship of BILL and Mickey, and that they would also follow the cause, to ensure that all would be able to live free in this world, in this Nation, without hunger and hopelessness.

Let me also say as a freshman, just watching BILL EMERSON on the floor, knowing what he was dealing with physically, all I could see was a genteel and sincere individual, committed to public service, with a love for his country. Just a moment ago I was with Joe Hillings, a constituent who served as a page with BILL EMERSON. He offered his grief and his concern for a man who did nothing more than to give to his fellow man. He was a servant, he was a lover of people, and I do believe if Mickey was here, he would say to his friend, BILL EMERSON, ''Well done, good and faithful servant.''

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. KINGSTON].

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

Mr. Speaker, when I first came here in 1993, I, like most Members of Congress, was somewhat intimidated by everything and everybody, and I needed a friend, just as we all need friends during that period of time, and certainly as we continue our career. BILL EMERSON was one of those guys that I found to be open and friendly to new Members, and always helpful.

I could go to BILL for advice on agriculture. I served on the Committee on Agriculture with him. All those agriculture issues, as we know, are very complicated; understanding the milk program, the peanut program, the wheat program. They are just endless. I do not think anybody knew as much about those programs on the committee, who had the time to sit there and share with you, and so forth. I would go to BILL and I would say, okay, what is going on on this? He would explain the intricate USDA policy on that.

One could also go to BILL and ask him, about the political side, and he could tell us which groups and which committees and which people here, Members of the House, how they stood and what would probably happen. He could predict what was going to be the outcome of legislation many weeks before it ever got on the floor.

If you only knew BILL in that political sense, as a guy who could give advice on agriculture issues and politics, you were missing something entirely more important to him. That was BILL EMERSON, the person. Because as a man, he was one who was philosophical. He could sit there and with a sense of humor sort of say, well, this is where we Republicans are going to line up on this, but those old Democrats, they have a good point here, and here is where I agree with them, and here is where we disagree. He could just rise above the rough edges of this institution and deliver somewhat of a balm, an ointment to the Members, so we could all feel a little bit better, not just about ourselves but about the legislation and about service in Washington. That is the kind of guy BILL EMERSON was.

I, Mr. Speaker, am going to miss BILL EMERSON. He always would stand back there and kind of peer over the banister, and I believe in many respects he will continue to peer down on us, just as he sat back there. You could always reach him. I think now we can look high up in the heaven and BILL EMERSON is in good company with all of the other angels of the Lord.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I thank the gentleman from Missouri for allowing me this time to speak this morning.

Mr. Speaker, I have seen so many of our classmates that came to orientation back in 1980 with BILL EMERSON, as I was privileged to come to this Congress at the same time. And in thinking about the life of BILL EMERSON which we celebrate today, and of course, his passing, which we mourn today, I think all of us feel a little richer for having been with him and a little poorer for now missing him from this body.

But when we think of his lifespan, starting as a page in this body and ending over the last year with his sitting here and presiding as Speaker of this House and working in this House, I do not think that any man has ever been loved more that served in this House, or any man has loved this House more than BILL EMERSON loved this House. He loved the process and he loved its Members. I think that is something we need to think about more today as we see that things are becoming more tense here on the floor of this House, and as we work through our legislative process.

We often think of Tip O'Neill as being the man of this House. I think we certainly can also refer to BILL EMERSON as being the man of this House from the Republican side, as Tip O'Neill was from the Democrat side. As speakers ahead of me have said, he seemed to have a way to cut through the politics and make things happen. He was very practical in wanting to make good legislation. We have heard about his concern for the hungry, not only of this country, but also of the world. His great heart, that no longer beats, had such compassion for his fellow men, had compassion for the people that he served with.

I remember just a few weeks ago BILL was on the floor and he was standing right over to my left, where we remember seeing him for the last time in a wheelchair. And he was walking. He was still walking over for each vote, carrying a little tube of oxygen with him, and losing his breath. He was concerned about his losing his energy. When he came over here, he had lost his breath.

I mentioned to him that perhaps he ought to think about getting a wheelchair. and he said, my goodness, I do not want to do that. People will look at me and think I am dying. BILL fought right up to the very, very end.

Of course, then he decided that he would save his energy so he cold spend his time in a productive way when he was on the floor, and the last few days of his life here on the floor he would appear here in the wheelchair. What a wonderful man BILL was. We are certainly going to miss him. Our hearts and our feelings go out to his wonderful wife Jo Ann, who is a wonderful friend of my wife Emily, and of course BILL EMERSON, who was a wonderful friend of all of us.

I think it would be a great tribute for each one of us in our hearts and in our daily work to think of BILL EMERSON when we try to get together and pass meaningful legislation; as we go through the last months of this 104th Congress, that we dedicate each day to a greater understanding of each other, in the true memory of BILL EMERSON.

Mr. LAUGHLIN. Mr. Speaker, I am proud to have this opportunity to pay tribute to BILL EMERSON, a great man, a great Congressman, a great Christian, a great friend, and, as we have all heard, a great family man, which is so important, and was so important to BILL.

I had the privilege of serving with BILL on the Committee on Transportation and Infrastructure for 6½ years. When I was on that committee with him, I was a Democrat while he was a Republican, and so I have heard a number of the speakers talk about the bipartisan way that BILL would work with Members.

Having been a Member of both political parties last year, I can vouch firsthand that Bill was such a wonderful individual. He treated each Member, regardless of party or ideology, with great respect and would work with them on finding solutions to problems. Being senior to me on the committee, I respected his advice. There were countless times when he said: ''GREG, think about taking this approach; why do we not work at it this way?''

So it is no wonder that so many people have come to the floor today to talk about what a wonderful individual BILL EMERSON was, because we were all proud.

As the gentleman from Missouri, [Mr. SKELTON] would vouch, as I asked for 30 minutes to an hour to talk about BILL EMERSON, every Member of this body could do that. As we would talk about him, we would always want to put the word great in front of friend, great in front of Congressman, great in front of family man, because BILL EMERSON was that kind of individual. So we in this body who count BILL as our friend are blessed to have had BILL EMERSON.

This Nation was blessed to have had Bill Emerson as a citizen and as a Congressman. We know from his love and the way he expressed his love and affection for his family, his family was blessed, as we all were, that BILL EMERSON was a part of their lives as we were in our lives. So America has been blessed, as his family was, by the good Lord that BILL EMERSON was a part of their lives, as ours.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, first of all, I would like to thank the gentleman from Missouri, Mr. SKELTON, arguably the best friend that BILL EMERSON had in the House, for yielding me this time.

We have heard a lot today about BILL EMERSON, about his commitment as a public servant, his friendship to Members on this floor on both sides of the aisle. I want to talk just very briefly about something, a little gift that BILL EMERSON passed on to me, and that was BILL EMERSON's faith.

BILL EMERSON was diagnosed with what he must have known was a terminal condition. It was amazing to me how calm BILL EMERSON was in the face of staring death square in the eye. I went to BILL EMERSON, and I said: ''BILL, what about this peace? You do not seem to be struggling, you do not seem to be angry. What about this?''

He said: ''Well, JOHN, you have to understand, a number of years ago I started working on my faith, my faith in God and my faith in Jesus Christ.'' And he said: ''JOHN, at some point in our lives we have to decide whether it is just a game or whether it is real. I have decided that it is real. My faith is real. I will see my Lord in heaven. And either way it goes, I am going to be a winner. Either I am going to recover and I am going to be able to be a servant of God right here on earth, or I am going to go and meet my Lord and Savior in heaven. So, JOHN, everybody has to decide, for those that go to church, for those that read the Bible, is this just a game that we play with ourselves, or is it something that we accept and believe and practice, and believe as real as my talking to you.''

That is why BILL EMERSON had such an incredible struggle with his cancer. That is what BILL EMERSON passed on to me, a giant piece of his personal faith.

Mr. Speaker, we can always tell whether people really practice their

faith, really believe wholly in their faith when the chips are down, when their backs are up against the wall. BILL EMERSON never got angry, BILL EMERSON never was frustrated, and he never blinked when he went eyeball to eyeball with death. BILL EMERSON believed in his heart and in his mind that death was nothing more than a transition to a promised land that he has believed in.

Today, I have to tell my colleagues, that face shines bright in my mind. He gave me a piece of it. He made me more peaceful in my heart about the future and what a terrific, tremendous, wonderful gift the faith of BILL EMERSON that he passed on to many of his friends, his family, and his colleagues. God bless you, BILL. God bless you. We will miss you.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank my friend for yielding me this time.

Like so many of my colleagues, BILL EMERSON was a personal friend of mine. So many nice things have been said about him on the floor today and rightly so, he deserves all of them. I do have many pleasant memories of BILL EMERSON like my colleagues do.

I remember the last time we were over with Bob Dole over at the Cannon Caucus Room. So many remember Bob Dole took a few minutes to talk about BILL EMERSON in his last speech in the Congress, and I thought that was a wonderful tribute that Bob Dole did.

I noticed every speaker spoke about BILL EMERSON's attitude, and that is the thing that struck me. I do not think I would have had nearly the courage that BILL EMERSON had. I remember the last time I saw him here. I shook hands with him, and I said: ''You have a strong handshake.'' He said: ''I am strong, I just cannot get enough oxygen.'' There was never any doubt that this man just had 100 percent confidence.

The gentleman from West Virginia [Mr. WISE] spoke here on the floor. He said that he was in Cape Girardeau, I was at Cape Girardeau with you and some others, and it is true he was really loved and respected.

When I first came to Congress here, we had a Congressman by the name of Bill Steiger. He died just before we were sworn in. Tip O'Neill was the Speaker. And Tip O'Neill summed up Bill Steiger's life in four words. He said: ''This man had respect.'' And that is what I would say about BILL EMERSON, this man had respect. That is the best I think we can say when a man leaves this Congress, a man or woman leaves this Congress.

We also remember when BILL EMERSON was in the chair. No one did a better job in the chair than BILL EMERSON. Not only was he fair, but he had total command of what was going on on the floor. But BILL EMERSON left a legacy to you and to me, and that legacy was courage. I mean real courage. We saw that courage daily here in his wheelchair; his attitude was always 100 percent.

I think the thing that we can remember about him, when we think things are tough here on the floor, let us remember BILL EMERSON, and things will be made easy.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. WHITFIELD].

Mr. WHITFIELD. Mr. Speaker, I want to thank the gentleman from Missouri for yielding me this time.

As it has been said all afternoon BILL EMERSON truly was a remarkable man. I had the opportunity to come to know him just since 1994 when he became involved in my race for the U.S. Congress. My district is right across the river from his. And he came to my district on one occasion to help out my constituents in a matter that they were concerned about.

A couple of weeks ago I was driving through my rural district of western Kentucky. I came across a small church. There was a bulletin board out there and it simply said: You cannot make a success of life without making a gift of it.

Subsequent to that, I thought that that certainly applied to BILL EMERSON. BILL EMERSON was a husband, he was a father, he was a son, he was a politician, and in all of those roles he made a success of those roles because he made a gift of his life.

At this time when there is so much cynicism and apathy around the country about politics, I genuinely wish that people from all across America would have had an opportunity to sit down and talk to BILL EMERSON about government, about a democracy, because he was truly committed to it. He believed in this body, he believed in our democracy and in our process, and all of us will miss him. We will be thinking about his wife Jo Ann and his four children.

I had the opportunity to meet his mother just a couple of days ago, and in looking in her eyes, I saw that twinkling in her eye that all of us saw when we talked and looked into BILL EMERSON's face, and we will all miss him. But he was a gift to us, and I, for one, will always cherish that.

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

Mr. Speaker, we have spoken a great deal about our friend BILL EMERSON this afternoon. I would be remiss if I did not say a word or two about loyalty, loyalty to those about him and those about him were extremely loyal to him.

At this time I would like to say a word of thanks to the D.C. staff and to the district staff of the late BILL EMERSON for the wonderful work that they did for him to help him serve the people of Missouri: Tricia Schade, David LaVallee, Julie Pickett, Pete Jeffries, Glenn Kelly, Lisa Johnson, Julia Kertz, Seaver Sowers, Neil Moseman, Jess Sharp. Those are the ones who composed the staff here in the Rayburn Building.

In the district: Lloyd Smith, Kacky Garner, Pat Pecuat, Greg Branum, Carol Goldsmith, Alan Heath, Mike Chitwood, Iris Bernhardt, and Carlene May.

Each of these staff members served so ably and so well. And on behalf of all of us, we thank them.

Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Speaker, I thank the gentleman for yielding me this time to speak on behalf of the loss of his great friend.

It is so sad to be here today and not have BILL here. He has been in this Chamber, I guess, as much as anybody else over the years. His spirit has always been here and hopefully will always be here.

I got to know BILL a little bit differently than some other people. Back when I was the Governor of Delaware, he came to Delaware to look at some programs we were running involving food stamps and nutrition and delivery of services. He liked these programs, and I liked BILL EMERSON. We were not used to having Congressmen come to Delaware, quite frankly, if they were not from Delaware. He took the time to come up there, and when I came to Congress he was my friend. He was one person I knew, and he was one person who spent time with me.

I did not realize he was the friend of 434 of us here in this Congress. We have heard more fascinating stories in these last 2 hours about this wonderful man and the way he reached out to different individuals, be they neighbors or committee members or classmates or whatever it was. But BILL EMERSON was bigger than that. He was almost bigger than anyone else who ever served in this Congress. He was for all humanity.

He was the one who reached out for those who had problems with hunger around this world. He was the one who reached across the aisle to Democrats as well as to Republicans. He was the one who virtually made a friend of everybody he dealt with. He was the one who was so popular in his district that he just won by overwhelming margins there.

He was the one with a wonderful family. He is the one that we are offering our condolences for here today because he meant so very much to so many people in the United States of America.

There may have been finer Members of Congress, but I do not know if I could name who they were or who they might be. I do not know of anyone who has served his fellow man as well as BILL EMERSON did over all of the years that he represented us in this Congress.

So we will miss you, BILL. We will miss your spirit. We will miss all that you stood for, particularly at the end when you were so brave and so courageous.

Frankly, I did not think it would ever end. It just came as a surprise,

even though we all knew that ultimately it had to be fatal. So we will miss you, BILL. God bless you.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. CRANE].

□ 1715

Mr. CRANE. Mr. Speaker, I thank the gentleman from Missouri for yielding me this time.

With regard to all of the comments made about BILL EMERSON, I can only say amen. As a very dear person, a caring person, though, I would like to share an anecdote.

I have my No. 5 daughter suffering from cancer and she has been going through chemotherapy since last October. She was over here visiting on the floor with me and we ran into BILL. He told her that he was going through the same experience. He really lifted her spirits. He told her, ''Hang in there, you're going to beat this,'' and he reassured her. Then he asked me further for her telephone number when she was in the hospital, getting chemo, and when she was home, he called her, just lifting her spirits.

BILL, of course, had that amazing quality for maintaining high spirits even when he knew what the prospects were.

I share this as an anecdote only because it was so personal and meaningful to me. As a father, of course, you anguish over your little ones through that kind of experience, but you cannot help but anguish over those who suffer the loss most, and, that is, his lovely wife Jo Ann and his daughters, his mother.

But remember that the pain and suffering and the anguish of that loss is experienced only by we survivors. BILL is home free and he is looking down smiling upon all of us and he probably feels a little embarrassed at times over some of these revelations of our affections for him.

When my dad passed away last year and we all attended, it was family reunion time, I reassured my brothers, my sister, and the family that, hey, the big reunion time is right up there now, and his parents were waiting for him and all the loved ones that preceded him.

It is time for BILL to enjoy his celebration. He pulled his tour of duty. We can only look forward to the time when we can participate in that joyful experience and recognize that in the interim, though, we are here to try and bolster one another and to carry on the good fight and in the best tradition that BILL did. God bless you, BILL EMERSON.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE].

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Missouri for yielding this time to me as we pay tribute to one of the great men of the U.S. Congress.

BILL EMERSON truly was a man of the House. His participation in this body extends far back beyond when he was first elected to the Congress in 1980. In fact, in our Republican cloakroom, we have a picture of BILL dating back to March 1, 1954. It is a fitting tribute in memory to him. He played a part in the history of this Congress, because on that day some terrorists burst into the Chamber through those doors up there to my left in the gallery and sprayed the entire House Chamber with gunfire.

BILL EMERSON was here because at that time he was the chief page on the Democratic side, because in 1954 that was the last time the Republicans were the majority in the Congress, and he was responsible for the pages on the Democratic side. He was over in that corner. I can remember him as vividly as possible telling me this story, just a couple of years ago, explaining that picture to me, back in that corner, he hit the floor, there are bullet holes in the wall back there for anybody who wishes to examine it, bullet holes here in the desks on the Republican side, and the photograph in the back shows BILL EMERSON carrying out Congressman Alvin Bentley, a Republican of Michigan, one of five Members of the House who was wounded that day. So BILL EMERSON's part in the history of this House extends back virtually all of my lifetime.

I had the honor of serving on the Committee on Agriculture with him for the past 3½ years, and serving on the Department Operations and Nutrition Subcommittee with him. He truly was a caring man who cared a great deal about the people that he was serving in his district, about the people who benefited from the Government programs under his auspices, and the taxpayer whose dollar he always looked after as he represented his constituents very wisely.

BILL EMERSON is truly someone we can all be proud of, someone who represented his district and who represents all of us in the Congress as a legacy in the history of this country.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. LATHAM].

Mr. LATHAM. I thank the gentleman very much, and I thank the Speaker for this opportunity to honor a very, very special person in my life, BILL EMERSON.

First of all, I want to extend my most sincere sympathy to Jo Ann, the daughters, and the entire family.

Mr. Speaker, I came here 18 months ago, a freshman. BILL EMERSON took me under his wing and was my mentores here. I was very fortunate to have the unique opportunity to serve with BILL not only on the Ag Committee, the full committee, and Transportation and Infrastructure, but each of the four subcommittees that we served on together. I sincerely cherish the time that I had with BILL here.

BILL was always there to answer what had to seem like my endless questions. He was always there with stories about his experiences in Congress, in this body, and with stories about his beloved Missouri. And he was always there as a true friend. My only regret here is that I only had 18 months to be with BILL and to learn from him.

In the past few months, it seems that BILL wanted to teach me as much as possible as quickly as possible, somehow knowing that maybe his time was running short. I will never forget just 2 weeks ago when we were marking up the food stamp bill in the Ag Committee, that I was honored that he asked me to give his statement because he was too weak and it would be very, very difficult for him to do so.

As BILL continued to battle his illness, he continually asked me to pray for him, and I think he asked many of us here to do that. He kept telling us that the prayers were working and that he could feel our prayers.

I will never forget what BILL EMERSON meant to me. Someday I would hope to be half as food in this body as BILL was.

Also, I will never forget his faith in God. When BILL EMERSON came here, he did take me under his wing, and I know today that BILL EMERSON has been taken under God's wing. Knowing that, I can celebrate both his life and his death today.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, when I came to the House of Representatives, one of the first people I met was BILL EMERSON. BILL was a gentleman in every sense of the word, and I will never forget it. We took a trip several years ago to Israel. He was such a good will ambassador, not only for this country and for his congressional district and for the great State of Missouri, but for the world. I think all of us know of his emphasis and focus on hunger in the world. It truly is a great, great problem. BILL EMERSON was out there on the front lines.

When we were in Israel, Mickey Leland was killed in that terrible airplane crash in Africa. BILL EMERSON dropped everything to try to find out about Congressman Leland and even tried to get to Africa to see if there was any way he could help. That is the kind of person BILL EMERSON WAS.

Life works in strange ways, but you can have a difference of opinion without having a difference of principle. That is what BILL EMERSON was all about. He did not care whether you were a Democrat or a Republican. He cared whether you cared about America. He always attacked the issue. He did not attack the individual. He did not try in any way to destroy the institution. He did everything he could to build the institution and build faith and confidence in this great country. BILL, you are going to be really missed. To your lovely wife Jo Ann and to your wonderful family, we will never forget you.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, I thank the gentleman from Missouri for yielding me this time. I want to extend my sympathies to the Emerson family. When I first came to Congress 14 years ago, BILL EMERSON was my neighbor in the Cannon Office Building. He was also my neighbor across the Mississippi River from Illinois in Missouri. We talked a lot about our similar backgrounds and similar districts. Of course we were of different political parties. I am a Democrat, and he was a Republican. We are very proud of our partisan heritage but it never stood in the way of a good friendship. Over the years I came to know BILL and respect him very, very much. He fought some classic battles, both personal and political. In each one of them he showed a level of class which is rare in this institution. It is really unfortunate but true that from time to time we let politics get too personal in this institution and we forget that we are in fact colleagues and all quite honored to have this opportunity to serve in the U.S. House of Representatives. BILL never forgot it. I think it goes back to his experience as a young man serving as a page in the House and then coming back to be a Member of this institution. He loved the House so much.

There were times when the rhetoric around here and the debate would become so partisan and so personal that BILL would take it on himself to go and meet with the Democrats on the other side of the aisle and say, let's start bringing Members together for informal dinners so that people become friends again and realize that we still have so much more in common.

Then the year before last Speaker Tom Foley appointed BILL EMERSON and myself to serve as co-chairs of a bipartisan task force on Federal disaster assistance. It was a great experience, because I literally sat shoulder to shoulder with BILL EMERSON for months as we went through hearings and came up with a joint report that we both agreed on. We completely trusted one another, we worked together closely on a bipartisan basis, and I think did good work for this Nation and for this House of Representatives.

BILL EMERSON is going to be missed but what he brought to this House of Representatives we will remember for a long, long time. It was a certain level of class which we should all aspire to.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

Mr. TANNER. I thank the gentleman from Missouri [Mr. SKELTON] for yielding me this time.

Mr. Speaker, what BOB CLEMENT said earlier I thought was very apropos; that is, that people can disagree without being disagreeable. BILL EMERSON was truly a man of the House, a man of this institution.

I had the privilege of working with BILL a lot, because part of my district is right across the river from the Missouri boot heel. I can tell Members from personal experience, BILL EMERSON was loved in the Missouri boot heel. We did a lot of work together on the Mississippi River. both of us served as president of the Lower Mississippi Valley Flood Control Association and had a lot of common interests that we were pursuing to help the folks that lived along the river up and down.

My heart goes out to Jo Ann and the family because BILL EMERSON was truly a gentleman. I never heard him say a harsh remark about someone personally on this floor. It happens all too often, as some of the other speakers have said. That is what I mean about being able to disagree in an agreeable way. That is really what this institution ought to be about. BILL EMERSON lived his life in furtherance of that goal.

I just hope his memory, and I think it will, will permeate this place for many years to come. He was a good man and true gentleman and we will miss him greatly.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

□ 1730

Mr. STENHOLM. Mr. Speaker, I would just like to say that the BILL EMERSON that I knew was a very, very special person. BILL loved his God. He loved his country. He loved his family. He loved his district, his State, and he loved this House of Representatives. The last conversation that I had with BILL, he was looking ahead to next year and wanting to be a part of making the constructive changes that he tried all of his life, from, I think, since serving as a page in this institution the first time.

Having sat by BILL every Thursday morning in the House prayer breakfast group, I was blessed many times by having him share his ideas about life and what it meant, and even during these last several weeks when it clearly was becoming more and more of a severe problem for BILL, he never lost his faith.

I would just, too, like to say to Jo Ann and to the family and to all of his many other friends back home, I know everyone will miss him, but so will we. We know now that BILL is in Heaven and I know he is smiling down and appreciating the nice things that many of us have said when perhaps he would say, ''You could have done a little better job when we were here, too, Charlie.'' But BILL, we miss you. God bless you.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI].

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

Mr. Speaker, I wish to join my colleagues in mourning the passing BILL EMERSON, the gentleman from Missouri, truly the gentleman from Missouri. We all talk about when we first got to know Bill, and I did in his work with Mickey LeLand on the Committee On Hunger. I was not a member. I wanted to be. The two of them were so enthusiastic, and is it not sad that we have lost both of them.

Others have reminisced about when Mickey's plane went down and how BILL reacted to that and redoubled his already boundless efforts to end world hunger. We had a few chuckles over the fact that we were working together on disaster relief when of course everyone knows that we are earthquake prone in California and San Francisco, but when Missouri was identified as a potential site, again with all the gusto in the world, as the gentleman from Illinois [Mr. DURBIN] mentioned he launched into the disaster relief issue.

I want to extend my sympathy to Jo Ann and the Emerson family. I hope it is a comfort to them that BILL is mourned by every single one of his colleagues, that this House that he dearly loved and served so well is diminished by our loss of BILL, and that all who know him pray for the family at this very difficult time.

As has been mentioned, BILL was very concerned about his staff and we all are, too BILL. But I want to say that as has been mentioned, BILL was a person of faith. He was a man of faith. With that faith, he helped all of us here reinforce our own faith and be kinder to each other.

In his work to end world hunger, BILL EMERSON worked on the side of the angels, and now he is with them.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. WOLF].

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

Mr. Speaker, I had spoken yesterday and I was not going to speak again today, but something came up, I wanted to speak. BILL EMERSON and TONY HALL and a few of us are part of a covenant group. We met every Tuesday in the chapel. In fact, as we just broke up, a group of us, the whole meeting was on BILL. Somebody sent flowers that were on the altar today for BILL. Somebody else brought and put on all the chairs a jersey for all of us in the group from BILL.

BILL was a committed Christian. BILL loved Jesus as much as he loved anything else. So I just want people to know, and I can speak personally from having listened to BILL for the last several years, he loved Christ. He knew that when he died, where he was going, that he was going to Heaven to be with the Lord. BILL was somebody whom everyone loved on both sides, and those in our group, TONY HALL and our group, kind of transcend it. In fact, we had greater loyalty in our group to the individuals in the group than we actually had to our parties. We worked together on many issues, and we are going to miss BILL an awful, awful lot.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, it is a tribute to BILL EMERSON that we are here in going on now 2½ hours eulogizing him and remembering him. He was a Member of my class, the 97th class, even though I caught up with him about 7 months later because I came in a special election in 1981. BILL was one of the first people to come over and extend a hand and help me with this great transition from the State legislature to the Congress.

Recently I had an opportunity to participate in a congressional study group on Germany meeting in BILL's district in Cape Girardeau and, unfortunately, BILL was unable to attend because he was having treatment back here at Georgetown. As a result, some of the Members that were out there listened to BILL call in, and we were there with members of the German Bundestag, and it was so evident what pride BILL took in his district and his constituency. He even gave us a book from Mark Twain that had a specific part of the book marked where Mark Twain talks about Cape Girardeau and that area, and the German members of the Bunderstag were so impressed with BILL's commitment and his strong feeling about German-American relationships and the strong number of German-Americans that were in his district.

He was a person who everybody in this House could look up to and yet feel that they were a friend on an equal basis. We will miss his great honesty, his humor. We wish the very best to his family and Jo Ann, his wife, for someone we will miss greatly, a real leader in this House and one who loved this House of Representatives, BILL EMERSON.

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

Mr. RICHARDSON. Mr. Speaker, I did not know BILL EMERSON as well as some of my colleagues, but what I did not know of him, when I think of him and remember him, I will think of the words decency, commitment, honesty, collegiality, civility, which is sometimes in this body something that we have lacked.

The last word I ever heard him say was ''good''. I remember seeing him in his wheelchair and I asked him, BILL, how are you doing? And he said, ''I'm good.'' He was fighting till the end. A class guy, an honorable guy, a guy that when individuals think of this Congress, they see somebody in the best traditions of the men and women that serve here.

Sometimes we speak ill of each other and speak ill of this institution. BILL EMERSON loved this institution. He would be upset at those that reviled it, and I will always remember him as a man with class, a bipartisan person who cared deeply, a person who cared deeply by about this country, about hunger, about foreign policy, about his farming district, about where he came from, and I will always have that very good feeling about BILL EMERSON.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSTON of Florida. Mr. Speaker, I guess the politics of BILL EMERSON and myself were 180 degrees apart. We were diagonally opposite. He is a conservative, I am a liberal. He was for a constitutional amendment against flag burning, I was against that. He was for English only, I was against that. He was pro-life, I am pro-choice. But BILL EMERSON is pro-life in the ultimate sense. Without him, without FRANK, who just spoke, without TONY HALL, a lot of Africans would die this year of starvation. BILL EMERSON interceded, and FRANK WOLF and he went to the leadership and got food aid put back in the budget last year.

He was a close friend, and I personally will miss him.

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

Mr. Speaker, we have witnessed this afternoon tributes to a wonderful American, great Missourian, BILL EMERSON. I have not seen such an outpouring in my time here in the Congress of the United States. Habit is a funny thing. Habits sometimes become a ritual. To and from work, driving from McLean, as we did nearly every day, in the morning when he would come by the House, ''Billy,'' ''Mr. Ike,'' then the conversation was off and we would visit all the way down, trying to solve problems, discussing everything from family to friends to work for the people we represented.

Then at night we would drive back and getting ready to get out, the conversation would be, ''What time tomorrow?'' ''7:20.'' ''7:20.'' ''Good night, Bill. 7:20.'' We will always fondly remember that wonderful Missourian, BILL EMERSON.

I also wish to thank the gentleman from St. Louis, MO, [Mr. CLAY], for initiating this resolution. It is certainly thoughtful of him to do so and to allow us to participate.

Mr. FRELINGHUYSEN. I am pleased to rise to honor the memory of my friend and colleague, the gentleman from Missouri, the late BILL EMERSON.

For the past 18 months, he has been a friend and periodic advisor. He has generously shared his love of Congress as an institution with me and his deep knowledge and interest in American history, most especially the role of Abraham Lincoln and his family.

BILL EMERSON touched the lives of two generations of Frelinghuysen's in Congress. He was a congressional page in 1954 when my father, Peter H.B. Frelinghuysen was a Member of this body. He was on the floor, as my father was, on the fateful day when Puerto Rican nationalists shot and wounded several Members of Congress from the spectators gallery.

He was a special person and one who had an immediate impact on those he met. Perhaps the greatest indication of his impact on this House and those who work in it is the testament that we've heard today—from Republicans and Democrats, liberals and conservatives, men and women, old friends and new who all respected this honorable man.

At a time when it is fashionable to criticize government and Congress, BILL EMERSON was always unabashed in his defense of this institution. He served as an example to us all that quiet leadership, an open mind, and a strong commitment to constituent service is the best way to earn the public trust and the respect of our colleagues.

We can honor his service by practicing these virtues. And through this effort by each and every one of us, the House of Representatives that BILL EMERSON loved so much will bear his grand imprint for many years to come.

Mr. FRANKS of Connecticut. Mr. Speaker, it is with a great degree of sadness that we, today, mark the passing of a true, distinguished public servant, and a fine human being, Congressman BILL EMERSON of Missouri.

Mr. Speaker, we will always remember BILL for his wonderful sense of institutional history, his championing of the hungry and downtrodden of the world, his tireless work for the agricultural interests of the United States, and his longtime service to his country.

Mr. Speaker, the immense love BILL EMERSON displayed for his family, his friends, his Missouri, his country, and his God should always resonate with us. We were truly blessed to have such a wonderful man serving among us.

To BILL, I say ''So long, good friend. You are going to be missed by a lot of people down here. It was an honor to know you.''

Mr. SENSENBRENNER. Mr. Speaker, I rise today to pay tribute to the late Representative BILL EMERSON, a distinguished American who served his country with unsurpassed dignity and an inspiring fighting spirit.

Representative EMERSON began his public service as a teenaged House page in 1954. He later served on the staffs of Representative Bob Ellsworth and Senator Charles Mathias.

In 1980, Representative EMERSON sacrificed a lucrative lobbying career to run for Congress. Through his dogged determination and exemplary integrity, BILL EMERSON defeated the Democratic incumbent, becoming the first Republican in 50 years to represent the Cape Girardeau-Bootheel region.

During his 16 years in Congress and throughout his life, BILL EMERSON earned the respect and admiration of his colleagues and the public. He was able to rise above politics and work together with Members on the other side of the aisle to pass legislation benefiting our country. As a compassionate leader on the Agriculture Committee, BILL EMERSON dedicated much of his efforts to food stamps and nutrition programs.

No matter what challenge life threw at him, BILL EMERSON attacked it with every fiber in his body. He fought and defeated alcohol dependency and never gave up his fight against cancer. Since being diagnosed with cancer last November, BILL's spirit and zeal for life never wavered.

This House and our country has lost a great American patriot. I offer my condolences to the family and friends of the Honorable BILL EMERSON.

Mr. JOHNSON of South Dakota. Mr. Speaker, I rise today to join my colleagues in mourning the death of BILL EMERSON.

I was privileged to have worked with BILL on the Agriculture Committee for the 10 years that I have served in the House, including having him as my ranking member on the General Commodities Subcommittee during my time as chairman of that subcommittee. As was the nature of the Agriculture Committee in previous years, we worked on a bipartisan basis to ensure the competitiveness of American agriculture on many occasions.

He was a tireless advocate of those less fortunate in our country, particularly the hungry in this Nation. With the bounty produced by his congressional district, I know it was frustrating for him to think that in this day and age that children still go to bed hungry. We are also aware that this concern spanned the continents as he joined our late colleague Mickey Leland and Congressman HALL in working to stamp out hunger in foreign lands as well.

He served the constituents of his district well on the Public Works and Transportation Committee and on the Agriculture Committee. He, like I, represented a district which has a wide variety of agricultural commodities grown, sometimes with divergent views. He was always an advocate for the farmers in his district above all else and fought relentlessly to ensure that their interests were heard. His work on the Public Works Committee also underscored his understanding of the issues of importance to his district—safe drinking water and adequate transportation systems to allow his rural district to complete on an equal basis with their urban neighbors and enjoy the same quality of life.

Mr. thoughts and prayers are with his family, his staff, and the constituents of the Eighth District of Missouri as they mourn their loss and remember the life and times that they shared with him. His death is a loss for all of us and for this institution that he loved, the U.S. Congress.

Mr. STOKES. Mr Speaker, I want to thank my colleague, the distinguished dean of the Missouri congressional delegation, Congressman BILL CLAY, for allowing us this time to pay tribute to our departed colleague, BILL EMERSON. We join the members of the Missouri congressional delegation and, in particular, the people of the Eighth Congressional District in mourning the recent passing of a distinguished lawmaker, a dedicated politician, and a good friend.

I am proud to have served in this legislative Chamber with BILL EMERSON. He came to Washington, DC, with a sense of dedication and the highest level of commitment to public service. Throughout his career, he worked hard and fought for issues which he believed in. Many of us recall that when the Hunger Caucus was abolished, BILL EMERSON joined my colleague from Ohio, TONY HALL, in fasting to bring attention to the issue. On other issues of importance to the Nation, BILL EMERSON was the voice of reason and compassion. He was a courageous lawmaker and a gentleman at all times.

Mr. Speaker, I saw BILL just a few nights ago when he was coming into this Chamber in his wheelchair. I recall that he was in good spirits, and told me at that time than he was still fighting hard and doing all right. BILL EMERSON was that type of champion. The fact that despite his battle, he was here in this Chamber just a few days ago carrying out his legislative duties, is a reflection of his strength of character and commitment to duty. He did his very best and he served with the highest level of integrity and dignity.

I will miss our colleague, BILL EMERSON. I join my colleagues in extending my sympathy to his wife and members of the Emerson family. We have lost a good friend and America has lost a champion.

The SPEAKER pro tempore (Mr. DREIER). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 459.

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

There was no objection.

MESSAGE FROM THE SENATE

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

S. 1903. An act to designate the bridge, estimated to be completed in the year 2000, that replaces the bridge on Missouri highway 74 spanning from East Cape Girardeau, Illinois, to Cape Girardeau, Missouri, as the ''Bill Emerson Memorial Bridge'', and for other purposes.

BILL EMERSON MEMORIAL BRIDGE

Mr. PETRI. Mr. Speaker, I ask unanimous consent to take from the speaker's table the Senate bill (S. 1903) to designate the bridge, estimated to be completed in the year 2000, that replaces the bridge on Missouri Highway 74 spanning from East Cape Girardeau, IL, to Cape Girardeau, MO, as the ''Bill Emerson Memorial Bridge'', and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. RAHALL. Mr. Speaker, reserving the right to object, I certainly do not mean to object, but I would yield to the gentleman from Wisconsin for the purposes of explaining the bill.

Mr. PETRI. Mr. Speaker, the bill would designate the bridge to be constructed to replace the Cape Girardeau Bridge in Missouri in honor of our late colleague, BILL EMERSON, who passed away last weekend.

BILL truly was a man of the House. He first came to Washington at the age of 15 when he was appointed to serve as a House page. He returned in 1961 and worked on the staff of several Members. After working in the private sector, Bill was elected to the House in 1980 and has won each election since, serving on both the Agriculture and Transportation and Infrastructure Committees.

I had the honor of serving with BILL on the Transportation Committee and always found him to be hardworking, and dedicated to his beliefs and serving his constituents in Missouri. He was never afraid to state his views or take on an issue, and it was one of many traits that we admired about BILL. I remember well his good humor and straightforward manner, even when the committee was considering controversial or difficult matters. But make no mistake, you always knew exactly how he felt about an issue.

In the end, BILL demonstrated extraordinary courage in the face of his illness this year, and he would not, and did not, let it interfere with his daily responsibilities here and in his district.

We extend our condolences to his wife, Jo Ann, to his children, Elizabeth, Abigail, Victoria, and Katharine, and to his staff who worked with him over the years. The Transportation Committee and this House have suffered a great loss and we will truly miss BILL EMERSON.

I urge passage of S. 1903.

Mr. RAHALL. Reclaiming my time, I thank the gentleman for his explanation and I join him in supporting this bill.

It is indeed fitting that the least we can do to honor BILL EMERSON is to name the bridge that is to be constructed in Cape Girardeau in his memory.

Sine 1980, BILL EMERSON served with great distinction on the Public Works and Transportation Committee, now known as the Committee on Transportation and Infrastructure, working on behalf of the people of the Eighth Congressional District of Missouri.

In fact, a particular bridge we are naming in his honor today has been a priority transportation improvement project for him, and funds were earmarked for it in the National Highway System designation bill that I managed in the last Congress when I served as chairman of the Surface Transportation Subcommittee.

As we all know and have heard today, Mr. EMERSON, our dear friend, was a gentleman, a great legislator, a family man and a friend to all of us. His memory will stay with us for many years.

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

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

□ 1745

Mr. VOLKMER. This is something that BILL EMERSON worked on for about 10 years, and working together, he with a bridge in Cape Girardeau, I with a bridge in Hannibal, both across the Mississippi, and also with the Chouteau Bridge in Kansas City. Bill was instrumental in bringing this all about and this is a very appropriate designation in his honor.

I can remember back when I was out at the Cape with others in April, his mom made me promise that when we got the bridge in Hannibal they would have a bridge in Cape Girardeau, and that is happening. And BILL is going to have the best view of anybody. As his mother said, ''Bill will have the best view of this bridge than anybody else.'' Bill, good luck.

Mr. RAHALL. Continuing my reservation of objection, Mr. Speaker, I yield to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. Mr. Speaker, I thank the gentleman for yielding, and I am delighted this bridge is going to be built and now named after BILL EMERSON. I did not know BILL EMERSON real well up until last year. We did not serve on the same committees, we were not neighbors and things, but let me just tell my colleagues a little bit. We both got cancer at the same time. Mine was operable and, thank goodness, I am just about cured and doing well. But our friendship developed over this. We compared notes on getting chemotherapy. It is strange.

He used to tell me all the time, ''You are going to get better, NORM; you are going to get better.'' Thank God, he was right. And I kept telling him he was going to get better. He did not get better.

There is something here that I want Members to understand. At one time I made a speech on the floor and started crying that I was very fortunate that I was able to get prescreening, and when they were taking the prescreening out of the Medicare it did not bother me because I could afford to get prescreening. But it is so important to find this dreaded disease early. We put it back in now, the leadership put it back into the budget, which I am very grateful for, and it should have been basically in honor of BILL EMERSON. It is a dread disease.

But I would like to say something else. I know we are not supposed to talk about some of the things that we get in the House, but there is a doctor downstairs, a Dr. Eisold, who came up here every night to check on BILL and I to see how we were doing at the late hours. And BILL and I talked about that and were go grateful just for the caring. They cared, and that was important. And BILL cared.

I used to tell him sometimes at 10 o'clock at night, I said, ''BILL, why don't you go home?'' He said, ''Why don't you go home? I said, ''Well, you know, people are paying me.'' He said, ''They are paying me, too, and I am going to stay here. I am going to stay here.'' And I tell my colleagues he stayed when he could hardly breathe, and it showed courage. I just cannot say what a loss this is.

I give my sympathy to his family, to a very great and courageous person.

Mr. RAHALL. Mr. Speaker, continuing under my reservation of objection, I yield to the gentlewoman from Missouri [Ms. DANNER], a member of our Committee on Transportation and Infrastructure.

Ms. DANNER. Mr. Speaker, it is and has been my privilege to serve on the Committee on Transportation and Infrastructure with our late friend BILL EMERSON. Many of us will remember the song that was so popular some years ago called ''Bridge Over Troubled Waters,'' and figuratively speaking a lot of times troubled waters seem to trickle down this center aisle separating the two sides of this chamber. BILL served as such an effective bridge when that would happen.

By definition bridges are structures that stretch over divided areas that are best linked together. I believe that is an apt metaphor for BILL EMERSON's service to our Nation. He brought Democrats and Republicans together on so many issues where we really never should have been apart.

It was a real pleasure to have the opportunity to work with him in committee on funding and working on these authorization bills for the three bridges, one which serves his district, one which serves my district, and one which serves the district of the gentleman from Missouri, Congressman VOLKMER.

What really more fitting structure to name after BILL EMERSON than a bridge; he, who, as I said earlier, served as a bridge, and a bridge named in his honor over his beloved Mississippi River serving his deeply loved Cape Girardeau.

Mr. RAHALL. Mr. Speaker, continuing under my reservation of objection, I yield to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, I thank the gentleman very much for yielding, and I would like to take this moment to stand and give my sympathy to BILL EMERSON'S family.

As the gentlewoman from Missouri, Ms. DANNER, just said, when I think of BILL I can think of a bridge also. A bridge is strong. It can carry people from one part to the other over the turbulent waters. We could not help but watch BILL EMERSON and know that he was a strong man, physically strong and mentally strong. He was strong like a bridge. He could take any weight and he did not complain.

As we sit and watch each other on the floor of the House, we cannot help but look at people and get to know them, and we understand what makes them. I loved to watch BILL EMERSON, because he was a strong man, a determined man, a proud man. BILL EMERSON liked what he was doing. He was proud to be the Representative from Missouri to the Congress of the United States of America. He was proud to represent his constituents and he was proud to do it in a frame that was positive.

How perfect a bridge is for a man like BILL EMERSON. BILL could take that side of the aisle and this side of the aisle and make a complete bridge going back and forth, working with his people on his side, working with Democrats on this side. I think we all know from what has been said this afternoon, BILL EMERSON was a bridge, a bridge that we all would like to be so that this body could work.

I think BILL EMERSON is the kind of man that all of us want to be, men and women; a woman wants to be like that as a woman and man as a man, because he understood this body. He understood what made it work. He understood one had to go to the committee meetings; he understood one had to do the homework; he understood that a bill was brought to the floor of the House and Members argued what they believed in and what they thought was right, and that was how the work got done. BILL EMERSON represents this body in its very finest form.

As a woman who lost her husband just this year, I want to say to Mrs. Emerson and to BILL'S daughters, right now he is still with you. It is too soon. He has really not gone from you, but you will miss him so, so much. And you have no idea how much you will miss him. But let me say to you today, as we all thank you for letting us know BILL EMERSON, letting him be part of us, as he was you, let me say to you that if it was not for people like you, Mrs. Emerson, and if it was not for BILL'S daughters, we could not have Members of Congress like BILL EMERSON.

Because it is only when a family lets somebody go to Congress and lets them do their thing, lets them submerge themselves in this work, because to be a Member of Congress, to work here and to work at home takes incredible hours, hours away from a beloved wife or husband, hours away from children.

So let me say to the Emerson family, we do appreciate what you did. We do appreciate your letting BILL be with us. He did wonderful things for this country, and you were very kind and generous to let him serve in this body as long as he did. He loved this body as he loved you, and it was all one, as he was a magnificent Member of Congress.

Mr. RAHALL. Mr. Speaker, continuing my reservation of objection, I am glad to yield to the gentleman from Florida, [Mr. DIAZ-BALART].

Mr. DIAZ-BALART. Mr. Speaker, on Sunday at church I mentioned to some ladies before mass began that a dear colleague in Congress was gravely ill and that it seemed that he would soon leave us. I knew not then that BILL EMERSON had passed away the day before, on Saturday. I told those ladies at church that our colleague was a very special man, a very, very good man, who always uplifted our spirits even if by exchanging just a few passing words on the floor of this House.

Mr. Speaker, what a privilege it was to have been able to work with BILL EMERSON. I know that we all pray for him in the firm belief that he is now in paradise and I am truly thankful for the opportunity to have know him.

Mr. SHUSTER. Mr. Speaker, I rise in strong support of this bill to designate the ''Bill Emerson Memorial Bridge'' in honor of our colleague who passed away this past, Saturday June 22.

BILL was a valuable member of the Transportation and Infrastructure Committee who understood the critical role of infrastructure in our society today. So it is particularly appropriate that this replacement bridge in Cape Girardeau, MO—which BILL worked to secure funding for—is to be named in his memory.

Over the many years we served together on the Transportation Committee, I came to appreciate BILL's dedication to our issues. He was a hard worker and a Member you knew you could count on when the chips were down.

BILL always spoke his mind and was not afraid to take a stand on tough issues that he believed in. He remained true to this convictions and yet knew how to compromise in order to achieve his goals.

BILL first came to Washington at the age of 15 when he was appointed a page in the House. After serving as a congressional staffer and in the private sector, he ran for Congress and won the 1980 election. While in the House, he also served on the Agriculture Committee, which was of great importance to his southeastern Missouri district.

The quick action on the part of both the Senate and the House in passing this legislation is a true indication of the respect and admiration we all feel for BILL.

I want to express my sympathies to BILL's family—his wife, Jo Ann, and his daughters, Elizabeth, Abigail, Victoria, and Katharine.

BILL will be missed here in the House. In recognition of his many years of dedicated service, I urge the House to approve this bill to name the ''Bill Emerson Memorial Bridge.''

Mr. RAHALL. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1903

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

SECTION 1. DESIGNATION OF BILL EMERSON BRIDGE.

The bridge, estimated to be completed in the year 2000, that replaces the bridge on highway 74 spanning from East Cape Girardeau, Illinois, to Cape Girardeau, Missouri, shall be known and designated as the ''Bill Emerson Memorial Bridge''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in section 1 shall be deemed to be a reference to the ''Bill Emerson Memorial Bridge''.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETRI. 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 S. 1903, the Senate bill just passed.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3675, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Ms. GREENE of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 104–633) on the resolution (H. Res. 460) providing for consideration of the bill (H.R. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PRIVILEGES OF THE HOUSE—INSTRUCTING COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO IMMEDIATELY TRANSMIT REMAINING CHARGES AGAINST SPEAKER GINGRICH TO OUTSIDE COUNSEL

Mr. JOHNSTON of Florida. Mr. Speaker, pursuant to rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas the Constitution of the United States places upon the House of Representatives the responsibility to regulate the conduct of its own Members;

Whereas the House has delegated that responsibility, in part, to the Committee on Standards of Official Conduct, which is charged with investigating alleged violations of any law, rule, regulation or other standard of conduct by a Member of the House;

Whereas the Committee on Standards of Official Conduct has failed to discharge that duty with regard to serious allegations of wrongdoing by the Speaker of the House;

Whereas, although an outside counsel has been appointed to investigate the Speaker, the Committee has failed to allow that outside counsel to investigate serious charges concerning the Speaker's political action committee, GOPAC, and its relationship to several tax-exempt organizations;

Whereas a formal complain concerning these charges has been languishing before the Committee for more than six months;

Whereas new evidence of violations of federal tax law—in addition to the information contained in the formal complaint—has also been recently reported by investigative journalists around the country;

Whereas the failure to take action on these matters has raised serious questions about the impartiality of the Committee on Standards of Official Conduct, now, therefore, be it

Resolved, That the Committee on Standards of Official Conduct is hereby instructed to immediately transmit the remaining charges against Speaker Gingrich to the outside counsel for his investigation and recommendations.

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

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

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 3666) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commission, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, and that I be permitted to include tables, charts, and other extraneous material.

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

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 456 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3666.

□ 1759

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3666) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] each will control 30 minutes.

The Chair recognizes the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

As we begin this evening's debate relative to the fiscal year 1997 VA–HUD and independent agencies appropriations bill, I ask my colleagues' indulgence for just a moment so I might offer a few thoughts myself regarding our dear friend, BILL EMERSON. It occurred to both the gentleman from Ohio, LOUIS STOKES, my ranking member, and myself, that BILL EMERSON would very much appreciate the work that has been done by this subcommittee and the fashion in which this bill will be discussed in the House this evening.

Above and beyond all things in the House, BILL EMERSON cared about public policy and solving problems with a spirit of nonpartisanship. Indeed, my colleagues, I can say, as we have gone forward with the work of this subcommittee, that spirit has been alive and well and it is the likes of BILL EMERSON who indeed have created an environment that will hopefully extend itself throughout the rest of this legislative year.

As was evident by the remarks of a number of our colleagues this evening, BILL EMERSON certainly was a man who was loved and respected by both sides of the aisle. He loved the Members on both sides and they loved him. That quality is especially rare in this day and age where partisanship almost for the sake of partisanship too often dominates the scene in our Nation's Capital. BILL EMERSON was first and foremost, as has been said by colleague after colleague, a man of the House.

He began his work here, in 1954, as a page. He was on this floor the day bullets rang out on the House floor, a bullet hole remains in one of these drawers to this very day. Any Member who wishes can come and examine one of BILL's experiences.

Through the years, BILL EMERSON helped to shape the history of this place as Members see the House of Representatives as an esteemed body. Most importantly, he never forgot his roots or the people who elected him overwhelmingly to represent them for 8 terms.

Beyond that, BILL was a Member who recognized that partisanship indeed should have its limits. He could be tough as nails, either within the committee or here on the floor, engaging in debate, defending his point of view, but BILL EMERSON recognized that partnership should always stop either at the committee room door or, indeed, when all of us leave this floor.

That is a lesson we can all learn from. I must say that BILL EMERSON has been one of my best and truest friends in the House, in spite of the struggles that he personally has been facing. Through the good times and these most difficult times, BILL has always been there to offer his heartfelt support. Regardless of his problems, he had time for yours.

Over the years, our families have grown to be very close. It was past 2 a.m. Sunday morning that his daughter Abby called Arlene and I to share the news of his passing with us. To say the least, our hearts and prayers go out to Jo Ann and Abby and the rest of their wonderful family.

Mr. Chairman, it is my hope and wish that as we consider this bill today, we will conduct ourselves in a manner that is worthy of the legacy of BILL EMERSON.

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

Mr. LEWIS of California. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I thank my distinguished chairman of the subcommittee for yielding to me.

Mr. Chairman, I would like to associate my remarks at this time with those of my distinguished chairman. BILL EMERSON was truly one of the finest men I have ever been privileged to serve with in this body. In the words of the gentleman from California [Mr. LEWIS] he was truly the epitome of what bipartisanship represented in a body of this sort.

BILL was the type of person who you knew loved this institution, who was devoted to it and to its Members. He had had a very distinguished career here, having served both as a page and then as a very distinguished legislator in this body.

I recall last week that I saw him on about three different occasions. I recall late one night, when we were working, that he came in in a wheelchair and we came in on the first floor level, and took the elevator up together. And I asked him, I said, Bill, how are you doing? He said, ''Oh, I am doing OK.'' And he said he was on a new type of chemotherapy and taking the radiation. He said, ''But I am going to be all right.''

And I think it was that type of formidable fortitude that BILL represented. He was always in good spirits, always of a positive demeanor and someone who never gave up.

In the same sense that the gentleman from California has mentioned, the way Mr. EMERSON approached his responsibilities here in a bipartisan basis, I think that is the way we think of him. BILL put the institution first and he devoted himself to policies of the institution and to the people who serve here. Whenever one passed by him, or had a chance to talk with him, he was cheerful. He was someone who you grew to not only like but really respect highly and to love and admire and respect.

So not only has this institution lost one of the finest men to ever serve here, the Nation has indeed encountered a great loss. All of us who served with him in this body will certainly remember him.

I appreciate the gentleman giving us the opportunity to share our thoughts about BILL EMERSON.

Mr. LEWIS of California. I thank my colleague, the gentleman from Ohio, LOU STOKES.

Let me say, Mr. Chairman, that indeed my work with LOUIS STOKES this year on this bill has been a return to a spirit that he and I have experienced for a number of years working together. As we all know, there was a very significant change after the last election; some of us were surprised at it. LOU may have been, but I can tell you that I was too in many a way. Having the privilege to serve as chairman of the subcommittee, I was both excited, but also I found it very difficult, and challenging. In many ways it was a painful process.

Indeed with the revolution came a difficult adjustment that caused all of us in our new roles to look at where we had been. To suggest that last year's appropriations process was comfortable for either Mr. STOKES or myself would be to suggest some kind of fantasy land. It was a painful process, especially for me.

I want Members to know that this year we have been operating in a different environment. LOU STOKES and I have long been very, very close friends and are most pleased to say that we have produced a product that very much reflects the bipartisan spirit that was a part of the life of our colleague who we have all shared thoughts about today.

So, Mr. Chairman, I am very pleased to present H.R. 3666, the VA-HUD independent agencies appropriations bill for the fiscal year 1997. I do not intend to speak very long today because this bill, as it did in the subcommittee and the full committee markup, should draw wide bipartisan support on the floor.

As most of my colleagues know, this is a departure, as I have suggested, from last year's process. But in a different spirit, we bring this bill to you tonight. As it stands, the bill provides $64.3 billion, that is billion dollars, in discretionary budgetary authority and is $3.2 billion less than the administration's request for the 20 agencies that fall within the subcommittee's jurisdiction. It is a fair and equitable bill.

This legislation reaffirms our commitment to serving our veterans as they have served us, to protecting the environment, to caring for the poorest of the poor, to ensuring America's future leadership in space. Most importantly, it keeps the appropriations process on track for meeting the objective clearly stated by both the Congress and the administration of balancing the budget by the year 2002.

This is a bill that the President can and should sign. Like last year, we begin the process this year by reviewing every program and every budget from the bottom up. We examine what works and what has not worked in every agency under our responsibility. We asked NASA to begin prioritizing its programs, for example. We began to scrutinize the manner in which the VA is delivering care and services to our veterans. We did all of this and more and have succeeded in identifying

many areas where we could make reductions in the rate of growth of spending, a key ingredient towards balancing the budget shortly after the turn of the century.

Through this long and sometimes difficult process, this subcommittee alone has identified some $14.8 billion, $14.8 billion of taxpayers' savings since we began looking at these agencies and the responsibilities and their spending levels stemming back to the year 1995.

It has been well advertised in the press that this subcommittee received a large increase in our 602(b) allocation relative to last year. What has not been well advertised is the fact that our prior year outlays over which we have virtually no control have also been increased some $1.8 billion between 1996 and 1997. In addition, the Congressional Budget Office has rescored a number of major accounts, particularly VA and EPA, which has resulted in large outlay increases even though budget authority has remained relatively constant.

All of this is to say that we have looked at each program as carefully as possible and are attempting to make slight but meaningful reductions where appropriate while providing as close to the 1996 or budget request levels wherever possible.

With the indulgence of our colleagues, I would like to take just a moment to detail the highlights of this bill. We have provided the full budget request of over $17 billion for VA medical care. This represents an increase of $444 million over the 1996 level and is the only substantial increase over the 1996 level in the entire bill. One of our amendments will make some adjustment in that.

We have also provided the budget request of 1996 levels for elderly and disabled housing, housing for people with AIDS, drug elimination grants, public operating subsidies, severely distressed public housing, and virtually every other major program at HUD.

In addition, I will be offering shortly an amendment to restore $300 million to the Community Development Block Grant Program, bringing CDBG funding to the full budget request level. We have provided $19 million over the 1996 level for EPA's programs, including increases for science and technology, their programs and management and Superfund. The clean water State revolving fund and the environmental grant programs available to the States and tribal governments are also fully funded.

The space station and the shuttle program under NASA are fully funded. In addition, we are providing $1.2 billion for the Mission to Planet Earth Program.

Mr. Chairman, this subcommittee has made a concerted effort to refrain from including controversial legislative provisions in spending bills this year. I am sure the chairman will be pleased to hear that.

In this vein, all of my colleagues know of the struggle we went through regarding language in last year's bill. And they, too, will be pleased to know that there are no environmental legislative provisions which will draw controversy to this bill.

In spite of a number of difficult challenges in putting this measure together, our final product represents a balance of common interests as well as tough choices. Let me repeat for the record: On its merits, this is a bill the President can and should sign.

In closing, I want to commend my ranking member, Mr. STOKES, for his willingness to work closely with me in crafting a bill that we can both support. I want further to thank and commend his very capable staff, particularly Leslie Atkinson and Del Davis, for their work. I also want to recognize my own staff, Frank Cushing, Paul Thompson, Tim Peterson, Valerie Baldwin, Doug Disrud, Jeff Shockey, Alex Heslop, and Dave LesStrang, for their many hours of work in putting this package together.

□1815

Together, the gentleman from Ohio [Mr. STOKES] and I have worked to prepare a balanced bill in the name of comity and in the truest sense of bipartisanship. I must say that our colleagues will find before we are through with this process that we believe, and I am sure our colleagues will agree, that the work of this subcommittee does indeed reflect the best of the spirit of our friend and colleague, BILL EMERSON.

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

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

Mr. Chairman, I rise in support of H.R. 3666, the fiscal year 1997 appropriations bill for the Departments of VA-HUD-independent agencies. The bill being considered in the House today is a far cry from the bill considered last year for the fiscal year 1996. At the outset, I want to express my appreciation to the gentleman from California. [Mr. LEWIS], my friend, the distinguished chairman of the subcommittee, for the good faith efforts and bipartisan spirit in which he approached this year's deliberations. This was central to our ability to work together to produce a bill which each of us can point to and find a basis to support.

One of the major concerns I had with last year's process was the fact that the traditional bipartisan approach to fashioning appropriations bills in the Committee or Appropriations was basically nonexistent. I am pleased to state to the House that at least on this subcommittee, we have brought this bill to the floor as a cooperative bipartisan measure. I also want to express my appreciation to the subcommittee staff, Frank Cushing, Paul Thomson, Tim Peterson, Valerie Baldwin, Bud Dezrine, and Jeff Shockey, for the cooperation they have accorded me and my staff. I also want to express my appreciation to Del Davis and Leslie Atkinson, my staff, for their outstanding work.

Mr. Speaker, as the chairman noted, this is not an easy bill to bring to the floor. It never is. It is a tough bill. There are several areas of this bill which are troublesome, and these are the areas in which the chairman and I are not in agreement. However, the chairman and I are committed to continuing to work together as this bill moves through the entire legislative process.

Now, let me speak to a few of the areas in this bill that I believe are important to highlight. As it relates to veterans, the bill provides the President's request for medical care, and medical and prosthetic research. Additional funds have been granted for the construction of State extended care facilities, and the National Cemetery System receives necessary funds for its operations.

As my colleagues are well aware, over the years no area has caused me greater concern in this bill than that of housing. I feel very strongly about our commitment to these programs, and I considered some areas to be deficient after markup. Among those areas lacking sufficient funding was the Community Development Block Grant Program, and, as the gentleman has already mentioned, we will consider the chairman's amendment which addresses our mutual concern in this area.

Another issue for which I have expressed my concern is the proposal to restructure section 8 contract renewals that are oversubsidized and whose contracts expire in fiscal year 1997. There is no doubt that this issue will be key to how much funding HUD programs receive overall in the future, not to mention all other programs in this bill. After numerous meetings, discussions with the Department and outside groups, and debate at markup, the chairman has decided to withdraw the proposed legislative provision on this issue. We will discuss this action during the debate on amendments.

With regard to housing, there are also the issues of no new section 8 incremental vouchers, and reduced funding for section 202 elderly and section 811 disabled housing.

One main difference in this year's bill is the absence of antienvironmental riders that created contentiousness and, later, floor motions and ultimately a veto of last year's bill. The Environmental Protection Agency [EPA] is funded at 93 percent of the budget request, compared with 67 percent of the request recommended last year.

There are, however, some concerns over the reductions to important administration priorities, like the toxic release inventory, the environmental technological initiative, and climate programs. These troublesome areas hopefully will be changed as the bill moves forward.

Other areas in this bill that are problematic and that the administration deems objectionable are the reductions -

To the President's request for the Community Development Financial Institutions Program, NASA's Mission to Plant Earth, and the Corporation for National and Community Service. There is also the elimination of the Office of Consumer Affairs. These are all areas I hope to see improved.

I want to again thank the gentleman from California [Mr. LEWIS] for his leadership on this bill. It is my intention to support the bill.

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

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY], the majority whip.

Mr. DeLAY. Mr. Chairman, I thank the gentleman from California [Mr. LEWIS] for yielding this time to me, and I appreciate all the work that he has done and the ranking member has done in bringing this bipartisan bill to the floor. So, I rise in support of the fiscal year 1997 VA-HUD appropriations bill. As is the case each year, the diversity of programs in this bill requires many difficult funding choices, from veterans' medical care, to housing for the elderly, to Superfund, and the exploration of space.

Once again, the chairman and ranking member of this subcommittee have done yeoman's work in crafting a bill that addresses many of the priorities of the American people and of the members of this House.

One of those very important priorities is NASA. NASA is one of the few agencies in this bill where our taxpayer dollars are invested in the future of this country. So, I am very pleased that the space station and the shuttle programs are fully funded. The shuttle program is in the process of transitioning to the private sector under a prime contract structure to the United Space Alliance and eventually to privatization.

The space station is now at a very exciting point; it is just 16 months away from launch of the first element. Undoubtedly, however, we will continue to see misguided attempts to kill or wound this program later as we consider some of the amendments to this bill, but I am confident that these attempts will fail by the same large margins demonstrated by the House on the authorization bill just a few weeks ago because the American people are solidly behind this critical program.

So, Mr. Chairman, this is a good bill, and it deserves the support of the members of this House. I urge my colleagues to join me in approving its passage.

Mr. STOKES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas [Mr. GONZALES], the ranking minority member of the Committee on Banking and Financial Services.

Mr. GONZALEZ. Mr. Chairman, I rise in qualified support for H.R. 3666 which makes the appropriations for the fiscal year 1997 for VA, HUD, and independent agencies. I offer qualified support because I continue to be deeply troubled by the severe budgetary limitations on domestic discretionary spending, particularly for the most vulnerable and working families in favor of providing tax cuts for the wealthy. These rigid and mean-spirited limitations sadly find me and many of my colleagues cheering when the housing programs in H.R. 3666 simply hold their own and do not face any deeper cuts than they faced last year.

That is the situation. Thankfully, the circumstances surrounding consideration of the bill today are vastly different from those last year. In a strange twist, I actually commend this bill to my colleagues. It takes a very bad hand dealt from a shorted deck to the Committee on Appropriations and turns it into a winning hand so far. I hope that as the legislative process continues that this bill will improve. I say this because funding for critical housing and community development programs remains level or slightly increased from last year. That includes public housing operating subsidies, severely distressed public housing so that public housing eyesores can be demolished and public housing and neighborhoods revitalized; drug elimination grants, the modernization program, the HOME program, and the CDBG program. However, I must note that modernization, HOME, and CDBG funds have to cover programs that previously had their own line items.

It also provides section 8 assistance to cover families displaced from public and assisted housing and for replacement housing. The bill also provides funding to renew section 8 tenant-based assistance contracts, although for just 1-year terms.

H.R. 3666 is devoid of authorizing language that should be developed by the Banking Committee. Indeed, the chairman of the HUD–VA Appropriations Subcommittee has graciously agreed to strike some 17 pages of legislation that had been reported by the committee on the very complicated issue of section 8 portfolio restructuring because he knows that only the authorizing committee can do this important legislation justice. Only the Banking Committee can balance all the disparate interests of the tenants, the owners, the communities, and the Federal Government in preserving as much affordable housing as possible, reducing the costs to the Federal Government, reasonably protecting the financial investments of the owners, and protecting the tenants from unnecessary displacement.

That having been said, there are, however, I must say, two glaring deficiencies in this bill. For the second year in a row there is absolutely no new money for incremental section 8 housing assistance, even in the face of continued evidence that greater numbers of very low income families and the working poor are finding it ever more difficult to find affordable housing. Some 5.3 million Americans have ''worst case'' housing needs, so I find this unconscionable.

The bill also fails to provide sufficient funding for homeless assistance programs. Requests for emergency shelter beds rises each year, but families are turned away because of a lack of resources. Of course, the real answer is providing sufficient funding for affordable housing, permanent housing as well as transitional and supportive housing, which of course this Republican Congress is unwilling to fund.

On balance, however, this bill is about as good as we can get it under our severe and unnecessary budget constraints, and I urge my colleagues to support H.R. 3666.

Mr. LEWIS of California. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. KNOLLENBERG], a member of the committee.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong support of the bill. I also thank the gentleman from California [Mr. LEWIS] for yielding, and I want to begin by commending the gentleman from California for all of his hard work. Shepherding an appropriations bill through this legislative process is not easy, and yet he has done it with diligence and impartiality. I would also like to thank my good friend, the gentleman from Ohio [Mr. STOKES], and his subcommittee staff for all the extraordinary work that they have done on behalf of getting this bill on the floor.

Mr. Chairman, the VA–HUD bill is by its very nature a difficult piece of legislation to move. It is the catchall bill that contains many diverse and competing priorities within its jurisdiction. Its provisions lend themselves more to rumbling acceptance than to enthusiastic support. Some Members will think this bill spends too much, others too little. But I believe that this bill is right on target and was forged in a bipartisan fashion. The bill reflects fiscal realities, but it also leaves room for necessary expansion.

In discretionary spending the bill provides $64.4 billion in budget authority and $78.8 billion in outlays.

□ 1830

Those who would succumb to complaining about what is not in the bill should think about what is in the bill. For the most part, the bill fully funds the President's request in the areas of health, housing, and education. In fact, roughly $38.8 billion will go to the Department of Veterans Affairs. We can all agree that taking care of our Nation's veterans and their dependents should be our No. 1 priority, and this budget demonstrates our commitment to this end.

During the process of forging the bill, housing has prompted a great deal of heated debate. But I believe that the chairman, the gentleman from California [Mr. LEWIS], again has done his

level best to resolve this matter within the ever present fiscal constraints that face the entire subcommittee and Congress as a whole.

While we all have strong opinions about a number of programs, let us not let a heated discussion about this or that program keep us from the business at hand. Instead, let us all agree to maintain the civility that has marked the shaping of this bill, and vote on a good and fair bill.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from California [Mr. BROWN], the ranking member of the Committee on Science.

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

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding me this time.

I wanted to take just a minute or two, Mr. Chairman, to make a few comments about the impact of this bill on our Nation's investment in research and development. As we all know, the funding for NASA, NSF, and EPA research within this bill represents a third or more of all the civilian R&D that this Government funds. In general, I want to say that I am satisfied with the balance this bill has struck for the competing priorities which the appropriators have had to deal with. Overall for NASA, NSF, and EPA research, the bill provides $17.4 billion, about $300 million below the request level, which in these times I would consider to be reasonable.

Although the continuing decline in Federal support for R&D is a matter of great concern to me, as it should be to all Members, I am very cognizant that this subcommittee had to deal with a very restrictive allocation. I hope that in the coming year, both sides of the aisle and the White House can come to grips with how we can reverse the spiraling decline in our Nation's R&D development and better use our Federal dollars to stimulate economic growth and productivity in the future.

In fact, there is in my opinion an inadequate understanding in the House, which I have been unable to change, as to the importance of these investments in the future ability of our country to compete in world markets. I think most of us can agree as to the value of research and development in the abstract, but we must actually find a way to accomplish this in the budget process. There are several specific areas that I would like to call attention to in the bill and in the report. First, this bill provides, for the first time, much needed funding for the U.S.-Mexico Foundation.

This is a program authorized some years ago, yet it is only now receiving the funding which was intended. There are many other notable provisions of this bill that certainly deserve recognition.

Despite my overall satisfaction with the bill, I am disturbed over the major reduction to NASA's Mission to Planet Earth Program and the elimination of EPA's environmental technology initiative. I am hopeful that the conference version of this bill will treat these programs more favorably.

Finally, I want to restate my opposition to the practice of unauthorized academic earmarking which I believe subverts the peer review process and erodes the buying power of our science agencies. Unfortunately, we are seeing a resurgence in this practice this session of Congress. I plan on offering an amendment at the conclusion of consideration of this bill which will eliminate one such earmark in NASA for the Museum of Natural History in New York.

I bear no hostility towards this fine institution nor the concept of providing Federal dollars to science educational initiatives. Indeed I am reintroducing legislation that would make this a fair and equitable process and allow it to operate within the guidelines of the Federal procurement process. In this case, however, this project was not requested, it was not authorized, it has not been peer reviewed, it will not go through the competitive award process, and it bears no relationship to the NASA mission. It is also a sizeable sum which I believe can be better used for other more legitimate purposes. I hope my amendment receives the support of my colleagues.

Once again, I want to commend the chairman, the ranking member, and the members of the Subcommittee for their work on this bill.

Mr. LEWIS of California. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a very diligent and loyal member of our subcommittee.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding time to me, and I rise in support of the bill.

Mr. Chairman, I want to thank the gentleman from California [Mr. LEWIS], the chairman of the committee, the ranking member, the gentleman from Ohio [Mr. STOKES], and the subcommittee staff for their leadership and guidance. Our bill contains funding for many vital programs for our Nation's veterans to protect and preserve our environment, to help house the needy and disabled, and for scientific research and discovery. It has been a difficult task balancing all the national priorities contained in this bill. However, I believe we have achieved this goal, and I am proud to support the final agreement.

In total, our bill provides over $848 billion for the Department of Veterans Affairs, Housing and Urban Development, and 17 independent agencies and offices. Specifically, the bill provides funding for two very important programs that I am very pleased to support and that I have actively worked on throughout the hearing process: first, the Superfund Program; and second, the program dealing with housing for people with disabilities.

This bill dedicates $1.3 billion for the Superfund Program. All of us know, especially those of us from New Jersey, how important this program is. For the second time in the 104th Congress, this committee has earmarked the most money ever for remediation, over $900 million. This money will go a long way towards our commitment to clean up these priority sites, and should be adequate funding to move the sites through to completion. The time has come to reauthorize this program and move the process forward. This bill allows this to happen.

In addition, Mr. Chairman, this bill recognizes the importance of providing housing for people with disabilities. The committee has, for the first time, earmarked $50 million for tenant-based rental assistance to ensure that there is decent, safe, and affordable housing in the community for low-income people with disabilities. Access to housing in the community is the cornerstone for independence, integration, and productivity for people with disabilities, the three hallmarks of the philosophy of the disability community. This bill strongly supports these principles, and I believe these extra dollars will empower the community and help them achieve their goal of living with dignity and independence.

Mr. chairman, I am proud, as a member of this committee, of the work of this committee and I am pleased with the final product. I urge all my colleagues to support it.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas [Mr. EDWARDS], the ranking member of the Subcommittee on Hospitals and Health Care of the Committee on Veterans' Affairs.

Mr. EDWARDS. Mr. Chairman, I would first like to commend the chairman of the committee, the gentleman from California, Mr. LEWIS, and the ranking member, the gentleman from Ohio, Mr. STOKES, for carrying on the spirit of decency and civility from the life and spirit of BILL EMERSON, whom we honored just a few moments ago on the floor of this House.

Mr. Chairman, I rise in support of this bipartisan legislation, and I also want to pay special note to my support of the Hefner amendment, which will be discussed in a few moments, dealing with the Office of the Secretary of Veterans Affairs. A number of major veterans service organizations have endorsed this amendment, and that is one reason why I hope it will pass on a bipartisan basis. Without this amendment, this bill, in my opinion, would micromanage the Office of the Secretary of Veterans Affairs.

This amendment, the Hefner amendment, simply lets the VA Secretary manage his own office in a responsible manner within his given budget. I believe Secretary Jesse Brown has earned that right. He is a combat-wounded veteran, a marine who has served his Nation with honor and dignity. In time of war he put his life on the line for his country. In time of peace he has served our Nation's veterans.

I understand that some Members of Congress, and I respect this, feel that

Secretary Brown has sometimes been too strong or perhaps too partisan in his advocacy for veterans. Personally, I believe Secretary Brown has been an outstanding leader and voice on behalf of veterans, but I believe the Secretary would be the first to say that he fought in combat to defend our right to debate his service. Mr. Speaker, I believe that debate should occur in the Presidential campaign of 1996 and not in the management of the VA Secretary's office, and in a way that, intentionally or not, could hurt our Nation's veterans.

I would like to include for the RECORD letters from a number of the veterans service organizations supporting the Hefner amendment, including letters from the VFW, the Disabled American Veterans, letters from the Paralyzed Veterans of America, and the Vietnam Veterans of America.

The material referred to is as follows:

VETERANS OF FOREIGN WARS,
THE EXECUTIVE DIRECTOR,
Washington Office, June 24, 1996.

Hon. BILL HEFNER,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HEFNER: On behalf of the more than two million members of the Veterans of Foreign Wars of the United States, I wish to thank you for offering an amendment to the Department of Veterans Affairs' FY '97 Appropriations, which will bring the funding level for the ''Office of the Secretary'' to that of the Administration's request.

The language to the FY '97 appropriations bill limits salary and travel costs for the Office of the Secretary—at the FY '96 restricted levels of $50,000 for travel and $3.026 million for personal compensation. These restrictions have placed an unprecedented burden on the Secretary's office. The personnel ceiling does not permit the Centers for Women Veterans and Minority Veterans to fill critical vacant positions. Reducing the travel budget by two-thirds would undermine the Secretary's ability to manage and lead the second largest department in the government.

Also, as an advocate for veterans, the Secretary would be unable to attend activities and events associated with medical centers, regional offices, and veterans service organizations, which ultimately impacts on employees, veterans and their families. In addition, the Deputy Secretary, VA's Chief Operations Officer, is also affected by these travel cuts limiting his ability to carry out his oversight responsibilities. Six mandated advisory committee meetings totaling $158,000 in travel funds cannot be scheduled under this restriction.

Again, the VFW thanks you for offering this crucial amendment.

Sincerely,

JAMES R. CURRIEO,
Executive Director.

DISABLED AMERICAN VETERANS,
Washington, DC, June 24, 1996.

Hon. W.G. (BILL) HEFNER,
House of Representatives
Washington, DC.

DEAR CONGRESSMAN HEFNER: The Disabled American Veterans strongly supports your efforts to amend the fiscal year 1997 appropriations bill for VA, HUD and Independent Agencies to strike out travel restrictions the bill would impose on the Secretary of Veterans Affairs.

Presumably, these travel restrictions were placed on Secretary Brown because of his outspoken opposition to the Republican balanced budget plan which he characterized as devastating for the VA health care system. More recently, Secretary Brown likewise characterized the Administration's balanced budget proposal as devastating for VA's health care system. Obviously, Secretary Brown's singular purpose is that of advocacy for our Nation's veterans, and such advocacy is bipartisan in nature.

These travel restrictions severely hamper Secretary Brown's ability to execute his duty to oversee VA's nationwide operations. In addition to the Secretary's inability to attend many veterans' service organizations' National Conventions, because of these cuts, activities of the Center for Minority Affairs and the Center for Women Veterans have also been significantly curtailed.

Naturally, this Nation's veterans are very concerned when members of Congress attempt to squelch the voice of those who speak for veterans' interests.

The DAV has prepared a draft letter to be sent to the Republican leadership in the House and Senate expressing objections to this ill-advised action. This letter has been provided to the other Congressionally chartered veterans' organizations along with a request that they join the DAV as signatories.

The DAV sincerely appreciates your efforts to correct this injustice against Secretary Brown and America's veterans. Please feel free to share this letter with your colleagues.

Sincerely,

THOMAS A. MCMASTERS III,
National Commander.

PARALYZED VETERANS OF AMERICA,
Washington, DC, June 24, 1996.

Hon. W. G. (BILL) HEFNER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE HEFNER: On behalf of the members of the Paralyzed Veterans of America (PVA), I strongly support your amendment to H.R. 3666, the Fiscal Year 1997 VA, HUD, Independent Agencies Appropriations bill which will provide that the Secretary of Veterans Affairs expend travel funds beyond the arbitrary limit, $50,000, established for fiscal year 1996.

It is essential that the VA Secretary have the ability to travel throughout the VA system, beyond an imposed cap but within the limits of appropriated funds, if the Secretary is to ensure that the VA is addressing the needs of veterans. Regardless of the rationale for the current cap, *it is incumbent that the head of a system comprised of 171 hospitals, hundreds of outpatient clinics, a nation-wide system of benefits offices and cemeteries, and over 220,000 employees is not restricted from personal contact and oversight of operations.*

Again, on behalf of the members of PVA and all veterans, I commend your efforts to amended H.R. 3666 and encourage all members of the House of Representatives to support your actions to afford the Secretary of Veterans Affairs adequate access to funding for travel to ensure that the operations of the VA and the needs of veterans are adequately addressed.

Sincerely,

GORDON H. MANSFIELD,
Executive Director.

VIETNAM VETERANS OF AMERICA, INC.,
Washington, DC, June 24, 1996.

Hon. BILL HEFNER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE HEFNER: On behalf of Vietnam Veterans of America, I commend you for your initiative in proposing an amendment to the FY 1997 VA, HUD and Independent Agencies Appropriation bill to eliminate the limit on the Secretary of Veterans Affairs' travel. VVA shares your concern for the programmatic effects this restriction poses.

As the primary advocate for the establishment of the VA Center for Minority Veterans and the Center for Women Veterans, VVA has serious concerns about the restriction of the Secretary of Veterans Affairs Affairs' travel. Travel activities for these Centers falls under the Secretary of Veterans travel account. The current bill/report language will have the unfortunate effect of debilitating these programmatic activities. Both offices aim to direct policy and outreach efforts to their respective unique, under served veterans communities. VVA is very concerned that the hard-fought efforts to create these offices will be fruitless if there is insufficient funding.

Additionally, the VA Advisory Committees on Minority Veterans and Women Veterans also require funds from the Secretary's travel accounts in order to meet and do business. These consumer panels were established by Congress to advise the Department on policy matters. Unless the language restricting the Secretary of Veterans Affairs' travel is stricken, these committees will likely be unable to meet their statutory reporting obligations.

VVA supports your amendment, Representative Hefner, and would further advocate that additional funds be allocated to the VA General Operating Expense (GOE) accounts. Without additional funding, the Secretary of Veterans Affairs will continue to face these travel restrictions—not by law, but by lack of funding. Eliminating the restrictive language will provide additional flexibility, but may force the Secretary to make difficult choices, such as cutting funding for the aforementioned programs or cutting Veterans Benefits Administration (VBA) staffing which would result in an increase in the already unconscionable claims backlog.

Thank you again for your efforts to improve services to our nation's 27 million veterans.

Sincerely,

KELLI WILLARD WEST,
Director of Government Relations.

In conclusion, Mr. Chairman, I hope this amendment will be supported on a bipartisan basis. I want to thank the chairman of the committee for his leadership on this legislation, for his support for veterans, and for his consideration of the Hefner amendment.

Mr. STOKES. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Massachusetts [Mr. KENNEDY], the distinguished ranking member of the Subcommittee on Housing and Community Opportunity of the Committee on Banking and Financial Services, one of the leading voices and leaders in the field of housing.

Mr. KENNEDY of Massachusetts. Mr. Chairman, first of all let me thank my good friend, the gentleman from Ohio [Mr. STOKES], for his kind words. I also want to pay tribute to my friend, the gentleman from California [Mr. LEWIS], the chairman of the committee, for their attempts to try to fashion a compromise on this very, very tough piece of legislation.

I also want to take a brief moment to acknowledge the tremendous contributions, as the gentleman from Georgia, Mr. LEWIS, did to BILL EMERSON, who

was an individual I, as well as many other people in this Chamber, thought the world of. He obviously told me, and even in his most recent days, talked about the fact that some of the care he got came from some of the doctors that took care of members of my family, and he shared that with me and other members of our family. He was just one of the finest and most caring individuals that I think we have all had the pleasure of serving with, and we will all very, very much miss him. I wish the best to his wife and to all of his family.

I think BILL would also understand the fact that there are still going to be differences and divisions, and as a fighter, BILL EMERSON was second to none. We have to continue the fights that are going to be taking place in this country, particularly I think as a result of some of the things that go on in this bill.

I do commend both the chairman of the committee, the gentleman from California [Mr. LEWIS], and the ranking member, the gentleman from Ohio [Mr. STOKES], for their efforts to deal with a very, very bad situation. The situation is very clear. In this legislation we see the HUD budget cut by over $2 billion, the VA budget cut by over $40 million, the EPA cut by $500 million, the science portion by $72 million , and the CDFI Community Development Financial Institutions, by over $80 million.

The long and short of it is that both sides of the aisle have done a good job at trying to deal with an impossible situation. The truty is that if we look at what this bill does to housing, it debastates housing. It devastates a budget that was cut by over $8 billion last year cut an additional $2 billion this year. We essentially are saying to the poor, whose numbers are growing, by every single major study that has been done, whose housing needs are critical, we no longer are providing shelters to csome of the most volunerable people in this society. The number of homeless people are rising. Yet this bill cuts the funding for homeless programs.

This is a crazy situation. We cannot sit here and pump $13 billion more into the defense bill than the Joint Chiefs even request and then come to the chairman of the committee and the gentleman from Ohio and ask them to deal with a budget that just simply does not have enough mony in it.

People say, well, you are against the space station or against FEMA, because they are the only funds left to take any money out of to support housing programs. I am not against the space station. I am not against FEMA, and I am sure the two gentleman are not, either, but the truth of the matter is that there is just simply not enought money to get the job done to look after the housing needs of the most vulnerable Americans.

Mr. STOKES. Mr. Chairman, I am pleased to yield 1 minute to my distinguished colleague, the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I rise to thank Chairman LEWIS and the ranking member, the gentleman from Ohio, Mr. STOKES, and the gentlewoman from Ohio, MARCY KAPTUR, on the Committee on Appropriations, and most importantly, the 600,000 veterans and their families in northeastern Ohio for their support for a new veterans cemetery in Guilford Township, Medina County, OH.

Ohio has only one national cemetery. It is located in Dayton, in southwestern Ohio, over 200 miles from the 600,000 veterans who live in northern Ohio. The Dayton cemetery is expected to reach its 35,000 gravesite capacity in less than 2 years. Once filled, Ohio will be without an active national cemetary. These veterans and their families will be faced with a choice of cemeteries in Pennsylvania, Indiana, or Michigan, all places too far to visit the gravesites of loved ones.

The veterans of northeastern Ohio who braved fire on the beaches of Normandy and the jungles of Vietnam risked everything so our children and grandchildren could live free. By providing the necessary funds to begin the work on this cemetery, we can offer a small down payment on the tremendous debt we owe these people.

Again, special thanks to the chairman of the committee, the gentleman from California [Mr. LEWIS], and the ranking member, the gentleman from Ohio [Mr. STOKES], for their support of this cemetery.

Mr. STOKES. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. Mr. Chairman, I thank the ranking member, the gentleman from Ohio [Mr. STOKES], for yielding time to me.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Ohio [Mr. LEWIS], chairman of the committee. First of all, I want to thank both the chairman and the ranking member, the gentleman from Ohio, for including language in the committee report highlighting the situation that exists in my district in the D.J. Jacobetti home for veterans located in Marquette, MI.

As Members know, I testified before the chairman's subcommittee last month on a serious situation at the Jacobetti Center due to the antiquated and undependable boiler and heating systems. Over the past few winters veterans residing at the Jacobetti home have had to be moved from their rooms because the temperature in their rooms would often drop to as low as 40 degrees. It is almost ironic that the same veterans who nearly froze during World War II will now be virtually frozen out of their rooms at a veterans' home. This is no way to treat our country's veterans. With outside temperatures in my district which can drop as low as 30 degrees to 40 degrees below zero during winter in the Upper Peninsula in Michigan, and snow levels at times exceeding 300 inches of snow in a season, I thank our colleagues and I thank them for understanding the need to make these badly needed repairs at the Jacobetti State Veterans Home a priority project.

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Clearly, such situations occurring year after year present a serious problem when it comes to the health and safety of veterans who reside at this home.

I am pleased that funding for this fiscal year 1997 calls on the Department of Veterans Affairs to place projects involving health and safety concerns on a higher priority. This change in priority is the right thing to do for countless numbers of veterans.

I am also pleased with the level of funding being provided, over $47 million, which is equal to the funding provided in fiscal year 1996 for State extended home care construction.

I would say to the gentleman from California [Mr. LEWIS] that I seek the support of his panel in working with Secretary Jesse Brown and the authorizing committee in assuring that the VA's review of State extended medical care facilities follow through on the mandate contained in this funding measure.

I am asking for or the support of the chairman of the subcommittee, the gentleman from California [Mr. LEWIS], and the gentleman from Ohio [Mr. STOKES], the ranking member, in working with Secretary Brown and the authorizing committee to assure that the VA's follow through on this.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, first, let me say to the gentleman that I very much appreciate his concern as well as his support for the work that we are trying to do in this committee. I will certainly be glad to work with the gentleman regarding this matter.

I appreciate the gentleman's commitment. I want the gentleman to know that I also want to extend my thanks beyond his effort to his colleagues, the gentleman from Ohio [Mr. STOKES], of course, and the gentleman from Michigan [Mr. KNOLLENBERG], for their assistance on this important matter for veterans in the State of Michigan. We appreciate the participation and help of the gentleman from Michigan [Mr. STUPAK].

Mr. STUPAK. Mr. Chairman, I thank the gentleman from California [Mr. LEWIS].

Mr. STOKES. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from Ohio [Ms. KAPTUR], the very distinguished and hard-working member of the Subcommittee on VA, HUD and Independent Agencies.

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

Ms. KAPTUR. Mr. Chairman, I wish to thank the dean of the Ohio delegation and the ranking member on the subcommittee for yielding me this time. I want to acknowledge his diligence and wise counsel during consideration of the entire measure, and I would also like to commend the distinguished chairman of our committee, the gentleman from California [Mr. LEWIS], for being so very easy to work with during the last several weeks on this bill.

I ask unanimous consent that my entire set of remarks be placed in the RECORD.

Mr. Chairman, I want to commend this distinguished chairman of our committee, the gentleman from California [Mr. LEWIS], for his cordial handling of this very complicated bill. I also want to acknowledge the diligence and wise counsel of the ranking member, the gentleman from Ohio [Mr. STOKES], on this bill.

INTRODUCTION

The programs under our committee's jurisdiction provide assistance and benefits that help millions of Americans achieve a better life. Included are programs for medical care and benefits for our Nation's veterans, affordable and decent housing for families and individuals of all incomes and circumstances, a safe and clean environment, and investments in technology and science. In addition, this bill also continues to fund one very big-ticket item, the space station, at the expense of other programs under the committee's jurisdiction, including ones designed to assist the poorest, the neediest, and the most vulnerable among us.

For the second year in a row, two programs, which I strongly support and will vigorously work to ensure the task for which they were intended, are carried out by the corresponding agency have not been funded in this bill: the John Heinz Neighborhood Development Program and the Health Professional Scholarship Program.

JOHN HEINZ NEIGHBORHOOD DEVELOPMENT PROGRAM

The John Heinz Neighborhood Development Program was authorized in the Housing & Community Development Act of 1992. It awarded Federal matching funds to nonprofit community-based organizations involved in neighborhood revitalization and economic development activities.

The program spurred local initiatives by hundreds of community-based development organizations in concert with the private sector and empowered local communities to address specific needs of their neighborhoods. Typically, 90 percent of the financing needed by the nonprofit neighborhood organizations is raised within the community itself by creating a partnership between the nonprofit neighborhood organizations and the business community. And most importantly, it built the technical capacity for small nonprofit neighborhood organizations to assist in the revitalization of their community. There are no narrowly delineated directives from the Federal Government about what specific projects qualify for the matching funds.

National competition assured that Federal help was based on merit. For every grant received there were four applications submitted. The maximum grant awarded is $75,000. Currently under HUD, there is no one program designed to perform the task of the JHNDP—to assist small nonprofit neighborhood organizations revitalize their own communities. In this age of empowering our communities to make decisions at the local level, this program does exactly that. It devolves responsibility in the hands of those who can make the differences. The JHNDP allows nonprofit neighborhood organizations the flexibility to tell us in Washington what is important to them, not vice versa.

HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

Last year, I was grateful for the chairman's willingness to work with me to fund the Health Professional Scholarship Program. This program assisted in assuring an adequate supply of trained health care personnel for the VA and the Nation. To date, the program has awarded more than 4,000 scholarships to students in nursing, occupation therapy, physical therapy, respiratory therapy, and nurse anesthesia. It was successful in providing a continuous stream of academically prepared health care professionals for VA employment. Upon graduation, students are required to complete 2 years of service in the VA health system, and the retention rate of scholarship recipients in VA medical centers is greater than 50 percent.

The flexibility to provide scholarships for the education of a variety of health professionals made this program particularly useful as changes have occurred in the delivery of health care services. As the program identified shortages in particular categories of health professionals, the numbers and types of scholarship awards have been shifted accordingly.

The restoration of this program is vital to the recruitment and retention of scarce health professionals in the VA, and it is necessary to be responsive to the health care needs of veterans who have courageously defended this Nation. The men and women who have served in our Armed Forces deserve nothing less. Unfortunately, once again this vital program has been eliminated. I am hopeful that I can work with the VA to maintain the concept of this vital program.

OHIO VA CEMETERY

I am pleased to note that the bill funds the completion of the design phase of the VA cemetery in Guilford Township, OH, for the over 600,000 veterans and their family members, who are eligible for burial in a national veterans cemetery, who live in northeastern Ohio. Many of these individuals are World War II and Korean war veterans. The closest veterans cemetery is located near Dayton approximately 2 hours south of Cleveland. With this cemetery nearing capacity, many veterans groups believe that with the construction of a new cemetery, that Ohio veterans and their families will better be served by our Nation.

DRUG ELIMINATION GRANTS

I am pleased this year the subcommittee was able to fully fund the drug elimination grants for public housing. Drug elimination grants, which were pioneered by Jack Kemp while he was HUD Secretary, are provided to public housing agencies and Indian housing authorities to promote safe housing communities by ridding them of drugs and drug-related crime. In my own district, the Toledo, OH, Police Department saw a dramatic decrease in drug activity in areas with public housing as a result of these grants.

CONCLUSION

I also want to point out the excellent job that some of our smaller independent agencies are doing like Neighborhood Reinvestment Corporation and American Battle Monuments Commission.

I would merely say here that there is no question that the jurisdiction of this committee provides assistance and benefits that help millions of Americans achieve a better way of life, whether it is veterans, whether it is affordable housing, whether it is a clean environment; also investments in new technology and science, including space science.

I want to thank the chairman also and the ranking member for including the drug elimination grants which we fought so very hard for, making sure that those were incorporated in this year's measure, certainly for the veterans cemetery in Ohio, and I do wish to express concern about the Health Professional Scholarship Program and its importance.

I would like to engage the chairman in a colloquy regarding the importance of the activities that had been funded under the John Heinz Neighborhood Development Program. This program, which has not been authorized, spurred local initiatives by hundreds of community-based development organizations in concert with our private sector, as well as provided technical assistance for small nonprofit neighborhood organizations to assist in the revitalization of their community. Though the administration has not requested funds for this program, nor has it requested authorization for this program, nevertheless, in this age of empowering our communities and their people to make decisions at the local level, this program devolved responsibility into the hands of those who can really make a difference.

The John Heinz Neighborhood Development Program allowed nonprofit neighborhood organizations the flexibility to tell us in Washington what is important to them, not vice versa, and I know that the chairman agrees with this philosophy and would like to encourage it.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, let me say that I very much appreciate the gentlewoman's expression of concern about the items that are part of this bill, but particularly the commitment and direction she is attempting to have us all give to the John Heinz Program.

The gentlewoman is correct about my own view regarding that work as we have seen it demonstrated so far. I know that this program has done a very credible job in empowering local communities to address the specific needs of their neighborhoods. I believe it is very important to move in precisely that direction.

The CHAIRMAN. the time of the gentlewoman from Ohio has expired.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

The HOME Program and the Neighborhood Reinvestment Corporation are two programs that cater to nonprofits and Community Development Corporations that have successfully changed neighborhoods in tangible, real ways. The CDC's that utilize the John Heinz Program are eligible to apply for these funds.

Additionally, the CDC's are eligible also for funding from CDBG, a program that we will be replenishing further later in our discussions this evening.

Despite its popularity and flexibility, however, the CDBG program should be more aggressive bout encouraging these very types of partnerships and monitoring whether CDBG funds are spent on eligible activities and assist low and moderate income families.

I pledge to the gentlewoman that I intend to address this concern as this legislation moves through the appropriations process. I want to thank her very much for brining this matter to our attention.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the chairman and look forward to working with him to find a solution to assist nonprofit entrepreneurial neighborhood organizations and the revitalization of their communities across our country.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, before the gentlewoman leaves the podium let me say that beyond just the John Heinz Program, in which we both see a good deal of promise, I want my colleagues to know that the gentlewoman has been a very helpful member of our subcommittee and has made considerable contribution to our work. We appreciate that same spirit of which we have felt a reflection this evening. It is pleasure to work with the gentlewoman.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman, and I thank the ranking member for yielding me time.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Minnesota [Mr. VENTO], the distinguished ranking member of the Subcommittee on Financial Institutions and Consumer Credit.

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

Mr. VENTO. Mr. Chairman, I thank the ranking member for yielding me this time.

Mr. Chairman, I rise in support of H.R. 3666, the VA, HUD, and independent agencies appropriations bill. This fiscal year 1997 bill is an improved bill in comparison to the radical bill passed by the majority party of the House last year. The measure carries forward the long sought compromise that extended debate midway into this 1996 fiscal year. I remain concerned, however, that it remains wholly out of step with people, priorities and shared sacrifice which should characterize reductions in spending necessary to achieve sound fiscal balance. I do pragmatically understand, however sadly, that the votes in this Congress simply do not reflect American public opinion and values much less the need.

On the whole, the bill basically maintains the status quo with 1996 levels of spending; that is levels established after serious cuts of between 20 and 30 percent were made to housing and homeless programs in 1995–96. I am pleased at the continued funding for the drug elimination grant program for public and assisted housing. EPA funding is below the administration's request by nearly half a billion dollars. A strong and cost effective community program, AmeriCorp, is not eliminated but is severely underfunded by this appropriations bill. Perhaps the only ''safe'' programs are those within the Department of Veterans Affairs which has available most $39 billion. Even in this instance, we must acknowledge the greater needs for veterans and these programs. Despite funding less than administration requested, positive increases in VA medical care and major construction of VA facilities are achieved.

As a senior member of the authorizing committee for housing programs, I have grave concerns about a bill that maintains about $4 billion worth of cuts from fiscal year 1995 levels and undercuts the administration's request by $2.3 billion while at the same time continuing to provide $5.3 billion to NASA for human space flight, the space station, in its 10th reincarnation. Like so many before it, this appropriations bill continues to place deficit reduction on the backs of the most vulnerable Americans—the poor, the homeless, and even our elderly.

Later, I will join my colleague, Mr. JOSEPH KENNEDY, the ranking member of the Housing Subcommittee, in offering two amendments: one to restore funds to the McKinney homeless assistance programs at HUD to the pre-rescission 1995 level, and the other to restore a long-time policy to have incremental—or new—section 8 assistance in place to serve new housing and shelter needs. Each amendment is a good faith attempt to put a dent in the number of households that have worst case housing needs. HUD reports to us that some 5.3 million people who do not receive housing assistance are underhoused or are paying much too much of their income to be housed. By treading water, this bill's allocation for HUD espouses a policy of inadequate and limited help for people in need of housing assistance. The Kennedy/Vento amendments should be supported if we are to reverse course for homeless and housing assistance spending.

Although total spending for the Environmental Protection Agency is slightly higher than last year's level, the proposed sum is nearly half a billion dollars under than the President's request. In addition, funding is cut by $1.5 million for the key Community Right to Know Program, which makes information about toxic pollutants available to the public. I will certainly support the Durbin amendment to restore that funding and give the American people access to information about pollution affecting their communities.

As this bill is written, $861 million appropriated for Superfund money can be used only if the Superfund Program is reauthorized. Reauthorization looks unlikely at this time, so I will also support efforts to ensure that all the funds designated for Superfund toxic waste clean ups are available without conditions. We must continue the clean up now, not delay it. The American people want clean air and pure water, and EPA Superfund funding is the one of the most important means by which we achieve those goals.

I do want to note my strong support for the $50 million of funding for the Neighborhood Reinvestment Corporation and for the continued funding, albeit limited, of the Community Development Financial Institutions Program. Both of these represent good public private partnerships that would be penny wise and pound foolish to further cut or deny. I also note that the FEMA Emergency Food and Shelter Program has been level funded at $100 million for fiscal year 1997. Here again is an essential program that is a very successful partnership that should be pursued as vigorously as possible.

Mr. Chairman, while this bill is a better bill, a less contentious bill, than last year's initial House-passed measure, I am concerned that this bill could have far reaching effects as cuts are masqueraded as level funding amounts. The trick is seeing the reality of those cuts compared to a 1995 baseline. What I see is a continued reality of human deficits and environmental tragedies that will not be assuaged or fooled by the funding in this bill.

The infamous series of dozens of riders, environmental mostly, has not reappeared for the most part. Apparently the majority has backed off for now. We should completely scrub this final measure of such policy changes. Although I do not support every aspect of the bill and have grave misgivings about some of the programs funded, I will support the bill based on where we have been and the realization that further changes will be made in the House, Senate and in the final form that is presented to the President.

Mr. LEWIS of California. Mr. Chairman. I yield 3 minutes to the gentleman from Maryland [Mr. GILCHREST] for the purpose of a colloquy.

Mr. GILCHREST. I thank the chairman for yielding me time.

Mr. Chairman, I rise to engage in a colloquy with the gentleman from California [Mr. LEWIS]. As the chairman knows, my concern is for the construction funding for Perry Point VA Medical Center in Maryland. It has been quite exemplary in treating some of our tragic victims of war. Many of them, as a result of the conflicts they have experienced, have come down with very serious psychiatric problems.

The facility was made up of buildings that were designed and constructed during the 1930's and 1940's. Many of these buildings have received little renovation since then. This much-needed construction will address concerns of appearance, quality and efficiency,

while meeting serious handicap accessibility standards, patient privacy standards, and replacing these aging utilities.

More importantly, there are current fire and safety deficiencies that will be corrected as a result of this project. Unfortunately, funds for this project are not included in the bill before us, despite its being a longstanding priority. These funds are needed for renovation of psychiatric wards that care for some of the most vulnerable veterans in our society, some who suffer from dementia-related illnesses.

It is my understanding that the omission of Perry Point as a major construction project has nothing to do with the merit of the project, and it would be my hope that the chairman might give this project further consideration now and before the conference.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. The gentleman is correct. The Perry Point VA Medical Center was a priority in fiscal year 1996. However, it never received any funding. The administration did not include Perry Point VA in its fiscal year 1997 budget. I recognize the gentleman's concern and I can assure the gentleman that I will work with him to seek funds for this project as we continue in the process.

Mr. GILCHREST. I thank the gentleman.

Mr. BARR of Georgia. Mr. Chairman, I rise in strong support of the amendment of the distinguished chairman of the subcommittee on Veterans, Housing and Urban Development, Mr. LEWIS, to increase total funding for the Community Development Block Grant Program [CDBG] in the fiscal year 1997 VA–HUD appropriation to $4.6 billion. Raising the overall appropriation to $4.6 billion is consistent with the commitment to the CDBG Program undertaken in the last session when it was spared from difficult budget cuts.

Last year during consideration of the fiscal year 1995 rescissions appropriations bill, working with Chairman LEWIS, I agreed to withdraw amendments designed to restore funding to the CDBG Program with the understanding the funding would be restored in the conference committee with the Senate. Chairman LEWIS was instrumental in seeing to it that commitment was met. Similarly, during negotiations on the fiscal year 1996 appropriation, and graciously accepting input from me and others supportive of the $4.6 billion funding level for the CDBG Program, Chairman LEWIS ensured that the fiscal year 1996 program was approved without cuts.

I am proud today to support Chairman LEWIS again in our joint efforts to maintain funding for this important program. For 22 years the Community Development Block Grant Program has been recognized as a model for success. It has been one of a precious few, Federal programs, that has successfully moved people from dependency to productivity and independence.

The CDBG Program has provided a flexible mechanism for channeling Federal funds for local investments in community development and revitalization activities. The point is local officials are making their own decisions about local priorities, and achieving far greater success than had those decisions been mandated by Washington bureaucrats.

In my own district, the CDBG Program has been instrumental in the provision of many much-needed projects such as senior citizens centers, public health facilities, mental health centers, shelters for abused children, day care centers, job training and housing improvement activities. Without CDBG, most of these critically important facilities and services would simply not be available today.

The people of Georgia and local officials have made great use of the CDBG Program over the years, and they will continue to do so. It is among the most successful of all block grant programs and perfectly in keeping with our efforts to take power and money from the Washington bureaucrats and return both to local officials, who know the needs of their communities and who are directly accountable to the people they serve.

In closing, let me once again thank the distinguished Chairman for his leadership on this issue and for hearing the support of people of Georgia's Seventh District in offering this amendment. I urge my colleagues to support the chairman and pass this amendment. CDBG funding makes it possible for people back home to break cycles of dependency and to provide for themselves and their families.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to remind the Republican majority of the people who will be forgotten in this appropriation measure.

The 15,000 homeless families and the 20,000 families on the waiting list for public housing for the city of Houston need more than this legislation offers. The 23,641 students taught, and the 49,632 youth helped through violence prevention programs run by thousands of AmeriCorps workers is a testament to the vital role they play in our communities around the country. Breathable air and safe clean drinking water are our Nation's greatest undervalued resources. The important scientific and technological resource that NASA represents for our future is underfunded.

On the streets of our Nation's cities reside thousands of homeless people, but this legislation would expand housing certificate programs with no guarantee of recipients finding an affordable place to live. With the documented reality of housing discrimination and red lining, this appropriation bill does not provide sufficient funding for programs to educate the general public on identifying housing discrimination and the penalties for violating these laws or enough funding for enforcement of this Nation's fair housing laws.

According to the Coalition for the Homeless of Houston (and) Harris County, women and children comprise 49 percent of the 1996 emergency shelter population in the city of Houston. The coalition also reported that the number of emergency shelter beds increased by 0.4 percent from 2,338 in 1995 to 2,438 in 1996. A study on homelessness conducted by the McKinsey & Company, revealed that on any given night about 10,000 people in Houston and Harris County are literally homeless. In Harris County alone, the McKinsey Report further asserted that there are 150,000 individuals who are marginally homeless who depend on family friends to keep them from falling into hopelessness. However this legislation forces programs like the Space Station to be pitted on Homeless Funds. We simply need more funding for the homeless without cutting space station jobs. It can be done.

AmeriCorp is another issue that concerns me. It is the one and only chance for many of its participants to obtain a college education. It has been under attack from the early days of the 104th Congress for being inefficient. The truth is that among the numerous independent studies this year, including the one by the conservative Chicago School economists sponsored by three private foundations confirmed that investments in national service programs are sound, yielding from $1.54 to $3.90 for every dollar invested. In fact, a 1995 GAO report concluded that AmeriCorps almost tripled the amount $31 million that Congress directed them to raise by raising $91 million.

We must also carefully review this bill because there are Members of this body who have had photo-ops painting themselves green by planting trees, using recycled paper, adopting a highway, or visiting zoos when their true environmental legislative color are closer to a rusk colored brown, evidenced by the treatment of Environment Protection Agency [EPA] funding.

The record of the 104th Congress, the first Republican-controlled Congress in 40 years, has proposed reduced funding for water improvement grants and elimination of funding for environmental technology initiative [ETI]. This type of legislative approach to the environment would decimate our Nation's need to stay ahead of the threats to clean, safe drinking water.

The ETI was announced by President Clinton in his first State of the Union address on February 17, 1993. The ETI is an intergovernmental effort led by the Environmental Protection Agency with a mission of improving the levels of health and environmental protection by accelerating the development and use of innovative environmental technologies.

Elimination of this program means that this Government will not be active in the development of environmental technologies. According to the Environmental Business International [EBI], a private industry analyst, there was an estimated $134 billion generated domestically in 1992. The global market will grow from a 1992 sum of nearly, $300 billion, to as much as $500 billion by the year 2000.

This industry could mean billions for our economy if this body had the backbone to say ''no'' to political convenience.

Exports of environmental technology create high-wage jobs. Research shows that for every $1 billion worth of exports, 15,000 U.S. jobs are created; with a 5 percent increase in U.S. environmental technology exports, and estimated 362,000 new jobs would be created.

Clean, safe drinking water is one of the most precious commodities this country can

own. With the passage of the EPA appropriation bill, as it is written, that sad refrain ''water, water everywhere but not a drop to drink,'' could become one step closer to reality for too many residents of our Nation. Further two areas in my district, Kennedy Heights and Pleasantville, need Super Fund help and EPA monitoring of toxic contamination in their neighborhoods.

Lastly, NASA allowed our Nation to see the future and say that it was ours. It is the program that made national heroes out of America's engineers and scientists. NASA gave us the will to follow our own creative zeal which resulted in special projects that have lead to technological innovation in food preservation, medical research, and the environmental sciences.

I would like to say that I am not opposed to a reasoned well-planned appropriations process where the benefits and costs are weighted carefully before legislation is brought to the floor for action. The taxpayers of this Nation deserve no less than our best efforts.

I urge my colleagues to carefully consider their vote on this bill.

Mr. BEREUTER. Mr. Chairman, this Member rises to express his thanks to the distinguished subcommittee chairman, Mr. LEWIS, and the distinguished ranking Member, Mr. STOKES, For their efforts in bringing this bill before us today.

This Member is particularly pleased that H.R. 3666 includes $3 million in funding for the Indian Housing Loan Guarantee program at HUD. This very modest sum will guarantee the private financing of nearly $37 million in housing loans for Indian families. As you know, Mr. Chairman, there is a severe lack of decent, affordable housing in Indian country, due in large part to the lack of private financing in Indian country. This program provides a substantial means of bringing much needed private financing to Indian country. This very limited Federal funding is money well spent, and this Member commends the appropriators for including it in this measure.

The appropriators also should be commended for increasing an inadequate initial allocation for VA and HUD programs. However, this Member is still seriously concerned with a number of provisions in the HUD portion of this bill, specifically first, the restructuring of the section 8 project-based housing program which is also know as mark-to-market, which should be subject to hearings and legislation in the appropriate authorizing Committee second, the dramatically reduced funding levels for the section 202 and section 811 housing programs, and third, the reduction in Community Development Block Grant [CDBG] funding levels. This Member is pleased to learn that Chairman LEWIS is planning on striking the mark-to-market provisions during consideration of the bill. This will allow the authorizing committee adequate opportunity to investigate the issues.

Mr. Chairman, this Member is supportive of the amendment to be offered by Chairman LEWIS to raise the funding for CDBG to the fiscal year 1996 enacted level. CDBG is a Federal program which provides grant funds directly to large cities or indirectly to other communities through a State agency, for community development projects. The House Committee on Banking and Financial Services, on which I serve, has the oversight and authorization responsibilities for all HUD programs, including CDBG; therefore, I am interested to see these funds used effectively for eligible purposes.

Additionally, this Member would like to express his support for the amendments to be offered by Representative LAZIO increasing funding to the section 202 and section 811 programs. Although inadequate levels were requested by the administration for these programs, Congress must ensure sufficient funding to protect America's seniors and disabled.

Mr. Chairman, this Member is pleased that the legislation includes $12.5 million for rural water training and technical assistance. This is clearly a most cost-effective and beneficial Federal program aimed at assisting small and rural water systems to comply with Federal regulations and improve public health. In every State, on-site technical assistance is the backbone of small system compliance. Small systems have limited funds to operate and to comply with the Safe Drinking Water Act [SDWA]. Through technical assistance, small communities work together to conduct a statewide, peer-oriented, grassroots assistance program. In addition, through rural community assistance programs, multistate regional technical assistance providers provide assistance to small communities across the country on drinking water and waste water compliance issues.

Small communities simply do not have the engineers, the laboratories, and the other necessary technical and financial resources of large cities that are needed to meet Federal requirements. Such technical assistance allows America's small communities to help each other outside of the regulatory bureaucracy. This results in a growing number of small systems moving into SDWA compliance. This leads to steady improvement in water quality and a long-term solution to public health problems.

Mr. OLVER. Mr. Chairman, I rise in support of the Lewis amendment to restore $300 million to community development block grants [CDBG] which would bring this account back up to last year's funding level and the level of President Clinton's request for fiscal year 1997.

CDBG funds are very important to the larger communities in my district. My district is mostly rural. The largest city, Pittsfield, has a population under 50,000. CDBG money is critical for my [CDBG] entitlement communities of Fitchburg, Holyoke, Leominster, Pittsfield and Westfield.

But Massachusetts has also created a great new system for funding called [CDBG] mini-entitlements.

Under this plan, 16 additional communities will be able to count on CDBG funds for 2 years. These communities do not automatically receive annual funds under the Federal block grant. But they have received competitive CDBG money through the State for at least 3 out of the last 5 years.

Under this new plan, the communities of Gardner, Greenfield, North Adams and West Springfield, in my district, will receive up to $600,000 each to carry out projects that make or create jobs, improve infrastructure or provide better housing or social services to the community. These projects could be, for example, water and sewer upgrades, handicapped accessibility, development of downtown areas, housing rehabilitation, revolving loan funds for business development, or the creation of child care facilities.

These communities hope to have a 2-year CDBG commitment to carry out their improvement plans. But that commitment depends on the Federal level of CDBG funding.

I urge my colleagues to support this amendment and to support sound community development.

Mr. EWING. Mr. Chairman, I rise in strong support of language included in the committee report on H.R. 3666, the fiscal year 1997 VA–HUD appropriations bill, concerning activities within the U.S. Department of Housing and Urban Development to move toward Federal regulation of the property insurance industry. I strongly oppose any effort to weaken or delete this report language and urge the Appropriations Committee to keep this language during negotiations with the Senate.

HUD has undertaken several activities to involve the Federal Government in the so-called issue of redlining, including investigations of insurance companies and providing funds to liberal special interest groups to prepare studies, which I believe are highly questionable, concerning redlining. HUD has no statutory authority to be involved in this area, and under the McCarran/Ferguson Act regulation of insurance is the responsibility of the States. Furthermore, the Fair Housing Act never mentions discrimination in property insurance and does not give HUD the authority to get involved in this area. The States are exercising the authority they were given under McCarran-Ferguson to address redlining problems where they exist, and Illinois in particular has been vigilant in this matter. There is no reason for HUD to get involved in this State matter.

I strongly support the committee's report language concerning HUD's involvement in redlining issues and thank Chairman LEWIS and Rep. JOE KNOLLENBERG for their continued work on this matter.

Mrs. VUCANOVICH. Mr. Chairman, I rise today in strong support of H.R. 3666, the VA-HUD-independent agencies appropriations bill for fiscal year 1997. Preparation of this bill took a lot of sweat and tears and I thank the chairman and his tireless staff for putting this bill together.

Why is this a good bill? It's a good bill because it provides $84.3 billion in new budget authority, but keeps us on track toward reaching a balanced budget.

It's a good bill because it increases funding by $444 million for medical care for veterans. The bill also fully funds veterans compensation and pensions, readjustment benefits, insurance and several other veteran programs.

H.R. 3666 also ensures funding for housing of our Nation's elderly and disabled. It maintains funding for severely distressed public housing, homeless assistance grants, and drug elimination grants.

In addition, the bill makes a commitment to our communities, providing $1.4 billion for the clean water State revolving fund and $450 million for safe drinking water grants.

Last, this bill maintains our Nation's commitment to exploration in space. Like the Sun coming up every day, we tend to take space exploration for granted. Yet, NASA continues to make great strides, including a liftoff last week of the space shuttle *Columbia* where experiments are being conducted to study changes in the human body in weightlessness.

Mr. Speaker, this bill is not perfect—but then again—nothing is. The chairman and the subcommittee are committed to continue working to see improved funding levels for the

community development block grant program which is important to localities. I offer my assistance to the chairman in this effort.

This year was a challenging year, but one which brought forth good results. H.R 3666 is one of these results, and I urge my colleagues to support this bill.

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

Mr. LEWIS of California. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment printed in section 2 of House Resolution 456 is adopted.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman for the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend.

The clerk will read.

The Clerk read as follows:

H.R. 3666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, namely:

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); $18,497,854,000, to remain available until expended: *Provided,* That not to exceed $26,417,000 of the amount appropriated shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further,* That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992 (38 U.S.C. chapter 55).

□ 1900

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

Would the distinguished chairman of the subcommittee be willing to respond to a few questions regarding the language in the committee's report discussing the Fair Housing Act?

Mr. LEWIS of California. Mr. Chairman, if the gentleman will yield, I would be pleased to join in a colloquy with my colleague from Ohio. Mr. STOKES.

Mr. STOKES. I thank my chairman.

The committee conference report contains language expressing the committee's concern that HUD not duplicate the State's regulation of property insurance. However, it is the view of many members of the committee, that HUD does not regulate insurance. The Department does not now and will not approve rate filings or underwriting guidelines, set licensing procedures, address financial matters related to solvency issues, or perform any of the standard functions now performed by State regulators.

As the Fair Housing Act requires, HUD presently investigates complaints of unlawful discrimination that violate the act in the provision of property insurance, enforces the act as it applies to insurance, and has promulgated regulations that apply the act's prohibitions against discrimination to property insurance.

Nor do the actions of HUD duplicate laws and regulations of the States that address unfair discrimination in property insurance, as asserted. The fact is that while most State insurance codes address issues pertaining to unfair discrimination, these State insurance laws generally lack the scope of protection of the Fair Housing Act: For example, the private right of action in the Federal courts; a HUD investigation to determine if there is reasonable cause to believe a violation has occurred; or a right to damages and representation by the Federal Government in an administrative hearing or in a Federal court.

Although 17 States list various protected groups under the State law, each excludes one or some of the groups protected under the Fair Housing Act.

Mr. LEWIS of California. Mr. Chairman, I understand that there is disagreement among the members of the committee on the issue that the gentleman from Ohio [Mr. STOKES] raises.

Mr. STOKES. Mr. Chairman, is the gentleman from California [Mr. LEWIS aware that members of the committee disagree on two assertions in the committee report? First, the Fair Housing Act makes no mention of discrimination in property insurance, and, second, neither the act nor its legislative history suggests that Congress intended it to apply to the provision of property insurance.

The fact is that both Republican and Democratic administrations, beginning with a HUD general counsel opinion in 1978, have determined that the Fair Housing Act prohibits insurance redlining and discrimination in the terms, conditions, costs, or other aspects of coverage.

Following enactments of the fair housing amendments of 1988, President Bush issued regulations in 1989 explicitly applying the Fair Housing Act to discrimination in insurance. Since then, two Federal courts of appeal have determined that the act's provisions defining discrimination apply to property insurance. In both situations, the Supreme Court has denied a petition to consider the matter, in one case as recently as this year.

While it is true that in the course of considering amendments to the act, Congress has rejected provisions that would explicitly cover property insurance discrimination, the Department testified in hearings that the explicit mention of insurance was not necessary because insurers were already covered by the act as were others, such as landlords, apartment managers, title insurance companies, contractors, housing developers, group home operators, employers who provide financing, and State and local governments.

Mr. LEWIS of California. Mr. Chairman, I am aware that the committee has substantial differences on this issue as well.

Mr. STOKES. May I also assume that my distinguished chairman is aware that some Members disagree with the assertion that the Fair Housing Act prohibition of discrimination in property insurance is barred by the McCarran-Ferguson Act of 1945? The fact is that McCarran-Ferguson states that a Federal law that does not specifically relate to insurance shall be construed so as not to invalidate, impair or supersede any State law regulating the business of insurance.

Circuit court decisions have clearly established the applicability of the Fair Housing Act to discriminatory insurance practices and have not found them to be barred by McCarran-Ferguson. In the most recent appellate decisions on the issue, the Sixth Circuit followed the Seventh Circuit, joining a

long line of courts that have upheld HUD's jurisdiction. On May 1, 1995, the court found that ''HUD's interpretation of the Fair Housing Act is consistent with the goals of the Fair Housing Act and a reasonable interpretation of the statute. We hold that the McCarran-Ferguson Act does not preclude HUD's interpretation of the Fair Housing Act.'' The Supreme Court has declined to review these cases.

Mr. LEWIS of California. Mr. Chairman, I do not want to leave the wrong impression for the gentleman from Ohio [Mr. STOKES], for our work has led to a great deal of agreement across the board with a variety and mix of difficult issues, but, yes, I am aware that on this issue there is also substantial disagreement among the Members.

Mr. STOKES. Mr. Chairman, may I also ask, is my colleague aware that, despite the absence of any language in the appropriation measure before us that would restrict HUD's authority to fund activities on furtherance of the Fair Housing Act in its use of FHIP funds, report language that is not supported by many members of the committee could be read to seek to restrict the Department?

The CHAIRMAN. The time of the gentleman from Ohio [Mr. STOKES] has expired.

(By unanimous consent, Mr. STOKES was allowed to proceed for 2 additional minutes.)

Mr. STOKES. Mr. Chairman, it is the intention of this Member and others that the Department have the authority to address all forms of discrimination under the Fair Housing Act, sometimes referred to as title VIII of the 1968 Civil Rights Act, as the Act has been interpreted by the Federal courts.

Mr. LEWIS of California. I am aware, Mr. Chairman, that there is disagreement here, too.

Mr. STOKES. I am concerned that these issues have been addressed in report language without the opportunity for hearings on the matters involved and involving matters upon which there is substantial disagreement between Members. They are an attempt to revise the history of this body to deal with an important substantive issue involving civil rights that are critical to all of our citizens. These issues involve matters which have traditionally been outside the purview of this committee and more properly dealt with in legislation other than appropriation legislation. They deserve the careful debate and consideration that this body has provided to such issues in the past.

I thank my distinguished chairman for participating in this colloquy with me.

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

Mr. Chairman, I rise to clarify the committee report language regarding HUD's application of the Fair Housing Act to property insurance and to engage the distinguished chairman, if I might, in a colloquy.

First, I think it is important to emphasize that nothing in the committee report either states or suggests that Congress is not fully committed to the eradication of unlawful discrimination in whatever form it may appear. In particular, the report does not suggest that there should be any tolerance of unfair discrimination in insurance. Rather, it specifically emphasizes the importance of the laws and regulations prohibiting unfair insurance discrimination that are maintained by every State and the District of Columbia. The issue dealt with in the report is not whether unfair discrimination by insurers be prosecuted and punished but, rather, who should undertake such prosecution: HUD or the insurance commissioners of the 50 States and the District of Columbia.

As I am sure the gentleman is aware, the Fair Housing Act does not, by its very terms, apply to property insurance. The statute expressly prohibits discrimination in the sale or rental of housing. It also specifically prohibits discrimination in mortgage lending and the services that mortgage brokers provide. It does not, however, mention property insurance at all. There is ample indication in the legislative history of this statute that Congress was intentional in omitting any such reference. First, when the Fair Housing Act was enacted in 1968, it was expressly the view of this House floor that property insurance was excluded from its scope. Second, in the same legislative session, Congress specifically addressed the issue of property insurance availability through a separate law, the Urban Property Protection and Reinsurance Act, choosing that measure, rather than the Fair Housing Act, as the appropriate way to deal with the issue.

Third, while there have been several attempts since 1968 to include property insurance under the umbrella of the Fair Housing Act, each of them failed at some stage of the legislative process. Finally, last year the House voted 266–157 against funding HUD activities involving the application of the Fair Housing Act to property insurance.

Am I correct in assuming the gentleman agrees that the legislative history of this issue suggests Congress never intended the Fair Housing Act apply to the business of insurance?

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield.

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

Mr. LEWIS of California. The gentleman's assumption is correct. The legislative history of the Fair Housing Act demonstrates that Congress has on many occasions decided not to apply the act to insurance.

Mr. KNOLLENBERG. I thank the gentleman.

Mr. Chairman, while the legislative history is quite clear, the situation in the courts is less so. Recently, two circuit courts reached the conclusion that the Fair Housing Act applies to the business of insurance. Those courts strictly followed the doctrine of judicial deference to agency decisionmaking. They apparently felt constrained by the fact that HUD, the agency that was charged with implementing the Fair Housing Act, had declared that the law should be applied to insurance. Rather than contradict HUD, the courts determined that they should follow HUD's rule at least until Congress expressly makes clear that HUD's interpretation is wrong.

Before HUD issued its 1989 rule stating that the Fair Housing Act applies to insurance, the prevailing view in the Federal circuit courts was that the act does not apply to insurance. It was only after HUD's rule was promulgated that the courts decided otherwise. HUD, therefore, was essentially responsible for triggering the court decisions finding that the Fair Housing Act applies to insurance.

Am I correct again, Mr. Chairman, in assuming that the gentleman agrees that the courts have sent mixed signals on this issue?

Mr. LEWIS of California. The gentleman is correct. I have reviewed the information provided to me. The 6th and 7th Circuits found—after the implementation of HUD's rule—that the Fair Housing Act applies to property insurance, while the 4th Circuit found—before the rule—that it does not. I would also say to the gentleman that it is my hope that the Supreme Court will weigh in on this issue so that the uncertainty can be dispelled.

Mr. KNOLLENBERG. I again thank the gentleman.

Mr. Chairman, by its terms the McCarran-Ferguson Act renders any Federal statute inapplicable to the activities of insurance companies, if, one, the Federal statute does not specifically relate to insurance; two, the challenged activity constitutes the business of insurance; and, three, the Federal statute would invalidate, impair or supersede State insurance law. An examination of these factors suggests that the application of the Fair Housing Act to property insurance practices is barred by the McCarran-Ferguson Act. As I previously stated, the Fair Housing Act makes no mention of property insurance. Secondly, the pricing, underwriting and marketing of property insurance policies clearly constitutes the business of insurance.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. KNOLLENBERG] has expired.

(By unanimous consent, Mr. KNOLLENBERG was allowed to proceed for 2 additional minutes.)

Mr. KNOLLENBERG. Finally, Mr. Chairman, the courts have held that a Federal statute will be deemed to invalidate, impair, or supersede State law whenever the State has regulated the same general subject within the business of insurance. Currently, all States specifically forbid unfair discrimination in the issuance or termination of property insurance. Thus, it

appears that HUD's activities pursuant to the Fair Housing Act constitute a dual Federal-State system of regulating insurance discrimination, contrary to the letter and spirit of the McCarran-Ferguson act.

Does the gentleman again concur that HUD's application of the Fair Housing Act to insurance is fundamentally at odds with McCarran-Ferguson?

Mr. LEWIS of California. If the gentleman will yield further, I would say to the gentleman, his contention that application of the Fair Housing Act to property insurance runs counter to Congress's intent embodied in the McCarran-Ferguson Act is reasonably founded.

Mr. KNOLLENBERG. Mr. Chairman, I thank the distinguished gentleman for engaging me in this colloquy.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, $1,227,000,000, to remain available until expended: *Provided,* That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $38,970,000, to remain available until expended.

GUARANTY AND INDEMNITY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $105,226,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

LOAN GUARANTY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $33,810,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That during 1997, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct loan program, $80,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $195,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $49,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $1,964,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $377,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $205,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the Department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; and not to exceed $8,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5); $17,008,447,000, plus reimbursements: *Provided,* That of the funds made available under this heading, $570,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 1997, and shall remain available until September 30, 1998.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 1998, $257,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of planning, design, project management, architectural, engineering, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs, including site acquisition; engineering and architectural activities not charged to project cost; and research and development in building construction technology; $59,207,000, plus reimbursements.

TRANSITIONAL HOUSING LOAN PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $7,000, as authorized by Public Law 102–54, section 8, which shall be transferred from the ''General post fund'': *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $70,000.

In addition, for administrative expenses to carry out the direct loan program, $54,000, which shall be transferred from the ''General post fund'', as authorized by Public Law 102–54, section 8.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail; $823,584,000: *Provided,* That of the amount appropriated, and any other funds made available from any other source for activities funded under this heading, not to exceed $3,206,000 for personnel compensation and benefits and $50,000 for travel shall be available in the Office of the Secretary: *Provided further,* That during fiscal year 1997, notwithstanding any other provision of law, the number of individuals employed by the Department of Veterans Affairs (1) in other than ''career appointee'' positions in the Senior Executive Service shall not exceed 6, and (2) in schedule C positions shall not exceed 11: *Provided further,* That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act.

□ 1915

AMENDMENT OFFERED BY MR. HEFNER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HEFNER: Page 10, line 10, strike ''; *Provided*, That'' and all that follows through ''Secretary'' on line 15.

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

Mr. HEFNER. Mr. Chairman, I hope this amendment will not take that long.

This restriction was placed in the fiscal year 1996 omnibus bill and it has caused problems. It harms the veterans and when our Secretary would like to visit different areas of the country. I will place in the RECORD a letter listing the people that are supporting this: The American Legion, the Paralyzed Veterans, the VFW, Vietnam Veterans, and the DAV. I would hope that the committee would see fit to accept this amendment, which I think helps the bill tremendously.

The letter referred to is as follows:

THE AMERICAN LEGION,
WASHINGTON OFFICE,
Washington, DC, June 25, 1996.

Hon. W. G. BILL HEFNER,
U.S. House of Representatives,
2470 Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE HEFNER: The American Legion fully supports your proposed amendment to the FY 1997 VA, HUD and Independent Agencies appropriations bill, which would strike the restrictions on limitations to the Secretary of Veterans Affairs travel budget.

The VA's FY 1997 appropriations bill limits the travel budget for the Secretary of Veterans Affairs to $50,000. The American Legion believes that limiting the Secretary's travel budget would have an adverse impact on his ability to ensure the Veterans Administration provides quality services to America's veterans. Personally visiting with veterans, their families and VA employees allows the Secretary of Veterans Affairs to better address and properly correct their concerns.

The proposed limits on the travel budget will also force the Secretary to significantly alter his managerial and leadership styles and ultimately penalize VA career employees. VA employees do their jobs, day-in and day-out, without regard to partisan politics and most have served under several administrations. Their common goal is service to America's veterans and their families.

Thank you for taking the views of The American Legion under serious consideration as you consider the FY 1997 VA budget.

Sincerely,

STEVE A. ROBERTSON, *Director,*
National Legislative Commission.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. As the gentleman knows, there were Members of the body who were greatly concerned with the way some of these responsibilities were being exercised by the Secretary. We have communicated in some depth over the last year or so. I believe and hope that we are making progress in that connection, so both in the spirit of comity between both sides of the House but also an effort to improve communication between the administration and myself, I am inclined to accept the amendment and I believe my colleague is of the same view.

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

Mr. HEFNER. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Chairman, I commend the gentleman on his amendment. I thank the chairman for accepting this amendment and also the ranking minority member.

Mr. LEWIS of California. We accept the amendment.

Mr. HEFNER. Reclaiming my time, Mr. Chairman, I appreciate the gentleman's hard work that he has done on this particular bill, and the ranking minority member here. But this is something that I think strengthens the bill. I think it does a service to the veterans and certainly we do not argue about trying to get different secretaries' attention over the years, because we have had people that have had a tendency to get involved in politics probably when they should not have been getting involved in politics. But this is something that is special for our veterans. Secretary Brown is much decorated; he is a veteran. He also is a handicapped veteran, and I think he has done a tremendous job for the veterans.

I again want to thank the chairman of the committee for accepting this amendment and for the ranking minority member, who I suppose is going to go along with accepting this amendment. I thank the gentleman for what I think is an effort to strengthen the bill to make it more palatable.

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

Mr. HEFNER. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I am very pleased and want to commend the gentleman for his amendment. I also want to express my appreciation to the chairman for accepting it. We also accept it.

Mr. HEFNER. Mr. Chairman, I thank the gentleman.

Mr. LEWIS of California. If the gentleman will yield further, I appreciate very much the gentleman's contribution as well. Indeed, he is assisting us in this effort to one more time deal with veterans' matters as well as the rest of the work of this committee in a highly bipartisan as well as nonpartisan fashion.

Mr. HEFNER. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. HEFNER].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL CEMETERY SYSTEM

For necessary expenses for the maintenance and operation of the National Cemetery System, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of two passenger motor vehicles for use in cemeterial operations; and hire of passenger motor vehicles, $76,864,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $30,900,000.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $3,000,000 or more or where funds for a project were made available in a previous major project appropriation, $245,358,000, to remain available until expended: *Provided*, That except for advance planning of projects funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 1997, for each approved project shall be obligated (1) by the awarding of a construction documents contract by September 30, 1997, and (2) by the awarding of a construction contract by September 30, 1998: *Provided further*, That the Secretary shall promptly report in writing to the Comptroller General and to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above; and the Comptroller General shall review the report in accordance with the procedures established by section 1015 of the Impoundment Control Act of 1974 (title X of Public Law 93–344): *Provided further*, That no funds from any other account except the ''Parking revolving fund'', may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than $3,000,000; $160,000,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is less than $3,000,000: *Provided*, That funds in this account shall be available for (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe, and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, $12,300,000, together

with income from fees collected, to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $47,397,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by 38 U.S.C. 2408, $1,000,000, to remain available until expended.

FRANCHISE FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury a franchise fund pilot, as authorized by section 403 of Public Law 103–356, to be available as provided in such section for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services: *Provided,* That any inventories, equipment and other assets pertaining to the services to be provided by the franchise fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made hereafter for the purpose of providing capital, shall be used to capitalize the franchise fund: *Provided further,* That the franchise fund may be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: *Provided further,* That the franchise fund shall provide services on a competitive basis: *Provided further,* That an amount not to exceed four percent of the total annual income to such fund may be retained in the fund for fiscal year 1997 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment and for the improvement and implementation of Departmental financial management, ADP, and other support systems: *Provided further,* That no later than thirty days after the end of each fiscal year amounts in excess of this reserve limitation shall be transferred to the Treasury: *Provided further,* That such franchise fund pilot shall terminate pursuant to section 403(f) of Public Law 103–356.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for 1997 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for 1997 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the ''Medical care'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 1997 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 1996.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 1997 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 1997, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided,* That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 1997, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further,* That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further,* That the Secretary shall determine the cost of administration for fiscal year 1997, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(INCLUDING RESCISSION)

For assistance under the United States Housing Act of 1937, as amended (the ''Act'' herein) (42 U.S.C. 1437), not otherwise provided for, $5,372,000,000, to remain available until expended: *Provided,* That of the total amount provided under this head, $4,572,000,000 shall be for assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) for use in connection with expiring or terminating section 8 subsidy contracts of which $975,000,000 shall be available on September 15, 1997: *Provided further,* That the Secretary may determine not to apply section 8(o)(6)(B) of the Act to housing vouchers during fiscal year 1997: *Provided further,* That of the total amount provided under this head, $800,000,000 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended: *Provided further,* That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100–628, 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section.

AMENDMENT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS of California: On page 19, line 9, strike ''$5,372,000,000'' and insert in lieu thereof ''$5,272,000,000''. On page 19, line 11, strike ''$4,572,000,000'' and insert in lieu thereof ''$4,472,000,000''. On page 19, line 15, strike ''$975,000,000'' and insert in lieu thereof ''$875,000,000''.

On page 28, line 20, strike ''$4,300,000,000'' and insert in lieu thereof ''$4,600,000,000''. On page 28, line 21, after ''1999,'' and insert ''of which $300,000,000 shall become available for obligation on September 30, 1997, and''.

On page 74, line 5, strike ''$1,320,000,000'' and insert in lieu thereof ''$1,120,000,000''.

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

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

There was no objection.

Mr. LEWIS of California. Mr. Chairman, this amendment restores funding for a very effective and broadly supported program known as the Community Development Block Grant Program. This amendment adds $300 million to CDBG. The budget authority offsets are taken from two accounts; $100 million is from the annual contributions account, and $200 million from the FEMA disaster relief account.

As most of my colleagues know, the CDBG program is one of the most popular at HUD, for a variety of reasons, including the fact that it is the most flexible program.

I have received any number of requests to restore funding to the $4.6 billion level which is the 1996 appropriations level as well as the President's request for fy 1997.

In addition, I promised the ranking member of this subcommittee, as well as members of the full committee in our discussion there, including the gentleman from Illinois [Mr. DURBIN], that I would continue to work to find offsets to fully fund CDBG. I am pleased to say that we are able to accomplish this at this time rather than waiting until conference.

This amendment being responsive to the work of my colleagues, especially

the gentleman from Illinois [Mr. DURBIN], I am happy to be able to say that we are keeping the first among a number of commitments to the members of the full committee.

Fulfilling this promise, however, has come at some cost. I was extremely reluctant to reduce the annual contributions account from the President's request of $5,597,000,000 because of the staggering commitment that account will have to bear next year as more section 8 contracts begin to expire. Failing to renew these contracts will mean the potential of widespread displacement of very poor families with children, as well as elderly and disabled persons. This is the first point at which we will discuss that problem as ongoing and a serious growth problem with HUD programming. The renewal contracts under section 8 are about to put pressure on HUD programs that, over time, could indeed squeeze out many, maybe most, maybe even all of those programs, if we do not find a solution.

Beyond the section 8 question, Mr. Chairman, we are reducing the FEMA disaster account, which means reducing the level of commitments to areas hit by disasters last year. As most of my colleagues know, we found ourselves in a circumstance at the big budget conference where FEMA funding was used as a set-aside in that entire package, putting pressure on the FEMA accounts that is very severe.

We have to be very cautious as we move down this pathway. FEMA eventually has to pay the piper, too. So this is a very delicate and difficult amendment trying to meet both the requests as well as the challenges of the House insofar as CDBG is concerned.

Mr. STOKES. Mr. Chairman, I rise in strong support of the chairman's amendment to increase the funding for the Community Development Block Grant Program by $300 million, and restore funding the fiscal year 1996 level. I am pleased that this amendment takes significant positive step to improve this bill. In fact, this issue is one of the most critical areas that I have advocated my support of since the subcommittee markup.

CDBG funds are necessary to maintain the infrastructure of cities throughout the Nation. Cuts to this program would have greatly hampered the maintenance and improvement of communities across the country. In my own district in Cleveland, OH, the city relies on these important moneys for revitalization activities. Without the full benefit of these dollars, the renaissance occurring there would be severely diminished.

Mr. Chairman, money from CDBG leverages even greater resources from State, local, and private sources, and has far-reaching effects upon the quality of life for residents in hundreds of cities and towns. I am pleased to support this amendment.

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

Mr. Chairman, I would like to acknowledge as well that the gentleman from California offers an excellent amendment. In fact, it looks very similar to an amendment I was considering, and now I will not have to offer that amendment and give a very good speech in support of it, which I am sure would have won the gentleman from California over.

But I can tell Members that this effort to restore the $300 million in CDBG funds is one that is bipartisan and it is one that is supported, obviously, at the Federal level by the President and by the administration, but I think of equal force, Governors and mayors across the country feel very strongly about the CDBG program.

Mr. Chairman, I received a letter from the mayor of the city of Chicago, Mayor Daley, recently elected head of the Mayors' Conference nationwide, and he made it clear how important these funds are for the city of Chicago. This block grant program will allow Chicago to fund programs as diverse as daycare, senior services, economic development, and housing.

I salute the gentleman from California for this amendment. I happily support it, and I am glad that we have come together.

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

Mr. DURBIN. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, I want to take just a moment to commend the gentleman from Illinois for his leadership in this area. The gentleman, at the full committee level, had an amendment relative to this matter and had planned to offer one here on the floor. It is your strong leadership that has helped both the chairman and I to be able to work together toward this amendment sponsored by the chairman here on the floor. So I salute the gentleman for his hard work in this endeavor.

Mr. DURBIN. Mr. Chairman, reclaiming my time, I thank my colleague from Ohio, and I am happy this has become a bipartisan effort. It is a bipartisan program, it should remain that.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, we are happy to receive assistance from whatever corner of the Capitol we can find it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LEWIS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—HOUSING PROGRAMS—ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING'', after ''$5,372,000,000'' insert ''(increased by $174,000,000)''.

In the item relating to ''INDEPENDENT AGENCIES—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after ''$5,362,900,000'' insert ''(decreased by $174,000,000)''.

□ 1930

Mr. KENNEDY of Massachusetts. Mr. Chairman, this amendment I will try to explain very briefly. This amendment moves $174 million out of the space station account and into the housing certificate fund at HUD. I would like to make clear that my intention for this money, if this amendment passes, should be used to fund 30,000 new section 8 rental certificates or vouchers.

Mr. Chairman, last year, for the first time in 20 years, this Congress turned its back on a 20-year bipartisan commitment to providing section 8 voucher assistance to millions of people suffering from severe housing needs. A recent HUD study shows that as of 1993, 5.3 million households live in extremely rundown housing or pay more than half of their incomes in rent, an all-time high.

These families are one illness, one bout of unemployment, or one unforeseen circumstance away from homelessness. Over 40 percent of those households are families with children and 75 percent are very poor. While this number has been growing, the stock of affordable housing has been dropping. In 8 years, from 1985 to 1993, the affordable housing stock fell by 425,000 units.

If it is true, Mr. Chairman, that an ounce of prevention is worth a pound of cure, then this modest increase in the incremental assistance will pay us back many times over as we stabilize families and prevent the horrible dislocation and destruction that homelessness causes.

Additional section 8 assistance will go to many important uses that nearly everyone in the body can support. These rental certificates will be used to help get disabled people out of elderly public housing, and more quickly, and without the concerns that we will be throwing them on to the street.

Housing certificates have played an essential role in the health care of people with AIDS, people who are homeless and have AIDS, with a life expectancy of just 6 months, yet many of these same people could live productively for years if they had a stable home that this housing assistance could provide.

HUD has proposed a new initiative called Welfare To Work. This involves coordinated efforts among State welfare agencies, public housing authorities, and counseling organizations to help transition welfare recipients off of welfare and into work. Section 8 is a key component of this because housing is not often affordable to many of the people who are seeking these low-wage jobs.

Rental assistance, particularly mobile, tenant-based assistance, that enables a welfare recipient to move closer to a job and educational opportunities can help make this transition possible. For example, a majority of section 8 rental housing vouchers and certificate holders live in low poverty areas, where the poverty rate is less than 25 percent. This means that better schools and more jobs are available. It likely means that less crime will take place and there will be more stable neighborhoods. Everyone knows this is a better situation in which to raise children.

The Section 8 Program creates an environment for stability and for family. With a housing certificate, a family that is today paying more than half their income in rent can avoid the type of rent stress that leaves them in constant danger of falling behind or moving to avoid an eviction. Think about what happens to the children in these cases. Schooling is disrupted, friends are lost, everything that we take for granted for ourselves and our children and our grandchildren are out of the reach of millions of Americans.

Mr. Chairman, I understand how the space station has become sacrosanct, and I said in my remarks during the general debate that this entire bill is underfunded, but we cannot meet the most basic test of calling ourselves a civilized society if we cannot provide for our children, our disabled, and our poor with basic decent shelter. This amendment would help meet that goal in a small but significant way, and I urge the passage of this amendment.

Mr. LEWIS of California. Mr. Chairman, I rise to oppose the amendment.

Mr. Chairman, as we discussed in our general debate, this is an extremely difficult bill that involves a combination of veterans medical care concerns and public housing concerns which are critical to the service we are providing many of the poorest of the poor. There are also a number of major issues that involve our scientific community, the National Science Foundation, NASA's work as well and the work of EPA.

When we have limited dollars, we tug and pull and attempt to balance between those accounts. In this case, and in a rather straightforward manner, my colleague from Massachusetts is suggesting that housing programs of a special form are of high enough priority that there is money available in our bill for NASA funding that he prefer to set aside and put into those housing accounts. I understand that relative priority.

HUD requested $290 million for new incremental voucher assistance. Of that amount $116 million was requested for assistance to families that became displaced due to changes in the project's status. The remaining $174 million was requested in two new programs: $145 million for a new initiative called Welfare To Work and $29 million for a new initiative to provide rental assistance for welfare mothers with children.

The committee's recommendation reflects the position that HUD does not have the capacity to administer new programs. In fact, both the HUD Inspector General and the General Accounting Office has stated that HUD is an agency in serious disrepair. It was the committee's considered opinion that funding new programs was extremely unwise given HUD's poor past performance.

Furthermore, neither of these programs have been authorized by the housing subcommittee. In fact, the funding requested for incremental units to fund these new programs, in effect, creates two new Federal preferences, a policy which this Congress eliminated last year with the repeal of Federal preferences. Both housing bills sponsored in the House and the Senate specifically eliminate Federal preferences in favor of locally decided preferences.

This amendment should be opposed on the grounds that it is bad policy and it will result in appropriating an unauthorized program. Beyond that, we have given priority relative to human space flight within the NASA portion of this account. To essentially take that on head-on-head against housing programs not only does not reflect the priorities of the subcommittee, it frankly is dealing with NASA programs, from my perspective, in a relatively unfair manner. So I would oppose the amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman yielding.

I want to point out what we have seen happen in this appropriations bill over the course of the last year and a half. Last year we saw a quarter of the Nation's Federal housing project cut without a single hearing, without a single taking of any testimony by the authorizing committee. We then have seen this year an additional $2 billion cut out of the Federal housing program.

I understand that the gentleman is under a great deal of pressure and these accounts are in vital need of new funds, but the truth of the matter is that given the structure that we have, where we have to offset either the space station or FEMA or the veterans in order to get the money for housing, it seems to me that we are sort of put between a rock and a hard place.

Of course people do not want to put the money into public housing. The only other major housing program we have is the voucher program, and that is why we have asked for funds to go into this voucher program.

I know the gentleman from California is sympathetic and knows a great deal about this issue, and the truth of the matter is that I believe the space station can take a $200 million cut if the ultimate cut on Federal housing dollars is over $10 billion over the course of the last year and a half.

Mr. LEWIS of California. Reclaiming my time, Mr. Chairman, let me say to my colleague, I know very well how sincerely he is involved in and concerned with these programs. Let me say that in the time that I have had the chance to chair this committee, it has been frustrating for me to see that we find ourselves appropriating some 250 housing accounts, billions of dollars flowing, and in many cases we wonder whether those monies are really getting to the people we purport to serve in the first place.

We are in the process of attempting to reexamine many of those appropriations. Indeed, we are looking forward to leadership and guidance from the authorizing committee when they finally get all of that together. In the meantime, we are asked to appropriate. It seems to me we should be very careful about examining existing programs that work versus those that are not working well before we move on to funding new programs.

Mr. Chairman, I urge a no vote on the gentleman's amendment, even though well intentioned.

Mr. VENTO. Mr. Chairman, I move to strike that last word.

Mr. Chairman, this amendment is a good one and I'm pleased to join Representative JOE KENNEDY of Massachusetts in offering it. It will shift funds from the space station to about 30,000 in new section 8 housing assistance. Such a switch would be a better use of public dollars for the public good.

A couple of years ago, I had the privilege of chairing a task force on homelessness. So much of what we looked at was how people became homeless. We found that in order to really be successful in ending homelessness we needed to get upstream of the waterfall; to do real homeless prevention with housing and other utility assistance. Without new section 8 assistance, we are not addressing the stream at all. The section 8 units would result in assisted private sector housing vouchers that otherwise would not be available for housing low income families.

Some 5.3 million Americans are in ''worst case'' housing situations in our country. Those are people on the precipice of becoming homeless. In the Twin Cities of St. Paul Minneapolis, 43,700 people are ''worst case'' in terms of their needs. For the predominant majority of them, affordability is the problem: meaning excessive rend burden. Section 8 assistance is about bridging the gap between affordability and worst case housing—or sometimes worst worst case—homelessness.

Mr. Chairman, reducing the space station from $5,362,000,000 by 3.2 percent and instead providing 30,000 tangible units of tenant-based assisted housing to the needy in our Nation is a common sense and balanced approach. Certainly, I'm no fan of the space station because I believe that a project of this nature ought to be rooted in the

reasonable application of science not merely the space spectacular genre that has come to dominate NASA for the past three decades. The space station has symbolic value but the practical applications are a real stretch with little positive return for the public purpose and the common good.

It is clear that the enthusiasts for such projects have long ago lost touch with down to earth common sense. They are in outer space for certain when it comes to our Federal budget priorities. The least we can do is to adequately house the low-income people in this Nation and while section 8 assisted housing is not a perfect program, it's the only program with a chance of helping. This Congress will have no new units for section 8 absent this very modest Kennedy-Vento amendment.

I urge my colleagues in their zeal to conquer space not to use the homeless as rocket fuel. The space program and especially this 10th version of the space station may yet get into orbit, but let's not forget the folks upon whose shoulders you are standing—the taxpayers. The cost being paid and scarce dollars allocated for this space station program are not solely about research and new knowledge but rather development, training, and operating costs which are being borne by the Federal Government, not the market place. In many respects this program represents just another type of subsidy, another type of dependency. One I would suggest that flows to the few and the power elite in this Nation. Our constituents have little direct benefit—the jobs produced are few and far between and when the project is all done, its likely to be more in competition for attention and bragging rights with Steven Speilberg than the real research and science that advances the welfare of people

I argue that we should the market place work for the space station. We as a Nation and Federal Government have real limits and must make tough choices. These choices must be rooted in real need, not the development and expenditures based on space toys but the boys and girls, the children, the poor and the homeless that perceive the indifferences and the careless priorities.

Today, the Federal Government can not do it all. Our responsibilities and wish lists are out of balance and out of order. Clearly Federal tax dollars and expenditures for housing of homeless persons or any low-income persons must be dealt with a priori—far ahead of the capricious curiosity inspired together by the self-interested and self absorbed.

□ 1945

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

Mr. Chairman, I am grateful to my colleagues from Massachusetts and Minnesota for offering this amendment because it gives us a chance to make a point that must be made again and again. The debate that is now taking place in this Congress is not over whether or not to reduce the deficit and get to a balanced budget. The debate is over how we do that, what choices do we make.

What is being proposed in this overall budget is a continuation of the assault on the notion that the Federal Government should help people in economic distress with housing. What this amendment would do would be to make a fairly small reduction in the space station so that we can provide desperately needed assistance to working families to lower-income wage earners and their children, particularly those who live in parts of the country where housing is a very expensive cost.

We know that there are in this country millions of people who work very hard every day at difficult jobs. They clean. They manufacture. They serve, and they work at low wages. What this amendment tries to do is to reach out to tens of thousands of families, not nearly enough but at least something, and say to them that we will make it a little easier for them to live.

What is the alternative? It is the space station. Now, having people living in outer space serves some useful psychological and scientific purposes. But the choice is precisely whether we will spend billions of dollars so a few people can live in outer space in relative comfort or if we will use some of that money, a small percentage of it, for hard-working people so hard-working people and their children can live here in minimal comfort at home.

Let us be very clear. Members can decide this is a bad idea, that sending this money into space is more important. But let us be clear what the opportunity cost of that is, in economist terms, what do we do by keeping that money in the space station. This is beyond dispute. Will we say to tens of thousands of Americans, you will continue to live in great deprivation and poverty, because that is the option. We can increase the number of people who receive housing assistance or we can say, no, not that important, sorry about that.

Remember, we are talking here about units that are available for families. We are talking about poor children. We are talking about all of the values that get a lot of support in principle from Members in this House, but tragically little in practice. That is what is served here.

We are not even talking about building new units. We are not talking about putting Government back into the business of constructing public housing. We can talk about that at other times. This is the privatized program. The section 8 program is one whereby this is for tenant-based, as we call it. This would give to individual families the ability to go out into the private rental market and pay no more than 30 percent; I think it is still 30 percent. I do not know. Did we raise that percentage lately? We have this tendency to raise the rent percentage. The last I looked it was still 30 percent. It may be going up.

But for these poor people, even if we get it up to 35 percent or whatever the latest ploy will be, it is still very, very important. So that is the choice.

This has nothing to do with balancing the budget. This has nothing to do with reducing the deficit. Those issues are neutral here. The question is this: Do you maximize the speed by which we have a few people living in outer space when that means that tens of thousands of working poor people, people who labor hard, who do everything you tell them they are supposed to do, but find because of circumstances beyond their control that they are not able financially to live as they should?

Do we condemn their children to substandard and unsafe housing conditions or do we take a small percentage away from the space station? Maybe it takes them a couple of months longer to get there, and instead make a very real difference in the lives of the working poor?

I do not think we will have in this budget season many more graphic choices between people whose values are somewhere out beyond the limits of the atmosphere and those of us who are concerned that working Americans here ought to have some compassion and some concern.

Mr. LAZIO of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to speak to this amendment because it is something of great importance in terms of our housing policy not just this year but in the years ahead. We have had a great debate on the floor of this House about the tools that should be made available to local communities in order to react to their own local problems, in order to craft local solutions for local problems and give them the flexibility that they need to move ahead.

We have talked about bringing hulks of buildings down. The only way you can bring hulks of buildings down when there is residents inside is if you give them the ability to move out. The only way to do that, to bring meaning to people's lives, is by extending incremental assistance.

I would like, if I can, to enter into a colloquy with the gentleman from Massachusetts with respect to this matter. If I could ask the gentleman, is it his intention in moving money to this account that it be targeted to incremental assistance which is also known as vouchers and certificates to most of us?

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, that is absolutely the purpose of this amendment. I want to

thank the chairman of the Subcommittee on Housing and Community Development for speaking in favor of this amendment.

I do think that it is very, very important and the point the gentleman makes is excellent, that we have spent far too much time talking about and condemning public housing when the solutions that the gentleman so articulately made on the House floor a month ago, when we discussed the authorizing bill, came down to the fact that we need, if we are going to shut down that housing, we are going to need to move people into assisted housing.

This is the assisted. This is not public housing, this is the assisted housing account which will allow people the flexibility that has been called for by so many of the, even the most innovative right wing think tanks of this country have called for this kind of housing policy.

I appreciate the gentleman, my friend from New York's endorsement of this amendment.

Mr. LAZIO of New York. Mr. Chairman, reclaiming my time, I thank the gentleman. I also would note that the House has expressed its will on incremental assistance in a vote of 315 to 105 or 107 overwhelmingly supporting 2406 which has authorized incremental assistance moving forward.

For that reason, because the House has expressed its will and because of the need for this incremental assistance to give meaning to people's lives, to provide for hope not just for individuals but for communities, I support this amendment.

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

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

Mr. BROWN of California. Mr. Chairman, this amendment indicates the difficulties that someone such as myself is placed in with regard to trying to balance the budget within the context of one particular appropriation bill. Everything that the last four speakers have said, the gentleman from Massachusetts, Mr. KENNEDY, the gentleman from Minnesota, Mr. VENTO, the gentleman from Massachusetts, Mr. FRANK, and our distinguished colleague on the Republican side, Mr. LAZIO of New York, I agree with. We need these additional funds to provide the kind of assistance to the needy and the homeless of this country that we, as a great country, ought to be providing.

For me the problem is that I have spent the last 30 years trying to protect the scientific base of this country including the programs in space, which were the brainchild of a great President by the name of Kennedy. This amendment tears me apart because it seeks to meet a need I agree with by taking money from other programs I believe to be vital to our future.

We cannot balance the budget and provide for all of the social programs and the housing programs, the veterans programs, that are needed if we only look at this one bill. I must oppose this amendment because I think that it is impossible to achieve its objective within the narrow scope of this one appropriation bill.

To begin with, the amendment proposed, a modest $174 million, which is reported to be a small fraction of the cost of the space station, is actually about a 10 percent cut in the 1997 budget of the space station, which is about $1.8 billion. This is a very substantial fraction of its budget. It is not a small fraction.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, my understanding is that, first of all, obviously the space station over a period of years is a 50-plus-billion-dollar program; is that not correct?

Mr. BROWN of California. Mr. Chairman, it depends on who one's accounting adviser is.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I will use the gentleman.

Mr. BROWN of California. Mr. Chairman, the cost of the construction of the space station is nowhere near that amount, but to build it and to operate it for *X* number of years could reach that amount, depending on the number of years of operation we want to count and what programs we include in the operation.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I thank the gentleman.

Mr. BROWN of California. The gentleman's amendment is not actually directed at just the space station. It is directed at the entire human space flight agenda, which is over $5 billion. And that means the space shuttle as well.

If we take proportionately from each one, we endanger both programs. We endanger the ability to complete the space station, even though the cut is relatively minor. We endanger the safety and the success of our space transportation system, which is a matter of great importance to all of us. It is already operating at the margin and all of its reserves are being stretched thin.

If Members want a really good comparison, let me suggest that they compare the amount the gentleman is proposing, $174 million, with the additional amount that is in the defense budget above the President's request. That amount is about $12 billion, and the $174 million cut in NASA would amount to about 1.5 percent of the increase in the defense budget above the President's request.

In my opinion, if we were rational, we would make a small cut in the DOD's $12 billion increase above the President's budget request, and use that amount to provide for these important programs for poor and the needy. I would look at it that way. I would support an amendment which was designed to do that.

Unfortunately, we cannot address that kind of an amendment in connection with the bill that is before us here. This is why I have to express my admiration for the balancing act which has been done by the distinguished chairman of this committee with the help of the ranking member.

But it would be to me extremely inappropriate to endanger an enterprise such as the space program, which has evolved over many years, by cutting it to the level where it's successful completion is threatened.

I could recite what this failure to complete the project would do to the United States as a world power. But in the interest of time, I will revise and extend my remarks.

□ 2000

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

Mr. Chairman, I rise in strong support of the amendment offered by my distinguished ranking committee colleagues, the gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from Minnesota [Mr. VENTO], to provide $174 million for new section 8 rental assistance contracts. There is so much talk in this Congress from both sides of the aisle about moving people from welfare to work, but if we deny people the tools to make the transition, we decrease their chances of making the move successfully.

We all know that in real dollars housing costs have skyrocketed in the last two generations. That makes it tougher for people who are trying to work their way up the ladder. There are 5.3 million Americans; many of these people are working poor who are paying more than 50 percent of their income in rent or are forced to live in substandard housing for lack of any alternatives. Many of those Americans are young children who are at a greater risk for a host of health and emotional problems, and with these harrowing problems right at our doorstep, only 28 percent of families eligible for section 8 actually receive it, and the average time on a waiting list is 40 months. In New York City it is years.

Decent housing is not a luxury, it is a necessity.

So, Mr. Chairman, this is not the time to back away from a 20-year bipartisan commitment to provide new section 8 rental assistance contracts, and I am pleased that the chair of the subcommittee, the gentleman from New York [Mr. LAZIO] has joined us in support of this amendment in a bipartisan spirit. I urge my colleagues to join in this effort to continue it.

Mr. Chairman, I would just like to end by saying that we are spending multibillions for space station, a motel in the heavens, and we do not have money here on Earth for affordable housing, so I certainly support wholeheartedly this shifting of funds from a motel in space to needed housing here on Earth.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. KENNEDY], my colleague and sponsor of this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentlewoman from New York [Mrs. MALONEY] yielding.

First of all, I want to again thank the ranking member of the committee, the gentleman from Ohio [Mr. STOKES], for the efforts that he makes in trying to make sure that we do end up with some money going to the housing programs of this country, and he has been a great leader on those issues for so many years, and all of us on the authorizing committee appreciate the help and assistance he and his staff give us on these issues.

But the truth is, on this issue it is black and white; it is just so clear what the issues are. The issues are whether or not we are going to balance the budget by gutting the homeless by gutting the housing policies of this country, or whether we are going to stand up and say that the biggest institutions, those that receive all the defense money in this particular case, and I know my friend, the gentleman from California [Mr. BROWN], does well in trying to defend this as a science program, but the truth of the matter is that we have got to have some sense of compassion towards the poor.

Mr. Chairman, this budget has cut $10 billion out of the budget for assisting those poor and vulnerable people in this country with their housing needs. We have done it without any sense of what we are going to do when these people become homeless and they exist on out streets. Where are they going to live? Who is going to pick them up?

Housing is not being built for poor people. We are not providing programs to incentivize private landlords to build the housing, we are not giving the money to public housing, we are gutting homeless programs, and now we are gutting the assistance programs. That is it. There is nothing left.

We can talk about 270 programs being in the budget, but all those programs come down to specific programs in three different areas: public housing, assisted housing, and this particular kind of housing that serves the homelessness.

Now, if my colleagues ask me, it is important that this country maintain some kind of basic social compact. This budget, this minor proposal, is a step in the right direction. The chairman of the authorizing committee supports it; I as a ranking member on the authorizing committee support it. We have cut too far, too deep in the areas of assisted housing, and I plead with the Members of this body to please make sure that we do not abandon the housing needs of our country.

I understand it is a tough vote with regard to standing up to the space station, but my gosh, let us not find ourselves in this choice between the devil and the deep blue sea. Let us stand up for the housing needs of the people of America.

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

The amendment was rejected.

Mr. LEWIS of California. Mr. Chairman, shifting gears here just a moment, I ask unanimous consent that the gentleman from Massachusetts [Mr. KENNEDY] be permitted to offer amendment No. 27, notwithstanding that that paragraph of the bill is not yet considered as read and without prejudice to further amendments to those paragraphs not read in title II of the bill.

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

There was no objection.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—COMMUNITY PLANNING AND DEVELOPMENT—HOMELESS ASSISTANCE FUNDS'', after ''$823,000,000'' insert ''(increased by $297,000,000)''.

In the item relating to ''INDEPENDENT AGENCIES—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after ''$5,362,900,000'' insert ''(decreased by $297,000,000)''.

Mr. KENNEDY of Massachusetts. Mr. Chairman, this amendment restores $297 million to the homeless budget, making it fully funded. These homeless programs, known as the McKinney programs after a former Republican Member of the House, were cut by 27% in the 1995 rescissions bill.

The amendment will make over 10,000 additional transition housing units available; over 10,000 additional units of permanent and supportive housing available; and assist about 80,000 more homeless people at any one point in time.

Mr. Chairman, there is something a little strange going on here. Last year, we cut 25 percent out of the housing budget without so much as a single hearing. This included funds to run, rebuild and revitalize public housing. it included funds for new rental assistance contracts. It included funds for elderly housing and the disabled.

At a time when every study shows that the need for affordable housing is getting more acute, this Congress cut the programs to create that housing to shreds.

Then, when we have pulled the rug out from under poor Americans by cutting public and assisted housing, including working poor families, we now go and cut the homeless budget by 27 percent.

And the need for the McKinney programs is getting more serious. Between 1985 and 1990, up to 7 million Americans experienced homelessness, while about 600,000 people lack permanent shelter on any given night.

In 1995, demand for emergency shelter has increased by over 10 percent according to the annual survey of the Conference of Mayors, yet 20 percent of these requests must go unmet due to lack of resources.

When services are available, in 64 percent of the cities surveyed families have to be broken up to be served. That is not family values.

Yet, we know what works. The McKinney programs provide a vast array of services to the homeless, including emergency shelter, transitional shelter, permanent housing, job training and education, substance abuse treatment, and whatever else is needed to move people off the streets and into stable, permanent housing with the jobs necessary to pay the rent.

I would bet that any Member in this Chamber can go back into your communities and find your own success stories. In Boston, we have a program called IMPACT, funded in part by McKinney, which just placed its 500th homeless person in a job since 1994. The homeless have an 80 percent job retention rate and the average wage is $8 per hour.

In the past 3 years, the McKinney programs have delivered more housing and homeless service more cost effectively than at any time in the past. Local governments and non-profit providers served 14 times the number of people in 1995 with these programs than were served in 1992, but at only 2 times the cost.

Two reports evaluating McKinney programs show that they help the severely mentally ill achieve stable lives in supportive housing 83 percent of the time. This cuts their inpatient hospital use by 50 percent.

When we cut homeless funding, we are condemning tens of thousands of families with children to lives of desperation and hopelessness.

Homeless children suffer from worse health; being homeless means a child is twice as likely to suffer from upper-respiratory infections, gastrointestinal disorders, and other health problems.

Homeless children suffer from inadequate medical care even before they are born. A study of New York City pregnant homeless women showed that 33 percent received no prenatal care. Infant mortality is more than double the city's average.

Homelessness means a child is much more likely to suffer from hunger: 43 percent of 1- and 2-years-olds living in New York City shelters suffer from iron deficiency or anemia.

HUD has made homelessness a top priority. They have streamlined and improved the delivery of homeless assistance by urging local governments and non-profit providers to coordinate their efforts to provide a ''continuum of care'' that addresses all the needs of the homeless to get off the streets and become self-sufficient.

We know what works. All we need is the will to provide the funding. Support this amendment. Help fight homelessness.

Mr. LEWIS of California. Mr. Chairman, I rise with great reluctance to oppose the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

Mr. Chairman, during the time I served on this subcommittee, one of the most frustrating experiences of this Member has been to watch us go forward in a variety and mix of programs under the jurisdiction of this bill that deal with housing problems in the country. Indeed, within that mix we have progressively delivered a great deal of money to a problem that has been mushrooming in communities across the country that we give the title and handle ''the homeless of America.'' In the last decade, we have committed over $10 billion to solving this problem, and it is presumed by many that the problem has to do with bricks and mortar alone.

Indeed, Mr. Chairman, the homeless problem is a major challenge to our society and a difficulty that we need to get to the heart of by many an avenue, not just by way of building facilities or finding locations for people we choose to define as homeless.

The committee, in this bill, has recommended funding for the homeless account for fiscal year 1997 at the 1996 enacted level of $823 million. Last year the committee followed the request of HUD to consolidate the four separate homeless accounts into one account. This consolidated account makes it possible for HUD to operate more efficiently, hopefully.

Additionallly, consolidating the programs enables the nonprofits that supply homeless assistance to do so with greater efficiently.

Certainly it is almost impossible to argue against increased funding for the homeless when we see people sleeping on grates in our parks and cities around the country. At the same time, all of us ofttimes lightly talk about the fact we just cannot throw money at problems. Indeed we have very few answers here. We have delivered a good deal of money and found little or no solution to this growing difficulty.

I would suggest that this is a part of our need to review this complex problem. The committee continues with its financial commitment. There is funding here that is of part of the delicate balance that the gentlemen from Ohio [Mr. STOKES] and I had attempted to put together. To suggest that anyone in this body who has looked on either side of the aisle could care less would be indeed more than a mistake. We do care, and indeed, working together, I think we can find solutions.

But we need to do a lot better than we have with the money we have spent so far, so I urge the gentleman from Massachusetts [Mr. KENNEDY] to be patient with us as we go forward.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman's words, and I would never suggest that the gentleman from California [Mr. LEWIS] would be callous towards the homeless, and I know that the gentleman has tried hard to meet the need. But, I say to the gentleman from California [Mr. LEWIS], let me point out that there are solutions to homelessness. Homelessness is a problem that we have largely created as a result of Federal policies. If my colleague looks, in the last years of the Carter administration prior to the time when there was the kind of homeless population that we see living on our city grates and the like, he will find that this country under—I mean if the gentleman was here at the time—providing over 300,000 units of affordable housing each year for poor people.

We have not built that housing, and if we look at the total number of housing units that we have not built in this country over the course of the last 15 years, it coincidentally happens to add up almost exactly to the estimates of the number of homeless families.

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Yet, despite that, given the resources that the gentleman has allowed to go into these issues, we have now seen a much more sophisticated antihomelessness effort created across this country that has done remarkably well at getting people out of homelessness and into jobs and becoming productive citizens. This is a problem where solutions do work, if we are willing to pay for them.

Mr. LEWIS of California. Reclaiming my time, Mr. Chairman, let me say to my colleague that I believe that there are public policies that have begun to have an impact on these subject areas, but I also believe very strongly that a portion of the problem stems from public policies that have gone awry.

I must confess that I was a part of an effort in California some years ago in the legislature to deal with a social problem that we saw as very real. There was a propensity to institutionalize people in California and other States who had difficulties, emotional difficulties, some alcoholism and otherwise. There was a pattern of institutionalizing people.

The goal of the legislature was to make it difficult to institutionalize, let people go back to their communities and their families, to build clinics to solve their problems. We deinstitutionalized in California but we failed to follow through on medication and clinics, et cetera. States across the country have followed our suit and suddenly, homelessness became an even greater problem.

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

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

Mr. VENTO. Mr. Chairman, I would just follow on with the gentleman. I appreciate it. It was the right decision, incidentally, to deinstitutionalize. I as a State legislator had to face the same programs with the SLICK programs and others that have been put in place, which have not been adequately funded through the various programs. Yet, again, this Congress is not facing up to that funding issue.

I would suggest to the gentleman, Mr. Chairman, having worked with the gentleman from Massachusetts, Mr. KENNEDY, and others on this problem for many years, having actually named this program after my colleague from Connecticut, the McKinney Act, and the good work that was done by one of the gentleman's predecessors, Eddie Boland, and the gentleman from Ohio, LOU STOKES, in terms of the FEMA moneys, very often it is pretty hard to tell whether someone is mentally ill and on the street for that reason or mentally ill because they are on the street.

I remember very prophetic testimony concerning a sociologist, Louisa Stark from Arizona, commenting on the phenomenon in terms of what it means to be placed on the street without even shelter over your head, and the stripping of the dignity of people in our society. This problem is one that cannot stand.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I appreciate very much what the gentleman is saying. I remember, however, many pictures on television in the winter in California, where we sent out moving vans to pick up people from the cold who were homeless. They ran away from the vans because they were worried about being placed in an institution.

There are many complications here. The answer here is, one more time, more money taken away from NASA programs that my colleague, the gentleman from California [Mr. BROWN], spoke so articulately about earlier. It is not a fair tradeoff. We are trying to achieve balance here. Indeed, I think we have met a balance. But the solutions are a way off. I would urge that we work together.

Mr. VENTO. Reclaiming my time, Mr. Chairman, I would just suggest to my colleague that this, indeed, is a fight between David and Goliath. I crossed that out and said no, it is a fight between the ordinary Joe and the NASA labyrinth. It is not a blame game in terms of whose fault it is, it is a phenomenon of the social and economic casualties that are occurring in our society. This problem did not exist in the early 1970's, and it does exist today. We need to address it.

They may have run away and they may not care about themselves, but I think as a society and as the values that we hold as a people, we care very

deeply about people who are in such a state of despair, who are ill and have these problems. We really cannot accept that. I cannot accept that as a person, as a policymaker representing my district, and I am sure it is the case for many of us. This particular measure we are talking about here helps the poorest of the poor. If we do not have the money, I think the proper priorities really do fall in this direction. I am no fan of the space station.

Mr. LEWIS of California. Mr. Chairman, if the gentleman will continue to yield, I certainly do look forward to working with the gentleman and the other members of the authorizing committee as they go forward with their work. Indeed, we need action by the authorizing committees to help us better get a handle on the policy directions we ought to be taking if we are spending this money. But the gentleman's point is appreciated.

Mr. VENTO. I appreciate the chairman's response to my support for this. I would just suggest, we have done a lot of work on this. This is a bottom-up program. This is built on the nonprofits and local governments that are providing it. It is leveraged money. It is those particular agencies, I would just tell my colleague and others that are listening, that in fact, they are operating on overload today. For this century and the past they have been able to afford some shelter to those who have been without shelter, but they are operating on overload today. They are working very hard.

These dollars are leveraged. They are essential moneys that are trying to meet the very basic human needs in our society. While we can find imperfections in many programs in terms of housing, the last amendment which was considered would have been upstream. Clearly, if we can keep people off the street, we can deal with it.

One of the problems with housing, quite frankly, is the convergence of myriad problems that are coming to HUD dealing with health care, dealing with education, dealing with social disorder and crime, and all of these mental health problems, these income problems that are occurring. But once those persons are on the street, the problems are compounded many, many times over. That is why we need to work to prevent homelessness where we can, to restructure our programs, to take those scarce dollars.

We are at a point, and these are tough choices that have to be made. These are tough choices. But I feel we just made the wrong choices in terms of these priorities, quite frankly. I think we need to challenge the space programs and the development of projects specifically in terms of marketplace terms of application when we have these types of choices. If our economy is not growing at the rate we should, then we are facing that we cannot do everything for everyone. We cannot do the type of subsidies and types of issues. Yes, we can do science and basic research but we have to have a new policy.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 2 additional minutes.)

Mr. VENTO. Mr. Chairman, we have a new predicate in terms of how we move in dealing with this issue, but not on the backs of the homeless. This particular amendment would help 100,000 people that are homeless. It is an enormously important amendment to try and provide the funding, the leverage, for the private sector, to empower those people towards self-sufficiency and out of a dependency.

We do not accept the predicate that somehow these people are homeless by choice. What a choice. Some choice. To leave people in despair of that nature I think is simply not akin to our values. When we look at space station development and other programs related to man in space, and look at $5.3 billion, the homeless program is only 20 percent of that amount. Where are our priorities? If we have to make tough choices, let us not make them and take them from the poorest of the poor.

I think if we look at the other subsidies, the tax breaks the private sector and others receive in terms of these types of subsidies, we have to reorganize this. We do not have enough to do it all, and we are not meeting the very basic needs of people in our society, and therefore I think we have a right and a responsibility to expect others that are engaged in this type of development of science to do it.

I am a science teacher. I very much advocate the position in terms of science, but I also understand that fundamental to that is that we do not stand on the shoulders of the scientists that come before us, we are standing on the taxpayers' shoulders. We are standing on the shoulders of those who are homeless, that do not have a job, that need the type of help that is being pro-offered by the Kennedy amendment in this issue. We have to get that done.

I know the gentleman has made tough choices, but fundamentally I must raise this particular question as a core value, a core value of the American people, who will not accept the type of problems that we have with people on the streets of this United States and this Nation in 1996.

Mr. Chairman, this amendment is a little like David versus Goliath or should I say an ordinary Joe versus the N.A.S.A Labrynth—the homeless versus the space station. It will simply restore McKinney homeless assistance dollar levels to the pre-rescissions, fiscal year 1995 level. Help for the poorest of the poor, those without a roof over their heads.

Most of our nonprofit groups in our communities are operating on overload, and yet so many policies, actions, and events continue to shift more responsibilities and costs to them. Unless the Federal Government steps up to the plate and does the very best that we can, State and local governments, and other entities struggling with shelter needs will be overwhelmed.

HUD, despite all the criticism and congressional failure to restructure the McKinney programs, has served as a lifeline and a leader with regards to responding to homelessness. What they have done within their limits is encourage comprehensive homeless assistance plans in local communities and a streamlining of the programs themselves. Last year, for the 1996 appropriation we were told it wasn't a cut because of money in the pipeline, now the amount remains unchanged, with different excuses and a dry empty pipeline.

If passed, the Kennedy-Vento amendment will make over 10,000 additional units in transitional housing available; over 10,000 additional units of permanent supportive housing; and, about 80,000 more homeless people at any one point in time that will be assisted. In other words, help 100,000 homeless Americans.

It is a sad commentary that homelessness persists, but the McKinney programs have been a good use of scarce Federal funding, leveraging meaningful local matching resources and private sector nonprofit funds. The homeless programs work and are vitally needed by people in this Nation who land outside the bounds of our social safety net of limited Federal-State resources. As a grass roots program, McKinney funds represent a cooperative Federal approach building on nonprofit and local government initiatives and programs, in some cases with personnel in place. These empower those in need toward self-sufficiency and free them from dependency.

The opposition to this amendment will lament that while these homeless programs are worthy, that indeed, the appropriators had hard choices to make and no doubt commitments to keep, and that in the process of balancing the budget and priorities, the space station must have a bare bones minimum of $5,362,900,000 and the homeless, a whopping $823,000,000.

Mr. Chairman, we are all likely fans of science and discovery. Certainly as a science educator I share that interest. Many of us want the Federal Government to play an active role in support of cutting edge science research. But this amendment would only bring the homeless programs to about 20 percent of the space station which will still be funded at over $5 billion. The question really is how much more do we need to support the private entrepreneurs in space in funding dollars, in generous tax breaks, in tangential benefits from significant military and commerce spending and in SBA programs for the smaller scale. Beyond this, there is the issue of foreign investment and, of course, the private sector.

I suggest that its far more likely that private funds will be attracted to the space station than to housing the homeless, indeed the economic and social casualties in our society represent the greatest challenge to our Nation. The frontiers of space are hardly wrapped up with the space station but the values and conscience of this Nation are surely tested by the least among us, the homeless. The vote I ask you to cast today is for the dispirited people who are too important to abandon. Our responsibilities and priorities should be clear. Vote ''aye'' on Kennedy-Vento amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thought there was to be a speaker on the other side. I misread his body language and I apologize.

Mr. Chairman, I very much support this amendment. I understand the frustration that the gentleman from California talked about. He is trying hard, it is true. There is nothing logical that says we will take the Department of Veterans Affairs, the Environmental Protection Agency, NASA, and HUD and throw them together. That is not rational and we should try to change it. But I have to be intellectually honest and say that if I had the whole budget to choose from, I would still look to the space station, particularly the manned space part.

Sending human beings into space is a reasonable thing to do, it is something in which we can take pride. I have never heard any argument that it was close to a necessity. We are not talking about continued exploration of space, but whether or not we have the manned space operation.

On the other hand, we have what I would hope this society would think is a necessity: alleviating the suffering of small and innocent and helpless children. The homeless are not always the most attractive people. When we think about the homeless, people think of some whose behavior is unfortunate. It is true, there is nothing about adversity that guarantees that you will not be obnoxious. But a significant percentage of the people who would benefit from this amendment made one mistake in life: they were born in the wrong circumstances, and they are children. They are children condemned to a terrible existence. This amendment would alleviate it somewhat.

Mr. Chairman, I want to address some of the reasons that have been given, not by the gentleman from California, because even when I disagree with him I find him fair and thoughtful, but here are arguments that say, you know, these programs, they have not been run well, so let us not give them money. As opposed to the space program? If we were to do comparative disasters, problems, misspending, I think the manned space program would be right up there with the homeless program.

We have this interesting intellectual divide in our public policy. If you are trying to help the poor and you make a mistake in the program, the answer is to give that program less money. But is you are building a space station, or a weapon, or if you are part of the intelligence agency and you screw up badly, then the answer is to give you more money. We are told, gee, money is not always the answer. Well, money is the answer, apparently, for the Defense Department, for NASA, for the politically favored departments.

The notion that because we have not spent some of this money as wisely in the past as we should have, we will therefore make it right by denying funds that can go to alleviate the misery of 10- and 12- and 5- and 4-year-olds, totally escapes me.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I want to say to my friend that while these are very difficult areas, I think the gentleman will agree and acknowledge that the administration very strongly supports NASA's work as well. NASA has been a leader in reinventing and reforming Government. Since 1993 NASA has reduced its budget requirements through the fiscal year 2000 by $43 billion. So the charge by some that NASA has not contributed to balancing the budget does not reflect what they have tried to do. The tradeoffs are tough, but that is what this bill is all about. We have tried to do a decent job.

Mr. FRANK of Massachusetts. Mr. Chairman, let me say to the gentleman, do not take it personally. He is a good fellow. He has done a decent job. But that is not enough. I think where we have poor children going without desperately needed services, our egos have to bend a little.

As far as the administration is concerned, I am sure the administration may have somewhat different priorities. I don not accept them in this case. As far as NASA giving up $43 billion, do Members know what you have to have before you can give up $43 billion? A lot more than $43 billion. I wish the homeless could have given up $43 billion, but they never got that much to give up. The poor people never make budget sacrifices like that because their budget never gets so stratospheric.

The fact is that we have a choice: Do we put human beings in space at the current schedule, as attractive as that is for the national psychology and the national morale, and as helpful as it will be for science, or do we put the first priority an alleviating the poverty here at home?

I want to add another argument that was made. One argument was these programs were not well run so let us take the money away. Another is that private charity will do it. People argue that private charity can do it.

I want to quote here from the National Conference of Catholic Bishops in that wonderful pamphlet they put out about this year's election issues. This year I do not agree with all of them. There was one point that I thought was essential to be made.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. FRANK] has expired

(By unanimous consent, Mr. FRANK was allowed to proceed for 2 additional minutes.)

Mr. FRANK of Massachusetts. Mr. Chairman, they noted that the Catholic Church is, by far, the largest provider of private charity in the United States. Based on that experience, and out of the compassion and concern for social justice that motivates them to do that, they repudiate the notion that there is no need for Government assistance.

Let us be very clear. We may not comfort ourselves when we think of the small children who will be denied services if this amendment is defeated by the notion that somehow private compassion and charity will take it up. Yes, we should be doing everything we can to encourage that. But, as the Catholic bishops pointed out, as the largest provider of private charity in this country, there is simply no way we can expect the gap to be repaired if the Government backs out to this.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Minnesota.

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Mr. VENTO. I appreciate the gentleman yielding, because if we went on a current services budget since 1981 when housing was cut, it was at $30 billion a year at the time, we would have a $2 trillion cut in housing. Now, was all of that cutting wrong? No, but it is $2 trillion.

Mr. FRANK of Massachusetts. I would correct the gentleman on one thing. Remember, when we take programs for the poor and we do not keep them up with inflation, that is not a cut, that is an increase. It is only a cut when we fail to give an inflationary increase for the military and for science and for agriculture.

So the gentleman should be clear. When the poor people fail to get enough money to keep up with inflation, they should be grateful for the little we gave them in the first place. It is only when the military or science or those other favored programs do not get inflation that an increase is a cut.

Mr. VENTO. Mr. Chairman, if the gentleman would continue to yield, I would just point out that the bill is $19 billion in 1997; we were spending $30 billion in actual dollars. So even on those terms, however we want to add it up, if we do not want to do it on current services, it still is a significant reduction.

Mr. FRANK of Massachusetts. Mr. Chairman, I would agree.

Let me just say in closing that this amendment, if it is defeated, is one more sign that compassion, that concern for helpless, innocent children has simply gone politically out of fashion. We will be inflicting, if we defeat this amendment, misery and deprivation on children who deserve far better of us.

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

Mr. BROWN of California. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, may I say to my good friend, the gentleman from Massachusetts [Mr. FRANK], that I do not want him to take any of what I say personally just because I am opposed to his position, or the gentleman from Massachusetts [Mr. KENNEDY] or the gentleman from Minnesota [Mr. VENTO] or any of the others.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I am not a homeless child, so I do not take it personally.

Mr. BROWN of California. I thank the gentleman.

Mr. Chairman, as I look around, I do not see anybody on this floor who has spent more time over more years than I have fighting for the rights of the poor and the homeless, the deprived, those who are discriminated against. I have supported every program since 1963, and there are a half dozen who have been here longer, but I do not see any of them on the floor.

I do not think that my credentials in support of all of these programs can be questioned. I think I am also free to say that most of them have not achieved their goals, unfortunately. I think that what is being proposed here tonight is an effort to see another great program aimed at showing that this country is a world leader in a number of fields of science. I think that we are going to see this program fail if this amendment succeeds. It is only a 15-percent cut, as the gentleman said, in the space program or the space station, if you apply it to the space station.

I can assure the gentleman that he would be far better off, and I am going to urge my colleagues to all support the amendment coming up to just cancel the space station. Most of my colleagues have admitted that they do not think much of it anyway, so why not cancel it. We will save $1.8 billion in the 1997 budget, plus or minus. With that $1.8 billion we can fund the housing program and we can plus up the other social programs that we are interested in.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I would say to the gentleman that I certainly do support the space station. What I am saying to the gentleman, however, is that when we put it in the context of having to judge between the space station and homeless programs, it is a very different equation. If I can choose between the space station and putting $13 or $11 or $12 or $13 billion more into the defense bill, then the choice it seems to me is very easy: Let us pay for the space station.

However, that is not what we have before us. What we have is a choice between whether or not we are going to fund $200 million more into the space station, or whether we are going to take $297 million and put it into making sure that very poor kids are going to have a shelter over their heads. That is the unconscionable choice that is before us, but it is before us and we have to make that decision.

Mr. BROWN of California. Mr. Chairman, I hate to tell my colleague from Massachusetts, Mr. KENNEDY, this, but the path he is pursuing is not going to achieve his ends. If he were to succeed, then the space station fails, our partnership agreements with the rest of the world, that includes the Japanese, the Europeans, and the Russians, would all collapse. They would begin their own independent programs to achieve what we have been trying to achieve as partners with them in space. They would never again trust us as a reliable partner on any major activity. We could begin to see the decline of the United States as a world power, and we would not achieve the goal of providing for the homeless that we want because that depends upon our economic leadership in the world, our ability to compete, and we would have lost it.

Now, I am concerned about more than just the space program. I see the next 5 years for all of federally supported R&D going down in real terms by 25 percent, and I think the entire industrial base of this country is likely to suffer as a result of that.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman yielding, and I have very strong concerns about the R&D budget of this country. But to suggest that by putting $297 million into the homeless budget that we are somehow going to lose our preeminent position of economic leadership throughout the world is utter hogwash. We give these cuts to the Japanese and everybody else on trade agreements all the time.

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

Mr. BROWN of California. I yield to the gentleman from Texas.

Mr. DELAY. I appreciate the gentleman yielding, and he is taking a very statesmanlike position on this issue, understanding what is happening here. No gentleman more than the gentleman from California [Mr. BROWN] understands the delicate balance between all of these programs, particularly in the sense of the space program.

That is taking that $297 million out of the space program, that I might say in answer to the gentleman from Massachusetts [Mr. FRANK], moneys have been taken from NASA because of some of their actions in wasting money.

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

(On request of Mr. DELAY, and by unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. BROWN of California. I yield to the gentleman from Texas.

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

The gentleman from Massachusetts [Mr. FRANK] suggested that the science program, the defense program is so wasteful and we still pump money into it. Not in the case of NASA. We have ratcheted down NASA to the point that they are lean and doing an incredible job on much less money. But, if you cut them any more, if you take this almost $300 million out of a program that is barely working and working well, I might say, the shuttle program would result in reduction of the flag rate, reductions in personnel, and would adversely affect and possibly eliminate some of our science commercial and education customers as the gentleman has pointed out. So I just compliment the gentleman on his stand in support of his position.

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

Mr. BROWN of California. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I certainly am proud of the record of the gentleman from California [Mr. BROWN] in terms of support of social programs. I know what a painful choice this is, but this is a point that is being superimposed by virtue of the budget.

I would disagree with my colleague in terms of the effectiveness of many of the social programs we have. I think all too often we look at the problems and not really the success. But the problem is we keep getting people out of the programs that are getting educated, but then there are more coming into the program.

The fundamental concern that I see here between a Mr. KENNEDY and a Mr. BROWN, who are both friends of mine, is we have to make choices; and unfortunately they are being superimposed because they do not have the courage to go out and raise the money that they need to sustain the programs in this Congress.

If we are going to take apart the Federal Government, then we are not going to be able to preserve programs that deal with fundamental, core American values like the homeless and like NASA and space programs that I agree that we need. But I am sort of an unreconstructed federalist, as the gentleman in the well is. The fact is, we have to make these tough choices. We have to make them today and we have to make them on this basis. I very much regret it, but I understand it. I think that we have a chance here to go to the private sector and get some money. The homeless do not have that choice.

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

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 3 additional minutes.)

Mr. BROWN of California. Mr. Chairman, I understand the predicament that we are all placed in here. As I have said earlier, it tears me up as much as anybody. But the fundamental problem that I see is rather deeper than what we have said.

The American economic system has really failed in terms of supporting the kind of economy that provides good jobs, the hopes of a career, the opportunity for advancement and progress

that we would like to have to provide. It is my very honest conviction that until we can establish the basis for a growing productive, peacetime economy, we are going to continue to suffer and see the deterioration of our cities, the failure to provide to the poor, a decreasing ability to provide good education to the people of this country.

It boils down to whether we can provide that kind of a society, that kind of an economy, and that we can build the strong communities and the strong families that we need.

Government cannot build strong communities and strong families. It can help to provide the incentives to build the economic infrastructure and provide the opportunity for individual initiatives that will do that, but we have not succeeded.

Now, the scapegoat is being made against R&D. Well, I have the feeling, I would say to the gentleman from Massachusetts [Mr. KENNEDY], that we are saying that the priorities are such that we cannot continue to fund the R&D programs.

Now, the NASA program is about half or a third of all of our civilian R&D. His amendment would kill NASA's reason for existence, basically, and I do not like to consider that possibility. But if his sense of priorities is such that he wants to do that, let us meet it head on. And when the gentleman from Indiana [Mr. ROEMER] offers his amendments, let us cancel the space program.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, let us deal with the truth of the matter, which is, as has been pointed out, my colleague is a stalwart supporter of programs that look out after the poor. No one in this Chamber can stand up to his record, and I certainly do not mean to try.

What I would point out is that I think that we are playing right into the hands of those that would provide tens of billions of dollars' worth of tax breaks that go to the wealthiest people in this country at a time when we are talking about cutting the homeless budget by 27 percent. That is what this is all about.

For one of the leaders of the Republican Party to stand up here and try to suggest that he is really looking out after the homeless is utter hogwash. What is going on here is we have set up a devil's choice. We have said we are going to have to cut the space station or the NASA programs or we are going to have to cut the homeless. What we are really doing is providing a tremendous tax cut to the wealthiest people in the country. That is what this is all about.

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

(By unanimous consent, Mr. BROWN was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. Mr. Chairman, as much as I respect the gentleman from Massachusetts [Mr. KENNEDY], I think he is deviating a little bit from the central issue before us right here. I think the gentleman stretches what is happening a little more than we need to. We do need to make choices, and I respect those who feel that our priorities are somewhat distorted.

Generally speaking, I agree with those who feel that way. But I do not think we are going to correct those priority problems on this bill.

As I indicated earlier, it is my personal view, and I do not think the majority agree with me, that a 1-percent cut in the Defense Department is a much more reasonable way to set our priorities straight and will also allow us to continue to develop the momentum that will produce that best economic system on Earth here, and the best paid workers and the best cared for children and families. And it is that that I am looking for here.

I may be hitting my head against a brick wall, but I am not opposing any of the programs my colleague wants. I am saying we have to look for more effective ways of funding them.

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

(On request of Mr. LEWIS of California, and by unanimous consent, Mr. BROWN of California was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman and my colleagues, I really asked the gentleman from California [Mr. BROWN,] for this time because I want to express my deep appreciation for the sensitivity that he brings to this issue. All of us are concerned about the homeless problem, and we are providing as much money over time as we conceivably can use effectively. In the meantime, Mr. BROWN and his Committee on Science have spent years developing America's capability in all of those technical fields that are critical to our economic future. Indeed, his leadership has been very important. Nobody but nobody can say they care more about these social problems than Mr. BROWN has expressed by action as well as votes over the years.

At the same time, the gentleman expresses here this evening good sense. America has many a challenge and to make this kind of exchange does not reflect the real world that we have to deal with in this bill.

Mr. FRANK of Massachusetts. Will the gentleman yield? Will the gentleman yield me 30 seconds?

Mr. BROWN of California. Not if the gentleman is just going to stand there and praise me for my long and distinguished service.

Mr. FRANK of Massachusetts. I am a Democrat. My colleague only gets praised by Republicans tonight.

Mr. BROWN of California. I am happy to yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I am sorry to interrupt this praise, but I have to differ with my friend. Tell me that we need the money for the space station and therefore cannot afford to put it here, and I will disagree. But it seems to me that is within the realm of factual accuracy. But I do not think that it is fair to say that we are giving these programs as much as they can use.

We should not comfort ourselves with the notion that, if we did not give them extra money, they could not use it well. That simply is not true. Say that we have a tough choice to make and I agree, but do not say that they could not use it if we gave it to them.

☐ 2045

Ms. ROYBAL-ALLARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Kennedy-Vento amendment. To many Americans, the homeless are faceless individuals we pass on the streets as they move through the hidden recesses of alleys or abandoned buildings searching for food or shelter. More often than not, we turn our heads and forget.

Occasionally, there is a more direct one-on-one encounter when we are approached for a handout. At that moment, we are forced to recognize their existence and decide whether to help or to ignore them and move on.

For many of us, this is the closest we ever come to what can only be characterized as one of our Nation's greatest tragedies, the homeless. For the reality is that there is a story of hardship and misfortune associated with every homeless person. The homeless population is comprised of elderly persons, families with children desperately seeking to break out of the cycle of poverty, and men and women with mental illnesses or addictions who have been forgotten by our society.

The reductions in homeless assistance programs contained in this bill cannot be justified because over the past year alone, the demand for emergency shelter by homeless families has risen by 15 percent. On any given night in America, more than 700,000 men, women, and children are forced to live on the streets. In Los Angeles County, there are anywhere between 17,000 to 42,000 homeless individuals, 3,800 of whom are children.

The homeless families of this country need our help. HUD's homeless assistance programs must be restored to the levels requested by President Clinton. These funds will provide 10,000 additional units of transitional housing, 10,000 units of permanent supportive housing, as well as a continuum of supportive services to help the homeless move into transitional or permanent housing and toward self-sufficiency, providing hope and opportunity to needy American families.

The passage of this amendment is critical to our efforts to fight hopelessness and restore dignity to the poorest

of the poor. I urge my colleagues to vote for the Kennedy-Vento amendment.

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

Mr. Chairman, I rise in favor of the amendment offered by the gentleman from Massachusetts. Around here we never have perfect choices. Everybody likes to stand up in the well and say, I prefer this offset to this offset and this perfect choice to this budget cut. The fact of the matter is we all know that we do not live in a perfect world. That is why we have so many homeless people in America today.

All of our Members know about *Apollo 13* and Tom Hanks. We like to go see those fun movies. We all know about the excitement, about going to see a space launch down in Florida, and we feel pride about that; we feel pride in our space program.

How many of us go into the homeless centers? How many of us see the growing need in our homeless centers, in our cities, to take care of some of these people for a temporary time period to get them back on their feet and get them back to their families?

I have been in our homeless center in South Bend, IN, and there are more children, there are more families, there is more need for the homeless people in our society today than there was 2 years ago, or 3 years ago. I beg my colleagues, I implore my colleagues, I urge my colleagues, do not just go see Tom Hanks and the *Apollo 13* movie, go see what is happening in America today with some of our families.

We all talk about how close we are and how many families are one paycheck away from a homeless center while many of those families are in homeless centers today, with their children.

I am concerned about the NASA budget, too. I am very concerned about space shuttle safety. I am concerned about some of the programs, the faster, better, cheaper programs that we are putting together. But we have to make tough choices as Members of Congress, first, to get to a balanced budget, and, second, to be fair with our resources.

This space station does not deserve $297 million. It is $80 billion over budget from when it was first designed in 1984. It has gone from eight scientific missions to one scientific mission, and we are cutting our homeless centers by 25 percent since 1995. Now that is not justice and that is not fair choices. That is the easy way out.

So I would encourage my colleagues here, one, if they are interested in balancing the budget, you do yourself a favor by getting rid of the space station in the NASA account and, second, if you are interested in fairness and if you are interested in children and homelessness in this society, vote for the Kennedy amendment. It is just, it is fair, it is not a perfect choice, but I think it moves this country in a more just situation and a fairer allocation of resources than what we currently have with this space station.

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

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

RECORDED VOTE

Mr. KENNEDY of Massachusetts. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 138, noes 277, not voting 18, as follows:

[Roll No. 270]

AYES—138

Ackerman
Barcia
Barrett (WI)
Becerra
Bilbray
Blumenauer
Bonior
Borski
Boucher
Brown (FL)
Brown (OH)
Camp
Campbell
Chrysler
Clay
Clayton
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
Danner
DeFazio
DeLauro
Dellums
Dingell
Duncan
Durbin
Engel
Ensign
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Fox
Frank (MA)
Franks (CT)
Furse
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gutierrez
Hamilton
Hefner
Heineman
Hilleary
Hilliard
Hinchey
Holden
Jackson (IL)
Jacobs
Johnson (SD)
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klink
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (GA)
LoBiondo
Lowey
Luther
Maloney
Markey
Martini
Matsui
McCarthy
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Molinari
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pomeroy
Poshard
Rahall
Ramstad
Rangel
Reed
Rivers
Roemer
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Scott
Serrano
Shays
Skaggs
Smith (NJ)
Stark
Stokes
Studds
Stupak
Velazquez
Vento
Visclosky
Wamp
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn
Yates
Zimmer

NOES—277

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Bevill
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brown (CA)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Clement
Clinger
Clyburn
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
English
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Flanagan
Foley
Forbes
Fowler
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gekas
Geren
Gibbons
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kasich
Kennelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lofgren
Longley
Lucas
Manton
Manzullo
Martinez
Mascara
McCollum
McCrery
McInnis
McIntosh
McKeon
Meek
Metcalf
Meyers
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Upton
Volkmer
Vucanovich
Walker
Walsh
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—18

Berman
Browder
Coleman
Cubin
Fields (TX)
Ford
Hayes
Houghton
Lincoln
McDade
Peterson (FL)
Rose
Schiff
Schumer
Sisisky
Torricelli
Towns
Wilson

2110

The Clerk announced the following pair:

On this vote:

Mr. Towns for, with Mrs. Cubin against.

Mr. DE LA GARZA changed his vote from ''aye'' to ''no.''

Messrs. ZIMMER, GILCHREST, SCOTT, and WAMP and Ms. MILLENDER-McDONALD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LEWIS of California. Mr. Chairman, I move the strike the last word.

Mr. Chairman, for the benefit of all Members, I would like to announce the schedule for the rest of the evening.

It is our intention to finish title II tonight; that is, finishing the housing portion of this bill. There will be no more rollcall votes tonight, and any demands for rollcall votes will stacked tomorrow. Members with amendments to title II or who wish to speak to such amendments should plan to stay for a while.

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

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, for the benefit of Members, I want to make clear that it is the intention of the committee to proceed no further than the end of title II tonight.

Mr. LEWIS of California. It is our intention to proceed no further once we finish title II tonight.

Mr. OBEY. All Members with amendments to title II should be aware of the need to stay here tonight if their rights are to be protected to offer those amendments.

Mr. LEWIS of California. The gentleman is correct. Members who have problems with title III or interest in it will not be so pressed.

□ 2115

AMENDMENT OFFERED BY MR. LAZIO OF NEW YORK

Mr. LAZIO of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAZIO of New York: Page 19, line 9, after ''$5,372,000,000'' insert ''(reduced by $140,000,000)''.

Page 19, line 19, after ''$800,000,000'' insert ''(reduced by $140,000,000)''.

Page 20, line 18, after ''$595,000,000'' insert ''(increased by $100,000,000)''.

Page 20, line 24, after the dollar amount insert ''(increased by $40,000,000)''.

Mr. LAZIO of New York. Mr. Chairman, I am here today to talk about an issue as chairman of the Subcommittee on Housing and Community Opportunity of the Committee on Banking and Financial Services for this Congress that I feel very strongly about. These are issues I felt very strongly about in the first session, and I feel equally strongly about them in this session.

For a year and a half I have worked with colleagues on both sides of the aisle, with local, State, and national leaders, with community activists and people deeply committed to ensure that our country has housing policies that provide adequate opportunity for all American families and protection for the most vulnerable of American families.

I rise today to offer an amendment not because I have tremendous disagreement with the gentleman from California [Mr. LEWIS] or because I believe he has done a poor job. In fact, I think my good friend from California has produced a solid bill. I know that my friend from California has a difficult job, but this evening we are talking about people who do not have the ability to transition back into the marketplace, to take another job, to go to work, to afford their own unit. We are talking about helping the disabled and the elderly.

This bill before us. Mr. Chairman, I think is basically solid, but it has one or two misplaced priorities affecting those very citizens that we should be doing our utmost to protect. The amendment I am offering will mean more housing for American families who truly need it. Based on the per-unit cost, this amendment will mean 2,000 new units of elderly housing and housing for the disabled.

These are the last programs, Mr. Chairman, that we have that will develop new housing. Over the life of these buildings, that means that tens of thousands of our Nation's seniors and our Nation's disabled will have housing opportunities they otherwise would not have. Thousands of people will benefit from this.

Mr. Chairman, as we have witnessed over the last 10 years, as States have made decisions leading to the deinstitutionalization of people who are mentally challenged, we see the increase of homelessness. People who are thinking deeply about these issues are increasingly talking about providing shelter for people that gives them the maximum ability to ahve meaningful lives. There is a movement toward community homes.

Mr. Chairman, the only way that we take people off the streets, the very people in our own neighborhoods who, unfortunately, are affected with mental and physical disabilities, is to give them the means to have these types of community homes, to give them the homes they need to live in, to give them the opportunity to have meaningful lives. The only way we can do that is through proper funding of the section 811 program, which is the last remaining new production that will allow for new units to be developed to provide housing, affordable housing, for the disabled.

Mr. Chairman, at the same time, we are trying to struggle to meet the needs, the almost overwhelming needs of our Nation's elderly population. Year after year the needs outstrip our ability to provide more units. In just about every community in the Nation there are needs that are unmet for both the senior and the disabled population.

As we begin to struggle with the policies to house Americans, and in particular the most vulnerable Americans, our first priority has got to be the people who cannot take care of themselves because of age and because of disability. If we cannot meet those needs, we should not be attending to the other priorities in the bill before us.

Some will argue, Mr. Chairman, that the cut in housing for the elderly and the disabled is justified because it meets the President's request. There is not a person in this Chamber that votes consistently in support simply because the President proposes a reduction in spending. In this case it is a 32-percent reduction in spending for the disabled.

Some would suggest that we cannot spend any more. Well, that also is false, Mr. Chairman. Every year what is called a NOFA is sent out, Notices of Funding Availability, and last year that was subscribed, and to the extent that we are able to have the resources in place that we once had, we will also be able to meet that need.

My last statement, Mr. Chairman, is that we now need to step forward to help those people who cannot help themselves. They are relying on our intervention, the disabled and the senior population.

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

Mr. Chairman, I rise in strong support of Chairman LAZIO's amendment to restore senior and disabled housing funding to their 1996 levels.

I have been a strong supporter of efforts to put us on track to a balanced budget, and I do not question the need to reduce Federal spending. However, in this year's VA, HUD, and Independent Agencies appropriations bill, Housing for our Nation's elderly and disabled has been unfairly targeted.

Our Nation's vulnerable population depends on public housing programs. The section 202 and 811 programs are two of HUD's most effective, well-run programs. They have served the elderly and disabled well—providing them with housing that otherwise would have been unattainable.

There are some Government programs that are wasteful or only benefit a select few, and those are the programs we should target. However, important programs like sections 202 and 811 must be maintained. Housing for the elderly and disabled provide invaluable assistance to millions of people across our Nation. If we allow these funds to be cut, many of those who depend on public housing will be denied shelter or forced into unsafe or unsanitary conditions.

Those who have been disabled or are elderly deserve the peace of mind of knowing safe, affordable housing is available to them. I do not think we should turn away the disabled or the elderly when they come to us for assistance. But this is what housing authorities across the Nation will be forced to do if we do not restore section 202 and 811 funds to last year's levels.

I strongly support fulfilling our commitment to the elderly and disabled of this Nation by standing in support of Chairman LAZIO'S amendments.

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

Mr. CASTLE. I yield to the gentleman from New York.

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

Mr. Chairman, I also want to go on record as supporting the amendment of the gentleman from New York [Mr. LAZIO], here this evening, and I do it knowing full well that this whole discussion, the VA–HUD and Independent Agencies appropriations bill is probably one of the most difficult for all of

us to talk about of all the bills we work with.

The gentleman from California, Chairman LEWIS, has worked tirelessly with all groups in this Congress on both sides of the aisle, from all sections of the country. He has heard our pleas, he has listened to us in private meetings and in public meetings, and I thank him and applaud him for the work that he has done on a difficult, difficult bill. But for those of us who come from local government and have seen section 811 and section 202 work in our towns and villages and counties across the country, disabled and elderly people must have us stand up for them at this time.

Mr. Chairman, I want to join those who support the Lazio amendment this evening.

Mr. LEWIS of California. Mr. Chairman, I rise reluctantly but very strongly to oppose this well-intentioned amendment.

Mr. Chairman, by way of this amendment offered by my friend, the gentleman from New York [Mr. LAZIO], the chairman of the Subcommittee on Housing and Community Opportunity of the Committee on Banking and Financial Services, he is suggesting that we decrease assistance for section 8 multifamily housing by an amount of some $140 million total. He takes $100 million and transfers it to elderly and $40 million and transfers it to disabled housing.

It is important for the Members to know that this bill and the entire housing effort in the House faces a very, very serious challenge because of that which is occurring within the very accounts that the chairman has chosen to tap. The committee has recommended funding the section 202 housing for elderly programs at the level requested by the President. This amount is, as has been suggested, below the level appropriated in 1996, but the administration request is based on the fact that this level of funding represents the amount of activity the Department actually can undertake during this fiscal year.

In the past, a significant portion of the money appropriated for this account has been carried over from year to year when the funding has not been obligated. On the other hand, the funding level for the annual contributions account, some $5,272,000,000, is necessary to protect low-income families that are already dependent upon certificates, vouchers or project-based assistance. Decreasing these accounts could result in the Department being unable to meet its already very difficult obligations. If this account is reduced significantly, families could be displaced.

Now, the point is that section 8 multifamily housing programs need serious reform. Already because we now tend to go put off that reform, the requirements for the 1997 and 1998 bills are escalating very, very rapidly. I would suggest unless we have money banked to meet those challenges, we are literally going to be forced, regardless, we are going to be forced to displace families already receiving services no later than 1998.

The committee has recommended creating an account of $875 million that may be used by HUD as of September 15, 1997. The recommendation to create the savings account was decided upon knowing that next year the President will have to request $10,793,000,000-plus in 1998 to renew existing certificates, vouchers and project-based rental contracts or face cutting off assistance to low-income families, which is an unacceptable eventuality for this chairman, and I believe unacceptable to the authorizing chairman as well.

The problem we face is that reform is absolutely needed now, and yet there is little doubt that a housing bill dealing with these reforms will not move through the process very likely until the next session of Congress. We will probably be dealing with the 1998 year. That is going to assure displacements of families; that is, families losing their housing, unless we build some kind of a bank account.

To tap these accounts now is essentially saying we are concerned about people this week instead of recognizing the real crises here, which I think is very shortsighted.

The President will have to request almost $11 billion to reset this need in 1988. The committee's recommendation was following the reforms in section 8 tenant-based or project-based programs. These adjustments are extremely unlikely, as I have suggested, because of what is happening on the authorizing side.

I compliment the chairman of the Subcommittee on Housing and Community Opportunity of the Committee on Banking and Financial Service for his willingness to address this measure, but frankly the time is now and the crisis is urgent.

□ 2130

We cannot afford to wait until 1997. In fact, if we, by eliminating the reforms that this committee recommended for section 8 project-based programs, in section 204 and 205, really at the request of Mr. LAZIO, we have increased the budget authority needs for certificates, vouchers and project-based assistance by $136 million.

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

(By unanimous consent, Mr. LEWIS of California was allowed to proceed for 2 additional minutes.)

Mr. LEWIS of California. Mr. Chairman, with that kind of automatic increase, therefore, it is even more important that we plan for the future. The section 8 certificate, voucher and project-based programs serve some 2,750,000 households. Of these families, 40 percent are elderly and disabled. If the assistance for these families is decreased or is unavailable, the impact is undeniable. The families lose their assistance immediately. The 202 program is a grant program for nonprofits to renovate or build new apartment buildings for elderly residents. Because of the nature of the program, it takes at least 18 months before the money is obligated and sometimes more than 24 or 36 months before the elderly households are actually assisted under the program.

It is absolutely imperative that the Members recognize that we are facing a crisis here and that crisis is going to fall on the heads and the backs of those families already desperately in need and who are receiving assistance currently.

This problem is not going to go away by some short-term fix that meets very short-term needs that may not be able to be spent by the administration in terms of their present availability of workload as well as opportunity.

I strongly urge a no vote on this very well-intentioned but, I think, misguided amendment.

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

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

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of Chairman LAZIO'S amendments to raise the level a modest increase by any standards of funding for Section 202 Elderly Housing and Section 811 Disabled Housing Programs.

This amendment will mean 2,000 new units of housing for the elderly and the disabled.

The Section 202 Supportive Housing for the Elderly Program was reduced by $422 million in the fiscal year 95 recission bill from $1,279 million to $857 million, and was further reduced in the 1996 omnibus appropriations bill to $830 million. The Appropriations Committee now proposes to reduce funding in 1997 to $595 million—less than half the pre-rescission amount. Seniors are one of the fastest growing segments of our communities. Sharp reductions such as those experienced by the Section 202 Program in the last 2 years will only mean even greater political and social difficulties in the years to come. Americans did not mean by their call to balance the budget that we should deprive the elderly and the disabled of basic housing. This is unconscionable.

The Section 202 is a successful program that helps to meet an acute housing need for a very frail, very low-income, very vulnerable population. Deep cuts in the Section 202 Program will hurt the very people that so desperately need our help. Not only will these cuts seriously jeopardize our ability to provide suitable and affordable housing for our nation's elderly, but it is counterproductive to our long-term care strategies.

Let's get our priorities straight. Support the Lazio amendment.

Mr. HAYWORTH. Mr. Chairman, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Chairman, I thank the gentlewoman from New Jersey for yielding to me.

I also rise in strong support of the Lazio amendment, not out of disrespect for my good friend from California but because I believe, precisely as the gentlewoman says, the senior population is growing at an incredible rate.

This is a question of where we place priorities. Given the fact that the senior population continues to rise in a burgeoning fashion, given the fact that we do need to supply housing for the disabled, I believe that this amendment is well thought out, well reasoned and, therefore, I support it.

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman from Arizona, and I yield to the gentleman from New York [Mr. LAZIO].

Mr. LAZIO of New York. Mr. Chairman, I just wanted to make some points in reflection with respect to the comments of the gentleman from California, my friend, Mr. LEWIS. It is in fact true that it takes some time to develop these projects. As Mr. LEWIS said, it takes 18 months, sometimes as long as 36 months to spend. That time is very long, as much as 10 percent of the spending in any one year. This is a bricks and mortar provision.

Also with respect to the area that we are taking this out of, it is not contract renewals, it is an amendment provision where we will still leave enough money in this area that it is over the 1996 appropriated level.

I also would like to note within this contract renewal portion, last year HUD received $4.4 billion. In the end, they rescinded, because it was unspent, $477 million, meaning that their guess was off by over 10 percent. We are asking for $140 million to help our most vulnerable citizens, our seniors, the elderly and the disabled. It seems entirely appropriate, given the fact that these numbers have been off by this extent, that this modest amendment is supported.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, the gentlemen who are the chairman and ranking member, the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES], have a difficult time with this balancing of appropriation matters. There is no doubt about it. I am almost always in agreement with them. This time I am not in agreement with their priorities. I speak as vice chairman of the authorizing subcommittee. I would like to mention a few things about the recent funding pattern.

Let us take a look at the housing for the seniors, which is one of the two components of the Lazio amendment. In fiscal year 1995, the funding was $1,279,000,000. Rescission took it down to $857 million. Then, in fact, the administration came forward for fiscal year 1997 at a suggested $595 million which is, I think, consistent with what the subcommittee has in the legislation.

That is less than half of the prerescission amount of fiscal year 1995, a dramatic reduction. The same sort of general trend is apparent in the housing for disabled persons. It was $387 million in fiscal year 1995, reduced by rescission to $259 million. Now the administration is requesting $174 million, a figure that is included in the recommendations found in this legislation. Again, that is less than half of the prerescission amount of 1985.

Mr. LEWIS and the staff have said that the cut in housing for elderly is justified and they point to the President's budget justifications. According to the President, we should cut funding for senior and disabled housing because HUD last year did not spend all of the money it was allocated. I think that is unacceptable. I refuse to let the administration punish the elderly and the disabled families simply because HUD bureaucrats cannot do their job quickly enough. If you take a look at the notices for funding availability, that was the problem. The nonprofits are out there available to spend the funds, as I understand it.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I asked the gentleman to yield because I very much appreciate the point that he is making. There is not any question that one of our great frustrations is that there are lines waiting for elderly housing. Yet there is no doubt that the administration and this department have not been able to obligate these moneys over time. In the meantime, because you serve on the authorizing committee, you know full well it takes time to deliver those programs, but the section 8 crisis is not waiting. It is catching up with us, and sooner or later, we have to pay the piper. That crisis is going to put real pressure on seniors who are receiving services.

Mr. BEREUTER. Mr. Chairman, I agree with half of what the gentleman said, the problem with respect to the elderly and disabled programs. But, of course, the gentleman from New York is proposing that the offset come from the annual contributions for assisted housing. That is the very important program that funds section 8 contract renewals and section 8 amendments. But the expenditure patterns for that program are also among the most unclear.

For all practical purposes, the President's budget in this area is nothing but a guess. Last year, for example, here it parallels the disabled and senior housing situation, HUD received 4.4 billion for contract renewals. They rescinded 477 million. Why did they do that? Well, they were off 10 percent from the total amount, and they rescinded it because they were not spending in this program either. So maybe there is just the same kind of inefficiency in the section 8 related programs as well.

This year the committee is proposing more money which means there is even a greater level of uncertainty. If they had to rescind it 477 million over one-tenth of what they appropriated last year for this program where Mr. LAZIO is taking the money, I suggest to Members, they are no more likely to use the funds in section 8 programs than they did last year.

For these and other reasons, I reject the administration's recommendations that we downsize so dramatically over a 2-year period of time the funds that are available for disabled housing and for senior citizen housing. I urge my colleagues to support the Lazio amendment.

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

Mr. BEREUTER. I yield to the gentleman from Massachusetts.

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

Mr. Chairman, I rise today in support of the amendment offered by my good friend from New York which would increase elderly housing assistance by $140 million. My support is not intended to in any way diminish the excellent job Chairman LEWIS has done in developing this bill but simply to give more priority to our senior citizens.

These additional funds will reverse some of the reductions that have been proposed for senior citizens at the same time their population is increasing at a double-digit pace.

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 1 additional minute.)

Mr. BEREUTER. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. BLUTE].

Mr. BLUTE. Mr. Chairman, the amendment will mean that an additional 2,000 units of elderly housing will be built which translates into tens of thousands helped over the life of the buildings and will give more of our parents and grandparents the ability to live with peace of mind.

This Congress, under the leadership of Chairman LAZIO, has taken strong actions to protect seniors and others in senior housing. This Congress has ended the unwise policy of mixing seniors with drug and alcohol abusers. Senior housing is becoming safer and seniors are returning in large numbers.

At this time, we need more housing opportunities for seniors, not less. I urge my colleagues to approve the Lazio amendment. We cannot afford to shortchange our senior citizens at a time of increasing need.

Mr. BEREUTER. Mr. Chairman, I thank the distinguished gentleman for his comments.

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

Mr. Chairman, I wonder if I could ask the chairman of the authorizing committee, Mr. LAZIO, if he would have a colloquy with me.

I have looked at your amendment very closely and very carefully. I think I understand what the gentleman is trying to do and, in fact, I am in sympathy with what he is trying to do.

At the same time, I have some very mixed feelings about us taking money out of one housing account and moving it over to another housing account. That is, removing it from an account that helps the poorest of the poor, and moving it over to another program for the poor and the elderly. Obviously, that really is no real decision for any of us. It creates an atmosphere opposite of the bipartisan approach between the chairman of the committee and myself, and the spirit in which we are trying to move. At the same time, it creates a problem for me to see the authorizing committee and the appropriations committee chairmen at loggerheads, when I know that both of you are really concerned about the same issues and the same type of people, and wanting to help them.

I am just wondering, in the spirit of comity and the spirit of bipartisanship that we are trying to establish here, if this is not the type of amendment that you might want to consider withdrawing. Chairman LEWIS and I, in conference and working along with you, can then see if we can work out this problem rather than create the kind of divisiveness that is going to occur over a vote.

I can already see this amendment lining up for many good Members in this House, who do not want to be on either side in a case like this. It really is no decision for us. I am just wondering if that is something we could ask the gentleman to consider.

Mr. LAZIO of New York. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from New York.

Mr. LAZIO of New York. Mr. Chairman, I greatly respect and appreciate and am gratified for the level of comity that you have not just with the chairman of the subcommittee but also with all of us.

If this were a matter of something personal in nature, I would be very glad to give it up in order to further that comity. But there is something deep inside, when we talk about the disabled, people who are mentally disabled, people that are physically challenged, people that are quadriplegic, people that were formerly in institutions that we now have the ability to give permanent housing solutions for, that we must meet.

□ 2145

If we do nothing else, we ought to be doing this. If I thought it was politically expedient, that we can take from some of the other accounts, and we just saw the last amendment go down, I would not have selected from this housing account. But of the choices that I thought were politically feasible in order for us to honor what I consider my personal obligation as a public official to the very people that I come to this body to serve, the people who do not have the ability to speak for themselves, the elderly, the people who struggle, the disabled, I feel it is my duty to try and press for this so that we meet our obligation.

Now, I am not asking for more money, I would say to my distinguished colleagues. I am asking just to go back to our 1996 levels, and not even fully there; only 50 percent of our 1996 levels, which I think is an incredibly moderate view in terms of restoring a very small amount of funds for the most vulnerable people in our population.

Mr. STOKES. Mr. Chairman, I thank the gentleman from New York [Mr. LAZIO] for his reply, and I appreciate very much the personal perspective from which he is coming.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I appreciate very much my colleague from Ohio [Mr. STOKES], yielding. The point that was made in the appeal is very much to the heart of our frustration here. There is no doubt our purpose is to try to flexibility provide adequate housing for a cross-section of people who are the poorest of the poor in our society, and at the same time we have great difficulty with a growing aging population and the like. The item that is very difficult to get across, for these are complex areas, is that in that section of our housing programs known as section 8 multifamily housing, in the past we have set up a process that almost leads those who are trying to serve for a fall. We originally encouraged people to build these facilities on 40-year contracts, on 40-year mortgages, and yet in the meantime people signed up with 40-year contracts in order to delay the foundation for paying those mortgages. Those contracts are coming due, and as a result of that there is a huge escalation of cost in those programs, and, as those costs increase, it puts pressure on HUD's ability to meet their contracts and their obligations with housing authorities, et cetera, et cetera. And unless they are able to meet those obligations, they could very well push the people who are currently living, currently served, in those——

The CHAIRMAN. The time of the gentleman from Ohio [Mr. STOKES] has expired.

(On request of Mr. LEWIS of California, and by unanimous consent, Mr. STOKES was allowed to proceed for 2 additional minutes.)

Mr. STOKES. Mr. Chairman, I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, we could push those people out on the street, and remember that 40 percent of those very people living in those facilities, beyond being among the poorest of the poor, are also elderly and disabled, and we cannot find ourselves in that position.

But earlier I discussed with the chairman the feasibility of our trying to make changes in the difficulties with section 8, and he asked us to let the authorizing committees have a short, and frankly we are going to have an amendment here that takes out any language that relates to that to respond to that. But there is little doubt that next year we will be here at this time talking about the 1998 bill, and the costs will have escalated because it takes time to get that kind of work through the authorizing process.

So it is the elderly and the disabled who are going to be hurt either way, and frankly the people who are currently being served are the ones at greatest risk, and it concerns me that we must protect that population being served first.

Mr. STOKES. Reclaiming my time, Mr. Chairman, let me just say that I think we all knew that one day the chickens were going to come home to roost in terms of this section 8 assisted housing account. I knew it when I was chairman and was utilizing that account to help some parts of the budget, and the gentleman has had to do the same thing. Of course, I know that the gentleman from New York [Mr. LAZIO] realizes that when he goes back into the same account. In 1998, when we have to find $10 billion and to try to help poor people find housing, we are all going to be confronted with a real problem.

Mr. LAZIO of New York. Mr. Chairman, will the gentleman yield?

Mr. STOKES. I yield to the gentleman from New York.

Mr. LAZIO of New York. Mr. Chairman, I just wanted to point out once again that what we are talking about is not contract renewal account. We are targeting the offset to the amendments area, which is a distinct area within the contract renewal. There is no effect on our ability to fund contract renewals going forward, and of course I understand this dramatic problem within the context of our market-to-market issue.

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

Mr. Chairman, this is a visionary amendment. This represents two of the most sensitive populations that we in Congress have to be understanding for and represent, and that would be the seniors and disabled. There is not a Republican or Democratic issue. It is a people's issue. We need to work together. The Lazio amendment will mean more housing for American families who need it: 2000 new units of elderly housing and housing for disabled.

Our senior population, as my colleagues have heard previously, is growing at an enormous rate, already in double digits and getting higher every year. Accordingly, we need to increase senior housing opportunities. We only have to look to the American Association for Homes and Services for the Aging and find that in their discussion to Congress about this legislation they support strongly the Lazio bill because it will restore $235 million to the section 202 program.

Then look into the Consortium for Citizens with Disabilities. They say we need to have the $84 million in the section 811 for the disabled. It is significant to note that the continuing depletion of our Nation's low-income housing stock and the growing need for tenant-based rental assistance nationwide shows that there must be a Federal priority to help low-income Americans obtain decent safe affordable and accessible housing.

People with disabilities face even more desperate housing situation and stand to face a chronic problem of inadequate housing and increased homelessness for the foreseeable future without greater priority being placed on housing assistance. People with disabilities want the opportunity to live and work in their communities, and housing is the cornerstone for that independence. If a person has access to decent, safe and affordable housing, then he or she can concentrate on education, job training, and thereby empower themselves to become working and taxpaying citizens and thus more integrated into lives of the communities.

So I think for the reasons of the seniors and for disabled, the Lazio amendment is one that we should all support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LAZIO].

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

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

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from New York [Mr. LAZIO] will be postponed.

The point of no quorum is considered withdrawn.

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman. Mr. Chairman, I will only take about 1½ to 2 minutes.

I would ask my colleagues on the other side, how many of them when they were children themselves or when they raised their own children bought these little vinyl venetian blinds. Remember looking through the windows and popping them down and looking through, and even at times our own kids would sit there and chewed on these things as they were looking out the window?

Well, we all know that lead is poisonous to children, and a new study by the Consumer Product Safety Commission and the Window Covering Safety Council determined that when these vinyl blinds deteriorate that there is lead poisoning that affects children, and we did not expect it. It is going to take some money to replace them, and apparently almost every set of these inexpensive vinyl miniblinds in America today deteriorates into dust which contains lead.

Lead dust is poisonous to young children, and Americans have installed over a hundred million sets of these particular blinds. The CPSC recommends that these blinds be removed in homes with children of age under 6.

Today, as we consider this appropriation through the leadership of the gentleman from California [Mr. LEWIS], these appropriations help make housing and home ownership affordable and available for Americans. The VA subsidizes home mortgages, and I have been through that program myself, and HUD helps low- and middle-income Americans buy homes through FHA loans and rent housing through section 8.

Mr. Chairman, this Congress should urge CPSC and work together with HUD–VA mortgage and combat the potential hazard that lead and vinyl miniblinds may have to many young children. We should direct particular attention to low-income housing.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, first let me say I very much appreciate the interest of the gentleman from California [Mr. CUNNINGHAM] in this very important subject area. I appreciate also or as well his commitment to America's children.

I agree that our Federal agencies should cooperate with one another and with State and local governments to continue fighting lead contamination in homes with children. We all know about lead-based paint, and we have taken action against it through public information campaigns and the HUD office of lead-based paint. Furthermore, all consumers have a responsibility to take informed and appropriate action against this new lead hazard of vinyl miniblinds, and in many cases these miniblinds can be replaced for about $10 per window. In the interests of our children's health, I agree that the CPSC should work to keep the Nation's housing agencies informed about this issue, to stay in close cooperation with them and to help end lead poisoning among America's children.

The CHAIRMAN. Are there further amendments to this paragraph?

If not, the Clerk will read.

The Clerk read as follows:

HOUSING FOR SPECIAL POPULATIONS: ELDERLY AND DISABLED

For capital advances, including amendments to capital advance contracts, and for project rental assistance and amendments thereto, for Supportive Housing for the Elderly under section 202 of the Housing Act of 1959, as amended, $595,000,000, to remain available until expended.

For capital advances, including amendments to capital advance contracts, and for project rental assistance and amendments thereto, for Supportive Housing for Persons with Disabilities under section 811 of the Cranston-Gonzalez National Affordable Housing Act, $174,000,000, to remain available until expended, of which 25 percent shall be used for tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437(o)), in addition to any other amounts available for section 8(o).

The Secretary may waive any provision of section 202 of the Housing Act of 1959 and section 811 of the Cranston-Gonzalez National Affordable Housing Act (including the provisions governing the terms and conditions of project rental assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND

(INCLUDING TRANSFER OF FUNDS)

From the fund established by section 236(g) of the National Housing Act, as amended, all uncommitted balances of excess rental charges as of September 30, 1996, and any collection during fiscal year 1997, shall be transferred, as authorized under such section, to the fund authorized under section 201(j) of the Housing and Community Development Amendments of 1978, as amended.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z–1) is reduced in fiscal year 1997 by not more than $2,000,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts.

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

For tenant-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), as amended, $166,000,000, to remain available until expended: *Provided,* That of the total amount provided under this head, $50,000,000 shall be for nonelderly disabled families relocating pursuant to designation of a public housing development under section 7 of such Act: *Provided further,* That the remainder of the amount provided under this head shall be used only for housing assistance for relocating residents of properties (i) that are eligible for assistance under the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA) or the Emergency Low-Income Housing Preservation Act of 1987 (ELIHPA) in accordance with the terms and conditions of the tenth and eleventh provisos of the second undesignated paragraph under the head ''Annual Contributions for Assisted Housing'' in Public Law 104–134; (ii) that are owned by the Secretary and being disposed of; (iii) for which section 8 assistance is allocated under subsection (f) of section 204 of this Act (relating to portfolio reengineering); or (iv) subject to special workout assistance team intervention compliance actions: *Provided further,* That notwithstanding any other provision of law, a public housing agency administering certificate or voucher assistance provided under subsection (b) or

(o) of section 8 of the United States Housing Act of 1937, as amended, shall delay for 3 months, the use of any amounts of such assistance (or the certificate or voucher representing assistance amounts) made available by the termination during fiscal year 1997 of such assistance on behalf of any family for any reason, but not later than October 1, 1997, with the exception of any certificates assigned or committed to project-based assistance as permitted otherwise by the Act, accomplished prior to the effective date of this Act: *Provided further,* That section 8(c)(2)(A) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437f(c)(2)(A)) is further amended—

(1) in the third sentence by inserting ''and fiscal year 1997'' after ''1995''; and

(2) in the last sentence by inserting ''and fiscal year 1997'' after ''1995''.

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies and Indian housing authorities for operating subsidies for low-income housing projects as authorized by section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,850,000,000.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund program under the United States Housing Act of 1937, as amended (42 U.S.C. 1437), $2,700,000,000, to remain available until expended, of which $2,415,000,000 shall be for modernization of existing public housing projects; $200,000,000 for Indian Housing Development; $50,000,000 for grants to public housing agencies (including Indian housing authorities), nonprofit corporations, and other appropriate entities for a supportive services program to assist residents of public and assisted housing, former residents of such housing receiving tenant-based assistance under section 8 of such Act, and other low-income families and individuals, principally for the benefit of public housing residents, to become self-sufficient; $20,000,000 for technical assistance for the inspection of public housing units, contract expertise, and training and technical assistance directly or indirectly, under grants, contracts, or cooperative agreements, to assist in the oversight and management of public and Indian housing (whether or not the housing is being modernized with assistance under this proviso) or tenant-based assistance, including, but not limited to, an annual resident survey, data collection and analysis, training and technical assistance by or to officials and employees of the department and of public housing agencies and to residents in connection with the public and Indian housing program or for carrying out activities under section 6(j) of the Act; $10,000,000 for the Tenant Opportunity Program; and $5,000,000 for the Jobs-Plus Demonstration for Public Housing families: *Provided,* That all obligated and unobligated balances as of the end of fiscal year 1996 heretofore provided for the development or acquisition costs of public housing (including public housing for Indian families), for modernization of existing public housing projects (including such projects for Indian families), for public and Indian housing amendments, for modernization and development technical assistance, for lease adjustments for the section 23 program, and for the Family Investment Centers program shall be transferred to amounts made available under this heading.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VII)

For grants to public housing agencies for assisting in the demolition of obsolete public housing projects or portions thereof, the revitalization (where appropriate) of sites (including remaining public housing units) on which such projects are located, replacement housing which will avoid or lessen concentrations of very low-income families, and tenant-based assistance in accordance with section 8 of the United States Housing Act of 1937; and for providing replacement housing and assisting tenants to be displaced by the demolition, $550,000,000, to remain available until expended, of which the Secretary may use up to $2,500,000 for technical assistance, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the Department and of public housing agencies and to residents: *Provided,* That, notwithstanding any other provision of law, the funds made available to the Housing Authority of New Orleans under HOPE VI for purposes of Desire Homes, shall not be obligated or expended for on-site construction until an independent third party has determined whether the site is appropriate.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

(INCLUDING TRANSFER OF FUNDS)

For grants to public and Indian housing agencies for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901–11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, $290,000,000, to remain available until expended, $10,000,000 of which shall be for grants, technical assistance, contracts and other assistance training, program assessment, and execution for or on behalf of public housing agencies and resident organizations (including the cost of necessary travel for participants in such training), $5,000,000 of which shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home program administered by the Inspector General of the Department of Housing and Urban Development, and $5,000,000 of which shall be transferred to the Office of Inspector General for Operation Safe Home: *Provided,* That the term ''drug-related crime'', as defined in 42 U.S.C. 11905(2), shall also include other types of crime as determined by the Secretary.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739), $3,000,000: *Provided,* That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $36,900,000.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

(INCLUDING TRANSFER OF FUNDS)

For grants to States and units of general local government and for related expenses, not otherwise provided for, to carry out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301), $4,300,000,000, to remain available until September 30, 1999, of which $61,400,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of the Act: *Provided,* That $2,100,000 shall be available as a grant to the Housing Assistance Council, $1,000,000 shall be available as a grant to the National American Indian Housing Council, and $49,000,000 shall be available for grants pursuant to section 107 of such Act, including up to $14,000,000 for the development and operation of a management information system: *Provided further,* That not to exceed 20 percent of any grant made with funds appropriated herein (other than a grant made available under the preceding proviso to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974, as amended) shall be expended for ''Planning and Management Development'' and ''Administration'' as defined in regulations promulgated by the Department: *Provided further,* That for fiscal year 1997 and thereafter, section 105(a)(25) of such Act, shall continue to be effective and the termination and conforming provisions of section 907(b)(2) of the Cranston-Gonzalez National Affordable Housing Act shall not be effective: *Provided further,* That section 916(f) of the Cranston-Gonzalez National Affordable Housing Act is repealed.

Of the amount made available under this heading, notwithstanding any other provision of law, $20,000,000 shall be available for youthbuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading.

Of the amount made available under this heading, notwithstanding any other provision of law, $60,000,000 shall be available for the lead-based paint hazard reduction program as authorized under sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992.

Of the amount made available under this heading, $40,000,000 shall be available for Economic Development Initiative grants as authorized by section 232 of the Multifamily Housing Property Disposition Reform Act of 1994, Public Law 103–233, including $11,000,000 of the foregoing amount shall, notwithstanding any other provision of law, be used for Economic Development Grants in accordance with the terms and conditions specified for such grants in the Report accompanying this Act.

AMENDMENT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS of California: ''On page 30, strike lines 9 through 17 in their entirety.''

Mr. LEWIS of California. Mr. Chairman, this amendment eliminates the set-aside within CDBG'S account for the Secretary's economic development initiative known as EDI. Taking this action does not reduce the CDBG account, but rather it will eliminate the set-aside for this particular program, making more funds available on a more flexible basis for CDBG.

I have decided to take this action knowing that several Members intend to amend the committee's recommendations to identify specific EDI grants. Let me explain the recommendations of the committee.

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Mr. Chairman, the economic development initiatives program allows the Secretary of HUD to choose awardees based on the following competitive criteria: The extent of the need for the assistance, the level of distress in the

community, the quality of the plan, and the capacity of the applicant to carry out the plan. Each of the programs selected by the committee for special EDI grants meet these criteria.

Furthermore, activities planned in special EDI grants meet the objectives of the EDI program, including the creation of jobs, the revitalization of neighborhoods, leveraging private investment from partners at local levels, and providing opportunities for low-income youth and families. The only substantive difference between the special EDI grants identified in the committee report and the regular EDI grants is who chooses the recipient, the Secretary or the Congress.

Therefore, if the choices of the Congress are considered pork, clearly it is only fair that the Secretary's choices must be pork as well, and the entire set-aside should be eliminated. Eliminating the EDI set-aside within CDBG accounts will have the effect of making $40 million more available for the CDBG program rather than the special awardees chosen by the Congress or the Secretary.

Mr. Chairman, what I am attempting to avoid here is that there are a number of Members who are looking at individual projects that are selected by the Congress and the committees and suggesting that they are pork. Frankly, we have evaluated them, they meet the criteria, and so on, but I can understand where Members are coming from.

So it is our choice, then, instead to go back and say, let us put all of this into the CDBG pool, take the whole $40 million, and not have it be part of that account. And incidentally, that sets aside the need for 5 or 7 or 8 or 10 amendments here on the floor, both in the interests of time, but also putting it back into the CDBG pool with some flexibility seems to me to meet at least the intention of those Members who are concerned about the question of pork.

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

Mr. Chairman, I first would like to begin by stating that I and several other Members who have been active in looking for earmarks that might violate some of the principles we have used in this body would like to applaud the chairman of the committee, the gentleman from California [Mr. LEWIS] for his action. We respect his decision, and will not offer, obviously, any of the amendments that we had anticipated offering.

Mr. Chairman, I would like to briefly engage the chairman in a colloquy with respect to his action. It is my understanding, I would say to the gentleman from California [Mr. LEWIS], that as a result of his amendment, which I expect will be adopted, that the projects identified in the report language, which the gentleman has indicated meet the criteria in the statute, will compete with projects from other States across the Nation and other communities across the Nation, so that it would truly be a level playing field at that point in time with respect to all projects being proposed by communities for this particular type of funding.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I would say to the gentleman that if any of those projects were proposed within the CDBG pool, they would have to meet the criteria and be a competitor in that mix. But, frankly, we are attempting to avoid the controversy here of pulling out individual projects and suggesting they might be bad, and if a vote went against them, then they not only would not fare well in that competition, they might very well be set aside entirely.

Mr. MINGE. So the fact that these eight projects are listed in the report language does not, as to the gentleman's understanding of the situation, after the amendment is adopted, provide these eight projects with some type of special status?

Mr. LEWIS of California. We are striking all that language. They will not be a part of this report or this bill as it goes forward.

Mr. MINGE. So even that portion of the report language——

Mr. LEWIS of California. The report does not change, this is the legislative language.

Mr. MINGE. It is the bill language that is being deleted?

Mr. LEWIS of California. That is correct.

Mr. MINGE. Mr. Chairman, going back to my question, the effect of deleting these lines in the bill would mean that these projects identified in the report language would at that point compete with projects from other districts, other States throughout the country, on a level playing field or equal basis, is that correct?

Mr. LEWIS of California. Mr. Chairman, If the gentleman will yield further, I would say, in theory, yes. I must say that with our history around here relative to departments and report language, they might even be a bit disadvantaged.

Mr. MINGE. Or they might be advantaged.

Mr. LEWIS of California. Possibly. But, frankly, I have a feeling that under this scenario, if it is put back in this pool and they do meet the criteria, and we believe that they do, then they would be on a level playing field.

Mr. MINGE. I thank the gentleman very much. I would like to thank the gentleman for his statesmanship in taking this action.

Mr. LEWIS of California. I certainly appreciate the gentleman's expression, and I hope that he will be supporting this amendment.

Mr. MINGE. I shall.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LEWIS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the cost of guaranteed loans, $31,750,000, as authorized by section 108 of the Housing and Community Development Act of 1974: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,500,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974. In addition, for administrative expenses to carry out the guaranteed loan program, $675,000 which shall be transferred to and merged with the appropriation for salaries and expenses.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), as amended, $1,400,000,000, to remain available until expended: *Provided,* That $21,000,000 shall be available for grants to Indian Tribes: *Provided further,* That up to 0.5 percent, but not less than $7,000,000, shall be available for the development and operation of a management information system: *Provided further,* That $15,000,000 shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968.

HOMELESS ASSISTANCE FUNDS

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77), as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), $823,000,000, to remain available until expended.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), $171,000,000, to remain available until expended: *Provided,* That any amounts previously appropriated for such program, and any related assets and liabilities, in the ''Annual contributions for assisted housing'' account, shall be transferred to and merged with amounts in this account.

AMENDMENT OFFERED BY MR. SHAYS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment number 46 offered by Mr. SHAYS: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT-HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS'', after the dollar amount, insert the following: ''(increased by $15,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION-MISSION SUPPORT'', after the last

dollar amount, insert the following: ''(reduced by $15,000,000)''.

Mr. SHAYS. Mr. Chairman, my staff sent me here a number of hours ago in anticipation of this amendment, and I realized I was here a little earlier than I needed to be, but it was a hard place to leave. There is some tranquility here that I have not seen in quite some time. It was enjoyable, frankly, to listen to the competence of the chairman in this committee and to hear the debate and dialogue that took place among a number of Members, and the competence, I might say, of the now ranking member.

Mr. Chairman, this amendment was introduced by myself and my colleagues: my neighbor, the gentlewoman from New York, Mrs. LOWEY; the gentlemen from New York, Mr. LAZIO and Mr. SCHUMER; the gentleman from Wisconsin, Mr. GUNDERSON; the gentlewoman from Connecticut, Mrs. KENNELLY; the gentleman from California, Mr. HORN; the gentleman from Massachusetts, Mr. STUDDS; the gentlewoman from California, Ms. PELOSI; the gentlemen from New York, Mr. BOEHLERT and Mr. NADLER; and the gentleman from Illinois, Mr. FLANAGAN.

What this amendment does is it increases the housing for people with AIDS from $171 million to $186 million, which was the pre-rescission amount that we had in our budget in 1995. To pay for the increase, the $15 million increase, and I just would hasten to point out, it is a very modest amendment, one that almost would make me feel that the chairman of the subcommittee might want to endorse it; but it is $15 million taken from the mission support account of NASA, which will go from $2,562,000,000 to $2,547,000,000. The account for this mission support is $113 million more that the House had in the fiscal year 1997 authorization levels, so the authorization level is $113 million less than what is in this budget.

Our concern, Mr. Chairman, is for housing for people with AIDS. The number of people who are HIV-positive with AIDS is growing. We have 10 additional jurisdictions, and as some may know, we fund 90 percent of the HOPWA money by providing funds based on 115 cases per 500,000 people.

As more people are HIV or have AIDS, the number of demands on this limited money is resulting in those that have had money in the past are actually experiencing cuts. So while we are freezing this at $171 million, by the chairman's attempt, there will be cuts unless we add $15 million, and we are hoping that the full House will act favorably on this. We think it is a modest amendment. We hasten to point out that the daily cost for persons with AIDS in acute care facilities is $1,085, and that the daily cost of community housing under the HOPWA grant ranges from about $40 to $100 a day.

Mr. Chairman, one-third to one-half of all people with AIDS are either homeless or in imminent danger of losing their homes. It is estimated that 15 percent of all homeless people are in fact HIV-positive. I just cannot emphasize enough, we are fairly modest in our approach to helping people with AIDS. We obviously are doing research. We have services. But what we spend to give people who are HIV-positive or have AIDS a place to live, I just cannot emphasize the extraordinary need to do this.

There is a McKinney home that is run by the Whitman-Walker organization that has six families. If Members can just visualize those six families, those six families tend to be a mother and her children. Her children in most cases do not have AIDS, are not HIV-positive, but the mother is. The mother knows that she is going to die. She knows she is going to die. With her in the home is the new mother for her children. This is the kind of expenditure that the HOPWA funds go, to help that mother live in an environment for the rest of her very short life to usher in and help her children grow and meet their new mother, and it is a beautiful program. There are a number of programs throughout the country where we have people really dedicated to helping extend a loving hand to those who simply need a place to stay, a place to call home.

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

Mr. Chairman, we are offering this amendment today to add badly needed funding to the Housing Opportunities for Persons with AIDS program.

Our amendment will increase funding for HOPWA to the pre-rescission fiscal year 1995 level, only a $15 million increase over what is currently in the bill. This increase will provide housing opportunities to over 4,000 individuals and families living with AIDS around the country. More than 4,000 people who would otherwise be put out onto the streets.

And make no mistake, the cost to society of throwing these people out onto the streets is far greater than the cost of providing them with housing. It should come as no surprise that individuals without housing will turn to hospitals and American taxpayers will foot the bill. The average cost of hospital care for people with AIDS is between 10 and 20 times the cost of home care. The HOPWA program saves $47,000 per person per year in emergency health care costs.

Mr. Chairman, the HOPWA program has been funded at the same level since fiscal year 1995, but more than 20 communities have become eligible for these funds since that time. That translates into a 23 percent decrease in funds available for communities that received HOPWA grants before fiscal year 1995.

Up to 60 percent of Americans living with AIDS are either homeless or in imminent danger of losing their homes. It is estimated that while someone can live for 10 years with AIDS, the life expectancy for a person with AIDS who is homeless is 6 months. The HOPWA program will save money, keep families together, and extend lives.

AIDS is a public health emergency, and we should treat it that way. The HOPWA program is cost-effective and humane. I urge my colleagues to support this reasonable amendment.

Mr. LEWIS of California. Mr. Chairman, I rise with very, very great reluctance to oppose this amendment, and I want to take a moment to explain to my colleagues my involvement with issues such as this over a number of years.

I am not sure that many of the Members realize this. Some may recall. But I was a new and greenhorn Member in the House in 1980 when I carried a resolution around the House seeking signatures from Members on both sides of the aisle. It had to do with promoting fundamental research on a new problem that society was just beginning to recognize, a thing called AIDS. Virtually every one of my friends and colleagues on both sides of the aisle said, you want to do what? Because nobody knew what the problem was in those days. That was the first resolution on this issue.

As a new member of this subcommittee, I was the member who put the first dollars, and it was only $200,000 then, in for AIDS research in this subcommittee. I have a grave concern with where we have been and where we need to go in this whole subject area. Indeed, housing for people who are impacted by this incredible problem, as well as challenge to our society, deserve and need our support.

But one more time, we are talking about very difficult funding levels and balancing programs that are very important. How do you balance? These programs spend out at about 3 percent to 4 percent a year. The money we are talking about shifting here impacts, in real terms, very little in terms of next year or even the year after that for people who are currently dealing with the problem of AIDS. Indeed, we do need balance between these accounts. I cannot recommend that we take x dollars from an elderly account and give to AIDS, or HOPWA, if you will. We have tried to provide funding that we could adequately use in a timely fashion and be as responsive as possible.

□ 2215

The funding for the HOPWA programs is at the President's request, and indeed, we did a lot of analysis of that, attempting to see if we were being as responsive as possible.

I urge the Members to recognize that we are moving forward in a fashion that is an attempt to be both responsive and responsible, and because of that, I urge the Members to vote no on the amendment.

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

Mr. Chairman, I rise tonight in strong support of the amendment offered by Representatives Shays and Lowey.

Mr. Chairman, I represent Marin and Sonoma Counties in California, an area which has one of the highest rates of HIV for a rural/suburban area in the Nation.

To respond to this number, Mr. Chairman, both Marin and Sonoma Counties have mounted an aggressive and compassionate response to the AIDS epidemic—a response that is truly a model for the Nation. By building a network among friends; schools; community organizations; and health care providers, the people and local government of Sonoma and Marin are doing their best to provide quality care to people with HIV and AIDS and for their families.

But the community can't do it alone. They need Federal resources to help them meet the growing demands due to this terrible disease, they especially, need help for one of the most basic of necessities—shelter.

At any given time, because of discrimination; lost wages or medical expenses, up to 60 percent of persons with HIV and AIDS are either homeless or in imminent danger of losing their homes.

That's where the Housing Opportunities for People With AIDS program, or HOPWA, steps in.

By providing housing, HOPWA improves the quality of life for people with AIDS and reduces unnecessary hospitalizations and expensive emergency health care services.

In my district, 94 households including 9 with children, have benefited from this program, but there are many more who need help.

That's why it is crucial that this body approve this modest increase of $15 million for HOPWA. While not nearly enough to meet the growing demand for housing, this amendment will at least provide housing and services to an additional 4,000 individuals and their families.

Last year, when my district received a HOPWA grant, the local director of the HOPWA program said that he would be really happy if someone came up with a cure for AIDS and they got rid of his job tomorrow.

How we all share those same feelings. How we all wish we could find a vaccine or cure for this terrible disease.

Unfortunately, we are not there yet—the number of AIDS cases has increased by almost one-third since 1995, and the cities and States qualifying for HOPWA funds have increased by 23 percent.

Clearly, the need for housing assistance for people with AIDS is growing. The need is crucial.

Just ask a man (with HIV) in my district; a man who is counting on HOPWA funds so he can concentrate on his health instead of worrying about his rent; ask the family of five in Marin County who used HOPWA funds to move from their tiny one bedroom apartment to a larger one; sadly you can't ask my best friend's son who died from AIDS last year at the age of 33. But, his family and friends will tell you that he lived a longer and fuller life because of the high quality of care and housing he had.

In memory of him and for the thousands of Americans who are living with this disease let's show this Nation that we at least have enough compassion to provide one of the most vulnerable groups in our Nation—people with HIV and AIDS—with the most basic of necessities—a home!

I strongly urge my colleagues to vote for the Shays-Lowey amendment, and to support this modest increase in funding for housing for persons with HIV and AIDS.

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

I am sorry to disagree with my good friend, the floor manager of this bill, who I regard as probably one of the ablest leaders in this Chamber.

Mr. Chairman, I rise in strong support of this deficit-neutral amendment for additional funding for housing opportunities for people with aids. HOPWA—as it is called—is one of the Housing and Urban Development [HUD] programs that work. This amendment would provide for a modest increase to HOPWA funding, restoring the program's appropriation to the prerescission fiscal year 1995 level. Such an increase is more than justified. HOPWA is an excellent example of what good the Federal Government can do when it combines compassion with common sense.

But this amendment is not only justified, it is absolutely necessary. Because of the continued rise of the AIDS epidemic, more than 10 additional jurisdictions will become eligible for HOPWA assistance in the next fiscal year. If we do not restore HOPWA funding to the 1995 prerescission level, the HOPWA grants for 34 States will be cut in the next fiscal year. The Los Angeles-Long Beach area, one of the metropolitan areas hardest hit by the AIDS crisis, has already seen sharp reductions in HOPWA funding. This year's grant for the Los Angeles-Long Beach area totaled nearly $8 million, and that represented a cut of nearly $1 million from the 1995 postrescission level. That cut came after the 8-percent across-the-board cut the program took in the 1995 rescissions. Further cuts next year will severely strain the already-overburdened Los Angeles-Long Beach area health care system while sapping the strength of one of our best weapons in the fight against AIDS.

This program combines fiscal prudence with effective compassion. Stable housing is a key to the survival of a person with AIDS. Without a good, stable place to live, AIDS patients are more likely to die prematurely because it becomes extremely difficult to give them the care and treatment they need. But up to 60 percent of all people with AIDS in the United States are either already homeless or in imminent danger of becoming homeless. HOPWA provides a cost-savings way to care for such people. Without the funding provided for in this amendment, people with AIDS will become homeless or will be admitted to emergency rooms. It costs $1,085 per day to care for a person with AIDS in an emergency care facility. It costs between $40 and $100 per day to provide housing and services in a HOPWA-funded residential facility. HOPWA is a cost-effective alternative to hospitalization. Also, HOPWA is administered at the local level, so that the fight against AIDS is led by the people who know it best, not by Washington bureaucrats. This amendment will save money and reduce the cost of health care. I urge all my colleagues to support it.

Mr. Chairman, I urge very much that this deficit-neutral amendment be passed by my colleagues, and I hope that the chairman, in conference with the Senate, will make sure that this $15 million is added to the HOPWA budget. It is the least we can do to make up for inflation and also for what we did in 1995.

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

Mr. Chairman, I rise in strong support of the Shays-Lowey amendment, of which I am a cosponsor. This amendment will restore funding for the HOPWA Program, which is the only Federal housing program designed to address the housing crisis of the AIDS epidemic. This increase of $15 million will return HOPWA to its pre-fiscal year 1995 rescission level. Those added dollars will provide housing services for an additional 4,035 individuals and families living with AIDS, allowing them to improve the quality of their lives and gain access to life-extending care.

Although funding for this program has been level since fiscal year 1995, there has been a 23-percent increase in metropolitan areas and States qualifying for HOPWA funding. This increase has forced jurisdictions to compete for fewer and fewer dollars. Cities like my hometown of Hartford are receiving less HOPWA funding while their needs are increasing. In fact, in my home State of Connecticut, we lost over $100,000 in HOPWA funding in the last fiscal year, even though a new jurisdiction in the State became eligible for the formula grant program.

Connecituct is a leader in AIDS housing, at one time boasting the only Statewide AIDS residence coalition in the Nation. But even in a State that runs an effective AIDS housing program, the need for funding is great. In 1995, fewer than 150 out of 1,500 requests for housing were filled. The alternative for many of those denied housing is homelessness, something none of us should feel comfortable with.

Finally, let me talk about the cost of AIDS housing. The average cost of an acute care hospital bed for an AIDS patient is $1,085 per day. In Connecticut, the cost of scattered site AIDS housing is on average $35 per day, far cheaper

than the cost of acute care in a hospital.

The AIDS epidemic continues to grow. In Connecticut, the State budget for AIDS housing has grown from $150,000 in fiscal year 1988 to $1.3 million in the last fiscal year. HOPWA dollars supplement these State funds and pay for 35 to 40 percent of the costs associated with AIDS housing. The continued erosion of HOPWA dollars would therefore have a tremendous impact on the capacity to serve these needy people.

The Shays-Lowey amendment is deficit neutral. We would provide extra funding for HOPWA by shifting funds from NASA mission support. This bill provides mission support with $2.6 billion, even though the science bill this body passed last month authorized only $2.4 billion. In fact, this bill's appropriation for mission support is $60 million over the current fiscal year.

Our amendment preserves 75 percent of the funding increase from fiscal year 1996. It leaves mission support $100 million above the authorization level, and represents only a one half of one percent reduction in total mission support funding.

Like many of our colleagues, we support the work that mission support does in our space program. However, a multiagency appropriations bill like this one requires us to compare priorities and make tough choices. Our choice today is providing housing services for an additional 4,000 individuals and families immediately—or providing a small amount of extra money to an account that is already well above the authorization level.

I urge my colleagues to support the Shays-Lowey amendment, and to provide AIDS housing to those in need.

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

Mr. Chairman, I was somewhat hesitant to come down and talk on this subject, but I find myself as a physician who has cared for AIDS patients, who knows AIDS patients, that we are, through this amendment, perpetuating a mistake, a very major mistake in this country, and that is that we are focusing again dollars on AIDS, and we are missing the concept of AIDS prevention.

The fact is that we are going to spend $171 million on housing for AIDS patients this year. The fact is that this Government is going to spend $7.41 billion in 1996 on AIDS.

□ 2230

The reason we have the AIDS epidemic that we do today, the reason we have the increased numbers requiring AIDS housing is because we focused on the wrong thing. That is, HIV prevention. Until we refocus our efforts, until we redirect our dollars to preventing the infection in the first place, we are giving poor solace to those who will come after those that have been so unfortunately infected with this disease that we will see increasing numbers and we will have to have more numbers.

Prevention is the key to HIV. Prevention is the compassionate way to spend our Federal dollars so that we do not have another 4,000, 5,00, 50,000, 100,000, 200,00 people yearly coming down with AIDS as a complex and serious life-ending disease.

The reason it also is wrong is because today if we identify somebody who has just now become HIV positive, we have the drugs in our armamentarium to prevent them from becoming AIDS patients. We can now identify, if we choose to do so, people who are infected with HIV, and we can start treatments, that now the studies, the multiple drug treatments will tell us, that we will not have AIDS coming about.

We continue to perpetuate a wrong strategy as far as the HIV and AIDS epidemic. We need to start talking about HIV prevention; $171 million, that is never going to be enough to care for those people who have AIDS; $271 million is not going to be enough to care for those people who have AIDS. I think we should have more money for those people who have AIDS and need our assistance.

But we are perpetuating a decision-making process that is not going to help solve this problem. Until we recognize it, and unless we recognize it, then we will do a disservice, not to just those people who presently have AIDS but to those who eventually will have AIDS.

So I think it is very important that we look again at what we are spending and how we are spending it, and if we are going to increase funding in terms of the AIDS epidemic, any increase in funding ought to go toward HIV prevention and not additional AIDS housing.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. I appreciate, first of all, my colleague yielding, but more importantly his very sensitive and also thoughtful comments. The gentleman's professional background causes him to be especially aware of the challenges that we face out there relative to this difficulty in our society. It is not going to go away unless we deal with questions of prevention.

But let me, if you will, impose upon your time for a moment, and we will grant additional time so that you can round out your remarks, but the other side of this involves taking the money from the NASA accounts. It is awfully easy for some to put a program like HOPWA against NASA and presume it is not going to have any real effect on those programs.

The reality is that of all the agencies under my committee, one of those agencies that has worked the hardest and has done the best job of attempting to go about reinventing themselves, as we try to reinvent Government and have it work better, is NASA.

Within that effort, NASA has already reduced its full-time civil service work force from 24,000 to 21,000. They have a schedule that is a very serious schedule in terms of reducing personnel. But in the meantime, this funding would dramatically impact the personnel available in vital programs that relate to our space mission such as human space flight programs. At the core of this program is a series of contracts to construct communications satellites. A cut in this account could eliminate the cost savings associated with current fixed-price contracts.

The reality is that work is going on. It is very important work. It looks like an easy hit for some, but we have already trimmed them to such an extent that they are pushed against the wall. It is awfully important that we recognize that we are doing all that we can to balance these accounts, especially in programs like the NOPWA Program. Indeed, when one recognizes how much of that money is spent out per year, the $171 million of additional spending this year meets the challenge that the Department can handle.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. COBURN] has expired.

(On request of Mr. LEWIS of California, and by unanimous consent, Mr. COBURN was allowed to proceed for 2 additional minutes.)

Mr. COBURN. I take with some advice the gentleman's words and would agree with them to a great extent. But my main purpose for opposing this is to make us think about what we are doing. HIV–AIDS, except in very rare circumstances today, is an absolutely preventable disease. Absolutely preventable. As long as we fail to recognize that, as long as we ignore that, we will never solve this epidemic, no matter how much money we put at it, no matter how much money we put into drug research, into compassionate care in the latter stages of AIDS, we are not ever going to do enough.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentlewoman from California.

Ms. PELOSI. I thank the gentleman for yielding, and I appreciate his very sensitive remarks about his caring for people with AIDS and HIV.

I strongly support his statement about prevention being very, very important, because, of course, of what it means in the lives of individuals and from a practical standpoint here in what it means in terms of dollars saved not having to provide funding for care. But I do not want the gentleman to give the impression to our viewers when he said that there are some medications, some drugs that are available now that would prevent AIDS. I am sure the gentleman was referring to those protocols which would prolong life and improve the quality of life for

people with AIDS–HIV. But, sad to say, our prayers have not been answered as far as a vaccine to prevent AIDS or HIV.

Mr. COBURN. Reclaiming my time, I was not referring to a vaccine at all. There is very substantive research in front of us today that says that we will be able to prolong significantly the occurrence from HIV to AIDS infection with some of the very, very new and miltidrug trials. The latest studies coming out say that that is so. Therefore, it is eminently important that people who have HIV be identified now.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. COBURN] has again expired.

(On request of Ms. PELOSI, and my unanimous consent, Mr. COBURN was allowed to proceed for 1 additional minute.)

Mr. COBURN. Mr. Chairman, I think it is important to recognize the difference is, it is not just important, it is the only thing that will solve the AIDS epidemic, is treating HIV prevention.

I yield to the gentlewoman from California.

Ms. PELOSI. I thank the gentleman for yielding. I am encouraged in some respects, although I disagree in terms of his position against the increase in the HOPWA funds, but I do find some common ground with him. I hope that the gentleman's remarks are an indication that he will support the ADAP Program which calls for increased funding so that these new protocols and new drugs will be more widely available to people with HIV and AIDS to improve the quality of their life, to prolong life until there is a cure, because these protocols in many cases cost twice as much as the drugs available now and I do not think that the benefit of the research that the American people have spent billions of dollars on should be confined to only those wealthy enough to afford those drugs but would be more widely available to prolong life.

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

Mr. Chairman, I rise in support of the Shays-Lowey amendment to increase funding for housing opportunities for persons with AIDS by $15 million.

AIDS is a critical public health threat that continues to grow, with approximately 40,000 new HIV infections recorded in the United States each year. AIDS is the second-leading cause of death among young men in the United States, and the sixth most common cause for young women.

AIDS has hit my own community particularly hard. Almost 20,000 people have contracted the HIV virus throughout Connecticut, and in 1995 Connecticut ranked sixth in per capita AIDS cases. AIDS is the leading cause of death for women in the city of New Haven.

As a nation, we must remain committed to searching for a medical cure and a vaccine for AIDS, as well as treating those already afflicted with the disease. Although we are facing tough economic times, we cannot afford to decrease funding for AIDS research and prevention programs.

Until we find a cure for AIDS, however, we must provide the most basic care for the men, women, and children that have been devastated by this terrible epidemic.

I have fought hard to fund AIDS research, and I will fight equally hard to ensure that victims of this disease have a clean, safe place to sleep so that they can live healthier, longer lives. The Shays-Lowey amendment will help state and local government provide the basic necessity of housing to more than 4,000 additional families and individuals that need HIV-AIDS housing assistance in 1997.

This amendment will also maintain the flexibility State and local governments need to establish short-term supportive housing and rental assistance, create community residences, and provide home-care services. The overwhelming cost of caring for victims of HIV-AIDS necessitates an increase in funding to the 50 metropolitan areas that currently benefit from funding for the Housing Opportunities for People With AIDS Program.

Many people with AIDS are forced to spend their life savings on health care, and many are just a paycheck away from losing their homes. People with AIDS, from children to adults, should have a right to refuge, a right to basic care, and a right to a life with dignity. The Shays-Lowey amendment will help make this happen.

I want to congratulate my Connecticut colleague, Mr. SHAYS, for the compassion and kindness and commitment to caring for our neighbors, which is what this amendment represents. And thanks also to my friend from New York, Mrs. LOWEY for her leadership on this issue.

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

Mr. Chairman, I join with our colleagues in commending the gentleman from Connecticut [Mr. SHAYS], the gentlewoman from New York [Mrs. LOWEY], and other authors and sponsors of this amendment in bringing this to the floor. I commend them, because this important amendment is to increase by $15 million the funding for the critically important Housing Opportunities for People With AIDS Program.

As one of the original authors along with the gentleman from Washington [Mr. MCDERMOTT] and the gentleman from New York [Mr. SCHUMER] of the legislation establishing the HOPWA Program, I am pleased to note the broad base of support which the program now has on both sides of the aisle. This supports the fact that HOPWA funds are working successfully in communities across the country helping to address the serious unmet housing needs of people with HIV–AIDS. I commend Chairman LEWIS for including $171 million for HOPWA in this bill. I believe that we should provide additional funding for HOPWA and I am pleased with the leadership of our colleague from Ohio, Mr. STOKES, and his assistance on this issue, because this program makes a positive difference in the lives of people with HIV–AIDS and for the communities which are struggling to address the AIDS epidemic.

The additional $15 million in this amendment is a relatively small amount which will have a large effect. This funding will return HOPWA to the prerescission fiscal year 1996 funding level. I have some more facts and figures which I will place in the RECORD.

In our community in San Francisco, these funds are desperately needed. In fact, Peter Claver House, which was a hospice which took care of people with HIV–AIDS who were homeless or in danger of becoming homeless, was a model for this program. In our city of San Francisco alone there are 3,000 low-income people with HIV disease who are on a waiting list for assistance under this program. Imagine, 3,000 people on a waiting list. Nationwide at any given time one-third to one-half of all Americans with AIDS are either homeless or in imminent danger of becoming homeless.

Mr. Chairman, when you have HIV–AIDS, the last thing you need is stress to attack your immune system, and homelessness or the threat of homelessness is indeed a very stressful situation. Sixty percent of all people living with AIDS–HIV will face a housing crisis at some point during their illness due to an inability to work and associated loss of income, medical expenses, or illegal discrimination. Homelessness or the threat thereof places extreme stress on the healthiest of individuals.

As I mentioned if you have HIV–AIDS, the stress can be life-threatening. I will place the rest of my statement in the RECORD, but I did want to say to our distinguished chairman of the committee, Mr. LEWIS, for whom I have a great deal of respect, that the $15 million that is taken out of NASA as he knows comes out of a $60 million supplement to that bill which places it $60 million over the fiscal year 1996 funding. So I think that it will not be as missed in the NASA Program as it will be needed in the HOPWA Program.

□ 2245

In that spirit, I once again commend the gentleman from Connecticut [Mr. SHAYS] and the gentlewoman from New York [Mrs. LOWEY] for their great leadership on this, and would like to recognize the relentless advocacy of Lucy McKinney on behalf of people with HIV–AIDS and their housing needs.

Mr. FLANAGAN. Mr. Chairman, I rise in strong support of this bipartisan amendment designed to restore funding for HOPWA to the fiscal year 1995 pre-rescission level of $186 million.

The HOPWA Program is an essential tool in the fight against HIV/AIDS. By increasing its

funding by a mere $15 million, over 4,000 people living with AIDS will be taken off the streets and will receive desperately needed housing. They will also have a better chance of a longer, more full life.

The HOPWA Program is a flexible, locally controlled program that provides short-term supportive housing and rental assistance to community residences and coordinated home health care services. Failure to restore HOPWA funding, especially as the number of AIDS cases continues to grow each year, will leave thousands of people with HIV/AIDS and their families homeless or without adequate housing—all at an enormous cost to their health and to our communities.

Now, Mr. Chairman and colleagues, when I say our communities, I am not just talking about large urban areas like Chicago, New York, or Los Angeles. I am also talking about smaller suburban and rural areas where HOPWA funding is also utilized and is certainly just as important to those citizens living there, where a wide range of alternatives does not exist.

Mr. Chairman, during fiscal year 1996 alone, the HOPWA Program has so far provided $153.9 million for formula grants to 76 recipients. These grants include: $3.4 million to the city of Chicago, $2 million to Houston, and over $1.7 million to San Diego, CA.

But, again, Mr. Chairman, urbanites are not the only ones who benefit under HOPWA. Nonurban areas also get a piece of the HOPWA pie. For instance, in this fiscal year alone, North Carolina has received $1½ million for AIDS housing. Alabama has received $825,000; Kentucky, $413,000; Mississippi, $544,000; Nevada, $468,000; Oklahoma, $583,000; and South Carolina, $1¼ million. The State of Washington, not including Seattle, has received $439,000 in fiscal year 1996 alone.

Better yet, Mr. Chairman, the additional $15 million we are seeking today will go to new jurisdictions which have yet to receive HOPWA money. In other words, if you're a Member of Congress who thinks that your district won't benefit from this additional $15 million, think again. AIDS is in every town and community in this Nation, and HOPWA should be there too, helping those who*COM003* need it most.

It is a tragic fact that about 30 percent of those infected with HIV are in acute hospital care due to the fact that no community-based housing alternative is available for them. For the most part, urban areas have these low-cost housing alternatives. It's the smaller, more rural areas that do not, and that is why this amendment is so important. The average cost of an acute care hospital bed for an AIDS patient is $1,085 per day. The average cost of a HOPWA bed is a tenth of that amount—and that's probably a conservative estimate.

The $15 million increase for HOPWA will provide housing and services for an additional 4,035 individuals living with AIDS. Let me repeat, Mr. Chairman, 4,035 individuals, as well as their families, from all over America who desperately need this assistance in order to survive. This additional $15 million will also help communities throughout this country cope with the high costs of acute hospital care.

Again, Mr. Chairman, I urge my colleagues to support this amendment.

The amendment will raise funding from $171 million to the pre fiscal year 1995 rescission level of $186 million. Funding has remained at $171 million since fiscal year 1995, while 20–22 new jurisdictions have become eligible for HOPWA formula grants since that time. This is actually a 23-percent cut in funds for existing jurisdictions. An increase of $15 million in funding will result in housing and services for an additional 4,035 individuals and families living with HIV/AIDS.

The average cost of an acute care hospital bed for an AIDS patient is $1,085 per day. The cost of HOPWA funded housing is between one-tenth and one-twentieth of that amount. HOPWA dollars reduce the cost of emergency health care services by an estimated $47,000 per person per year. The alternative to HOPWA funded housing for many individuals living with AIDS is the street or a homeless shelter. One-third to one half of all Americans with AIDS are either homeless or in imminent danger of losing their homes. 60 percent of all people living with HIV/AIDS will face a housing crisis at some point during their illness.

The amendment cuts $15 million from the Gravity Probe-B, which is funded in the NASA Space Aeronautics and Technology account. Gravity Probe-B is intended to verify or disprove Einstein's theory of general activity. The VA–HUD subcommittee provided no funding for Gravity Probe B in FY 1996. Funding was restored at the full committee level to $51.5 million. This year both the subcommittee and full committee funded the program at $59.6 million a 15 percent increase—$8.1 million.

As late as 1992, NASA was saying that the total cost of the project would be approximately $320 million, that a prototype would be launched by 1995, and the real probe in 1998. Today, the project cost is $561.5 million through 2000 and launch is not scheduled until 2000.

This amendment does not represent a retreat in basic science. In fact, it is not even a retreat from the Gravity Probe-B Program, since it is still funded at $45 million in fiscal year 1997. The $15 million cut represents a 0.2 percent cut in the Science, Aeronautics and Technology account at NASA, and only a one-tenth of one percent cut in NASA's appropriation.

While verifying Einstein's theory is worthy science, the appropriations process requires Congress to make tough choices—testing the theory of relativity, a multiyear endeavor, versus housing for 4,000 more people.

FY 1996 HOPWA FORMULA ALLOCATIONS

The FY 1996 appropriation of $171 million provided $153.9 million for formula allocations to 76 grants, including 49 Eligible Metropolitan Statistical Areas (EMSAs) and 27 States. The eleven first-time recipients are noted by *, the service area of six prior State grantees is reduced due to these new EMSAs. The applicant is the State or, for the EMSA, the most populous city in the area, which is the first jurisdiction named in the EMSA title (except as noted). The allocations are part of the area's consolidated plan.

1966 Formula Grantee	*Allocation (In 000s)*
New England Region:	
Connecticut (outside of the Hartford and New Haven EMSAs)	620
Hartford CT MSA	535
New Haven-Meriden CT PMSA*	403
Massachusetts (outside the Boston EMSA)	898
Boston MA–NH PMSA	1,613
New York, New Jersey Region:	
New Jersey (outside of 6 EMSAs)	617
Patterson for Bergen-Passaic NJ PMSA	1,044
Jersey City NJ PMSA	2,378
Woodbridge for the Middlesex-Somerset-Hunterdon NJ PMSA	556
Dover Township for the Monmouth-Ossen NJ PMSA*	473
Newark NJ PMSA	4,718
New York State (outside New York City and Nassau PMSAs)	1,979
Islip for the Nassau-Suffolk NY PMSA	1,045
New York NY PMSA	35,840
Mid-Atlantic Region:	
Pennsylvania (outside the Philadelphia and Pittsburgh EMSAs)	793
Philadelphia PA–NJ PMSA	282
Pittsburgh PA MSA*	400
Virginia (outside of DC and Norfolk EMSAs)	697
Virginia Beach for the Norfolk-Virginia Beach-Newport News VA–NC MSA*	416
Baltimore MD PMSA	4,582
Washington DC–MD–VA WV PMSA	5,026
Southeast Region:	
Alabama	825
Florida (outside of 6 EMSAs)	2,397
Fort Lauderdale FL PMSA	4,036
Jacksonville FL MSA	797
Miami FL PMSA	8,359
Orlando FL MSA	1,043
Tampa-St. Peterburg-Clearwater FL PMSA	1,314
West Palm Beach-Boca Raton FL PMSA	2,080
Georgia (outside the Atlanta EMSA)	931
Atlanta GA MSA	2,817
Kentucky*	413
Mississippi	544
North Carolina (outside the Norfolk EMSA)	1,467
Puerto Rico (outside the San Juan MSA)	1,382
San Juan-Bayamon PR PMSA	3,754
South Carolina	1,224
Tennessee	1,061
Midwest Region:	
Illinois (outside of Chicago and St. Louis EMSAs)*	391
Chicago IL PMSA	3,394
Indiana (outside the Indianapolis MSA)	452
Indianapolis IN MSA	432
Michigan (outside the Detroit EMSA)	506
Detroit MI PMSA	1,180
Minneapolis-St. Paul MN–WI MSA	558
Ohio (outside the Cleveland EMSA)	1,262
Cleveland-Lorain-Elvyria OH PMSA	532
Wisconsin (outside the Minneapolis EMSA)	585
Southwest Region:	
Arkansas*	434
Louisiana (outside the New Orleans EMSA)	748
New Orleans LA MSA	1,295
Oklahoma	583
Texas (outside of EMSAs)	1,431
Dallas TX PMSA	2,038
Ft. Worth-Arlington TX PMSA	537
Houston TX PMSA	3,014
Austin-San Marcos TX MSA	625
San Antonio TX MSA	605
Great Plains Region:	
Kansas City MO–KS MSA	700
St. Louis MO–IL MSA	737
Rocky Mountain Region:	
Denver CO PMSA	1,009

1966 Formula Grantee	*Allocation (In 000s)*
Pacific/Hawaii Region:	
Phoenix-Mesa AZ MSA	727
Hawaii*	419
Las Vegas NV–AZ MSA*	468
California (outside of 8 EMSAs)	1,933
Oakland CA PMSA	1,611
Sacramento CA PMSA	548
San Francisco PMSA	8,828
San Jose CA PMSA	547
Los Angeles-Long Beach CA PMSA	7,979
Santa Ana for the Orange County CA PMSA	960
Riverside-San Bernardino CA PMSA	1,078
San Diego CA MSA	1,721
Northwest/Alaska Region:	
Portland-Vancouver OR–WA PMSA	667
Washington State (outside of the Seattle and Portland PMSAs)	439
Seattle-Bellevue-Everett WA PMSA	1,188
1996 Formulas Total	153,220

The CHAIRMAN. The question is on the amendment offered by the gentleman from the Connecticut [Mr. SHAYS].

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

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

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Connecticut [Mr. SHAYS] will be postponed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 1997, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $110,000,000,000: *Provided,* That during fiscal year 1997, the Secretary shall sell assigned mortgage notes having an unpaid principal balance of up to $2,000,000,000, which notes were originally insured under section 203(b) of the National Housing Act: *Provided further,* That the Secretary may use the amount of any negative subsidy resulting from the sale of such assigned mortgage notes during fiscal year 1997 for the purposes included under this heading.

During fiscal year 1997, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $200,000,000: *Provided,* That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under section 203 of such Act.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $341,595,000, to be derived from the FHA-mutual mortgage insurance guaranteed loans receipt account, of which not to exceed $334,483,000 shall be transferred to the appropriation for departmental salaries and expenses; and of which not to exceed $7,112,000 shall be transferred to the appropriation for the Office of Inspector General.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended) $85,000,0000, to remain available until expended: *Provided,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to $17,400,000,000: *Provided further,* That during fiscal year 1997, the Secretary shall sell assigned notes having an unpaid principal balance of up to $2,500,000,000, which notes are held by the Secretary under the General Insurance and Special Risk Insurance funds: *Provided further,* That any amounts made available in any prior appropriations Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238(a), and 519(a) of the National Housing Act, shall not exceed $120,000,000; of which not to exceed $100,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $202,470,000, of which $198,299,000 shall be transferred to the appropriation for salaries and expenses; and of which $4,171,000 shall be transferred to the appropriation for the Office of Inspector General.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 1997, new commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $110,000,000,000.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $9,101,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $9,101,000 shall be transferred to the appropriation for salaries and expenses.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $34,000,000, to remain available until September 30, 1998.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and for contracts with qualified fair housing enforcement organizations, as authorized by section 561 of the Housing and Community Development Act of 1987, as amended, $30,000,000, to remain available until September 30, 1998, of which $15,000,000 shall be to carry out activities pursuant to section 561.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed $7,000 for official reception and representation expenses, $962,558,000, of which $532,782,000 shall be provided from the various funds of the Federal Housing Administration, $9,101,000 shall be provided from funds of the Government National Mortgage Association, and $675,000 shall be provided from the Community Development Grants Program account.

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: Page 37, line 13, after the first dollar amount, insert the following: ''(reduced by $1,411,000)''.

Page 64, line 9 , after the dollar amount, insert the following: ''(increased by $1,411,000)''.

Mr. SANDERS. Mr. Chairman, this is a very straightforward and modest amendment. In fact, it calls for far less money than many of the other amendments we have been discussing this evening.

It simply transfers $1.4 million from the HUD Secretary's office account for salaries and expenses to the Court of Veterans Appeals. In a colloquy on the House floor last year, the gentleman from California, Mr. LEWIS, and I discussed this issue and he indicated a willingness to fight to restore $429,000 trimmed from the fiscal year 1996 appropriation requested by the Court of Veterans Appeals.

On the basis of that commitment last year, I did not offer an amendment to restore that cut. Unfortunately, for whatever reason, not only was that money not restored ultimately, but when all was said and done, after the budget showdown earlier this year, the appropriation for the Court of Veterans Appeals totaled $9 million, an 8.5-percent cut below the court's fiscal year 1996 request and a 4½-percent cut below the prior year' fiscal appropriation.

If my amendment is approved, it will cut just $1.4 million from the $962 million account available to the HUD Secretary for next year for salaries and expenses to make up for the shortfall in requested fiscal year 1996 funding and flatline the fiscal year 1997 funding for the court at the same level. It would also include $634,000 for the pro bono representation program as well.

Mr. Chairman, what we are talking about is a small appropriation, but it is

an appropriation that would mean a lot to the veterans of America and especially low-income veterans. I would point out that my amendment is supported by the American Legion and by the Disabled American Veterans. Mr. Chairman, as you know, when a veteran is denied a claim from the VA, that veteran has the right to appeal and that appeal is heard before the Court of Veterans Appeals. Unfortunately, as a result of lack of funding, the Court of Veterans Appeals is unable to do all the things that it should be doing to protect the interest of low-income veterans. One of the very important functions of that court is to make sure that there are pro bono lawyers available to provide assistance for low-income veterans who do not have the funds to get their own lawyers so that they can make the strongest case that they can make. Now, it seems to me that while we all recognize serious financial problems that we have, we should not be cutting back programs for low-income veterans who might not have the right to appeal a claim which was adjudicated in a wrong way. I do not think those are the folks that we should be balancing the budget upon. Low-income veterans should have the right to make their case as strongly as they can.

This is once again a modest request. It is all of $1.4 million but it would mean a great deal to low-income veterans. It comes out of the HUD Secretary's account for salaries and expenses, and I would hope very much that the Members of the House would support this amendment.

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, reluctantly I rise in opposition to the amendment offered by the gentleman from Vermont. He and I, as he has indicated, have talked about this program before, and last year we were talking about working together in terms of increasing some of this funding and there was no additional money added on the Senate side, so that as we discussed was not feasible in the conference.

Nonetheless, the amendment before us would add $1,411,000 to the $9,229,000 currently in the bill for the veterans of court appeals. The amendment would offset the increase by decreasing the amount for HUD salaries and expenses by that same amount. I am not really sure what the gentleman is trying to accomplish here, so maybe he will be able to help me. The court does not need a 15-percent increase above the amount recommended in the bill. The 1997 budget request for operations of the court is $8,795,000. The bill includes $9,229,000 for the account, an increase of $434,000 above the administrator's request. The recommended amount includes the 1996 level of $8,595,000 for operations of the court and $634,000 for the pro bono account. The administration did not request any funding for the pro bono account representation program but the committee recommended funding it at the 1996 level.

I am sure the gentleman appreciates the addition as I know he is a strong supporter of the pro bono program. The subcommittee's budget hearings did not reveal the need for funding above the amount on the 1997 budget request, with the exception of the pro bono program, and the amendment does not increase funds for the pro bono program. As the offset, HUD salaries and expenses accounts have already been reduced by $25 million below the 1997 request to the 1996 level.

Mr. Chairman, the point is we should not be reducing an account where funds are needed to increase an account where funds do not appear to be needed, and I ask the gentleman if he would consider withdrawing his amendment.

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

Mr. LEWIS of California. I yield to the gentleman from Vermont.

Mr. SANDERS. If I might, Mr. Chairman, let me read briefly from a letter that I received from Steve Robertson, who is director of the National Legislative Commission for the American Legion. They say and I quote:

> We have been and will continue to be strong supporters of the veterans' pro bono representation program which will receive a substantial portion of the proposed transfer. Without adequate funding, this essential program will be unable to meet the needs of those veterans who depend on it as their only means of representation before the court.

Let me also read, if I might, from Thomas McMasters, who is the national commander of the Disabled American Veterans. He says, and I quote:

> As you know, the DAV has been an active participant in the veterans' pro bono legal program and supports what this program has been able to do for those veterans unable to obtain legal representation for their claims before the United States Court of Veterans Appeals. Accordingly, we support your amendment which will allow the Court to fully fund the pro bono legal program without reducing activities of the Court.

Mr. Chairman, what these gentlemen are saying, because they know something of the issue, because they represent veterans, they are saying we have a lot of low-income veterans who cannot make a trip to Washington, by the way, to make their claim. If they are low-income by definition, they cannot leave their communities, and I think that is a disgrace unto itself.

We are talking about $1.4 million. Given the amounts of money that we are talking about in this appropriations bill, this is a tiny sum of money and I really do think we should respect low-income veterans who may have gotten a raw deal from the VA and have a right to hear their appeals before the court.

Mr. LEWIS of California. Reclaiming my time, I must say that I understand the gentleman's point, but we attempted to deal with the pro bono program here. We have provided additional amounts that are here.

As I read the gentleman's amendment, he does not really make any change in the improvements we have already made in the pro bono funding, so I am scratching my head a little. But nonetheless, I believe I understand a portion of your point anyway.

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

Mr. Chairman, I, too, must reluctantly rise to oppose the gentleman's amendment. I do so reluctantly because I know that he is sincere in trying to remedy what he feels is a real problem as it relates to the veterans. This is a subcommittee on which I have sat for many years, and I, too, am totally sympathetic towards the veterans who have to process their claims through the Court of Appeals. I have worked over the years to try and be sure that those veterans get the type of funding that they need in order to process those claims.

My reluctance here is based upon the fact that the House Appropriations Committee level-funded the Department's S&E request at the fiscal year 1996 amount, which is $25 million below the request. So they have already been nicked by $25 million in that account. Any additional reduction is certainly going to hurt the HUD salaries and expense account and prohibit them from being able to proceed in some of their assigned responsibilities.

But more than that, the Court of Appeals is now $229,000 over the 1996 appropriation and $434,000 over the 1997 request. So from that perspective, it would seem to me that the gentleman's amendment ought to be opposed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

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

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS], will be postponed.

AMENDMENT OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Amendment offered by Mr. Hefley: Page 37, after ''962,558,000'' insert (''reduced by $42,000,000)''
>
> Page 69, line 8, after ''46,500,000'' insert ''(increased by $20,000,000)''.

Mr. HEFLEY. Mr. Chairman, I come to the House floor today to offer an amendment that is not designed to bash HUD, but instead to offer a common sense reduction and transfer of funds. When the House passed H.R. 2406 on May 9, it was with a promise of consolidating and streamlining HUD's bureaucracy. However, the proposed fiscal year 1997 funding for management and administration is exactly the same as

it was before we overwhelmingly passed overall housing reform.

With the savings we can get from a modest 10 percent reduction in HUD's M&A account we can put $20 million into solid environmental protection, something I think members on both sides of the aisle would support. Since the leaking underground storage tank, or LUST, trust fund was mandated by the Congress in 1986, it has collected a petroleum product excise tax. The current balance is over $1 billion which is designated for environmentally damaging project cleanup. Let me be clear, this money is not for further regulation or inspection. It is for environmental cleanup only.

The funding level proposed for this year is over 30 percent less than was allocated in 1995. The irony of the whole thing is that this fund is financed through a tax on industry then the Congress turns around and tells industry how much of their own money can be used for cleanup. But the really amazing thing is the interest accumulated on the overall fund last year, is greater than the amount appropriated this year.

□ 2300

The money we put back into the LUST Program will bring funding back up to the 1995 level and bring it almost in line with the administration's request for this year.

Mr. Chairman, this amendment will do three things that I think every Member of this body will want to support: We take money and bureaucracy out of Washington. In other words, we take $42 million out of an almost billion dollar administrative account. We reduce the deficit, which many Members have expressed concern about, by the amount of $22 million of those $42 million. And we provide increased funding for environmental cleanup of these leaking underground tanks in the amount of $20 million.

Reduce the bureaucracy, reduce the deficit, and provide environmental cleanup: I think it makes a great deal of sense, Mr. Chairman, and I urge each of the 335 Members who supported H.R. 2406, and also those who believe they are environmentally conscious, to please support this amendment.

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

Mr. Chairman, first of all, I would like to say what a lot of other people have said about the gentleman from California and the ranking member on taking a difficult job and putting a real tough bill together, but I really also rise in very strong support of the Hefley amendment. I think that he is certainly on the right track as far as trying to get into some of this heavy bureaucratic money that we have and really push an environmental issue that we have out there, particularly in rural America, and that is trying to get after these underground storage tanks that are leaking all over the place; that are threatening groundwater that we have out there, and particularly in rural America.

That is really where it is at, because in rural America these people cannot afford to dig up these tanks that are leaking and it is getting into the groundwater. They are not getting the funds with which to do it, and I think this additional $20 million is certainly going to help.

This is a bill that has come out of my committee. The gentleman from Michigan [Mr. STUPAK] and I have already introduced legislation, separate legislation which is moving forward, but it is moving forward of course without the appropriate funds of which we need.

I think this carefully crafted amendment by my colleague from Colorado [Mr. HEFLEY] is really hitting it right on the nose. He has taken it from a spot and he is doing two things with it, taking it from a spot clearly, clearly, that it can be taken from, and using a portion of that $22 million in which to go toward deficit reduction; and, more importantly, to attack an environmental issue out there that is very, very crucial to this country.

In particular, every person in this Congress from rural America ought to support this amendment by my good friend from Colorado.

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

Mr. Chairman, as I stated on the amendment that was offered by the gentleman from Vermont when I opposed it, I would also oppose this one. But, I oppose it even more strongly than I opposed the amendment by the gentleman from Vermont.

The Hefley amendment reduces this particular account by $42 million, a sum which would severely compromise HUD's efforts to operate almost 420 billion in program activity; it would undermine the reinvention of HUD as a streamlined department that is smaller, more efficient, more responsive to community and customer needs; and, we have to remember, this account is already $25 million below the request.

One of the concerns of our subcommittee has been that HUD needs to be reinvented. And of course Secretary Cisneros has presented an ambitious plan that would reinvent the Department, to make it a more streamlined customer service oriented agency. A further reduction in the S&E funds would impede the Department's ability to achieve the stated objectives of this vision by, one, preventing personnel from being relocated from headquarters and former regional offices to the local field offices closer to the communities.

Second, it would force HUD to reduce staff immediately instead of in a planned systematic fashion over 4 years. And, third, it would prevent purchase of needed technology to help HUD do more with less people.

Lastly, the reduced level would not allow the Department to move forward with its plan to relocate up to 500 headquarter employees to the field, which is an essential part of the Secretary's strategy for the department to become streamlined, more responsive to community needs.

A reduction would absolutely prohibit HUD's ability to carry out its responsibilities with an additional reduction of $42 million over and above the $25 million for which the Department has already been nicked. So I would urge the membership to oppose the amendment.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to reluctantly join my colleague in resisting this carefully thought out amendment but an amendment that, unfortunately, does damage to other programs that are disconcerting to me, for I have great appreciation for his concern.

The Leaking Underground Storage Tank Program, known as LUST, and I must say that, as I noted in our ''Dear Colleague,'' we have a headline something like ''Stop Hefley's LUST'' or something. We have to change that before we put those out tomorrow. But in the meantime this was created to assist the States and tribes with the cost of cleaning up underground storage tank spills where responsible parties cannot be found to pay the bill directly.

The LUST trust fund is a source of funds for this activity, although like Superfund the amount of money we appropriate from the fund is treated exactly like funding from general revenues, it scores against us in VA and outlays.

The trust fund, which holds nearly a billion dollars, was funded through a gasoline tax of one-tenth of 1 percent per gallon. That tax expired at the same time as the Superfund tax in December of 1995. Mr. HEFLEY's amendment essentially puts the program back to the budget request level of $67 million plus. This represents what EPA believes the States will use if it is available to them. Our proposal of $46,500,000 is slightly over the 1996 level and our mark signals our desire to level fund as many of the EPA programs as possible.

While the States would probably use the additional funds available under the Hefley amendment, it is also fair to say that they do not, quote, we use the term ''need'' the additional funds to keep the program running. Neither EPA or the States have complained or criticized us for our 1996 and 1997 funding levels. Our reduction from the budget request was, as much as anything, a reflection of reduced overall dollars in an attempt to make reductions which result in the least program disruptions.

In addition to our programs, that additional LUST fund is just not a burning priority. It is of greater concern that the amendment reduces salaries and expenses at HUD, as my colleague, the gentleman from Ohio [Mr. STOKES], has indicated, some $42 million. The bill already funds S&E at the 1996 level,

a decrease, a decrease of $25 million below the budget request. A further reduction of this magnitude would seriously undermine HUD's reinvention plans.

Mr. Chairman, I must say that the Secretary has really attempted to work with the committee as he goes forward attempting that difficult task of reorganizing HUD, so I reluctantly oppose the amendment.

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

Mr. LEWIS of California. I yield to the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, I would say to the gentleman, after he referred to the Hefley LUST Program, he should yield.

Mr. Chairman, let me just point out that in 1995 there were 11 States that had more claims than they had balance, and in 1996 there were 19 more States, so that is going the wrong direction for us.

And, Mr. Chairman, we are not talking about simply having States keep the program going, we are talking about solving a rather vast and extensive problem that lies out there, and particularly across rural America.

To the gentleman from Ohio [Mr. STOKES], who expressed great and sincere concern about us taking away this amount of money from the HUD management account because they would not be able to complete their job, I might point out, Mr. STOKES, that we are talking about $42 million, which of course is a sizable amount of money, but it is not a sizable amount of money out of a budget of $1 billion, which is essentially what this account has.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I very much appreciate my colleague's position, and, unfortunately, we have to say for the record and clearly have the Members understand that we think that $42 million is very significant in terms of this account that has already taken a pretty significant hit, so we ask for a ''no'' vote.

The CHAIRMAN. The question is on the amendment of the gentleman from Colorado [Mr. HEFLEY].

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

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

The CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $52,850,000, of which $11,283,000 shall be provided from the various funds of the Federal Housing Administration and $5,000,000 shall be provided from the amount earmarked for Operation Safe Home in the Drug elimination grants for low income housing account.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, $14,895,000, to remain available until expended, from the Federal Housing Enterprise Oversight Fund: *Provided*, That such amounts shall be collected by the Director as authorized by section 1316(a) and (b) of such Act, and deposited in the Fund under section 1316(f) of such Act.

ADMINISTRATIVE PROVISIONS

SEC. 201. MINIMUM RENTS.—Notwithstanding section 3(a) and 8(o)(2) of the United States Housing Act of 1937, as amended, for fiscal year 1997—

(1) public housing agencies shall require each family who is assisted under the certificate or moderate rehabilitation program under section 8 of such Act to pay a minimum monthly rent of up to $25;

(2) public housing agencies shall reduce the monthly assistance payment on behalf of each family who is assisted under the voucher program under section 8 of such Act so that the family pays a minimum monthly rent of up to $25;

(3) with respect to housing assisted under other programs for rental assistance under section 8 of such Act, the Secretary shall require each family who is assisted under such program to pay a minimum monthly rent of up to $25; and

(4) public housing agencies shall require each family who is assisted under the public housing program (including public housing for Indian families) to pay a minimum monthly rent of up to $25.

SEC. 202. ADMINISTRATIVE FEES.—Notwithstanding section 8(q) of the United States Housing Act of 1937, as amended—

(a) The Secretary shall establish fees for the cost of administering the certificate, voucher and moderate rehabilitation programs.

(1)(A) For fiscal year 1997, the fee for each month for which a dwelling unit is covered by an assistance contract shall be 7.5 percent of the base amount, adjusted as provided herein, in the case of an agency that, on an annual basis, is administering a program of no more than 600 units, and 7 percent of the base amount, adjusted as provided herein, for each additional unit above 600.

(B) The base amount shall be the higher of—

(i) the fair market rental for fiscal year 1993 for a 2-bedroom existing rental dwelling unit in the market area of the agency; and

(ii) such fair market rental for fiscal year 1994, but not more than 103.5 percent of the amount determined under clause (i).

(C) The base amount shall be adjusted to reflect changes in the wage data or other objectively measurable data that reflect the costs of administering the program during fiscal year 1996; except that the Secretary may require that the base amount be not less than a minimum amount and not more than a maximum amount.

(2) For subsequent fiscal years, the Secretary shall publish a notice in the Federal Register, for each geographic area, establishing the amount of the fee that would apply for the agencies administering the program, based on changes in wage data or other objectively measurable data that reflect the cost of administering the program, as determined by the Secretary.

(3) The Secretary may increase the fee if necessary to reflect higher costs of administering small programs and programs operating over large geographic areas.

(4) The Secretary may decrease the fee for PHA-owned units.

(b) Beginning in fiscal year 1997 and thereafter, the Secretary shall also establish reasonable fees (as determined by the Secretary) for—

(1) the costs of preliminary expenses, in the amount of $500, for a public housing agency, but only in the first year it administers a tenant-based assistance program under the United States Housing Act of 1937 and only if, immediately before the effective date of this Act, it was not administering a tenant-based assistance program under the 1937 Act (as in effect immediately before the effective date of this Act), in connection with its initial increment of assistance received;

(2) the costs incurred in assisting families who experience difficulty (as determined by the Secretary) in obtaining appropriate housing under the program; and

(3) extraordinary costs approved by the Secretary.

SEC. 203. SINGLE FAMILY ASSIGNMENT PROGRAM.—Section 407(c) of the Balanced Budget Downpayment Act, I (12 U.S.C. 1710 note), is amended by striking ''October 1, 1996'' and inserting ''October 1, 1997''.

SEC. 204. PORTFOLIO REENGINEERING.—(a) FINDINGS.—The Congress finds that—

(1) approximately 8,500 multifamily projects with mortgages insured by the Secretary of Housing and Urban Development under the National Housing Act are also receiving rental subsidies under contracts entered into pursuant to section 8 of the United States Housing Act of 1937;

(2) of the units with contracts that expire in 1997, approximately 83,000 units have section 8 contracts at rent levels that exceed market rate;

(3) the majority of such projects are receiving rental assistance under such section 8 in amounts exceeding the rents paid for comparable unsubsidized units in the same or comparable market areas, thereby creating an unreasonable burden on Federal taxpayers;

(4) most of these projects have substantial amounts of deferred maintenance and other capital needs, despite receiving such assistance;

(5) in the absence of the renewal of the rental assistance contracts for the projects at rents above market rent, many of the projects would default on their insured mortgages, resulting in massive claims under the multifamily mortgage insurance program of the Secretary;

(6) it is in the interests of the taxpayers, the tenants, owners, and operators of the projects, the mortgagees and investors in the projects, and the communities in which the projects are located to reduce the Federal rental assistance to market rates, to address the capital needs of the projects, and consistent with existing contractual rights, to eliminate the economic risk of Federal mortgage insurance claims on projects that are dependent on Federal rent subsidies;

(7) the Department of Housing and Urban Development does not have the capacity to carry out a program to restructure the portfolio of loans for such projects and, therefore, should enter into agreements with partners that will be delegated the authority to take actions as may be necessary to achieve the goals in subsection (b) through the transition of the projects to (i) market rate rents, and (ii) financing not dependent on Federal mortgage insurance;

(8) such projects provide housing for many low-income families, a significant proportion of which are elderly or disabled families, and their particular housing needs should be recognized in carrying out the program under this section;

(9) many responsible owners of such properties have managed the properties in a competent and efficient manner, consistent with the purposes of the Federal mortgage insurance and rental assistance programs, by maintaining the properties as safe, decent, and affordable housing and acting as good partners of the Federal Government to provide housing for low-income families needing housing; and

(10) the program under this section should be carried out in a manner that recognizes the capabilities, performance, and legal rights of such responsible owners.

(b) GOALS.—The Secretary of Housing and Urban Development shall carry out the program under this section in a manner that will—

(1) protect the financial interests of the Federal Government through debt restructuring and subsidy reduction;

(2) protect the rights of owners of properties under the program, by providing a mechanism to restructure mortgages that would otherwise default; and

(3) in the most effective manner, address the goals of—

(A) maintaining existing housing stock in an affordable, decent, safe, and sanitary condition;

(B) minimizing involuntary displacement and other adverse impacts on tenants;

(C) treating responsible owners as valued partners in the ongoing operations regarding a property;

(D) being cognizant of adverse income tax consequences to owners;

(E) taking into account local housing market conditions;

(F) supporting fair housing strategies;

(G) encouraging responsible ownership and management of property;

(H) minimizing adverse impacts on residential neighborhoods; and

(I) promoting the economic self-sufficiency of tenants.

(c) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures to provide appropriate and timely notice to officials of the unit of general local government affected, the community in which the project is located, and the tenants of the project.

(d) APPLICABILITY.—

(1) IN GENERAL.—This section applies to any—

(A) multifamily housing project with a mortgage insured by the Secretary under the National Housing Act, and

(B) mortgage debt on a multifamily housing project that is subject to such an insured mortgage,

but only if the multifamily housing project referred to in subparagraph (A) or (B) is covered in whole or in part by a contract for project-based assistance described in paragraph (2).

(2) PROJECT-BASED ASSISTANCE.—A contract for project-based assistance described in this paragraph is a contract—

(A) that expires during fiscal year 1997;

(B) under which the current assisted rents are, in the aggregate, in excess of market rents; and

(C) that provides assistance under—

(i) the new construction or substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

(ii) the property disposition program under section 8(b) of such Act;

(iii) the loan management set-aside program under section 8(b) of such Act;

(iv) the project-based certificate program under section 8(d)(2) of such Act;

(v) the moderate rehabilitation program under section 8(e)(2) of such Act;

(vi) section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975);

(vii) the preservation program under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990;

(viii) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965;

(ix) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965; or

(x) section 236(f)(2) of the National Housing Act.

(e) QUALIFIED LIABILITY MANAGERS.—

(1) USE.—In carrying out the program under this section, the Secretary may use arrangements with one or more third parties (in this section referred to as ''qualified liability managers'') under which the Secretary may provide for the assumption by delegation, contract, or otherwise of some or all of the functions, obligations, and benefits of the Secretary, as the Secretary determines to be reasonably necessary to accomplish the goals of this section.

(2) SELECTION.—Qualified liability managers shall be selected by the Secretary using competitive procedures. Each qualified liability manager shall be a State housing finance agency with the demonstrated financial and technical capacity (A) to assume and manage the insurance risk of the Secretary, (B) to discharge public purpose objectives (including the goals set out in subsection (b)), and (C) to restructure and recapitalize the housing projects described in subsection (d). In the absence of a State housing finance agency with the demonstrated financial and technical capacity to carry out the responsibilities set forth in clauses (A) through (C) of the preceding sentence, a qualified liability manager shall be composed of a State housing finance agency that partners with one or more entities (including public entities, private sector entities, and nonprofit organizations) with the demonstrated financial and technical capacity to carry out such responsibilities. Each qualified liability manager shall demonstrate an understanding of the public purposes of the multifamily housing mortgage insurance programs under the National Housing Act and the project-based assistance programs under section (d)(2) and the role of responsible project owners under such programs.

(3) ROLE.—Under the program under this section, each selected qualified liability manager shall assume, to the maximum extent possible, the financial risk of the Secretary for the mortgage insurance for one or more projects described in subsection (d), and the responsibility for the restructuring of the financial and physical condition of such projects and the protection of the tenants residing in the projects. In carrying out activities under this section, the qualified liability managers shall—

(A) protect residents and communities by providing for protections against displacement of existing residents under subsection (f), for local government and community involvement in the restructuring process, and for promotion of the economic self-sufficiency of residents;

(B) before expiration of the section 8 contract on a project described in subsection (d), act efficiently by reducing the debt on the property to a level that can be supported by market rents and concurrently reducing section 8 rents that are over market rents to market rents;

(C) act in a manner that respects the legal rights of owners and lenders;

(D) when the owner has negotiated in good faith, act to prevent defaults of the mortgages to the extent economically practicable; and

(E) protect Federal taxpayers by ensuring that projects that are restructured will be financially and physically viable.

(4) CONDITIONS ON ACTIVITIES.—A qualified liability manager may take one or more of the actions under paragraph (5) to restructure the financial and physical condition of a project described in subsection (d), only if the qualified liability manager determines that such actions are economically prudent and feasible.

(5) AUTHORIZED ACTIONS.—Except as provided in paragraphs (4) and (6), and notwithstanding any other provision of law, the Secretary and a qualified liability manager may take the following actions (except that a qualified liability manager may take only actions under subparagraphs (C) through (F)) in order to accomplish the goals of this section:

(A) REINSURANCE AND PARTICIPATION.—In order to transfer the economic liability for the existing mortgage insurance on the projects from the Secretary, to the maximum extent possible, enter into contracts to purchase reinsurance, or enter into participation or otherwise transfer economic interest in contracts of insurance or in the premiums paid, or due to be paid, on such insurance, or both, to the qualified liability manager, on such terms and conditions as the Secretary may determine.

(B) DELEGATION.—Delegate to the qualified liability manager the authority to carry out some or all of the functions and responsibilities of the Secretary in connection with mortgages insured by the Secretary and with mortgages held and properties owned by the Secretary.

(C) CONSIDERATION FOR PARTICIPATION.—From available amounts, including amounts under subsection (i), enter into such agreements, provide such concessions, incur such costs, make such grants (including grants to cover all or a portion of the rehabilitation costs for a project) and other payments, and provide other valuable consideration, as may reasonably be necessary to induce participation of owners, lenders, servicers, third parties, and other entities in the program under this section, taking into consideration any accumulated residual receipts and reserves for replacements for the project.

(D) MODIFICATION OF RESTRICTIONS.—Remove, relinquish, extinguish, modify, or agree to the removal of any mortgage, regulatory agreement, project-based assistance contract, use agreement, or restriction that had been imposed or required, including restrictions on distributions of income.

(E) ASSIGNMENT.—In the event the Secretary or qualified liability manager determines that, upon expiration of any contract described in subsection (d)(2), the insured mortgage would default, permit the mortgagee to elect to assign the mortgage, make a full payment of claim under the National Housing Act, thereby extinguishing any remaining insurance risk of the Secretary.

(F) PROPERTY MANAGEMENT AND DISPOSITION.—Manage and dispose of multifamily properties owned and multifamily mortgages held, on such terms and conditions as may be determined.

(6) REQUIRED CONSENT.—In order to ensure that contract rights are not abrogated, the actions authorized under paragraph (5) shall be subject to such third party consents as are necessary (if any), including consent by—

(A) the Government National Mortgage Association, in any case in which such Association owns a mortgage insured by the Secretary;

(B) an issuer under the mortgage-backed securities program of the Government National Mortgage Association, subject to the responsibilities of the issuer to its security holders and the Association under such program; and

(C) parties to any contractual agreement which the Secretary proposed to modify or discontinue.

(f) RENTAL ASSISTANCE.—

(1) TENANT-BASED ASSISTANCE.—Except in the case of projects subject to paragraph (2), in connection with the termination of any assistance contract described in subsection (d)(2) for a project, the Secretary or a qualified liability manager shall provide tenant-based assistance under section 8 to—

(A) each eligible family residing in the project at the time the assistance under subsection (d)(2) terminates; and

(B) each household residing in the project that becomes qualified as an eligible family within 12 months of such time due to a rent increase.

Notwithstanding sections 8(c)(1) and 8(o)(1), in the case of eligible families that reside in a project covered by one or more actions under this section where the reasonable rent (which rent shall include any amount allowed for utilities and shall not exceed comparable market rents for the relevant housing market area) exceeds the fair market rent limitation or the payment standard, as applicable, the amount of assistance under this subsection for the family shall be determined based on such reasonable rent. For the certificate program under section 8(b), the maximum monthly rent under the contract (plus any amount allowed for utilities) shall be such reasonable rent for the unit. For the voucher program under section 8(o), the payment standard shall be deemed to be such reasonable rent for the unit.

(2) PROJECT-BASED ASSISTANCE.—Notwithstanding paragraph (1) of this section and the requirements of section 8(d)(2), at the request of the appropriate unit of general local government, the appropriate public housing agency shall provide project-based assistance under section 8 for the project in accordance with guidelines issued by the Secretary.

(g) EFFECT ON OTHER AUTHORITY.—Nothing in this section shall be construed to limit the Secretary's authority under other provisions of law.

(h) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) ELIGIBLE FAMILY.—The term ''eligible family'' means an individual or family—

(A) who qualifies as a very low-income family under section 3(b) of the United States Housing Act of 1937; or

(B) who—

(i) resides in a project to which the program under this section applies;

(ii) qualifies as a low-income family (other than a very low-income family) under section 3(b) of the United States Housing Act of 1937, or, regardless of income, qualifies as an elderly or disabled family under section 3(b) of such Act; and

(iii) who, without section 8 assistance, would be required to pay more than the amount determined under section 3(a)(1) of the United States Housing Act of 1937 for rent for the unit in which the eligible family resides (or in another unit in the same project).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(3) SECTION 8.—The term ''section 8'' means section 8 of the United States Housing Act of 1937.

(i) FUNDING.—For purposes of carrying out this section, the Secretary may make available any amounts—

(1) from the appropriate insurance fund as otherwise authorized under the National Housing Act and for activities as authorized in this section; and

(2) recaptured from a project under the program in connection with the termination, nonrenewal, or expiration of a contract (A) under section 8, or (B) for interest reduction payments under section 236 of the National Housing Act.

SEC. 205. SECTION 8 CONTRACT RENEWALS.—(a) AUTHORITY.—For fiscal year 1997 and fiscal years thereafter, the Secretary of Housing and Urban Development may use amounts available for the renewal of assistance under section 8 of the United States Housing Act of 1937, upon termination or expiration of a contract for assistance under section 8 (other than a contract for tenant-based assistance) to provide assistance under section 8, at rent levels not to exceed the lesser of (1) the rents in effect upon termination or expiration, or (2) comparable market rents, for the eligible families assisted under the contracts at expiration or termination but, in no case may rents be increased to comparable market rents. In the case of any project assisted under section 8, not insured under the National Housing Act, and for which the original primary financing was provided by a public agency and remains outstanding, contract rents shall be renewed at the rents in effect upon termination or expiration of the contract. Such assistance shall be in accordance with terms and conditions prescribed by the Secretary. The Secretary may approve assisted rents in excess of market rents (but not more than the rents in effect upon termination or expiration) for a particular housing project, but only if the Secretary finds that such market rents are not sufficient to cover reasonable operating expenses (excluding debt service) for that project, taking into account reasonable operating costs for similar properties.

(b) REPEAL.—The sentence immediately preceding section 8(w) of the United States Housing Act of 1937 (42 U.S.C. 1437f(w)) is hereby repealed.

Mr. LEWIS of California (during the reading). Mr. Chairman, to try to expedite this process, I ask unanimous consent that sections 202, 203, 204 and 205 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order against this portion of the bill?

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I have a rather extended discussion of this point of order, but in view of the hour I will not proceed with all of it, but let me start with this.

Mr. Chairman, I raise a point of order against the legislation on grounds that 204 and 205 constitute authorizing on an appropriations measure and, therefore, violate clause 2 of rule XXI. These two sections are clearly legislation and they are not protected by the rule.

The CHAIRMAN. Does any other Member desire to address the point of order?

Mr. LEWIS of California. Mr. Chairman, may I ask unanimous consent that the remainder of my statement be entered in the RECORD?

The CHAIRMAN. The gentleman may not revise and extend his remarks on a point of order.

The Chair is prepared to rule.

For the reasons stated by the gentleman from California [Mr. LEWIS], the point of order is sustained. Sections 204 and 205 are stricken from the bill.

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

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

Mr. STOKES. Mr. Chairman, I rise in support of this amendment to strike legislation in this appropriations bill on HUD's Section 8 Program. Let me first acknowledge the hard work of the chairman on this matter. He has stated throughout this process that he intended to move this issue to the forefront of our deliberations and motivate the authorizing committees to take action. The action he took in this regard has, indeed, prompted the authorizers to move forward on addressing this issue. I want to also commend HUD for aggressively working to deal with this matter.

What Members and the public must realize is that this is not a partisan issue. We must all be concerned about persons needing affordable housing and how to provide adequate assistance. At the same time, we must consider the impact that the costs of renewing these contracts place on taxpayers and the budget.

I believe there is general agreement that HUD'S Section 8 Program is in serious need of restructuring. However, if there is one thing I have learned—from the long and numerous discussions on this matter—it is that there is no unanimity of opinion on exactly how to proceed. My basis of concern rests with ensuring that residents are protected from displacement, that we maintain and preserve decent and affordable housing, that communities and tenants have a strong role in determination of these matters, and that the Federal Government not pay inflated prices for these properties.

Mr. Chairman, the fiscal year 1996 Appropriations Act included a provision allowing the Secretary of HUD to conduct a demonstration program re-engineering up to 15,000 units of section 8 assisted housing. The Department is still studying this concept and no regulations have been drafted yet for its implementation. That is further reason for the committee to reconsider the appropriateness of this proposal. The quality of too many lives is at stake, and there are too many potential consequences for the American taxpayer, for Congress to enact this provision in the appropriations act, without the full weight and benefit of authorizing action.

I commend my chairman for his leadership on this matter and pledge my support to work with him and others to achieve these goals. I urge my colleagues to support this amendment to delete this legislation from the measure.

□ 2315

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 206. FLEXIBLE AUTHORITY.—During fiscal year 1997 and fiscal years thereafter, the Secretary may manage and dispose of multifamily properties owned by the Secretary and multifamily mortgages held by the Secretary on such terms and conditions as the

Secretary may determine, notwithstanding any other provision of law.

AMENDMENT OFFERED BY MR. WELLER

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

The Clerk read as follows:

Amendment offered by Mr. WELLER: Page 58, after line 19, insert the following new section:

SEC. 207. FHA MORTGAGE INSURANCE PREMIUMS.—Section 203(c)(2)(A) of the National Housing Act (12 U.S.C. 1709(c)(2)(A)) is amended by inserting after the first sentence the following new sentence: ''In the case of mortgage for which the mortgagor is a first-time homebuyer who completes a program of counseling with respect to the responsibilities and financial management involved in homeownership that is approved by the Secretary, the premium payment under this subparagraph shall not exceed 2.0 percent of the amount of the original insured principal obligation of the mortgage.''

Mr. STOKES (during the reading). Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Without objection, the amendment is considered as read and printed in the RECORD, and the point of order is reserved.

There was no objection.

Mr. WELLER. Mr. Chairman, first I would like to take a moment to commend my two friends, the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES], for their extraordinary efforts to accommodate bipartisan concerns in supporting legislation while keeping our commitment to live within our means for the first time in 27 years, to keep us on the road to a balanced budget.

This amendment that I offer tonight is designed to help working families by working to help make homeownership more affordable. My amendment works to expand homeownership more affordable. My amendment works to expand homeownership opportunities for first time home buyers by working to lower the cost of FHA loans.

This amendment would lower the FHA mortgage insurance premium for first time home buyers who get ownership counseling. Currently the maximum rate is 2¼ percent of their loan value. This amendment would reduce that for these first-time home buyers to 2 percent. It would save the average FHA homeowner about $200 in savings annually. I recognize there are some in Washington who might call $200 chump change, not much money. But for working families back in Illinois and many of our home States and districts, $200 is a lot of money.

I also want to point out that this amendment is needed to promote homeownership. I, for one, I know many of my colleagues on both sides of the aisle agree that homeownership is important in strengthening families and strengthening communities. In fact, the more homeownership you have, the higher rates of homeownership you have, the stronger the families you have, the stronger the communities.

I am particularly disturbed, if you look at the statistics today, particularly for our younger families, homeownership is on the decline. In fact, the homeownership rates among heads of households under 35 years of age is three-fourths of what it was in 1979. In fact in 1979, 45 percent of heads of households under 35 were homeowners. Today, in fact, if you look at 1995 statistics, 39 percent of heads of households under 35 were homeowners.

Those statistics need to turn around. We need to receive greater opportunity for homeownership, to give families the opportunity to pursue the American dream. Unfortunately, we have seen the cost of homeownership increase this past year. Unfortunately, the House and Senate, Congress and the White House were unfortunately unable to reach a bipartisan agreement on a balanced budget.

Unfortunately, because of that failure to reach a balanced budget agreement, we failed to achieve the lower interest rates that would have resulted from a balanced budget. In fact, had a balanced budget been signed into law, the average 30-year home mortgage would have dropped about 2.7 percent according to economists. On a 30-year, $50,000 mortgage at 8¼ percent interest, a family would see a savings of a little over $1,000 a year or a little over $32,000 over the life of that loan. A balanced budget would also increase the value of a home, home values, by 8 percent as a result of balancing the budget.

This past year we have seen mortgage rates go up 1 to 1½ percent. For the average homeowner, aspiring homeowner, young family who would like to buy a house, that means about an $85 to $100 increase in the monthly home mortgage payment because of higher interest rates.

This amendment is designed to restore those opportunities for homeownership, particularly for young families. It offers young home buyers, first-time purchasers the opportunity to better be able to afford a new home. This $200-a-year premium reduction restores part of that lost opportunity to save an extra thousand dollars because of higher interest rates.

Increased ownership, homeownership equals increased home starts, increased jobs, increased opportunity, strengthened families and strengthened communities.

I do want to point out that this is kind of a bipartisan initiative. I do want to point out that the President himself, just a few weeks ago, endorsed this type of idea as a way to make homeownership more affordable. I ask bipartisan support for this amendment. I think it is time that we strengthen the opportunity for homeownership, that we strengthen families, that we help families pursue the American dream. Let us help families pursue that American dream by providing bipartisan support for this amendment which will help make homeownership far more affordable.

The CHAIRMAN. Does the gentleman from Ohio [Mr. STOKES] wish to be heard on the point of order.

Mr. STOKES. Mr. Chairman, I reserve a point of order against this particular amendment.

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

Mr. Chairman, my purpose for reserving the point of order is to protect the rights of a couple of Members of the authorizing committee who have expressed an interest in this particular amendment. They will be here tomorrow. They are not here at this time because of the arrangements that the House made relative to the continuation of the debate on this bill.

I have no intention of insisting upon the point of order and hope that the gentleman does not put me in a position of having to insist upon it. I would request that, in order to preserve and protect the rights of those Members of the authorizing committee who have expressed concern about this amendment, he withdrew the amendment and offer it tomorrow at such time as those Members will be present.

I reiterate that I have no intention of pressing the point of order and simply use it for the purpose of protecting it. I would hope that the gentleman would withdraw and reoffer it tomorrow.

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

Mr. STOKES. I yield to the gentleman from Illinois.

Mr. WELLER. Mr. Chairman, in response to the gentleman from Ohio, of course, like all of us we have stuck around tonight because this is an important amendment. It is an opportunity to provide lower homeownership costs, particularly for young families and first-time home buyers.

All of use are working hard and willing to put in those extra hours. I always respect the rights of my colleagues on both sides of the aisle to speak on an amendment. Since you had raised that concern to me earlier, of course, I spoke with the floor manager of the amendment and I believe it is the chairman's intent, he would like to wrap up this section of the bill this evening. I would hate to jeopardize the opportunity to have this important amendment adopted and added to this very important bill.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, in order to keep all of our commitments, perhaps we would handle it this way. If it would meet with the gentleman's agreement, it is possible that the gentleman from Illinois [Mr. WELLER] could offer this amendment as a part of general provisions tomorrow and we could not only meet his needs and the commitment through the concerns that others have expressed to the gentleman regarding this amendment, we could also keep our commitment to close this title.

I am concerned that we do that. Would the gentleman agree to have unanimous consent that Mr. WELLER be able to take this up in general provisions tomorrow so we can finish with title II?

Mr. STOKES. Mr. Chairman, we would be pleased to cooperate with the chairman in that respect and let him offer it at that time.

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

Mr. STOKES. I yield to the gentleman from Illinois.

Mr. WELLER. Mr. Chairman, I appreciate the gentleman's interest in my amendment and his accommodating my opportunity to offer the amendment once again. I feel this is a very important amendment. The opportunity to accommodate, of course, the chairman of the subcommittee and working with the gentleman in his role as the ranking member, I do appreciate the opportunity to offer the amendment. I an anxious to work with them. I ask for the gentleman's support tomorrow when we have the opportunity to once again offer the amendment.

Mr. STOKES. Mr. Chairman, I have no objection to the gentleman's amendment. I just want to protect those Members. This accommodation will be fine with me if it is fine with the gentleman.

Mr. WELLER. Mr. Chairman, if the gentleman will continue to yield, I ask unanimous consent to withdraw the amendment for the purpose of offering it tomorrow during general provisions debate on this particular bill, title IV.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. STOKES. Mr. Chairman, I withdraw my reservation of a point of order.

Mr. FOX of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise tonight in anticipation of the Weller amendment being before the House tomorrow in general debate. I rise in support of that amendment that we will be discussing tomorrow at length because it is going to expand homeownership opportunities.

There are many Americans who are one downpayment or one closing cost away from becoming first-time home buyers. And by having more homeowners in our communities, it will strengthen those communities. By having more homes built, we create more jobs. There, after all, is the American dream.

Alan Greenspan has told us about having a balanced budget. Interest rates for the mortgages on those new homes will decrease. So I would ask the Members, when they hear about further debate on the Weller amendment tomorrow, that they will support it. Republicans, Democrats together, House and Senate working together, this will strengthen our communities. This will strengthen our families and, by reducing the cost, Mr. Chairman, of the FHA mortgage insurance premium, the first-time home buyers who receive ownership counseling by going from 2.25 percent to 2 percent, we would save the average FHA homeowner at least $200 annually. This is a step in the right direction for first-time home buyers.

Mr. Chairman, I yield to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding to me.

I would like to thank the gentleman from Illinois for offering the amendment. The notion is empowering first-time home buyers. I would suggest, echoing the comments of my good friend from Pennsylvania, when we think about the fact that this amendment would save the average FHA homeowner about $200 in savings on an annual basis and, while we are here talking about billions and indeed trillions of dollars, the fact is sometimes lost upon us, I would suggest, that $200 is a significant amount of money for first-time home buyers. And indeed, if the notion of what we are here to do in this 104th Congress is to expand opportunity, to empower first-time home buyers to lead to more home sales and to expand homeownership opportunities, then I am glad to rise in support of the amendment. I, too, look forward to its offering tomorrow during the later debate on this amendment.

I look forward to supporting the amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, I thank the gentleman from Arizona for his supportive comments of the Weller amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

''TITLE III—INDEPENDENT AGENCIES''

Mr. LEWIS of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MICA) having assumed the chair, Mr. COMBEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3666) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

□ 2245

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

The SPEAKER pro tempore (Mr. MICA) laid before the House the following resignation as a member of the Committee on International Relations:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 12, 1996.

Hon. NEWT GINGRICH,
Speaker of the House,
Washington, DC.

DEAR SPEAKER GINGRICH: I am writing to officially resign from my seat on the Committee on Government Reform and Oversight in order to be seated on the Committee on International Relations.

Thank you.

Sincerely,

JON D. FOX,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FOX of Pennsylvania. Mr. Speaker, by the direction of the Republican Conference, I offer a privileged resolution, House Resolution 462, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 462

Resolved, That the following named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on International Relations: Mr. Fox of Pennsylvania.

Committee on Transportation and Infrastructure: Mr. Frisa of New York and Mr. Tiahrt of Kansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

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

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

[Mr. HASTERT 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 Illinois [Mrs. COLLINS] is recognized for 5 minutes.

[Mrs. COLLINS of Illinois addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. BURTON of Indiana 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 Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

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

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

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

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

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

TRIBUTE TO BILL EMERSON OF MISSOURI

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

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight to address my colleagues on the sad occasion of the passing of one of our most honored and distinguished Members. WILLIAM EMERSON, Representative from Missouri, had a very distinguished career here in the House. He served for eight terms from his district in Missouri. His record for constituent services had no peer. He was a parliamentary law expert. His legislation filled volumes.

But above all, as a person he was, to many of us, especially freshmen and entering Members as they came to this body, a great teacher, someone who loved the House, who loved the legislative process and wanted the others to learn about it and do their best, always humble, always caring, self-effacing, low-key. This was a humanitarian extraordinaire.

BILL EMERSON cared about each person he met, was sincere in all his dealings. He was a model Congressman. He was an advocate for his people. He fought hard for them. He could listen to others' points of view without giving ground and without compromising principle, but always patient and open-minded. That was his hallmark as an outstanding Congressman.

It was noted at the beginning of this 104th Congress that there was one person who was here as a Member of Congress now and was here the last time the Republicans were in the majority, and that person was BILL EMERSON because at that time he was a U.S. Capitol page, and he went on from that outstanding service to Westminister College, University of Missouri, law school, University of Baltimore, and he also distinguished himself in the U.S. Air Force.

Besides serving other Representatives in Congress, he had also great experience in the business world, for which we are all beneficiaries because of the legislation he brought about that was pro-business, pro-jobs and pro-economy.

BILL EMERSON, his life is a legacy of great service, and, Mr. Speaker, for those who choose to serve in this body, they only have to look to the life of BILL EMERSON as someone who is a role model, and for me and the other freshmen who entered the 104th Congress he is someone we will always remember. We will cherish our own experiences with him and hope that we can model our careers after someone who was so great, so humble and so dedicated.

TRIBUTE TO BILL EMERSON

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Arizona [Mr. HAYWORTH] is recognized until midnight as the designee of the majority leader.

Mr. HAYWORTH. Mr. Speaker, I thank the Speaker pro tempore, the gentleman from Florida, Mr. MICA, for his recognition this evening, and I would thank my colleague from Pennsylvania for his word of remembrance of our departed colleague, BILL EMERSON of Missouri, and I would second the notion that BILL EMERSON was a great teacher in this House, and he taught all of us who were newcomers by example.

I daresay that the example of his courage in the wake of fighting his final battle with illness can only be described as exemplary, and indeed that word falls short for the courage displayed by BILL EMERSON, and his dedication to duty will rank as perhaps the greatest lesson he has provided to us.

Our sympathies go to his family and the people of his congressional district in Missouri, and whomever is honored with selection by those constituents to serve in this House will indeed have big shoes to fill.

Mr. Speaker, as evidenced by the debate tonight, the preceding debate, there are many important jobs and many important roles which we must fulfill here in the House of Representatives. We spoke earlier tonight of empowering first-time homeowners. We spoke of a variety of issues dealing with concerns on housing and the appropriation process that is so vital to conclude. Yet, Mr. Speaker, before this legislative day ends we would be remiss if we failed to mention other concerns that dominate the headlines of this evening and indeed will reach into tomorrow and in the days to come.

We mourn the deaths and injuries of American servicemen abroad as we hear of a terrorist attack in Dhahran, Saudi Arabia, overnight, and we will watch with interest and indeed work with the administration to determine exactly what happened, what type of preventive measures need to be taken by Americans abroad and how this tragedy could come to pass.

But again for now our concerns and our prayers are with the families of those who have perished and, of course, with those who have been wounded in this attack, and indeed, Mr. Speaker, while we are mindful that this issue is something that will warrant our concern and vigilance in the days to come, there are other developments in other stories and in other concerns that we must address.

My colleague, Mr. FOX, who preceded me, it should be noted, has resigned from the Government Oversight Committee to take another appointment, and yet that committee tomorrow, led by the gentleman from Pennsylvania, BILL CLINGER, will be asking some very serious questions of administration officials. Let me begin with what I believe is truly a positive and constructive note in this regard.

Mr. Speaker, as you are no doubt aware, a contempt of Congress citation was being prepared, indeed a vote would have occurred in this Chamber later this week, concerning the apparent lack of cooperation that the administration had shown in surrendering some 2,000 pages of documents needed to continue the investigation of what has become known as Filegate, possession of FBI files of prominent members of my party by the Clinton administration, and one official in particular, an Anthony Marceca, for examination over a long period of time.

□ 2345

As I noted, Mr. Speaker, this House, and indeed the Committee on Government Reform and Oversight, asked for some 2,000 pages in documents, and it appeared that the White House was reluctant to turn over those documents. I understand now some agreement has been reached. The White House, as I understand it, will cease to offer its claim of executive privilege to these documents, and there has been some measure of accommodation so these documents may be examined by officals on the committee.

Even as we welcome this important action, I remember the observation of that great author and humorist, Mark Twain. From time to time I have recalled it here in the well of this House. It was Twain who observed, ''History doesn't repeat itself, but it rhymes.'' And I believe that tonight again we see that strange similarity of actions that have gone on before, actions that, in all candor, caused great concern, precipitated a great crisis, and led, of course, to a change in the executive branch almost a quarter century ago.

It is very important, I think, to recall the lessons of history. Again, I offer the observation that I offered as this House began business earlier today, that ofttimes, while the dynamics of this institution often rely on partisanship as one of the mechanisms utilized to get business done during the course of the day, that even as we recognize we may have partisan labels, it is important to remember that at moments of great import, people of different parties have offered valuable advice.

I remember well a quarter century ago when the gentleman from Minnesota, the former Vice President and one-time Democratic presidential nominee, Hubert H. Humphrey, advised, in a public way, President Nixon to come clean, to offer a full explanation and accounting of the events that history now recalls as Watergate, to the best of President Nixon's ability for, as Senator Humphrey maintained, that action in itself would go a long way toward allowing the American people to address the problems, allowing the Congress of the United States to address the problems, and then to move forward.

Indeed, Mr. Humphrey was of the opinion that if President Nixon would take this action, the American people would be forgiving of the problems and President Nixon could move on in his second term.

Mr. Speaker, again, not to score partisan points tonight, and again, devoid of the one-upsmanship that so often characterizes political debate, honestly, and sincerely, I would call on this administration and this President, Mr. Speaker, to step forward with all the information at hand. For indeed if this administration will be forthcoming with the information and allow the American people to decide, while I cannot guarantee that the outcome would be similar to what Hubert Humphrey envisioned for Richard Nixon, I can say that the American people deserve no less than a full accounting because of the concerns we have in so many different areas, but because the questions raised by the possession of these FBI files have implications that strike at the very fiber of our Republic, for they deal with issues of vital import to every American and every American's individual rights as provided in this document, the Constitution of the United States.

So, Mr. Speaker, I would suggest that the President and members of his administration have a duty to step forward with the whole story. The American people deserve no less than a full accounting of some of the questionable actions that have occurred with reference to FBI files, now with a suspicion, and indeed, the implication that more FBI files, that indeed, IRS records may be involved, to a certain degree; and that by taking that step, the President will show true leadership, allow us to deal with this most fundamental of questions, and then move forward to address the other vital issues of the day.

I would suggest this Congress will continue to do its work, as witnessed with the various appropriations bills. This Congress will continue to do its work with reference to our concerns about a tax on Americans abroad. This Congress will continue to do its work, yes, with reference to legislative oversight of the executive branch, should the President's decision and that of his legal counsel turn out to be only a halfway or halfhearted approach in any circumstance.

But it is vital that this administration address these troubling questions for the American people and for the process of government provided for in our Constitution, and indeed, for the very fabric of our constitutional Republic.

Again, Mr. Speaker, I make this call not in the interests of partisan one-upsmanship or gamesmanship, for this is not a game. Indeed, Mr. Speaker, what this entire process should typify in its best sense is a competition, a discussion, a difference of ideas, a difference of opinions, a difference of philosophies and vision as to how best serve the American people.

As we approach the new century, do we take money, power, and influence out of the hands of Washington bureaucrats and, indeed, turn that influence, power, and money over to governments closer to home, and, indeed, ultimately by allowing the American people to hang onto more of their hard-earned money, allow the American people to make those decisions at home that directly influence their lives?

But in this context, Mr. Speaker, it is vital that this administration move forward tomorrow in a spirit of candor, in front of the committee of the gentleman from Pennsylvania [Mr. CLINGER], to lay out the entire story for the American people, and quite frankly, to change a pattern of denial, evasion, and a new formulation of answers that seems to have typified the conduct of this administration with reference to these FBI files and with reference to so many other questionable endeavors.

Again, it is my hope that every Member of this House and that every American citizen would watch closely what will transpire in committee tomorrow, even as we work in this full House to deal with other vital issues of the day.

THE VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATION ACT FOR FISCAL YEAR 1994

The SPEAKER pro tempore (Mr. MICA). Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, we are waiting for a resolution to come before the floor dealing with the bill we might have on the floor tomorrow, the motion to disapprove most-favored-nation treatment of China.

I just want to take a few minutes to talk about the bill we have on the floor today. It is the Department of Veterans and Housing and independent agencies appropriation bill for the fiscal year 1997, and in that bill we have, in my opinion, adequately funded the hospital-health care-medical care delivery system of the Veterans Administration.

□ 2355

That is so very, very important. Often we are asked the question, why should veterans have their own medical care? Just to point out what the need for it is that when many of our men and women enlist in the armed services of this country, they, in a way, even though they get so much out of it, they lose so much of their time on the advancement ladder. Just, for example, if you were a young man or woman who graduates from high school at the age of 18, and you enlist in the service instead of going on to college, you are working at what our minimum wage is compared to what your counterparts would be doing if they went into the private sector. All the way through life, these young men and women trail their counterparts who did not take the opportunity to serve in the military, whether it is in running their own business, whether it is advancing up the scale, up the promotion scale of success. Consequently, that is why we deal with earned benefits for our veterans of the armed services.

In this particular bill, I am very proud that we are now funding a national cemetery in my home district, in Saratoga Springs, or in the County of Saratoga. This will be a veterans cemetery which was named the Saratoga National Veterans Cemetery. It will be similar to Arlington Cemetery, and I will provide for the internment of approximately 75,000 veterans and their dependents for the next decade or so.

This is so terribly, terribly important. I want to thank the gentleman from California [Mr. LEWIS] and the entire appropriations subcommittee for funding the $13 million that will provide the final construction money for the hospital.

Mr. Speaker, the bill will be brought up again tomorrow morning. The gentleman from Arizona [Mr. STUMP] of the Veterans' Affairs Committee and his ranking member, the gentleman from Mississippi [Mr. MONTGOMERY] and myself will be offering an amendment to that bill, which will add approximately $65 million to the appropriations bill to increase the funding for the medical care delivery system portion of that bill.

I would hope that when Members do come to the floor tomorrow that they will watch for the dear colleague letters that we have sent out showing the support of the Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, AMVETS, the Vietnam Veterans Association, and all of the other major veterans organization.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 182, DISAPPROVING EXTENSION OF MOST-FAVORED-NATION STATUS TO PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA, AND H. RES. 461, REGARDING THE PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–636) on the resolution (H. Res. 463) providing for consideration of a joint resolution and a resolution relating to the People's Republic of China, which was referred to the House Calendar and ordered to be printed.