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House of Representatives

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

(Continued)

AMENDMENT OFFERED BY MR. GUTKNECHT

Mr. GUTKNECHT. 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. GUTKNECHT: Page 95, after line 21, insert the following new section:

SEC. 422. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1.9 percent.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent, if the gentleman would agree, that we have a time limit agreement on the gentleman's amendment and all amendments thereto of 20 minutes.

Mr. GUTKNECHT. Mr. Chairman, I would cede to the chairman of the subcommittee, yes, 20 minutes, 10 each side.

Mr. LEWIS of California. Ten minutes to each side.

The CHAIRMAN. is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota [Mr. GUTKNECHT] will control 10 minutes in support of his amendment and the gentleman from California [Mr. LEWIS] will control 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Minnesota [Mr. GUTKNECHT].

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

Mr. Chairman, some of us were extremely disappointed a few weeks ago when we passed the conference committee report on the budget because in that budget, we reneged on a promise that we made last year and we increased spending by about $4.1 billion over what we had agreed to spend in last year's budget resolution.

Back in November 1994, the people of the United States I think sent a pretty clear message. They wanted us to put the Federal Government on a diet. They wanted us to balance their budget. I think, by backtracking on some of the commitments we made last year, we made a serious mistake and not only a breach with the taxpayers of America today but, more importantly, with our children.

So I am offering again the same amendment that I offered last week, and I intend to offer it to every appropriation bill from this point forward to eliminate the 1.9-percent in discretionary spending on every appropriation bill that comes through this House. Now, if we will do that, we can recover that fumble and get back the $4.1 billion that we overstepped in the budget agreement just a few weeks ago. I want to just briefly say what this 1.9-percent amendment will not affect, because I think there will be some misstatements on this floor of the House, and I think there is some misunderstanding. First of all, this amendment will not affect compensation of veterans. It will not affect pensions for veterans. It will not affect veterans insurance and indemnities. It will not affect the readjustment in education benefits for veterans, and it will not affect burial benefits, because I think sometimes people are concerned about that. It will not affect mandatory spending.

So, Mr. Chairman and Members, what will the amendment affect? Well, it will affect discretionary spending, including administrative costs for the Federal bureaucracy. It will include $1.2 billion for Mission to Planet Earth, $4.3 billion for community development block grants. It will affect the $50,000 travel budget for the VA Secretary. And it will affect up to $15 million for the EPA employee bonus program.

Finally, it will affect, although a previous amendment may have changed this, the $365 million for AmeriCorps. So it will have some impact.

Mr. Chairman, what we are really talking about is less than 2 cents. It is about keeping our faith with the American people, set about keeping the promise we made just 1 year ago and the promise that many of us made in the elections 2 years ago. Mr. Chairman, I hope that Members will support the amendment.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. STOKES] and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. LEWIS of California. Mr. Chairman, I rise in the strongest of opposition to the gentleman's amendment. We all know the potential impact of across-the-board cuts, but this 1.9-percent cut indeed could be devastating to this very delicately developed bill. Let me tell the Members what this amendment would do.

For those of us who care about VA medical care, this across-the-board cut would impact those programs by no less than $323 million, a minor little cut in VA medical care that we fought so hard today to increase by $40 million. Under those circumstances, that would mean that thousands of veterans would not be able to receive inpatient medical treatment and thousands would not receive their outpatient care.

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It also would cut $124 million from EPA, $375 million from our housing programs, $258 million from NASA, and $62 million from the National Science Foundation.

Mr. Chairman, I think most around here know that this subcommittee has done very diligent work in an attempt to reduce the rate of growth of government. We made by far the largest contribution to those reductions we are looking toward as we move in the direction of a balanced budget by 2002. We are not in that process, though, interested in destroying these programs and particularly undermining our ability to deliver the services out there to people in communities that we all really care about and really need many of those services.

So while I know my colleague from Minnesota is sincere in his efforts to cut the budget, we believe we have done the job in as balanced a manner within the committee as possible, and we urge a very strong ''no'' vote on this across-the-board cut.

Mr. GUTKNECHT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I certainly do not want to cast any ill feelings toward the chairman of this subcommittee or to the other subcommittees. In fact, I think the entire Committee on Appropriations has done a very good job. If some will remember the Fram oil filter commercials from years ago, ''you can pay me now or you can pay me later.'' What we are really saying is we do not have the moral fortitude, we do not have the courage to actually cut an additional $4.1 billion this year from domestic discretionary spending, but somehow in just 2 years, we will find the courage to cut $47 billion.

Mr. Chairman, we are talking about 2 cents this year. I do appreciate the work that the subcommittee has done, and I certainly appreciate these programs and I appreciate the veterans as much as anybody. But I think most veterans understand that balancing the budget transcends all of our responsibilities, and I think if we say, well, this group is going to be exempt and this group is going to be exempt, we will never get to the goal of balancing the budget.

So with all due respect, I think that this is a good amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Chairman, today this great Nation of ours stands $5.2 trillion in debt. That is literally $20,000 for every man, woman, and child in the United States of America. Every year as we keep spending more money than we are talking in, we just keep adding to that debt and our children get to get that debt. This is their inheritance, that is what we are going to pass on to our children.

When this Congress came in here 2 years ago, we said we are going to be different. We said we were going to balance the budget, we were going to do it by the year 2002. We got off to a great start. For the first year, we met our targets and we did what we said we were going to do and stayed on track, and things were going pretty good until about 2 weeks ago.

Two weeks ago, we passed a budget plan through this Congress that literally has the deficit going back up again. Let me say that one more time. The budget plan that we passed 2 weeks ago has the deficit going back up again next year. That is not OK.

Tonight we offer an amendment that literally reduces spending by 1.9 percent to help get us back on track to a balanced budget, back to where we belong, 1.9 percent. That is not 20 percent. That is less than 2 cents out of every dollar. Is there really anyone out there in this entire country that does not believe we can find 2 cents out of every dollar of waste in government spending? I believe we can. I honestly believe we can go into these bills and we can find 2 cents on the dollar of waste.

We are not talking 20 cents here. Two cents on the dollar. If we are able to do that, we can get ourselves back on track to a balanced budget and do what is right for the future of this great country of ours. That is what this Congress is all about. That is what our service to our country is all about. It is what we ought to be doing here tonight.

Mr. Chairman, I strongly encourage support of this amendment.

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

Mr. Chairman, this is a bad amendment. It is a bad amendment because if the Members of this House were to vote for this amendment, it would certainly show irresponsibility. This is because earlier today the House accepted a 0.4 percent across-the-board reduction amendment sponsored by the gentleman from Arizona [Mr. STUMP].

I think we need to take a moment and just understand what that amendment has already done as an across-the-board reduction amendment. The Stump amendment cuts $79 million from HUD, an area of the budget that has already been cut $2.3 billion. It cut $26 million from EPA, an area that already had been cut $494 million. It further cuts $54 million from NASA, which has already been cut $1.1 billion.

Now, the offerer of the amendment would have us think this is just a 1.9-percent small reduction that does not amount to anything. But we have to consider the amounts already cut from these important areas and add to it the fact that, as the chairman of the subcommittee has just said, this 1.9 percent is not so small. It cuts VA medical care, which was protected from reduction under the Stump amendment. This amendment cuts medical care by $323 million, an area that all day long through one amendment after another we have protected on behalf of the veterans. This one hurts the veterans.

It cuts HUD, in addition to the cuts of the Stump amendment, by $374 million. This is an area of the budget already cut $2.3 billion. It cuts EPA by $124 million, an area already cut by $494 million. And it cuts NASA by $258 million, an area already cut $1 billion, as I said before.

I think the amendment, under these circumstances with these facts, ought to be strongly rejected by the Members of this House.

Mr. Chairman, I yield myself an additional 30 seconds and yield to the gentleman from Mississippi.

□ 1900

Mr. MONTGOMERY. The gentleman is absolutely right. Under medical care for veterans, under this amendment, we are going backward. We are losing by $280 million. We are going down, down, down. So this amendment should be soundly defeated if we have any care for veterans and their medical care.

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

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. STUMP].

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

Mr. Chairman, let me say that while a 1.9-percent cut does not seem like much, we have to understand what this does. With all due respect, the gentleman is correct when he says it will not affect mandatory veterans benefits, but what he is not saying is it will affect our ability to deliver those benefits to them and to process them.

As the ranking member just mentioned, the thing that hurts me the most in this amendment is the cut to medical care. That is the worst place in the world that we could cut veterans benefits. So I would ask the gentleman to reconsider this; $323 million out of medical care certainly does hurt our honored veterans, as the gentleman put it a while ago.

Mr. GUTKNECHT. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Chairman, I want to first comment briefly on the question of veterans benefits. Should this amendment pass, I would be more than willing, as I am sure many others would, to look at how to transfer money into veterans medical inside this bill from HUD or other sections.

That is not the question we are trying to get at here. Veterans benefits go up. We are trying to keep some of them out. I am willing to back more, and have looked at several amendments to back more money for veterans. But overall we have to look at the Federal deficit. Many of us are very upset that the deficit is increasing in our second year of office. This amendment is not targeted at this bill, it is being offered to every bill.

We talk a lot about balancing the budget. The fact is we are not moving toward a balanced budget. We took a step in the wrong direction. Maybe we will over 7 years. We cannot bind Congress over 7 years, unless there is a

constitutional amendment. We cannot bind the next Congress. All we can be held accountable for is what we do during our 2 years in office.

A 1.9-percent cut across the board would get us, if we went back to our other appropriations bills, back to no bump-up in the second year. That is the intent of this amendment.

Had others balanced off and figured out what priorities were inside that bill, we would not be faced with this. But we cannot constantly say, oh, well, we want to balance the budget but not here, but not here; 1.9 percent is a very small amount, yet it is what the difference is as to the trend line of where this country is going.

I, and many others, came here to reduce the size of Government, to put more power back to the States, and to make sure we stopped mortgaging our children's future. At this point, my children will be saddled with such a debt and such a high potential of bankruptcy of Medicare, of Social Security, of all of our Federal programs, unless we get a handle on it, that I believe it is time that we do at least these small steps.

Every year in this budget it gets harder. If we cannot change 1.9 percent now, how in the 3d year or the 4th year, the 5th year, the 6th year, and the 7th year are any of those numbers realistic? I urge this body to vote ''yes'' on this simple amendment.

Mr. STOKES. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I just want to respond to the statement made by the gentleman from Minnesota who just left the well and who acknowledged that money would be taken out of the medical care account, which I have already stipulated would be about $323 million. He commented that, if this amendment passed, he would be willing to look at ways that we can transfer that money back into that part of the bill.

Well, I submit to Members of the House that is not the way we legislate and that is not the way that this House should legislate. In addition to that, that particular gentleman does not sit on the Subcommittee on VA, HUD and Independent Agencies. He will not be involved in the conference on this bill. He will not have the ability to be able to do anything else about this bill.

We have to act on this bill based upon what would happen tonight if we were to pass this irresponsible amendment. I would urge the Members again to vote ''no'' on this. The gentleman from Minnesota says 1.9 percent is very small. I contend that there is nothing small about a $323 million reduction in medical care.

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

Mr. GUTKNECHT. Mr. Chairman, I yield myself such time as I may consume to say that this debate really is about what is responsible, and I think that is what this Congress should do.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this amendment to reduce across the board the VA–HUD appropriations bill by 1.9 percent. First of all, let me reiterate the fact that, in fact, we spend $121 million more on VA medical expenditures than we did over 1996 in this bill with the 1.9 percent cut, so that even with the reduction in spending, even with the savings for the next generation, we will increase VA medical expenses by $121 million.

Mr. Chairman, this is a responsible amendment. My dad was a veteran and he served in North Africa, Sicily, Italy, France, and was on his way into the South Pacific when he got the good news that World War II was over. But my father, who passed away earlier this year, never meant for that victory in World War II to result in a time when his grandchild, who is going to be born later this year, is going to have a $187,000 bill to pay in interest on the debt.

Mr. Chairman, this is a responsible amendment, and I ask for its adoption.

Mr. GUTKNECHT. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin [Mr. NEUMANN].

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

Mr. NEUMANN. Mr. Chairman, I just rise because I keep hearing all this stuff about cutting, cutting, cutting, cutting. I think we have an obligation to let the American people know that this bill is not going down in spending, it is going up in spending by about $4 billion from last year to this year.

So when we get all done talking about all these cuts, the American people have a right to know that spending is increasing in this bill. And even if our amendment is passed, spending from last year to this year, in good old Wisconsin language, is going up because we are spending more of the American taxpayers' money.

The CHAIRMAN. The gentleman from Minnesota [Mr. GUTKNECHT] has 1½ minutes remaining, the gentleman from California [Mr. LEWIS] has 2 minutes remaining, and the gentleman from Ohio [Mr. STOKES] has 1½ minutes remaining.

Mr. STOKES. Mr. Chairman, I believe I have the right to close.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] is the gentleman who originally opposed the amendment and claimed the time, but yielded to the gentleman from Ohio [Mr. STOKES]. Under the procedure today, the gentleman from California [Mr. LEWIS] has the right to close.

Mr. STOKES. Mr. Chairman, I have no problem with the gentleman from California closing.

Mr. LEWIS of California. Mr. Chairman, I will even yield that to the gentleman from Ohio, if he would like.

Mr. STOKES. Mr. Chairman, I do not need the additional time.

Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I appreciate the gentleman yielding me this time, and I should point out that I hope my colleagues would oppose this amendment. We were able earlier today to get for the veterans benefits an additional $17 million. Under this amendment it takes $19 million out of the benefits, so we actually lose $2 million out of the benefits program.

This is based on claims, that it takes 158 days now to process a claim in the benefits department. If we keep taking money away from us, it is going to take us forever to process these claims. It should be less than 90 days. Because we do not have the staff, and we are going to lose 600 employees anyway if we defeat this amendment, so by taking another $2 million out of the benefits, it does not make any sense at all.

On the VA health care, we are trying to open up outpatient clinics so we can take care of more veterans. We are cutting this $323 million more under this amendment, so certainly I believe that the House should defeat this amendment.

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

I want to go over again, and I do understand that there will be cuts as a result of this 1.9 percent reduction, but if we look down the path, sooner or later we are going to have to pay the price for this. If we cannot make $4.1 billion worth of cuts this year, how are we going to make $47 billion worth of cuts in a couple of years? The answer is we probably are not.

Let me just say this. Again, this 1.9 percent reduction will not affect mandatory spending on veterans benefits, including compensation of veterans, pensions for veterans, veterans insurance and indemnities, readjustment in education benefits and burial benefits. This amount will affect none of those. It affects domestic discretionary spending.

If we could adopt this simple little amendment that is less than 2 cents on every dollar, we can recover the fumble this House made a few weeks ago when we reneged on the promise we made last year.

Mr. Chairman, my grandmother said, ''If you always do what you have always done, you will always get what you have always got.'' Unfortunately, this Congress is starting to do what previous Congresses have always done.

We are starting to say well, manana, manana. We will balance the budget in 2 years or 3 years. Well, some of us will not be back next year, and maybe this amendment will cause some of us not to be back, but, ladies and gentlemen, as long as we are here, we ought to do the right thing, and the right thing is to keep the promises we made in the campaign of November 1994.

To keep the promises we made last year with our 7-year budget plan, we need to get back on our path towards a

balanced budget; 1.9 percent on the rest of the appropriations bills will get us there. I hope Members will support the amendment.

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

I am very impressed by the presentation by my colleague from Minnesota, Mr. GUTKNECHT. And to paraphrase his grandmother, I would say, ''If you do not always do what you have always done, you are not going to get what you always got.''

The objective of the gentleman is not different than our mutual effort to eliminate the deficit. The subcommittee takes this work very seriously. It is very important for all of us to know that the House, particularly this Member, as well as the gentleman from Minnesota [Mr. GUTKNECHT] are committed to changing the pattern of spending that have been a part of our past. But that does not mean that we have to overnight tear the heart out of important programs or undermine very carefully crafted efforts to move in the direction of reducing all traditional patterns of spending.

What we are about here, in all of these efforts, is to reduce the rate of growth of our government. We all recognize that there are other elements to the government process than just spending. There are growth opportunities in terms of our economy. The taxing system is producing more revenues. Indeed, over time, as we reduce the pattern of spending and the revenues grow, we get to 2002 and we have a balanced budget. That is our objective.

The time we suggest that the way to solve the budget is to cut every program, eliminate programs that are very important to people, is the time we have a counterrevolution. That could lead to real disaster in terms of our economy. We are attempting to make sense out of this process in this bill.

So far, through the rescission process, the 1996 bill this year, this subcommittee will have passed over $17 billion of reduced spending, a significant shift in pattern for this subcommittee. I tell the author of this amendment, as I oppose the amendment and ask that the Members vote ''no,'' I tell the author that I too am committed to balancing this budget.

I am a absolutely convinced we are on a pathway to help with that, especially in terms of discretionary spending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT].

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

Mr. GUTKNECHT. 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 Minnesota [Mr. GUTKNECHT] will be postponed.

The point of no quorum is considered withdrawn.

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AMENDMENT OFFERED BY MR. HOEKSTRA

Mr. LEWIS of California. Mr. Chairman, at the request of the gentleman from Michigan [Mr. HOEKSTRA], I ask unanimous consent that the pending demand for a recorded vote on the amendment offered by the gentleman from Michigan be withdrawn.

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

There was no objection.

The CHAIRMAN. The amendment is rejected on a voice vote.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. 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. MARKEY: Page 95, after line 21, insert:

SEC. 422. None of the funds made available to the Environmental Protection Agency under the heading ''HAZARDOUS SUBSTANCE SUPERFUND'' may be used to provide any reimbursement (except pursuant to section 122(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) of response costs incurred by any person when it is made known to the official having the authority to obligate such funds that such person has agreed to pay such costs under a judicially approved consent decree entered into before the enactment of this Act, and none of the funds made available under such heading may be used to pay any amount when it is made known to the official having the authority to obligate such funds that such amount represents a retroactive liability discount attributable to a status or activity of such person (described paragraphs (1), (2), (3) or (4) of section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) that existed or occurred prior to January 1, 1987.

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

Mr. MARKEY. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, is there an agreement on time for this amendment?

Mr. MARKEY. On the amendment which is now pending, there is a 40-minute agreement on time, 20 minutes evenly divided.

I am sorry. I apologize, Mr. Chairman. There has not yet been an agreement reached on time.

Mr. BOEHLERT. Would the gentleman entertain an request for an agreement on time? I know both the chairman and the ranking member are anxious to move this along. I would be receptive to an agreement on time.

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

Mr. MARKEY. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, we would have to object to an agreement on time.

Mr. MARKEY. Mr. Chairman, as all who are listening are well aware, the Contract With America was intended as a full-scale, all-out attack upon the environment of our country. There was an agenda put together in the beginning of this Congress towards the goal of eviscerating most of the laws which have been placed upon the books over the last quarter of a century to protect the environment in our country.

One of the primary assaults upon the environment was begun in the Committee on Commerce last year, culminating, in the fall, upon a Superfund reform bill introduced by the Republican Party. Its intent, for all intents and purposes, to gut the Superfund bill, to make it ineffective.

The centerpiece, in their own words, of their Superfund gutting bill was to take hundreds of millions of dollars a year, billions of dollars, billions over the next decade, and to give money back to polluters, polluters who have already accepted responsibility for having polluted their own neighborhoods, for having ruined the water in their communities, for having led to the deaths of small children because of exposure to toxics, giving money not to the communities in order to help clean up but to the polluters themselves.

Now, the centerpiece of this proposal is still embodied in the Republican appropriations bill. In it is included a provision taking $861 million over the next year and making it available to give back to polluters who already accepted responsibility for their pollution and their responsibility to clean it up.

Now, here is how it works: If you happen to have been a polluter, congratulations to you. You may already have won millions of dollars in cash prizes from the Grand Old Party. The Ed McMahon polluters clearinghouse sweepstakes. Here is how it works. Just wait for this appropriations bill to pass, enacting reforms. Pretty soon the EPA Superfund prize van will pull up to your corporate headquarters and hand you a Federal Government taxpayer check, if you can identify yourself as a polluter. Here is how it works. First, is your toxic waste dump listed on the Superfund site on the national priorities list? In other words, that you are one of the worst polluters in America. You must answer yes to that question to qualify for this Federal money.

Second, did you even incur cleanup costs since they introduced their bill last October? That is, once, if you were there on October 18 as a polluter, you qualify for this money.

Third, was your liability attributable to activities which occurred prior to 1987? That is after the Superfund bill passed in 1981 so that in fact we knew that and you knew that the Superfund law was on the books, and have you accepted responsibility in a court-ordered, a court-ordered consent decree in which you have already agreed to accept liability to clean up the site yourself?

If you qualify under all of those standards, then you are a grand prize winner as a polluter. You qualify for the $861 million a year, billions of dollars over the next decade, which can be and will be given out to polluters.

Now, this, it seems to me, is an absurdity. We do not have $861 million a year for a new program to hand over to polluters when we are cutting Medicare, when we are cutting student loans, when we are cutting every other social program. We cannot have this program pile up to $6 and $8 billion over the next decade, gobbling up what limited resources we have as we target the 2002 for a balanced budget.

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

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, I thank the gentleman from Ohio very much for yielding to me.

This provision has to be stricken from the Republican proposal, has to be cut out. That is what this amendment does. It just ensures that not only under the bill which the Republicans introduced last year, H.R. 2500, but under any bill which is ever introduced, we do not give money back to polluters who have already accepted court-ordered consent decree responsibility as to their responsibility to clean up the site. It makes no sense whatsoever.

So this is a very simple proposal. It gets right at the heart of what it is that the Republicans want to propose as a reform of environmental laws, giving money to polluters. We have operated for the last 15 years under the notion of the polluter pays, if they are responsible. The Republican proposal transforms it into the taxpayer pays the polluter. We are so sorry, it is going to cost you money for having to clean up the mess you created in the community, this neighborhood nightmare, which has taken all the property in the neighborhood off of the tax rolls, which could have led to the deaths or the creation of disease in families within the community. That is their new notion. We take care of the polluters.

So the Markey-Pallone-Borski amendment deletes this ability to be able to hand this money over to the polluters. It is a very clean, simple vote. As we go through the rest of the night, there will be attempts to take out one small attempt at doing it, last year's version, but it does not deal with any other version. The money stays there, all $861 million.

The gentleman from New York [Mr. BOEHLERT] is going to seek to make an amendment which just says, well, we are not going to use H.R. 2500, last year's version, but it does not say anything about any other version, which is what the Markey amendment says. You cannot do it. It is impossible under the Markey amendment. The Boehlert amendment says, well, we got caught; we got caught off base. We do not want to have this on our record. So we are going to withdraw it. Let us wait until Bob Dole is President so he will not be vetoing this so we can just do it with the majority of the votes in the House and the Senate. We are going to pull it back right now. We got caught. But no way are we going to take out the $861 million. In no way are we going to put a limitation on it being used by other mechanisms to give rebates to polluters, no. We are going to take out that part of the Markey amendment.

So this is a very clean, simple amendment that deals with the heart of the challenge to the Superfund program which for 12 years was under Republican control.

Remember this tonight, my colleagues: Yes, it was passed by a Democratic Congress but Rita Lavell and Ann Gorsuch and a whole line of Republican administrators for 12 years, right up to 1993, had responsibility for it. Only in the last years has it been put in the hands of an administrator who is fully committed to its implementation.

If this program was not as fully effective as it could have been, and we do believe it should be reformed, blame those Republican administrators, one of whom even went to jail in a contempt of Congress citation, for their lack of regard for our congressional intent.

So this is at heart a vote on whether or not in fact we are going to keep to the soul of what the Superfund program was meant to achieve; that is, that those who were responsible must pay. And we are not going to use limited taxpayer dollars as a handout to them. As we go through this debate, Mr. BOEHLERT will attempt to take one small portion of it, one small attempt, the initial attempt, and to say, we are not going to use that route anymore, but make it impossible to have a straight up or down vote on whether or not any other attempt which the Republicans have contemplated can in fact be used to give this money over to polluters.

I want everyone to understand this debate, as it unfolds, because it gets right at the heart of what we believe as Democrats should be the intent of this program, which is personal responsibility, personal and corporate responsibility. Those who created the messes should clean them up. Those who have accepted legal responsibility in the courts should clean them up. We should not have to turn to the taxpayers, tip them upside down, have $861 million over the next year and billions more in years after that used to clean up the messes which corporate executives are responsible for.

Mr. OXLEY. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. OXLEY. Mr. Chairman, let us get one thing straight first of all. The taxpayers that I know the gentleman from Massachusetts is so fond of and wants to protect, the taxpayers who pay into the Superfund and the very polluters that he is talking about. He would allow the impression out there that somehow these taxpayers, Mr. and Mrs. Joe Sixpack, are paying, are going to pay for these cleanups. And we simply cannot allow that argument to stand. It makes no sense.

The Superfund program is basically funded to the tune of $1.6 billion a year until, of course, the President vetoed those taxes that go into the Superfund, $1.6 billion a year that come from the oil companies, the chemical companies, from chemical feedstocks, and the environmental income tax, that is really what funds the program.

So my friend from Massachusetts, who I know is a great friend of the taxpayers, has received a lot of awards for his stand on lower taxes and protecting the taxpayer, I am appalled, frankly, that my friend from Massachusetts would make the argument here on the floor of the House of Representatives that somehow the taxpayer is going to bail out these evil corporate polluters when, in fact, they are paying the taxes in the first place. They are not getting their money's worth, folks.

All you have to do is look at the program, 15 years of failure, about 5 percent of the sites on the national priorities list cleaned up. We have spent $30 billion in public and private moneys to clean up these sites. And what do we have to show for it? the average site rests on the NPL for 10 to 12 years. The average cost of a site to be cleaned up is between $25 and $30 million. And guess what?

□ 1930

Only about half of that really goes to actual cleanup.

Mr. Chairman, I would suggest to my colleagues that a vote for the Markey amendment is basically a vote for the status quo.

Now, if my colleagues like the idea of a Superfund program that fits all the qualifications that I just mentioned in terms of abject failure, then they want to support the Markey amendment because the Markey amendment essentially is an SOS amendment, ''some old stuff,'' and we are going to continue with the same process that we had before, and I have got to think we are better than that.

I think we can learn from the mistakes of past Democrat Congresses that foisted this program on us, first of all, in a lame-duck session, signed by a lame-duck President, in overreaction to a couple of situations in New York State and Missouri, and then in 1986 we compounded that felony by voting for a reauthorization of the program that made it even worse, and some of the architects behind the original bill and the 1986 reauthorization are the same people who are opposing meaningful reform in this program. And I say shame

on them and shame on their memory of what they have accomplished in the last 15 years, which is practically nothing.

And so it gives us an opportunity finally, under a Republican Congress, to really deal with the problem at hand and to clean these sites up, and I would suggest to my colleagues that that is our goal and that is what we are trying to accomplish with our bill that we have introduced [ROSA] Refund of Superfund Act.

Make it very clear that the Markey amendment stands for the status quo.

This is clearly the most egregious environmental program that anybody could have ever invented, and I do not understand why my friend from Massachusetts would want to sustain that for another several years.

I had an opportunity the other day to find a rather interesting piece of reading material. It is a coloring book that is put out by the Environmental Protection Agency. It is called the ''Superfund Team, Mother Mouse,'' and instead of protecting children from contamination by cleaning up Superfund sites, the EPA apparently is indoctrinating them with a Superfund Man and Mother Mouse routine.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. OXLEY] has expired.

(By unanimous consent, Mr. OXLEY was allowed to proceed for 3 additional minutes.)

Mr. OXLEY. Mr. Chairman, I understand we have no time constraints on this particular amendment; is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. OXLEY. Mr. Chairman, this is the coloring book, and let me quote from the book where Mother Mouse meets the U.S. EPA remediation workers:

> She was smiling and humming when all of a sudden she heard someone coming. She saw a strange sight. ''Oh my. What a fright!'' Two people wore white suits with hoods on their heads and gloves on their hands. ''They're creatures from Mars,'' she screamed. ''Quick. Get in the house. Pull tight the laces. Don't make a sound. Stay in your places.'' ''But we know them—they're keen!'' the children cried out. ''They're the Superfund Team! The Superfund Team!'' the kids said with a shout.

This is actually a publication of the government of the United States of America. We have established a special hazardous waste cleanup program with its own taxes to pay for the self-promotion of the Environmental Protection Agency. The sad part is that in real life the men in white suits do not show up for years while mother and the children still live by the contamination.

Let us not waste time on coloring books, outrageous delays, endless lawsuits and bureaucratic bickering. Let us clean up the pollution for a change. Contaminated sites are still sitting around as giant festering sores on the landscape primarily because of the contentiousness Superfund's liability system causes. One can be held a hundred percent liable for the entire cost of cleanup at a site which could stretch into hundreds of millions of dollars even if they did not cause any of the contamination, even if they were not even alive when the contamination occurred, and even if they acted completely legally at the time, or even if they were ordered to put contamination at the site by the Federal Government or some local government.

Does that strike my colleagues as a reasonable Federal statute? I do not think so, and that is why the NFIB, the National Federation of Independent Business, who represent over 600,000 small businesses in this country today, along with local governments, school boards and other local organizations oppose the Markey amendment. As a matter of fact, the NFIB has made this a key vote.

I want to stress to my colleagues in the House on both sides of the aisle this is the NFIB key vote on the Superfund bill this session, and let us understand exactly where they are coming from. They understand what a disaster this Superfund statute really is.

Let us make certain for a change that we will deal with real cleanups this time instead of spending it on coloring books, on lawyers, on bureaucracies, and get this job done once and for all.

Mr. BUYER. Mr. Chairman, will the gentleman yield.

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

Mr. BUYER. Mr. Chairman, I am curious. Did not Carol Browner and the EPA come before the gentleman and ask for an increase in funding, and now the gentleman is telling us they are spending dollars, taxpayer dollars, on coloring books?

Mr. OXLEY. That is precisely correct.

Mr. BUYER. That is pretty disgraceful.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DINGELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman.

Mr. Chairman, I hope everybody has listened very closely to the comments by my dear friend from Ohio and looked at these wonderful posters that he has put up. The wonderful posters that my good friend from Ohio has put up do not mean anything and they do not have anything to do with the debate in which we are now engaged.

There are two amendments pending. The first is an amendment by my good friend from Massachusetts [Mr. MARKEY]. That amendment does two very simple things. It says first that one cannot give rebates to polluters in connection with cleanup.

Now, I have heard some rather novel and stressed explanations of why that might be a good idea, but the simple matter is that is a device to pay the polluter. That is something that has always been alien to the principles that we have had with regard to dealing with Superfund.

Second, it would prohibit compensating people who have already cut a deal with the Federal Government and with other polluters to clean up and to allocate the responsibilities.

My good friend, the gentleman from New York [Mr. BOEHLERT] who is a most sincere Member of this body, has come forward with an amendment which says that the first is a good idea, that we should not pay polluters for cleaning up. But he says that we should permit polluters to continue to get paid after they have cut a deal so that they essentially would be drawing moneys above and beyond what they should get in terms of their cleanup.

Now, this is a most curious posture, and I am sure that the gentleman from New York will have an interesting explanation for this. It is going to, I am sure, be extremely interesting, and he has nodded ''yes'' to me, but I think it is probably going to lack merit.

Now having said these things, there has been pending a long time an effort to get a decent cleanup under Superfund. I was highly critical of the last Superfund bill, and I was roundly criticized by a lot of people for being very much opposed to many of the things they tried to do in terms of compounding the difficulty of enforcement. So I do not apologize for anybody for my views on this.

I will tell my colleagues there is urgent need for enactment of new and improved Superfund legislation, get rid of some of the things that my good friend from Ohio, Mr. OXLEY, properly complained about. There is time, however, to address this question.

Last Congress we reported out legislation out of the Committee on Commerce. It was duly killed by my Republican colleagues, who did not want to move forward on Superfund legislation during the last Congress.

The Republicans during the last Congress killed our efforts to pass a better Superfund bill, and I know it distresses them to have this fact revealed because it is one of the nasty little secrets that they carry around in their pocket.

Now having said this to my colleagues, I think that we should observe that there is the ability on the part of my Republican colleagues to address Superfund. They chair the committee, they chair the subcommittee, they have the majority of the House, and they have extraordinary discipline.

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

Mr. DINGELL. I will yield to my friend because I know he has something important to add, and I am sure he wants to agree with me. But I want to conclude my statement, and I know he understands because I listened to

him with great interest even though his comments were, in good part, irrelevant to the discussion that we are engaged in.

Having said these things and expressed great respect for my good friend from Ohio, who is not only a dear friend but one of the finest Members in this body, even though he is wrong in this matter, I would observe that the Republicans have the full capability to move forward. We stand ready to assist them in moving forward on good legislation.

I will observe that good legislation does, however, not embody the principle that we should pay the polluters for cleaning up. We should cause the polluters to pay, and we should not absolve those who have arrived at a settlement of the responsibility that they have achieved by having set at risk the health and the welfare and the well-being and the environment of the American people.

Mr. Chairman, I would urge my colleagues then to reject the amendment offered by my good friend from New York, for whom I also have enormous respect, and to adopt the amendment offered by my good friend from Massachusetts because it says that the polluter pays, the polluter gets no break for his wrongdoing, whereas the gentleman from New York says that he might get some.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DINGELL] has expired.

(By unanimous consent, Mr. DINGELL was allowed to proceed for 2 additional minutes.)

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

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

Mr. OXLEY. Mr. Chairman, I thank the gentleman from Michigan [Mr. DINGELL], who I have a great deal of respect for, and he is usually right on most issues, but let me remind him about the last Congress when I think the gentleman in the well was the chairman of the committee, and we had Democrats chairing the committee.

Mr. DINGELL. That is right, and we reported out a good Superfund bill unanimously out of the Committee on Commerce, and my Republican colleagues——

Mr. OXLEY. I am amazed, I must say, at being in the minority for all the time that I was in the Congress for the first 14 years, and then to be honored with apparently the title of being able to kill the Superfund bill——

Mr. DINGELL. And the gentleman is a fine chairman——

Mr. OXLEY. As a minority I am truly honored. I did not realize I was that good, and I thank the gentleman for yielding.

Mr. DINGELL. The gentleman is a fine chairman, and all he has got to do to get us a Superfund bill to the floor which is really meaningful is to see to it that the subcommittee convenes, writes a bill, and reports it out and excludes paying the polluter.

Now I guess the gentleman from New York [Mr. BOEHLERT] wants me to yield to him?

Mr. BOEHLERT. No, I am just listening with rapt attention.

Mr. DINGELL. Mr. Chairman, I am mightily distressed at that, and I therefore yield back the balance of my time.

Mr. Chairman, our Republican colleagues rejected the bipartisan bill that was approved 44 to 0 by the Energy and Commerce Committee in the 103d Congress in favor of a new bill, H.R. 2500, that was not introduced until October 1995. It seems that it took 10 months to figure out how to destroy the bipartisan agreement we had achieved in the prior Congress after months of stakeholders discussions.

It is my firm belief that we should dedicate as much Superfund money as possible to cleanup, and not to relieving polluters of their responsibility. And that is exactly what Mr. MARKEY'S amendment is designed to do.

Mr. MARKEY'S amendment will assure that Superfund money will be spent on cleanup and not on reimbursing polluters. The Markey amendment will ensure that existing consent decrees, under which parties have agreed to conduct or pay the costs of cleanup, will not be disturbed. Why should EPA expend enormous transaction costs to revisit existing consent decrees when the parties to those decrees have agreed to conduct a cleanup? If those parties have agreed, why do they expect to be relieved of their obligations under these decrees?

This amendment absolutely does not disturb the EPA's ability to provide funding at sites where there are existing consent decrees if EPA decides to provide funding to cover all or part of the shares of insolvent or defunct parties. This amendment does not adversely affect the EPA's ability to fund the relief contained in the recent Superfund liability proposals offered by the Democratic members of our Committee as well as the administration. Our recent proposals include fair share funding, limitations on municipal owner liability, exemptions for small business generators and transporters of waste, and exemptions for generators and transporters of municipal waste. The administration's letters in support of Mr. MARKEY'S amendment confirm that this amendment is consistent both with the administration's Superfund reform initiatives as well as the liability proposals we have offered during our bipartisan negotiations.

Moreover, this amendment will not bring Superfund cleanups to a halt. That is, unless companies decide to use this as a hollow excuse to breach their agreements to perform cleanup under the consent decrees they have already signed.

I urge my colleagues to support the Markey amendment to assure that Superfund moneys are spent on what I had thought was our mutual goal—expediting cleanup.

Mr. BLILEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the vote on the Markey amendment today is nothing short of a referendum on Superfund itself. If my colleagues think Superfund is effective, if my colleagues think that the program is doing a good job of cleaning up our Nation's worst toxic waste sites quickly and effectively, if my colleagues think that the Girl Scouts, churches, small businesses, local governments, and many, many other polluters are polluters and that we should continue throwing good money after bad to lawyers and consultants, then, by all means, my colleagues should support the gentleman's amendment. If, on the other hand, they have even the faintest idea of how badly broken Superfund truly is, they should join me in vigorously opposing the Markey amendment.

□ 1945

The amendment would prevent any meaningful Superfund recovery from taking place by eliminating even the possibility of allowing some fair share or ''orphan share'' funding under the program. The amendment effectively prohibits any retroactive liability relief whatsoever. Superfund's system of retroactive liability is so fundamentally unfair that it has forced parties caught up in a never ending blame that delays cleanup and threatens human health.

Mr. Chairman, the fact of the matter is that no one, and I mean no one, believes that the current Superfund law is working. Here is what people have said. President Clinton; yes, President Clinton: ''We all know it doesn't work,'' he says, ''the Superfund has been a disaster. All the money goes to lawyers and none of the money goes to clean up the problem it was designed to clean up.''

The EPA Inspector General has said that ''On a site-by-site basis, it is clear that liability negotiations consume a lot of time and delay completion of the site.''

In a 1994 editorial, that bastion of conservative thought, the New York Times, said that

> Superfund has failed the efficiency test: of the $13 billion spent by government and companies, one fourth has gone to what are euphemistically called ''transaction costs,'' fees to lawyers and consultants, many of them former Federal officials who spin through Washington's revolving door to trade their Superfund expertise for private gain.

A year earlier, the Washington Post editorialized that Superfund ''is generating intolerable injustices and needs to be fixed. Many of these cases,'' as they say, ''are grossly unfair, and all invite furious litigation as small companies, big ones, banks, mortgage holders, local governments and insurers all go after each other. That is why a high proportion of the money spent so far has gone not to cleanups but into lawyer's fees.''

The Seattle times editorial board wrote that Superfund ''has created a legal swamp, enriching lawyers while accomplishing precious little cleanup.''

And a 1994 USA Today editorial said that ''Superfund is absurdly expensive, hideously complex, and sometimes patently unfair. As a result, it invites litigation the way dung attracts flies: not by seeking but just by being.''

Mr. Chairman, the evidence is clear. Superfund is badly broken. That is precisely why I have made Superfund reform a top priority of the Committee on Commerce in this Congress. All other reform proposals are on the table, including the 103d Congress's Superfund deal, the administration's new liability proposal, Republican proposals drafted by my colleague and friend, the gentleman from Ohio [MIKE OXLEY] and myself, contain some element of the fair share funding which the Markey amendment would prohibit.

In fact, the administration has the statutory authority to use so-called mixed funding under the law, and Administrator Browner recently announced that EPA would expand its use of orphan share funding to the tune of $40 million a year. This amendment would eliminate EPA's ability to implement even the modest administrative reform of the Superfund proposal.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. BLILEY] has expired.

(By unanimous consent, Mr. BLILEY was allowed to proceed for 2 additional minutes.)

Mr. BLILEY. Mr. Chairman, the vote on this amendment is very simple. If members support Superfund reform, vote ''no'' on the Markey amendment.

It simply amazes me, Mr. Chairman, that the gentleman from Massachusetts would offer the amendment. Massachusetts has 32 sites, three-two, 32 sites listed on the national Superfund priorities list. Construction on cleanup remedy is complete on only 2 of these sites, even though 14 of them have been on the NPO list since 1983. It is astonishing that we cannot decide how to clean up a Superfund site in the time it took our forefathers to hold a Boston tea party, declare independence, fight a Revolutionary War, write a new Constitution, and establish a whole new government.

My friend sent out a ''Dear Colleague'' letter last week saying ''Superfund is working in my district.'' Now he is introducing an amendment to prevent Superfund from working in anyone else's district. I would think the gentleman would not be so callous toward the people across the country who live near Superfund sites to block legislation that will get those sites cleaned up, especially since only 2 of 34 sites in his home State have been cleaned up.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am somewhat amazed by what I am hearing on the other side, because earlier today when we discussed my amendment that simply would have required that this $861 million in contingency money for the Superfund Program be simply put to use this year to fund the Superfund Program and to make it possible to work on new sites and continue work on existing sites where work has already started, what I was hearing from my friends on the other side of the aisle in opposition to it, basically I got the impression they were denying that this money would ultimately be used for a rebate program that gives money back to the polluters.

But having listened to some of the debate tonight, it seems like just the opposite. I do not know if anyone has specifically admitted on the other side that that is what this money would be used for, but they certainly do not seem to indicate that is a problem, using it for that purpose.

Mr. Chairman, we cannot have it both ways. We cannot come in here earlier in the day, or last week in a press conference, and say, ''Oh, we are great because we are going to provide so much more money for the Superfund Program, we are going to do even more than the Democrats want, and then later on say, oh, well that money might be used for a rebate program, or we have to do all these changes to the Superfund Program first before we are going to make the money available, and we are not exactly sure that the money is going to be used for.

That is the impression I am getting from the other side of the aisle. It scares me and makes it more crucial to have this amendment passed to make sure that the money will not be used, if it ever does become available, for this rebate program to polluters. Essentially, the debate this evening is on the Superfund Program.

All of a sudden now, the Republicans, or most of them on the other side, are suggesting that what they are really all about here is that they want to dramatically change the Superfund Program. I would contend that what they really want to do is abolish the Superfund Program, or at least make it ineffective.

The bottom line is that Superfund is working, contrary to the statements that my colleagues are making on the Republican side of the aisle. Sites are getting cleaned up. In my district, 7 of 9 sites are in some phase of cleanup. Nationally there are 1,284 sites on the national priority list, and in more than one quarter of them, or 346, construction has been completed, that means clean up. Construction has commenced at more than 470 other sites and final cleanup decisions have been made at about 150 other sites. So there are nearly 1,000 sites where construction has either been completed or begun, or a cleanup decision is made.

I would point out that this administration has also cleaned up more toxic waste sites than in the previous 10 years. All it takes is an administration that cares about a Superfund Program, rather than one that does not believe in the Superfund Program.

In the Committee on Commerce when we were marking up the Republican Superfund bill, there were many members who basically suggested we should not even have a Superfund at all and we should just let the States do their own thing with toxic waste clean up. I do not agree with that. I do agree with one statement that the gentleman from Ohio, the chairman of our subcommittee, made tonight when he said that this is a key vote. This is a key vote because basically this is the only amendment on the floor this year that will clearly define where people stand: Either you are for polluter pays, which is the basis for the Superfund Program, or you are for pay the polluter, which is what the gentleman from Michigan [Mr. DINGELL] and the gentleman from Massachusetts [Mr. MARKEY have said. That is what this is all about. This appropriations bill will allow the Government to pay the polluter. I do not think that is right. I do not think that is the way the program should be set up.

I also want to make mention of another theme that I keep hearing from the other side of the aisle. That is that somehow the Democrats on this side do not want to see the reforms in the Superfund Program that would help small businesses or help municipalities. In fact, the gentleman from Massachusetts [Mr. MARKEY] and the rest of us have repeatedly said we would exempt small businesses, the little guys who do not have the financial means to contribute to the cause of cleanup.

We would exempt municipalities, residential homeowners, small nonprofits. We would exempt any person who contributed less than 110 gallons of liquid hazardous substance, 200 pounds. We would cap the liability. There is nothing in this amendment, there is nothing in this amendment that would preclude any of those changes in the Superfund Program from taking place.

The reason we are offering this amendment is because we do not want to see change the cornerstone of the Superfund Program, and that is that the polluter should pay to clean up the mess, if you will, that he left behind. Once you get rid of that, you will not have an effective Superfund Program anymore. That is why this amendment is so crucial, and I would urge its adoption.

Mr. SHUSTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Markey amendment. Every proposal that has been put forward on Superfund includes the proposal that rebates be paid. If the gentlemen say they are opposed to rebates, then they are opposed to every reform proposal that has been put forward. They are opposed to fundamental reform. They must want to see the lawyers continue to get the money, rather than the money going into actually cleaning up these Superfund sites.

In fact, I find it more curious and more curious that we have heard from several of the opposition that the Superfund is working. The President of the United States, Mr. Clinton, President Clinton, has said that it is not working. Carol Browner, the EPA administrator, says that the entire

Superfund law should be rewritten from start to finish. The EPA Inspector General said it is not working. But even though their President and their EPA and their Inspector General say it is not working, we have heard them say tonight that Superfund is working. The evidence is very clear. The statistics which have already been presented indicate that that is simply not the case.

The amendment before us is a funding limitation on the EPA spending bill that would preclude any reimbursement to persons who are potentially liable under the Superfund statute. All legislative proposals to reform Superfund, even the EPA's proposals, involve some element of reimbursement. Let me again emphasize that. The amendment before us ensures that none of these reforms can go forward.

The author has amended his amendment twice before bringing it to us, but it is still fatally flawed. It freezes the status quo and it protects the livelihood of all those wonderful Superfund lawyers. So if Members want to protect the lawyers, then they should support the amendment before us. But if Members want to reform Superfund, then oppose this amendment.

Mr. BORSKI. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. BORSKI. Mr. Chairman, I am pleased to join the gentleman from Massachusetts and the gentleman from New Jersey in offering this amendment to keep Superfund from changing from a polluter pays program to one where the taxpayers pay the polluters. This amendment would prohibit use of the Superfund appropriation for payoffs to polluters, very simply. This amendment would maintain the principle that major corporate polluters should pay to clean up the dangerous toxic waste sites they have created.

Since the beginning of the 104th Congress, the majority has attempted to find a way to let these corporate polluters off the hook. Even though more than 80 percent of Superfund toxic waste sites are located near drinking water sources, they want to reduce standards for cleanup and use tax money to pay polluters for the limited remaining cleanup.

The majority has tried and tried again and then tried a third time to come up with a plan to help out corporate polluters. They could have been developing a plan to let small businesses and municipalities escape the Superfund liability web. They could have been developing a plan to help America's urban communities develop their brownfields sites that are so important for job creation. They could have been developing a plan that would implement a fair share allocation plan that would eliminate the high transaction costs resulting from the current liability requirements. Unfortunately, none of these things have been done.

Mr. Chairman, this bill contains only $1.3 billion for Superfund.

□ 2000

That money should be used for cleanups, not for corporate payoffs. With this amendment, corporate polluters would still be held responsible for cleaning up the toxic messes that they created.

Mr. Chairman, money from corporate polluters has funded most of the Superfund cleanups that have taken place. If that source of money is eliminated without being replaced, Superfund cleanups would have to be drastically reduced.

With the low level of funding in this bill, using any fund to pay corporate polluters would mean less cleanup, less protection of the environment, less protection of drinking water.

All of this leads to one question: Where is the Superfund reform? Everyone has agreed that Superfund reform is absolutely critical. But, we have been waiting for 18 months for the majority to move a bill to the full committee level. In the waning months of the 103d Congress, Administrator Browner put together a consensus bill that was backed by a remarkable coalition, business, State and local governments and environmental groups and Democrats and Republicans.

Incidentally, Mr. Chairman, under Administrator Browner there have been more cleanups in the first 3 years than in the previous 12 years of the Superfund program. Unfortunately, the bill that Administrator Browner crafted died at the end of the last Congress.

For the past year-and-a-half, the Republicans have ignored H.R. 228, the bill based on the Coalition agreement. Their substitute for the broad-based agreement is no Superfund reform at all. In three months of negotiation, all we got was a three-page outline asking us which of their previously rejected solutions we wanted to take.

I want to remind my Republican colleagues, they are in the majority. If they want to bring their bill to the floor, then do so. Until then, the Markey-Pallone-Borski amendment will prevent this special treatment for special interests. I urge support of this amendment.

Mr. BOEHLERT. Mr. Chairman, I rise to strike the last word.

Mr. Chairman and my colleagues, I rise in strong opposition to the Markey amendment. Before I get into the meat of my argument, let me just make a couple of points.

This is sort of grand theater here tonight. We have witnessed that for the last 48 hours. What really disturbs the new minority is that they are not yet adjusted to the fact that they are in the minority, no longer in the majority, and that the majority is stepping up to the plate and addressing in a responsible way very important environmental issues.

For example, the new minority keeps saying the new majority wants to pay the polluters. That is unmitigated nonsense, plain and simple. We are talking about a so-called retroactive liability discount scheme that was floated about several months ago and we rejected it. It is off the table. No one agrees that we should have retroactive liability discount, because we do not want to pay the polluters. Everyone agrees to that.

Now, the concept of should those who pollute pay be embraced? You are darn right it should be. We should force those who pollute to pay, because we have an obligation to our children and future generations to leave them with a cleaner, safer, healthier environment, and we intend to do just that.

However, my friend, the gentleman from Massachusetts [Mr. MARKEY], the author of this amendment, suggests that the present program should be left intact; do not make any adjustments. Mr. Chairman, I would suggest that the gentleman from Massachusetts talk to his President and my President, the fellow who occupies 1600 Pennsylvania Avenue. He thinks there should be some changes and has provided some money in the budget for liability relief.

The Administrator of the Environmental Protection Agency, a woman for whom I have the greatest of respect and I work with on a partnership basis, Carol Browner, thinks there should be some liability relief, and I agree with her.

Here is who we should relieve. We should relieve those small business people, the innocent people who are victimized and caught up in this scheme. I am not just saying that, you are saying that, your administration is saying that, Carol Browner is saying that, President Clinton is saying that, we are all saying that. However, under Mr. MARKEY's amendment, oh, no, we do not want to provide any relief for anybody, we want to keep it as it is because we have just heard from another colleague that the system is working quite well.

I do not know many people in America that think Superfund reform is working as intended, and believe me, it was well intended, because we want to clean up toxic waste sites. That is very important to all of us. But the gentleman from Massachusetts [Mr. MARKEY] says things are all right and some of those people who are supporting his amendment seem to conclude that it is all right.

The gentleman from Pennsylvania [Mr. BORSKI], the ranking member of the subcommittee I am privileged to chair, keeps coming up with the old saw that we are going to pay polluters. I would say to the gentleman that he knows we have no intention of doing so. The gentleman and I agree that that would be lousy policy, and, boy, we are not going to pay those polluters, nor should we.

And guess what, fellow Republicans? I know my colleagues have examined that idea and agree that we should not pay them, but should we pay some liability relief? You are darn right. Do

my colleagues want to know why? Because the American people are sick and tired of spending all of their time in the courts with their lawyers, everybody suing everybody and these toxic waste sites are not being cleaned up.

What about my kids? What about my grandchildren and future generations? We want to leave them with a cleaner, a healthier, a safer environment.

Mr. Chairman, let me tell my colleagues what is wrong with the Markey amendment. There is a lot wrong with it. First of all, let me increase your comfort, because we are going to eliminate any possibility whatsoever that we can pay polluters, because I am going to offer a substitute amendment pretty soon, and I am sure my colleagues will support that, because we are going to make it abundantly clear to one and all and to history that no way are we going to pay polluters. We are going to make sure that retroactive liability discount scheme never surfaces again, nor should it. That is good news.

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

Mr. BOEHLERT. Only if you will support that amendment.

Mr. MARKEY. Mr. Chairman, toward the goal of supporting that amendment, I would just like to clarify. If the gentleman would yield, would the gentleman's amendment prohibit any rebates to polluters who have already signed?

Mr. BOEHLERT. Mr. Chairman, reclaiming my time, I am glad the gentleman brought that up. I am glad the gentleman brought that up, and reclaiming my time, because my good friend from Massachusetts brought me to my next point, here is the deal there, and it is very important to remember this.

We are opposing restrictions on liability relief, as is the administration. Let me point that out. The administration wants to have some liability relief. Because, guess what? Some people have stepped up to the plate, they have assumed their responsibility, they are going to fulfill their responsibility.

The CHAIRMAN. The time of the gentleman from New York [Mr. BOEHLERT] has expired.

(By unanimous consent, Mr. BOEHLERT was allowed to proceed for 3 additional minutes.)

Mr. BOEHLERT. Mr. Chairman, let me get to these points and then I will be glad to yield to my friend because we are good friends and we work together on these things and usually on environmental issues we see eye to eye. I do not know how the gentleman got misguided in this instance.

We want to say to people who have stepped up to the plate and have accepted their responsibility, good for you, and if we pass legislation that provides some relief for small business, that is going to allow some assistance to these small businesses. That is very important, and we are going to say something else.

Mr. Chairman, this may never become law. My colleagues know how we deal in this institution. We may end up never having this measure law, and if we never have this measure law and we go on with a continuing resolution, the Markey language would prevail and never more could we provide any liability relief for small businesses and for municipalities, those communities across the country that are so hard-pressed to make ends meet.

And what would they have to do? They would have to go to their taxpayers, their property taxpayers. What a lousy way to raise money, increase their property taxes, all if this amendment as proposed passes. But I do not think it is going to pass, because I think people recognize that we have an obligation to go forward in a responsible way.

Now, to those who argue that we do not have a plan to deal with the subject, let me point out, a year ago I presented a plan, a very good plan that a lot of people embraced. Now, you know what the Administrator of the Environmental Protection Agency said in response to an examination of my plan? This is Carol Browner. I think she should be Secretary Browner, because I think EPA is very important, and I think it should be a Cabinet level agency. She said, Boehlert's proposal is something the Clinton administration would feel very, very comfortable with. It is a very attractive proposal. It goes a long way toward removing lawyers from the system, and I think it is a wise and informed position.

Now, let me make this one point, this one point. The point is, and this is why I say it is grand theater. It is disturbing to so many of my good friends on the other side of the aisle that Republicans are acting in a responsible manner dealing with an environmental issue, because guess what? My colleagues on the other side of the aisle feel they own that issue, and we are the bad guys, we are uncaring and insensitive and we do not want to address in a responsible way the environment, but that is wrong, we do, and we are proving it. Yesterday we proved it with safe drinking water legislation. Today we are proving it as we are urging with all of the compassion that we can find that we have meaningful Superfund reform, and I say to the gentleman from Massachusetts [Mr. MARKEY], his proposal would not allow that.

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

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

Mr. MARKEY. Mr. Chairman, I thank the gentleman. I know that the gentleman is not acting in a deliberate attempt to totally misrepresent what my amendment does; although he has, I know it is not deliberate. So I welcome the opportunity to clarify for the gentleman what it is that my amendment does.

Mr. BOEHLERT. Mr. Chairman, I am not going to reclaim my time, I am going to let the gentleman continue, because this is grand theater.

Mr. MARKEY. Mr. Chairman, I thank the gentleman from New York so much, because this goes right to the heart of what we are talking about.

Just for the record so that everyone who is listening is not all confused, the Environmental Protection Agency wrote yesterday that they support the Markey amendment.

The CHAIRMAN. The time of the gentleman from New York [Mr. BOEHLERT] has expired.

(On request of Mr. MARKEY, and by unanimous consent, Mr. BOEHLERT was allowed to proceed for 1 additional minute.)

Mr. MARKEY. Mr. Chairman, I would ask the gentleman if he would continue to yield.

Mr. BOEHLERT. Mr. Chairman, I will continue to yield for 30 seconds, because I want half of that time. This is fairness.

Mr. MARKEY. Mr. Chairman, the Department of Justice as well also supports the Markey amendment.

Now, I know that the gentleman has some general language there from Carol Browner speaking about him as an individual, and let me say this, the halo over his head could not be shinier after the last year and a half of missionary work.

Mr. BOEHLERT. Mr. Chairman, this is a good time to reclaim my time since we are talking about the halo over my head. I will reclaim my time, because that is a good note on which to close, referring to a halo over someone's head. Administrator Browner was not talking about me, and I would appreciate any kind words she would care to share about me, but she was talking about the Boehlert proposal.

That is very important. We want meaningful Superfund reform. We want a cleaner, safer, healthier environment for our kids and grand kids, and I think we can get it if we deal in a responsible manner by voting for what I will soon offer as a responsible substitute to the Markey amendment.

Mr. STEARNS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I must speak on this bill, and I echo the words of the chairman of the subcommittee, the gentleman from Ohio [Mr. OXLEY]. If you are on a train ride and year after year you go on and you keep riding on this train ride and it does not get to where you want; what do you do? You stop the train or you get off. This is where we are tonight. And what we have here is a responsible bill that takes us off the train heading in the wrong direction.

Superfund was hastily enacted in 1980 following national publicity over a few chemical waste sites. Originally, EPA got $1.6 billion in funding to clean up over 1,000 nationwide sites. As my colleagues can see from this chart, after nearly 15 years and an estimated $20 billion in State and Federal and private funds spent on the Superfund Program, less than 10 percent, less than 10

percent of the 1,300 sites that the EPA has place on the Superfund national priority list have been completely cleaned up.

Now, I do not think the taxpayers would be happy with that if we spent $20 billion and only 10 percent of the sties were cleaned up, and that is what this chart shows. Is that progress? Is that a train that is going in the right direction? Lord knows not.

The EPA originally estimated it would take $7 million and 5 to 8 years to clean up an average site. Today the studies indicate an average of 11 years and $25 to $40 million in cost per site; estimates of the entire national cleanup effort range from $300 billion to $1 trillion. They are estimating it is going to cost $1 trillion when Federal facilities are included in the cleanup.

What this means is simple. The existing Superfund Program must be replaced with a new program in which the benefits justify its costs, which is equitable, cost effective, and limited in size and scope when feasible. It should be targeted to address real, current, and significant risks to human health and environments posed by the past disposal of hazardous substances. Retroactive liability, a joint and several liability must be remedied. We must change and work on that, and the size and scope of the Federal national priority list should be kept. States should be given the opportunity to delegate implementation of the reforms of the Federal Superfund Program at the sites, as well as provided with incentives to implement their own reform programs in a fair and cost-effective manner.

Now, Mr. Chairman, this is what this bil does, and what the gentleman from Massachusetts [Mr. MARKEY] does is return us to the status quo, to the train that continues to go in the wrong direction after all of these years since 1980. So there is no use continuing to throw money into this program without reform.

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Mr. Chairman, this is why we need term limits around here. This is why we need to change Congress and not have one party dominate Congress for 40 years, because they are on the same train going in the wrong direction. There are no new ideas.

But, lo and behold, the Republican majority comes in, we have Chairman OXLEY with new ideas and a new program. And once and for all we start to say this train is going in the wrong direction, and we are going to move forward, stop this train and move it in the right direction. That is what this program does. So term limits is good for Members and term limits is good for the majority after 40 years of the Superfund Program.

Mr. Chairman, I rise in strong opposition to the Markey amendment. I might point out that this program can be improved vastly, and I call for the defeat of the Markey amendment and passage of the Republican plan.

Mr. BUYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have to rise in opposition to the Markey amendment here tonight. I did take special interest, though, when the gentleman from New Jersey, Mr. PALLONE, spoke, when I noticed and it first came to my attention that the gentleman from Massachusetts, Mr. MARKEY, had 32 sites in his own district, of which only 2 had been cleaned up, and then when I noticed the district of Mr. PALLONE, the 6th District of New Jersey has 9 Superfund sites, zero have been completely cleaned up, 7 of those sites came in 1983.

Really, I find it very fascinating that Members would want to defend the status quo when in fact so many Superfund sites have been on the books for so long. If our commitment is to a healthier and safer environment, what are we doing? Time out. What in fact are we doing?

The purpose of Superfund is to protect public health from the dangerous release of materials in a cost effective manner. Sixteen years after the law was enacted, lawyers, not the environment, have become the big winners. What I have here is a scroll. On this scroll is a list of thousands and thousands of lawyers who have been retained at over 1,300 of the Superfund sites. Let me just continue on, and I will speak as this goes on, and I will move slowly and everybody in America can read this list of lawyers.

Each year on average, only 5 sites are removed from the national priority list, and each year citizens pay $4.5 billion on the cleanup costs. That is because 47 percent of the total Superfund costs are spent on lawyers and legal expenses.

It is difficult right now for the Democrat Party here because they have to face a choice. The choice is between a constituency that supports them on the environmental issues, that gives a lot of money to their congressional campaigns, and trial lawyers who fund their campaigns with a lot of money. What we have here are all these trial lawyers, so I guess I have to assume that they are siding with the lawyers here tonight.

The liability aspect is so measured that even local governments are being sued millions of dollars on Superfund simply because they picked up the garbage. In Indiana alone, 32 Superfund sites are awaiting action. In my district, we have Continental Steel in Kokomo, IN. It has been on the national priority list for 10 years. The Federal Government has already spent nearly $13 million on contamination removal, yet it is still considered worst on the Indiana list.

I applaud Chairman MIKE OXLEY for having come to Indiana to actually look at the Continental Steel site. I imagine the gentleman from Ohio [Mr. OXLEY] can recall looking at the spent pickle liquor that was right next to Wildcat Creek. That spent pickle liquor still has the risk of contamination into the water because money is going to all these lawyers. It is all the lawyers.

I applaud the gentleman from Ohio because he chooses the environment. He wants to side with the millions of people who live next to these Superfund sites. But what I find here today is the Democrats are siding with the scroll and all the lawyers.

Everyone must agree that Superfund is broken and will require additional funding to fix it. We need to reform Superfund, the joint and several liability, in order to immediately clean up the Superfund sites by using Superfund business taxes to clean up these sites rather than litigating and negotiating.

This amendment would prevent significant reform of the current Superfund liability system by preventing these funds from being used to clean up the sites. Instead, this amendment will keep the status quo of taking money from taxpayers and lining the pockets of all of these lawyers.

The list keeps going and going and growing as environmental law continues to grow. Forty-seven percent of all of the money has gone to all these lawyers instead of cleaning up all the sites.

One could say, ''This is a little bit about theater here tonight.'' It is Mr. Chairman. This is a little bit about theater. But the reality and the fact fo the matter is that money that should be going to make our enviroment healthier and safer is going to line the pockets of trial lawyers, who will in turn send that money into many campaigns because the Democrats want the majority back. I think that is shameless, that they would choose that over the environment.

I will stand with the environment, and I applaud the gentleman from Ohio [Mr. OXLEY] here tonight. God bless you. Vote down the Markey amendment.

Mr. ORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to my colleague from New Jersey, Mr. PALLONE, out of courtesy inasmuch as he was referred to by the last speaker.

Mr. PALLONE. I appreciate the gentleman's yielding to me.

Mr. Chairman, I just wanted to say, first of all, it is very easy to come on the floor and start disparaging the lawyers. There are a lot of lawyers involved in a lot of things in this place including on the floor of this House.

What did Voltaire say: the first thing we do is kill all the lawyers. Maybe that is what the gentleman wants to do, but I do not think that is the issue here tonight.

The issue here tonight is whether or not the corporations and the individuals who polluted these sites and created the mess are going to be responsible for cleaning them up. If we eliminate that as a basic tenet of the Superfund Program, it will no longer be a viable program. The taxpayers will

be basically paying for things that will not happen because there will not be enough money to do the cleanup.

The gentleman mentioned my district specifically. Of the nine sites in my district, seven of them I mentioned are in various phases of cleanup but most of them are in very advanced stages where they are actually doing just monitoring now of the overall program. One site has actually been deleted from the list. Again the gentleman talks about our side of the aisle. This administration, as I said before, has done more cleanups in the last few years than have done in the whole 10 years prior to that of the Superfund Program. It has also deleted more sites from the NPL list than any previous administration. So we are talking here about a Democratic administration that cares about the program, that believes in the program, that wants to make certain changes in the program that are beneficial but still keep the program intact.

What you want to do tonight, and I am amazed when I listen to the debate on the floor, is destroy and get rid of the program.

I just wanted to make one additional comment again based on my friend from New York and what he said about this codisposal option, because that upsets me a great deal. One of the sites that I have is in advanced stages of cleanup in Edison, NJ. It is called the Kin-Buc site, one of the most hazardous sites, the most toxic sites in this country. If any of you went there today to see what has been done at that site, it is amazing how much cleanup, what has actually been done. It not only looks beautiful, it is working. The Superfund Program works. But if what the gentleman from New York [Mr. BOEHLERT] described for codisposal were to come in play and become the law, that site would never be cleanup up today. Because under his proposal, if there is any municipal waste or a substantial amount of municipal waste that goes to a landfill, which is what the Kin-Buc site is, then there is no longer any liability on the part of the polluters to clean up the site. If they have already spent money to spent money to clean up, which they have done at Kin-Buc, then they get reimbursed, which is what this is all about, rebates to the polluters. If on the other hand they have not cleanup it up yet, then the responsibility is turned over to the taxpayers to pay the cost of the cleanup. That means that cleanup does not occur.

The bottom line here, and I think everyone has to understand this, you eliminate the polluter pays principle. You make these changes that they have to do the cleanup and you will not see progress on Superfund sites. You can talk here all you want about all the lawyers and about the various stages of cleanup and how you think the program is not working. The bottom line is the program is working. What you are proposing will make the cleanups stop. That is what the other side is all about.

I have heard it said over and over again, we do not need a Superfund Program. Let the States do the job. The job cannot be done by the States. If we do not pass this amendment tonight, and we do not get away from this notion that we are going to pay rebates to the polluters, we are not going to see the Superfund Program as a viable program anymore. That is the bottom line.

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

Mr. ORTON. I yield to the gentleman from New York.

Mr. BOEHLERT. I would like to respond to the gentleman from New Jersey [Mr. PALLONE]. The proposal I advanced last July which was spoken so highly of by the Administrator of EPA would eliminate retroactive liability for 250 codisposal sites across the country, the idea being to get small businesses out from any liability and to get communities out from any liability, have the trust fund pay for the cleanup, because I want cleanup just as much as the gentleman does and this is a faster way to get the cleanup.

Mr. PALLONE. If the gentleman will yield further, I understand what the gentleman is about, but the gentleman's proposal is not necessary and is counterproductive. We can have exemptions for small businesses, we can have exemptions for municipalities.

The gentleman from Massachusetts [Mr. MARKEY] has indicated and I have indicated and all of us have indicated that we do not have a problem with that and this amendment does not preclude that. But if you go along with this codisposal site that basically says because municipal, household waste, whatever, goes into a landfill or a site and that means that there is no longer liability for the people, the generators of most of the hazardous waste, then in effect what you are doing is eliminating liability for the corporations in the case of Kin-Buc, in my own district, that had to do the cleanup, and there is not going to be the taxpayer money to do that cleanup. It will not happen.

AMENDMENT OFFERED BY MR. BOEHLERT AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. MARKEY

Mr. BOEHLERT. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT as a substitute for the amendment offered by Mr. MARKEY: Page 95, after line 21, insert the following:

SEC. 422. None of the funds made available to the Environmental Protection Agency under the heading ''Hazardous Substance Superfund'' may be used to implement any retroactive liability discount reimbursement described in the amendment made by section 201 of H.R. 2500, as introduced on October 18, 1995.

Mr. BOEHLERT [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment offered as a substitute for the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BOEHLERT. Mr. Chairman, I will not take the entire 5 minutes because I know the chairman and the ranking member of the committee have been working very hard and we have all been here for a long time on this very subject. It is an important subject, so we should discuss it in detail. But all that needs to be said has been said pretty much.

I would like to add just a couple of thoughts. The Boehlert amendment makes it absolutely clear once and for all that the retroactive liability discount is dead. Please, no more stories about paying polluters. It is all over. Finished. I never supported it in the first place, and it is behind us. It has been for 5 months. The negotiations have gone forward on Superfund reform without any discussion of retroactive liability discounts.

Second, the Boehlert amendment preserves the right of Congress, that is a very precious right, to develop bipartisan Superfund legislation that will provide needed relief, liability relief to thousands of small businesses and small communities across the country. We want to get them out of the courts, we want to get them out of the law offices, and we want to get the emphasis on cleaning up toxic waste sites. I think the Markey amendment would actually undermine the most important administrative Superfund reforms being sought by the Environmental Protection Agency. I think we should move forward. This is a responsible pro-environment, pro-small business, pro-small community substitute amendment, and I urge its adoption.

Mr. MARKEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us just clear away, if we could, a lot of the statements that have been made this evening about the nature of this amendment. The gentleman from New York [Mr. BOEHLERT] is not speaking about H.R. 2500 when he talks about anything that Carol Browner has said. Any personal remarks that Carol Browner may have made about the gentleman from New York [Mr. BOEHLERT] are deserved by him. But H.R. 2500 was in fact a bill which Administrator Browner recommended a veto on. A veto.

If the gentleman from New York [Mr. BOEHLERT] wants to associate himself with that bill, because that is what my amendment refers to, H.R. 2500. It refers to provisions in H.R. 2500 that allow for rebates to be given to polluters. If the gentleman from New York [Mr. BOEHLERT] wants to associate himself with that portion which somehow or other he has up on his board over here with the gold star from Carol Browner, that is fine. Take credit for that. But we are not debating that this

evening, and we are not debating liability for municipalities. We are not debating the whole long laundry list of issues that all of these Republicans keep getting up and speaking about. We are only debating one issue, the issue of whether or not tax dollars that we need to balance the budget, that we need to pay for Medicare, that we need to pay for Medicaid, that we need to pay for inoculations of children are going to be spent to give money to polluters in cases where they have accepted liability in curt to clean up a site for which they are responsible.

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That, Mr. Chairman, is what this whole debate is about.

Now, the Boehlert amendment deals with H.R. 2500's provision which allows for the payment of money for polluters. What my amendment does out here on the floor, that he is seeking to amend, would prohibit any scheme ever to pay polluters. Now, there is a big difference between taking the Contract With America provision and Mr. BOELHERT saying, well, I do not support that, and taking any other provision which could be constructed which would accomplish the very same goal.

That is why the Markey amendment has to pass, or else the Boehlert amendment has just given a very temporary 60- or 90- or 120-day inoculation to the Republican Party, pending Bob Dole' election as President, they hope, and then the bill can pass with only 51 percent of the vote. So we need the Markey amendment to prohibit it, to make it part of the law, not just H.R. 2500, this concoction of wish lists by the polluters of America, fulfillment of the Contract With America, but any scheme which is constructed.

So I give the gentleman from New York his due, and he deserves it, and the Republican Party deserves credit for using the gentleman as a guard-all shield against their support for all of the polluter-written legislation that has been presented out on this floor over this past year and a half. But even the gentleman, in all of his sacrifice for the Republican Party, cannot protect them against H.R. 2500, even as the gentleman brings out his good report card from Carol Browner on the things that he does support.

H.R. 2500 the gentleman opposes, I hope, because Carol Browner said that it should be vetoed, and if you did not, then fine, there is an area of agreement that you have with the Republican Party, but not with the environmentalists of our country, not with the EPA, and not with anyone that wants to see the sites in this country that have been polluted by chemical companies, by oil companies, cleaned up.

Mr. Chairman, I hope that this amendment is not allowed to in any way interfere with our ability to also ensure that the Markey amendment is included as part of this law.

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

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

Mr. GILLMOR. Mr. Chairman, I rise in opposition to the Markey amendment. The Markey amendment continues to support a failed program when there are better alternatives available. This amendment ignores some simple and widely accepted facts about Superfund, and unapologetically defends the failed status quo.

The Markey amendment preserves the current retroactive liability system—a system that has proven to be successful at enriching lawyers, but not in cleaning up the environment.

When Superfund was originally passed in 1980, and when it was reauthorized in 1986, it was a program with great hope. The hope was that the billions of dollars raised by the corporate taxes in this program would go for cleaning up some of the Nation's most dangerous hazardous waste sites. Regrettably, the promise was not met.

Superfund turned out to be an all-too-typical Federal Government program. First, it failed in its purpose. After 16 years and a cost of $15 billion, only 91 sites have been cleaned up. Second, it was an all-too-typical Government program because in the process of failing, it consumed billions and billions of dollars. Third, much of the money that was spent did not go for helping the environment. It went to enrich attorneys and it went for regulatory and bureaucratic costs. This program must be reformed and we have a vehicle pending before this Congress to reform it in the Commerce Committee.

The appropriations legislation offered here to fund the U.S. Environmental Protection Agency [EPA] in fiscal year 1997 places a priority on Superfund spending for actual cleanup, limiting the resources used for redundant administrative and support services. I could not agree more with this strategy. I offered in the Commerce Committee, and the committee accepted, these same provisions to the House reauthorization and reform of the Superfund program. I am glad the Appropriations Committee has decided to accept this idea in the report language to this bill.

EPA says it is spending roughly about 65 percent of their Superfund budget on remedial actions, the rest going to administrative, research, and oversight activities. However, only about 40 percent goes to actual cleanup. So, 60 percent winds up going to other activities. Environmental protection, especially when it comes to Superfund, should not be just spending money, but in spending money wisely for environmental cleanup.

A vote for the Markey amendment is a vote against reform of Superfund. The major problems with Superfund are its liability determination, retroactive liability, and a failed method of remedy selection. If you really care about the environment, you want the limited resources we have spent for dealing with real environmental needs, and not wasted. The money ought to go to pay the people who move dirt, and clean up the actual sites, and not go to the consultants and lawyers. A "no" vote on this amendment coupled with the passage of real reform in Superfund will be good for the environment, and especially it will be good for the people who live near these sites.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not use more than a minute or so. I wanted to point out, I am amazed. I appreciate the fact that the gentleman from New York [Mr. BOEHLERT] is basically getting this half right, I guess is the way to phrase it. But essentially what he is doing here is eliminating the liability or allowing rebates, if you will, for those who have entered into consent orders and admitted liability.

So if a polluter said, "Look, I did this," and enters into the consent decree, then they can still get a rebate check. For the life of me, I do not understand why we should allow that if someone has admitted guilt, so to speak, and said that they contributed to the mess.

I think it is commendable that the gentleman is going halfway and agreeing with the rest of the Markey amendment, but I totally oppose the idea that just because there is a consent order outstanding that someone has entered into, that somehow that person should continue to be able to get a rebate. It goes against the grain in terms again of what the Superfund program is all about, and the idea is that those who polluted should pay.

Mr. DINGELL. Mr. Chairman I move to strike the requisite number of words.

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

Mr. DINGELL. Mr. Chairman, I have in my hands the two amendments which we are discussing. The first is the amendment offered by the gentleman from Massachusetts [Mr. MARKEY]. It is an excellent amendment. What it does is it says that there can be no money paid to a fellow who has polluted for cleaning up; he has to clean up after himself.

This reminds me of a wonderful sign that I once saw on the wall. It said, "Your mother does not live here, so you will have to clean up after yourself."

What the gentleman from New York [Mr. BOEHLERT] wants to do and what my Republican colleagues want to do is to modify that slightly. Mr. MARKEY says that if you pollute, you cannot get paid for cleaning up. The gentleman from New York says that. Now, the gentleman from New York has then established that he is half right, and for that we should salute him because it is quite a rarity in a Republican Congress for a Republican to be half right.

Having said that, we come to the second part, however, which the gentleman from New York has stuck in there. I always thought the gentleman from New York was a very smart fellow, and I still do, but something happened here tonight that I cannot explain and perhaps he can. What he says is, but if you have made a settlement, then the Government is going to pay you to clean up and give you a rebate for cleaning up after you have made a mess and after you have been forced into a settlement.

I do not understand why we should pay a wrongdoer who has made a mess and not settled, and I do not understand why a fellow who has made a mess and then settled should be paid. It just does not follow and it does not make good sense.

Now, I have enormous respect for the gentleman from New York [Mr. BOEHLERT]. He is a very wise and very good Member of this body, and I salute him for the good work that he has done over the years. But tonight he has things a little wrong. What we really need to address is to understand that there are two situations where a polluter could profit under this legislation. The first is where he has gone out and made a dirty mess, risked the lives of the people, contaminated the water, polluted the air, dirtied up a major area, threatened the life and well-being of the people, and under the Republican idea we will then pay them for cleaning that up and having put large numbers of people at risk. This will look very good on their balance sheets, and I am sure my Republican colleagues like that.

Having said that, Mr. Chairman, it must be observed, however, that the gentleman from New York [Mr. BOEHLERT] would address that, and for that we should salute him. But it is so that he does not address the other equally important situation which arises under the bill. That is, that a polluter who has cut a deal and has agreed that he has done something wrong and has agreed freely that he, along with other polluters, will then clean up, is going to get a rebate. Now, that may be a splendid idea if you are a polluter, but from the standpoint of the taxpaying public and from the standpoint of people who have to pay the taxes for the cleanup, it does not make good sense, because what it does is it diverts moneys from an already short Superfund into the paying off of wrongdoes. That is wrong.

Now, if we need to address the question of Superfund, we ought to be addressing it in the committee. My Republican colleagues have run the committee now for almost a year and a half. There is no Superfund bill. My good friend from New York, the gentleman from New York [Mr. BOEHLERT], got up and castigated the Democrats because we have not gotten a bill. Now, it may be that he does not know that the Republicans control this Congress, but believe me, and I will tell him now, they do. As a matter of fact, I understand the distinguished gentleman from New York is a subcommittee chairman on the Committee on Transportation and Infrastructure.

Mr. Chairman, I yield to the gentleman from New York for purposes of explaining what he is doing tonight, I will be very happy to do so because I notice he is standing and I do have great respect for him.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would just like to point out that what I am proposing would permit continued consent decrees to be entered into with the hope that some relief will be provided in the near future, because the Democrats and the Republicans are very actively seeking Superfund reform legislation this year.

What the Markey amendment will do is provide a disincentive for anyone to settle and to begin to clean up, because they are going to hold out hope that some day in the future this will happen. I want to get in with Superfund cleanup so that we can have a cleaner, healthier, safer environment for our kids and our grandkids.

Mr. DINGELL. Reclaiming my time, I thank the gentleman, but what the gentleman from New York would do is to give forgiveness and absolution retroactively.

It isn't what we are going to do prospectively that my good friend from New York would address, it is that which has already been done. He is going to catch a bunch of rascals and scoundrels who polluted and go out and make them whole for what they have already agreed to clean up.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BOEHLERT] as a substitute for the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY] as amended.

The amendment, as amended, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 456, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: the amendment offered by the gentleman from Minnesota [Mr. GUTKNECHT], and the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. GUTKNECHT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 45, noes 372, not voting 16, as follows:

[Roll No. 277]

AYES—45

Baker (CA)
Barton
Brownback
Bunning
Campbell
Chabot
Coburn
Cox
Crane
Dreier
Duncan
Graham
Gutknecht
Hamilton
Herger
Hoekstra
Hostettler
Inglis
Istook
Johnson, Sam
Kasich
Klug
Largent
McIntosh
Metcalf
Meyers
Minge
Myrick
Neumann
Petri
Pombo
Portman
Radanovich
Ramstad
Roemer
Rohrabacher
Roth
Royce
Sanford
Sensenbrenner
Shadegg
Smith (MI)
Souder
Tiahrt
Upton

NOES—372

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chambliss
Chapman
Chenoweth
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Coyne
Cramer
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Hilleary
Hilliard
Hinchey
Hobson
Hoke
Holden
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara

Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Ros-Lehtinen
Rose
Roukema
Rush
Sabo
Salmon
Sanders
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—16

Becerra
Bevill
Boehner
Browder
Christensen
Coleman
Fields (TX)
Flake
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2100

Messrs. LAHOOD, DELLUMS, PETERSON of Minnesota, VISCLOSKY, CHRYSLER, and COOLEY of Oregon, and Mrs. CHENOWETH changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALKER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 170, not voting 18, as follows:

[Roll No. 278]

AYES—245

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frisa
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klug
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (KY)
Lightfoot
Linder
Lipinski
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCarthy
McCollum
McHale
McHugh
McInnis
McKeon
Metcalf
Meyers
Miller (FL)
Minge
Molinari
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Richardson
Riggs
Rivers
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Young (FL)
Zeliff
Zimmer

NOES—170

Abercrombie
Ackerman
Baesler
Beilenson
Berman
Bishop
Blumenauer
Bonilla
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Cummings
de la Garza
DeFazio
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frelinghuysen
Frost
Furse
Gephardt
Gonzalez
Gordon
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klink
Knollenberg
LaFalce
Lantos
Levin
Lewis (CA)
Lewis (GA)
Livingston
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McCrery
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Myers
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Quillen
Rahall
Rangel
Reed
Regula
Rogers
Rose
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Sisisky
Skaggs
Skeen
Slaughter
Smith (WA)
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)

NOT VOTING—18

Becerra
Bevill
Browder
Christensen
Coleman
Farr
Fields (TX)
Flake
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
McIntosh
Mica
Peterson (FL)
Roybal-Allard
Yates

□ 2107

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Chairman, I was inadvertently detained during rollcall vote No. 278. Had I been present I would have voted "no."

Mr. COOLEY of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to express my sincere reservations about the bill before us today, the fiscal year 1997 VA, HUD and independent agencies appropriations bill.

This bill provides desperately needed funding to help our Nation's veterans deal with their health needs, assist them in housing costs, and allow them to meet their educational goals. These measures are not only worthwhile, but necessary because they live up to our Government's obligation to those who gave valiantly in the defense of this great Nation. Unfortunately, this bill does much more than meet these worthwhile objectives.

The bill before us also provides funds for dozens of other bloated, unrelated agencies which serve as a black hole for our citizen's hard-earned tax dollars. These agencies include the Office of Science and Technology, Community Development Financial Institutions, the Council on Environmental Quality, and the National Science Foundation.

Perhaps the most difficult task for me is to justify the inclusion of the Environmental Protection Agency and AmeriCorps into this omnibus bill. I have serious concerns about these two agencies, their ability to spend the public's money wisely, and the choices they make in carrying out their mission. Unfortunately, I have to vote for them as part of this bill.

Although it will be difficult, my dedication to honoring this country's promise to its veterans supersedes my concerns about these misguided agencies. However, I would like to state for the record that I am voting for veterans, not bureaucrats at the EPA and AmeriCorps.

By forcing the representatives of the people to vote for this voluminous bill, we are denied an opportunity to more closely scrutinize the way the people's money is being spent, and ordered to vote in favor of a bill which sets our deeply held beliefs in conflict. In the future, I hope that we can revisit the appropriations process in order to create more cohesive, and carefully scrutinized, bills.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise really to discuss the remaining business, briefly, to give Members a sense for the time that we may have left. If you would like to discuss the time that we have left, I would be glad to try.

Before we get to that point, the gentleman from Ohio [Mr. STOKES] and I have talked a lot about this new environment between both sides on this appropriations bill, of which we are very appreciative. I must say that there is one more item that has added greatly to the work that we have done and facilitated the process as much as possible in this environment. I hope the Members will express their appreciation for a very, very fine job of chairing this committee during this very difficult process by the gentleman from Texas.

At this point, we are aware of just five more amendments. We understand the sponsors will agree to a time agreement as follows: One amendment each for the gentleman from Georgia [Mr. KINGSTON] and the gentleman from Indiana [Mr. ROEMER], the gentleman from Illinois [Mr. WELLER], the gentleman from Utah [Mr. ORTON], and the gentlewoman from Texas [Ms. JACKSON-LEE], and each amendment will be considered for 10 minutes equally divided, 5 minutes on each side for each amendment, and we could take less than that, by the way.

Mr. OBEY. Mr. Chairman, let me suggest, I know that Mr. STOKES and everyone else on this side of the aisle would like to be cooperative in working this out. I want to see the gentleman's request approved.

I think there is an impediment to that right now. If the gentleman could withhold that for a few moments and if we could get a unanimous consent for the next amendment only, while it is worked out, I think we might save a lot of time.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that debate on the Weller amendment and all amendments thereto be limited to 10 minutes, the time to be equally divided and controlled.

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

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. WELLER] and a Member opposed, each will control 5 minutes.

The Chair recognizes the gentleman from Illinois [Mr.WELLER].

□ 2115

AMENDMENT OFFERED BY MR. WELLER

Mr. WELLER. 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. WELLER:

SEC. . 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. VENTO. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. A point of order is reserved by the gentleman from Minnesota [Mr. VENTO].

The Chair recognizes the gentleman from Illinois [Mr. WELLER] for 5 minutes.

Mr. WELLER. Mr. Chairman I yield myself such time as I may consume.

Before I begin discussing my amendment I do want to take a moment and commend the chairman of the subcommittee, the gentleman from California [Mr. LEWIS] and also the ranking member, the gentleman from Ohio [Mr. STOKES], for their leadership and their management of this particular bill. I think they have gone out of their way, Mr. Chairman, to work towards bipartisanship.

Mr. Chairman, I offer an amendment that helps working families by working towards expanding homeownership opportunities for first-time home buyers by working to lower the up-front costs for FHA loans. This amendment, which has bipartisan support, I would like to point out, Mr. Chairman, would lower the FHA mortgage insurance premium for first-time home buyers to get ownership counseling. Currently the maximum rate is 2¼ percent of the loan value. This amendment would reduce that to 2 percent, saving the average FHA homeowner about $200 a year and $200 towards their up front closing costs, and of course counseling, working with these aspiring homeowners, would help reduce the default rate.

Some in Washington would call $200 probably chump change, saying that is not very much, but for real working families back in Illinois and throughout this country who are struggling to make ends meet, $200 is a lot of money each year.

This amendment is needed to promote home ownership, helping American families pursue the American dream because we all recognize that strengthening home ownership strengthens families, and when someone owns a home in a community, that strengthens their communities.

This amendment is needed like many undisturbed that we see a decline in home ownership, particularly among the young. Statistics show that home ownership 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 1995, this past year, 39 percent of heads of households under 35 were homeowners. We have seen a 9-percent drop.

Over the past 6 months as interest rates have gone up, we have seen about a 1½ percent rate increase on home mortgage rates. That averages out to about a $1,000 a year increase in home ownership costs for the average family and the average home loan. Unfortunately, we did not reach a balanced budget agreement this year which would have brought down interest rates, but we are still working on that, and this effort will help reduce those costs.

As I pointed out, interest rates, mortgage rates have gone up 1 to 1½ percent, driving up the average cost a thousand dollars a year, or about $85 a month for the average home mortgage.

This amendment restores opportunity, my colleagues. Let us help aspiring potential home buyers afford a new home. Let us help reduce their costs and give them a $200 break on their closing costs as well as a $200 break in their annual costs of FHA insurance. As we know, increased home ownership strengthens communities.

I do want to point out this amendment has bipartisan support, is basically identical to what the President endorsed a few weeks ago in his initiatives. I ask for bipartisan support. Let us help working families afford a home. Let us strengthen communities, strengthen home ownership. Let us make home ownership more affordable.

Mr. Chairman, I ask for bipartisan support and I reserve the balance of my time.

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

Mr. Chairman, I am reserving my point of order.

I would point out that this obviously goes beyond the scope of appropriating and into policy areas, much of which the committee, the principal committee on which I serve and many others in this body, has not dealt with.

Mr. Chairman, under that reservation I would just point out that this change, a good change, and I might say

that Mr. WELLER has been an ally in support of the FHA program, and I and other Members have noted that and appreciate it, and this does follow, as he had mentioned, a policy administration action by President Clinton 3 weeks ago to in fact reduce the up-front costs in terms of FHA.

So normally important that program to affordable housing in this country, and although this is out of scope, I understand that there has been agreement. I do not want to stand in the way of the agreement; I want to be part of the home ownership, increasing national home ownership opportunities.

Last week Secretary Cisneros visited my district and outlined just such a program and other programs that have achieved that. In fact, the Clinton administration has had great success since initiating this, with 1.4 million families since 1995 achieving or obtaining home ownership because of the positive interest rates and other factors in the economy.

So I join the gentleman and want to commend him, but I would hope that the committee of jurisdiction would deal with the comprehensive FHA formula. We sent a bill over there 2 years ago that substantially raised the average loan, raised the ceilings, did a variety of things that would have accorded opportunity for home ownership, and the problem with these sort of bits and pieces of amendments that are coming to the floor today, I know good in their own vein, they simply frustrate the overall modernization of the FHA program, which I might say is healthy, is vital, is serving people in this country and is something that they need.

So if my colleagues care about home ownership in this country, we ought to be supporting a strong revitalized FHA program. It is healthy. It deserves that support.

With that said, Mr. Chairman, I withdraw my reservation of a point order.

The CHAIRMAN. The Chair grants the gentleman from Minnesota [Mr. VENTO], in order to make his statement, the 5 minutes in opposition to the amendment.

The gentleman may reserve the balance of that time if he so wishes.

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

Mr. WELLER. Mr. Chairman how much time is remaining?

The CHAIRMAN. The gentleman from Illinois [Mr. WELLER] has 2 minutes remaining.

Mr. WELLER. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Illinois for yielding this time to me.

Mr. Chairman, we do not need a whole minute to say this. We just need to reiterate this one key point: $200 is a lot of money to hard-working families in the United States of America, and for people to have the opportunity to buy a home for the first time this amendment would empower those people.

That is why I am proud to stand with my good friend from Illinois and Members on both sides of the aisle in support of the Weller amendment.

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

Mr. Chairman, I would just point out to my colleagues that the history of this began in the early 1980's with an up-front premium payment to FHA. Now, they in fact took the entire premium and pulled it into the mortgage, thereby creating a negative net worth in terms of the loan-to-value ratio. That in essence, I think, added to some of the problems with FHA, although FHA was never in the red. It was always in the black. Studies came out with projections that cast a shadow on the FHA single family, the M–1 fund.

Mr. Chairman, in the early 1980's, I think in the name of making symbolic deficit reduction, the policy was changed to collect an up-front premium on FHA. We changed that policy, on a bipartisan basis, myself and the Member, the Governor now of Pennsylvania, Tom Ridge, in a conference committee led by the gentleman from Texas [Mr. GONZALEZ] and others, and I think that it is noteworthy that we can now reduce further the up-front premium. I hope that some day we can eliminate it completely, reducing that as a necessary cash and liability problem, and convert this back to what it was on a pay-as-you-go basis in terms of the insurance premiums for FHA.

And as I voiced earlier, the fervent desire to modernize this program so it can begin to serve families across this country; in my State, because of the value of homes, it serves about 40 to 50 percent of the market. In most of our States and jurisdictions it does not because home costs are higher, and so the average middle-income American that is desirous of a home loan is not able to achieve the benefits of FHA with this low down payment and the insured nature that it carries.

It has been a marvelously successful program. It has in fact been the most successful program in the history of this Nation in terms of providing home ownership.

Again, I commend the gentleman from Illinois [Mr. WELLER] for his pursuit not just of this amendment this evening but his general support for FHA.

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

Mr. VENTO. I yield to the gentleman from Utah.

Mr. ORTON. Mr. Chairman, I will be very brief just in stating my support for the amendment. Indeed the President has, as indicated, indicated that he would do this administratively. I believe it is good to put it in statutory language. I support the amendment by the gentleman.

Mr. WELLER. Mr. Chairman, I yield myself as much time as I might consume.

Mr. Chairman, in closing let me just be very brief. Let us get to the bottom line here.

Today it is a real struggle for many families to be able to afford a home. We are seeing that as taxes are too high, interest rates are too high and working families' incomes are being squeezed. Many cash-strapped young working families are struggling, trying to obtain a home and pursue the American dream.

Last year, thanks to FHA, we saw 850,000 families had the opportunity to purchase a home thanks to FHA, and 250,000 of them would not have had the opportunity to own a home unless we had the FHA single-family 100 percent loan guarantee program. It is an important mission, and if we want to help young families, young working families, young cash-strapped working families afford the American dream, we need to help them out. At this time when interest rates are going up, let us give them a break, help reduce their closing costs by $200.

I ask bipartisan support for his amendment. I appreciate the bipartisan support we have received.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. WELLER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. ORTON

Mr. ORTON. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. ORTON:

Page 95, after line 21, insert the following new section:

SEC. 422. (a) AUTHORITY TO USE AMOUNTS BORROWED FROM FAMILY MEMBERS FOR DOWNPAYMENTS ON FHA-INSURED LOANS.—Section 203(b)(9) of the National Housing Act (12 U.S.C. 1709(b)(9)) is amended by inserting before the period at the end the following: ": *Provided further,* That for purposes of this paragraph, the Secretary shall consider as cash or its equivalent any amounts borrowed from a family member (as such term is defined in section 201), subject only to the requirements that, in any case in which the repayment of such borrowed amounts is secured by a lien against the property, such lien shall be subordinate to the mortgage and the sum of the principal obligation of the mortgage and the obligation secured by such lien may not exceed 100 percent of the appraised value of the property plus any initial service charges, appraisal, inspection, and other fees in connection with the mortgage".

(b) DEFINITION OF FAMILY MEMBER.—Section 201 of the National Housing Act (12 U.S.C. 1707) is amended by adding at the end the following new subsections:

"(e) The term 'family member' means, with respect to a mortgagor under such section, a child, parent, or grandparent of the mortgagor (or the mortgagor's spouse). In determining whether any of the relationships referred to in the preceding sentence exist, a legally adopted son or daughter of an individual (and a child who is a member of an individual's household, if placed with such individual by an authorized placement agency for legal adoption by such individual), and a foster child of an individual, shall

be treated as a child of such individual by blood.

''(f) The term 'child' means, with respect to a mortgagor under such section, a son, stepson, daughter, or stepdaughter of such mortgagor.''.

Page 95, after line 21, insert the following new section:

SEC. 422. Sections 401 and 402 of the bill, H.R. 1708, 104th Congress, as introduced in the House of Representatives on May 24, 1995, are hereby enacted into law.

Mr. ORTON [during the reading]. Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

□ 2130

Mr. DELAY. Mr. Chairman, I reserve a point of order on the amendments.

Mr. ORTON. Mr. Chairman, I will explain my amendments. They are really very simple. There are three parts. The reason I am offering them at this point is, following the Weller amendment, which has just been adopted, which in fact does legislate on this appropriation bill, I acknowledge that mine does also, but I believe that it is important to do this, to make changes, to modernize and improve and update the FHA program.

Mr. Chairman, I ask unanimous consent, in light of the unanimous consent agreement that had been attempted to be reached, that all time on these amendments that I am offering be limited to 10 minutes, divided between the two sides.

The CHAIRMAN. Does the gentleman from Utah [Mr. ORTON] ask for 5 minutes each, including the time that the gentleman has consumed?

Mr. ORTON. Yes, Mr. Chairman.

The CHAIRMAN. And any amendments thereto?

Mr. ORTON. Yes.

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

There was no objection.

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

Very briefly, Mr. Chairman, my amendment does three things to modernize and improve FHA. First, it simplifies the downpayment requirement of FHA. It is a very complex two-part downpayment requirement. This simplifies it to a simple one-part calculation. It retains essentially the same downpayment requirements, but does so in a more simple manner. It will save costs and save time.

The second part would also change the provisions of issuing the mortgage insurance certificates. Right now, qualified lenders who make FHA loans have the right to authorize the loan. They make the determination who is eligible for the loan. But the actual FHA insurance certificate is issued by HUD.

My second portion of the amendment changes that and allows the paperwork to be issued by the authorizing lender. This will save time, costly delays, it will save administrative costs to the FHA.

My third part of the amendment would be to change the downpayment requirements. Right now there is a prohibition for downpayments made, including a loan from a parent. My amendment would allow parental loans to be included by the purchaser of the home. Right now, parental loans are prohibited. You cannot acquire a home under an FHA guaranteed loan if you have borrowed a parental loan for part of the downpayment.

I believe we should not be telling parents they cannot loan money to children. This would not in fact weaken the safety and soundness of those loans. You can borrow money now from a third party. Why can you not borrow money from a parent? It is more likely that the parent would step in and help if that loan became troubled, anyway.

HUD supports all three of these amendments. They are supported on a bipartisan basis. All three reduce costs, administrative bureaucracy, reduce time. These amendments all were included in the housing bill which was passed by this House in 1994 but stalled because it was not adopted by the other body.

Mr. Chairman, I would urge adoption of my en bloc amendment.

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

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

Mr. BENSTEN. Mr. Chairman, I just want to speak to the second amendment the gentleman is offering. I offered a similar amendment to the USA Housing Act that we did, which does allow for these contributions for downpayment assistance for people who want to purchase public housing units. This is what State and local housing agencies are doing around the country. It makes eminent sense. I commend the gentleman for offering his amendment.

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

Mr. ORTON. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I commend the gentleman. We have worked on these amendments for 2 years. Unfortunately, this year we have not had any hearings on FHA, but these are good amendments. They ought to be incorporated. I still am concerned about the modernization of the broader FHA program. It is desperately needed. But the gentleman has worked hard on these amendments, they are a simplification, and they actually facilitate home ownership. I commend him.

Mr. ORTON. I thank the gentleman from Minnesota for his statement. I, too, share the gentleman's concern. We do need to have an FHA modernization bill enacted through the committee and brought to this full floor of the House. I would encourage our committee to do so. Until that is done, I believe that the Weller amendment and the Orton amendment are good modernization. They improve the FHA, they expand home ownership, and I would urge adoption of the amendments.

The CHAIRMAN. Does the gentleman from Texas [Mr. DELAY] insist on his point of order?

Mr. DELAY. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. Does any Member seek recognition in opposition to the amendment?

The question is on the amendments offered by the gentleman from Utah [Mr. ORTON].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer amendment No. 40.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 40 offered by Mr. ROEMER: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act for the National Aeronautics and Space Administration may be used to carry out, or pay the salaries of personnel who carry out, the Bion 11 and Bion 12 projects.

Mr. LEWIS of California. Mr. Chairman, if the gentleman from Indiana will yield, we have agreed upon a time limitation of 10 minutes for each of these items. I just want to make sure that is all right with the gentleman from Indiana.

Mr. ROEMER. I have not been privy to that time limitation, Mr. Chairman. I have been patiently waiting for the last 5 hours to offer the amendment, and sat through a very interesting and intriguing Superfund debate and FHA debate. I have a number of cosponsors who may want to speak, so I would object.

I may not use more than 10 or 11 minutes on my side.

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

Mr. ROEMER. I yield to the gentleman from Ohio.

Mr. STOKES. Mr. Chairman, the gentleman will recall when the ranking member of the full Committee on Appropriations, the gentleman from Wisconsin [Mr. OBEY], was on the floor a little while ago, he made reference to the fact that we would not at this time be able to enter into a time agreement, indicating that, obviously, some work was going toward that end, but at the current time we just cannot agree.

Mr. LEWIS of California. Mr. Chairman, the gentleman from Wisconsin [Mr. OBEY] and I have had the discussion and the gentleman from Ohio [Mr. STOKES] and I have an understanding. I would suggest, short of that, that probably at this hour it would be deleterious to go too much longer.

Mr. ROEMER. I will try to limit debate as much as I can, Mr. Chairman.

Mr. Chairman, I offer this amendment in the spirit of bipartisanship on

behalf of the gentleman from Iowa [Mr. GANSKE], the gentleman from Minnesota [Mr. MINGE], and the gentleman from Wisconsin [Mr. NEUMANN]. This is a bipartisan amendment to try to save the administration some money.

Many of our constituents across the country, in California, are just getting home from a hard day's work and may be watching C–SPAN right now. People on the second shift in Indiana, working in the afternoon in a factory, might be just tuning in to C–SPAN right now. I encourage them to turn their TV up and listen to this debate.

My amendment, the amendment offered by the gentleman from Iowa [Mr. GANSKE], this bipartisan amendment simply says that NASA can no longer spend $15 million to send to Russia to send to Russia to send monkeys up into space.

Many people sitting in their living rooms might be turning their volume up right now and saying, we do what? We send hard-earned taxpayers' dollars from NASA to Russia, when they should be using rubles to send monkeys up into space?

Mr. Chairman, I do not think we should be doing that as we work toward a balanced budget, as we make tough spending cuts here in America. This Bion program, as it is called, sends monkeys up into space of 14 days at a time. One mission is due to go up in August 1996. Another is due to go up in July 1998. We send these monkeys up in space for 14 days. We have had human beings up in space for 439 days now, but we want to study the gravitational effects, or the Russians want to study the gravitational effects, of 14 days lost in space on monkeys.

Back in the 1960's, Mr. Chairman, with Alan Shepherd going into space in May of 1961, and we did not know too much, we did not have Mir, we did not have shuttles, we did not have the ability to study this, maybe doing some joint ventures with the Russians in the cold war and maybe studying monkeys in space made some scientific sense. In 1996, when we have sent up 162 people into space, for us to be now spending $15 million on monkeys going from the former Soviet Union into space, I would think the American people would be outraged by that.

Mr. Chairman, I hear from NASA that they are looking at a study. They want to study this and see if this is the appropriate thing to do. It is one mistake to make the $15 million go to NASA and then go to the Russians to put monkeys in space. We do not need to further complicate this and have a study done to see whether or not this is the right thing to do. Let us, as Members of Congress, end this program now. We cannot afford $15 million for monkeys to be sent up into space from Russia. We have joint ventures with the Russians, with Chernobyl, with the Space Station that I disagree with, with dismantling nuclear weapons, and $15 million to send monkeys up into space does not make any common sense.

Mr. Chairman, let us stop the monkey business at NASA. Let us get this 400-pound gorilla off the taxpayers' backs, and let us do the right thing. Let the Russians spend their rubles on a barrel of monkeys, and let us move forward and balance the budget for hardworking taxpayers.

Mr. Chairman, I yield to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Chairman, I rise in support of the Roemer-Ganske amendment. Let us be clear about one thing, Bion 11 and 12 are really not about science, they are about subsidizing the Russian space program. NASA plans to spend $35 million to launch two Russian-owned rhesus monkeys on a Russian spacecraft. Does NASA really expect to learn something new about the effects of extended weightlessness on humans by studying monkeys for 2 weeks? Twenty-three years ago this type of research may have made sense. Since then, humans have stayed in space more than a year, as my colleague has mentioned. Even members of the science community have expressed doubts about this project. Earlier this year, the President's science adviser wrote to the NASA administrator.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROEMER] has expired.

Mr. GANSKE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I will be brief. The President's science adviser wrote to the NASA administrator and said, ''I sympathize with your concern that the era of primate research is now behind us and that it may be time to retire those animals.''

Mr. Chairman, as we struggle to balance the budget and set priorities, we owe it to the American people not to continue spending money on unnecessary research like this project. Let us stop this wasteful handout to the Russian space industry and save $15.5 million. Think of those poor little monkeys. Think of those little monkeys with the probes drilled into their heads, floating around weightless up there. Just say no to this monkey business.

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

Mr. GANSKE. I yield to the gentleman from Nevada.

Mr. ENSIGN. Mr. Chairman, I rise in strong support of the Roemer-Ganske amendment. As one of the two veterinarians in the House of Representatives, many of us who went through either veterinary school or medical school learned a lot about using animals for medical research. There are animals used in medical research all the time. Dr. GANSKE and myself are strong supporters of using animals for medical research when it is indicated, and only when it is indicated, and obviously to do it in a humane way when we do that.

I think one of the reasons for the animal rights movement over the years is simply because people do unnecessary experiments. That is exactly the purpose of the Roemer-Ganske amendment, is to eliminate an unnecessary, cruel animal experiment when it is not going to benefit mankind in the future. That is the reason we need the Roemer-Ganske amendment. I appreciate the gentleman yielding to me.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I would like to first start out by indicating the very high regard I have for the gentleman from Indiana [Mr. ROEMER]. He has been more diligent, I think, than any Member that I know of in seeking to find and to curtail unnecessary or undesirable expenditures, and I have very high respect for him for that. He has also brought into question those programs which, in his eyes, deserve to be reviewed as perhaps being of lesser priority than other programs. This, too, is a very important exercise for any Member of Congress. He does this in a way which exemplifies the very best in congressional conduct. He is a true gentleman, and I respect him for that.

Unfortunately, Mr. Chairman, I cannot agree with all of the decisions that he comes to with regard to the goals which he is seeking. For example, he announced that in this amendment, he was seeking to save money for the American taxpayers. His amendment saves no money whatsoever for the American taxpayers. It does prohibit $15 million from being spent on the Bion 11 and 12 projects, but that merely means that NASA can use that same amount of money for whatever else it wishes to.

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

Mr. BROWN of California. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for his kind words. I hold the former chairman of the committee in even higher esteem than he knows.

□ 2145

But in clarifying what the gentleman has just outlined, what my amendment does is that it says that NASA cannot send $15 million to Russia to send up monkeys into space, but they might be able to keep it within the NASA account to spend on shuttle safety or on science projects. That is the intention of my amendment, to keep it in NASA, but not to send it to the former Soviet Union.

Mr. BROWN of California. Mr. Chairman, reclaiming my time, the gentleman's statement that it would save money is, in effect, not exactly apt.

Mr. ROEMER. Mr. Chairman, if the gentleman would continue to yield, my statement would be that the American taxpayers work very hard for the money they send here, and they probably would like to see it spent on shuttle safety or on science like the Galileo

program, but not on Russian monkeys going up into space.

Mr. BROWN of California. Mr. Chairman, again reclaiming my time, I will accept the gentleman's restatement of the value of his amendment, namely that it will allow the money to be spent on higher projects. I disagree very strongly with that also.

On the other hand, we have had two gentlemen here who speak to the problem of the treatment of the animals. I would like to indicate that I have spent most of my legislative life, the last 35 years, in trying to project the treatment of animals. I am the author of the Humane Treatment of Laboratory Animals Act, which is currently on the books. With Senator Dole, I offered the Humane Slaughter Act quite a few years ago. In the State legislature of California I offered similar legislation with regard to the treatment of animals, and I have tried to remain extremely sensitive to all of those groups who are concerned about the safety, treatment, and care of animals. I have devoted quite a bit of effort to that.

So whether we want to approach this from the standpoint of how the animals are treated or the value of the science, I am willing to address it in either of these directions. But going back to the matter of the value of the research, this is probably the longest standing research program in NASA's agenda. It goes back to 1973. It is a program in which the Russians are partners and the French are partners, and they are both deeply concerned about the question of biological reactions in space.

It involves more than monkeys, incidentally. It involves other forms of animals and includes plant life, for example, because we still do not understand the reaction of living organisms to the environment of space. Despite the fact that we have sent 152 people into space, we cannot treat humans as animals. They are instrumented, and the instrumentation is for their own safety and protection. They are monitored for pulse, respiration, heartbeat, all of these things in order that observers on the ground can determine if there is any problem with their condition in space.

We have sent some of our finest doctors into space to study the astronauts, but you cannot use them as laboratory animals, you cannot instrument them to determine a large number of reactions that you can observe in instrumented animals.

In addition to that, the astronauts themselves cannot be subject to anesthesia or other treatment; in fact, they are given drugs that inhibit some of the effects of space in order that they may perform their other missions.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN was allowed to proceed for 3 additional minutes.)

Mr. BROWN of California. Mr. Chairman, we cannot say that the fact that we have had human beings in space is a substitute for animal research. That is just not the situation.

Now, I would point out that amongst all of the areas of research in space, that which every person thinks is the most important is the research on human beings and on those materials which might be of benefit to human beings which can only be achieved in space.

Mr. Chairman, we are not going to achieve the value of this biological research unless we are able to use experimental animals. I have observed the treatment of experimental animals in every kind of condition. As a part of the legislation that I enacted, there is a requirement that there be a veterinarian, for example, in every research establishment which uses animals. I have visited these and consulted with the veterinarians who monitor this research. I have seen dogs, I have seen monkeys which have been incised and sensors put into their stomachs and into their lungs and in other places to observe the conditions that exist for the benefit of human beings. Most of this is done at research hospitals frequently associated with our veterans health program. It is there that we are learning some excellent things about the reaction of human beings to a number of conditions based upon the results we get with animals.

Mr. Chairman, we are getting exactly the same kind of research in space. We are treating the animals exactly the same. They are under the supervision of skilled veterinarians. They are subject to review by science peer review panels to determine if all of the protocols are being met.

There is no program in the last 25 years that has been more thoroughly explored, been more thoroughly monitored and checked and peer reviewed to determine both the conditions of the animals and the results of the research.

On the basis of all of these things, there is a practically unanimous agreement that we cannot stop this international health research program without doing great damage to the goals that we seek to achieve in space.

For these reasons, Mr. Chairman, I earnestly solicit opposition to this amendment, which, despite my high regard for its author, has absolutely no redeeming features.

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

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to indicate that I have joined with the gentleman from Indiana [Mr. ROEMER] in sponsoring this amendment. Over the last many years we have seen former Senator Proxmire talk about the Golden Fleece Award. I think that we have a responsibility in Congress to make sure that funds are spent in the most frugal and responsible of fashions. If we are trying to balance the budget, we must have the confidence of the American people that we have made the tough decisions here in Congress in that regard.

For that reason, I urge the support of this amendment so that we no longer have Federal programs which are held in ridicule in the popular media, and we spend a tremendous amount of time trying to rationalize and justify programs but, instead, cut back to the very essence of what the space program is about.

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

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

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding and for his help in cosponsoring this amendment.

What the gentleman from California outlined to us, I do not disagree too much with what he said. But within NASA there are probably only 100 higher priorities than this sending monkeys into space for the Russians. There are only probably one million higher priorities within our own budget with $15 million, and certainly there are three or four higher priorities for joint United States-Russian cooperation from the Nunn-Lugar language to dismantle nuclear weapons, from the research we are doing on Chernobyl, from the different and important things that we do in energy cooperation.

I think that this is one of the lowest priorities that we can possibly have in expenditures of taxpayers' money. I would encourage my colleagues to vote to get the monkey off of NASA's back and get the 400-pound gorilla off the taxpayers' backs.

Mr. LEWIS of California. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman and my colleagues, I listened to my colleague who presents this amendment with great care. I know that one of his very serious priorities is that of addressing the question of NASA's work in space. I must express my appreciation to him this year for not presenting his amendment to eliminate the space station, which has been kind of a consistent pattern. Monkeys in space is probably a better subject, but I would urge my colleagues to focus just for a moment upon the very fine words of my colleague, the gentleman from California [Mr. BROWN], the former chairman of the Committee on Science.

We all know that with the time that men have spent in space up to this point, there are a number of serious difficulties and questions we have relative to their potential impact upon the health of those men and women who will spend lots of time in space in the future.

That is what the space station is about. It is a significant piece of our commitment to NASA's work; it is a very important part of our leadership in the future.

The fact that we are involved in this kind of work with Russia and other of our allies relates very much to that partnership that itself interrelates to

space station. So one more time, I appreciate the gentleman not presenting an amendment that would eliminate space station. But the more we can undermine our effectiveness in dealing with human space flight, the better, I would suppose.

In this case we are talking about first a very short-term experiment that did send monkeys into space with measuring devices. After gathering that data along with a lot of other data, we have a process whereby there is a panel of experts who will review all of that data and suggest where we can go with the next step to make certain that we are taking every precaution that saves human lives as they participate in our work in space.

It is simple to laugh at something like this, especially if you do not care about the program. It is easy to joke about Russia, I suppose, if you do not care about those international partnerships. But indeed this is not a laughing matter. We are talking about one of America's very, very future programs dealing with our future horizon. We should lay the foundation to make certain that we are doing everything to protect those men and women who will participate on behalf of American interests. I believe in the most sincere and strongest terms that I would urge Members to reject this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

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

Mr. ROEMER. Mr. Chairman, 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 CHAIRMAN. Pursuant to House Resolution 456, further proceedings on the amendment offered by the gentleman from Indiana [Mr. ROEMER] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON, 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. KINGSTON: page 95, after line 21, insert the following new section:

SEC. 422. None of the funds made available in this Act may be used by any officer or employee of the Environmental Protection agency to organize, plan, or disseminate information regarding any activity if it is made known to such officer or employee that such activity is not directly related to governmental functions that such officer or employee is authorized or directed to perform.

Mr. KINGSTON. Mr. Chairman, I am going to go very quickly. What this amendment does is it limits EPA employees and funds going to EPA for business purposes only, EPA purposes. It has come to my attention that EPA is involved with a lot of activities that are not related to protecting the environment, a lot of extracurricular activities. Some are social in nature, many are political in nature.

What I am trying to do with my amendment is limit EPA to its mission statement, and that is cleaning the environment and not getting involved in all other causes and problems of the world.

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

Mr. KINGSTON. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, first I want to thank the gentleman from Georgia [Mr. KINGSTON] for this amendment. It is an amendment that should pass overwhelmingly because EPA is off track.

Now, I am a Republican, I have children and I support the mission of EPA. That mission is to clean up our environment, to clean up our land and our water, to clean up our air. But somehow that mission has gone astray. Let me give a couple of good examples.

□ 2200

Mr. Chairman, I want to point out how EPA spends some of its money. Let me cite what EPA did to me, for example, with some of these funds. They sent an invitation around the Hill and they sent invitations to my office inviting us to attend an event. The only problem is that they sent it to me with the names of my two past opponents as staff assistants.

So EPA was keeping a list of political opponents, sending an invitation to me with the name of two people, one who was going to run against me, did not file, and another one who filed and ran against me. Is this the right use of taxpayer money?

Let me give another example. Here is EPA Watch, which watches over EPA and reports on their activities. EPA signed a contract with PTA—and I am a past card-carrying member of PTA, I have children, I have belonged to the association—but they signed a grant, and basically the purpose of the grant was to get PTA to organize lobby against any of the proposals that we made for changes in the operations of EPA. Is that the right thing to do with the money?

Listen to this. This is what EPA Watch says:

Congressional sources close to the illegal lobbying issue expressed amazement that EPA, after all the scrutiny it has undergone, would dare to fund a newsletter with such an obvious political mission.

I am for cleaning up the environment. I am for clean air, for clean water. I want my children to inherit a better land. But what are they doing with taxpayers' hard-earned money? We just heard an amendment about sending monkeys into space.

I submit, Mr. Chairman, that this is monkey business in EPA that should stop, that in fact we should pass the Kingston amendment, that we should bring some sense, some purpose, some direction. If the office of compliance can spend their money on going after things of this sort and not requiring compliance with cleaning up the environment and the air, there is something wrong in the system.

I support the effort of the gentleman from Georgia [Mr. KINGSTON]. Other efforts have been made to try to get that agency which is off course, on course. It is our responsibility to direct that agency in the way it expands our taxpayers' hard-earned dollars. I support that agency, I will do anything I can to help our environment but this agency has to have direction.

Finally, there are almost 18,000 people in EPA. Twelve years ago there were about 6,000. There are 6,000 now in Washington, DC. These people have to find something to do. Eighteen thousand people on the payroll and they are not in your States. They are in regional offices and they are right here, 6,000 of them, within 50 miles of where I am speaking.

They need direction. This Congress' responsibility is to give them direction. They should not be doing the things they are doing. They should be cleaning up the environment. I support the Kingston amendment and urge its adoption.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. KINGSTON] has expired.

(By unanimous consent, Mr. KINGSTON was allowed to proceed for 1 additional minute.)

Mr. KINGSTON. Mr. Chairman, what we are talking about is use of Government telephones, copying machines, fax machines, E-mail, internal mail distribution systems, electronic bulletins and so forth, all funded with taxpayer dollars and yet being used not for their intended purposes of cleaning up the environment.

I am very concerned about this. At a time when EPA is saying they do not have enough money to clean up toxic waste and so forth, they should not be engaged in extracurricular activity such as political activities and social agendas.

But realizing that the scope of EPA's involvement in nonenvironmental activities is so extensive, I do not know that my amendment adequately addresses it. It is a very big problem, Mr. Chairman. I think that this Congress should revisit it and do it extensively, but at this time I think that I am going to withdraw my amendment and maybe take another route at another date.

Mr. FOGLIETTA. Mr. Chairman, I rise to speak against the amendment offered by Mr. KINGSTON.

I am afraid that some of us are allowing the politics of division and intolerance to blind us from common sense.

What happened here was very simple. An E-mail went over the computers of the EPA merely informing workers that it was Gay Pride Month.

This effort attempts to strike out at this trivia with an amendment that is overbroad and heavy handed.

Let's think about what it could stop EPA staffers from doing. They can no longer join together on blood drives, charitable events, going-away parties for employees, Black History Month, Earth Day, staff sports clubs, and so much more.

Do we really want to do this?

There are benefits in employees bonding together on community events. And as long as it does not get in the way of work—disseminate information about such events in a noncostly way. This is valuable, just as there is value in communities gathering together to express pride in themselves.

We have so many things to do in this House. This is a waste of our time. Vote against the Kingston amendment.

Mr. KINGSTON. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas: Page 95, after line 21, insert the following new section:

SEC. 422. None of the funds made available in this Act may be used to provide assistance under section 8 of the United States Housing Act of 1937 when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the assistance will be used for tenant-based assistance in connection with the revitalization of severely distressed public housing; and

(2) the public housing agency to which such funds are to be provided—

(A) has a waiting list for public housing of not less than 6,000 families;

(B) has a jurisdiction for which the Secretary of Housing and Urban Development has determined (pursuant to section 203(e)(2)(A) of the Housing and Community Development Amendments of 1978 or otherwise) that there is not an adequate supply of habitable, affordable housing for low-income families using tenant-based assistance; and

(C) does not include, under its plan for revitalization of severely distressed public housing, replacement of a substantial portion of the public housing dwelling units demolished with new units.

Ms. JACKSON-LEE of Texas (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 gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me first emphasize and make it perfectly clear that the amendment that I offer is not a return to one-for-one replacement. My amendment is simply giving hope to the homeless and the housing underserved in this country.

We recognize that our country has a very diverse housing stock. Miami differs from New York, Houston differs from Detroit, Los Angeles differs from Atlanta. The need of our citizens who are in need of public housing differ, as well.

This amendment simply provides opportunity for our local housing authorities to include amongst the resolution to their housing problems replacement of those units that they would demolish with new units. It does not preclude the use of Section 8 certificates. It simply adds to the usage of replacing units by new units. It particularly applies to those communities with a shortage of decent and affordable housing for low-income families and a waiting list of at least 6,000 families for public housing.

Let me share briefly the story of Houston, TX, a city of 1.6 million citizens in a country of some 3 million citizens, with a public housing stock in Houston of only 3,125 units. Presently there are 12,000 individuals and families on the waiting list for public housing. The list was closed in 1994. If the list were still open, that number would have doubled by now.

This amendment is a fair and reasonable response to saying to our localities with waiting lists that they must include in their policy the opportunity for the replacement of housing units.

I am not against section 8 vouchers. I think they have been effective. But in our community and many others, the waiting list for section 8 vouchers is enormous, as well. Section 8 vouchers now in Houston are 15,335.

But the real question becomes the flexibility of individuals to live in harmony and where they would like to live. I think we are all well aware of a situation that occurred in Pennsylvania recently. That had to do with an African-American woman named Bridget Ward who was forced to leave her home in a predominately white neighborhood becasue the neighborhood residents were opposed to any individuals living in their neighborhood who received section 8 assistance.

It does not mean we pull back from section 8 assistance. It simply means that there is some validity to replacing some of those demolished units in our communities with new units.

I would ask my colleagues in their revie of this amendment to be assured that it has the flexibility to provide HUD with all of the flexibility that they need. That is, of course, to determine, one, that there is a waiting list of 6,000 or more; that there is no habitable housing in that particular area; and to be able to suggest that if that is the cae, then we should have replacment hosing as well as the utilization of Section 8.

That is different now because in most of the communities that I have heard from, there is a belief that there should be no replacement housing, and there is a chilling effect on new units. Many communities that are not the urban centers of our Northwestern States, some of the Midwestern communities, some of the Southern cities are still in need of building public housing.

I would hope my colleagues would join me in viewing this as a reasonable response to balancing section 8 certificates with the building of replacement units for public housing units.

Mr. BENTSEN. Mr. Chairman, will the gentlewoman yield?

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

Mr. BENTSEN. I thank the gentlewoman for yielding.

Mr. Chairman, let me just say, there are a couple of important points that she made. This does not bring back one-for-one replacement. It does bring back substantial replacement. This is similar to what HUD is doing in the city of Houston, as it relates to Allen Park Village which was torn down, which has been a problem in Houston, but HUD has agreed to come back and build 500 units. It is also commensurate with what we have done in the USA Housing Act with severely distressed housing. I think this amendment is important to the city of Houston and other cities that have like situations. I commend my colleague from Houston for offering the amendment.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the last word.

I just want to make a few favorable comments on the Jackson-Lee amendment from her long experience in working with residents of public housing and with municipalities. I think that the general concept is good on both sides. I think the housing bill which is before this committee, is a good bill, but I think my colleague,SHEILA JACKSON-LEE, has hit on a need here, particularly in smaller southern municipalities, that this certainly is overlooking.

Her amendment brings into consideration the fact that we have an incoming flux of new citizens coming into some of the southern cities and many of them are of various ethnicities, and certainly in terms of financial stability, many of them are below the poverty level.

So, I think what Ms. SHEILA JACKSON-LEE sees, that this will take a certain trend and there will not be any replacement of these homes. I can understand exactly what he is talking about when I go through my city. I see a lot of them boarded up and many of them are really too good to be destroyed. It seems to me that private entrepreneurs are taking advantage of these places that the Government has spent so much money for all of these years. They are replaceable and they are good for revitalization. I think my colleague is saying, let us take the policy so that it can include some other people, because we have a differentiated type of population. It is not standard. People still need public housing.

We understand that this flies in the face of a policy that was passed, which I did not agree with from the beginning, that we should cut out all of the public housing.

I think that the committee should look at this. The amendment is not a harsh amendment, as I see it. It does not ask for a lot, except that we keep

that little window open so that we could replace some of these.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MEEK of Florida. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I appreciate the gentlewoman's explanation. Might I say in a statement partly made by HUD, it indicated that HUD agrees that in tight housing markets with long public housing waiting lists, it generally makes sense to replace severely distressed public housing with a mix of tenant-based assistance and hard units.

Might I say that HUD seems to think that that practice goes on today. But I think the gentlewoman's example of in some communities there is a chilling effect because they believe that there is no one-for-one replacement and, therefore, are not inclined to provide some of the hard units.

This amendment again is not a return to one-for-one. It simply says to our communities that we can balance section 8, a very useful tool, section 8, with the utilization of the replacement of some units. It does not give you one-for-one, it simply says some units, so that this can be balanced.

I think the gentlewoman's explanation on that is extremely important, so that it is not presented to our colleagues that we are returning to one-for-one. Not at all. We are simply saying that you can balance that utilization.

Mrs. MEEK of Florida. If I may reclaim my time, first of all it is so important that we understand in housing, one size does not fit all. No matter what the housing policy is, you will find that there is certainly a difference in housing needs in certain areas of this country. Of course I know how the HUD people feel. This has really become a real, real bad situation for them and they cannot handle it. So rather than meet all of the needs like the Jackson-Lee amendment would do, they just say, ''Well, we'll step back from all of this replacement of public housing, it's been an eyesore, we've been sued, everything has been done to us.''

□ 2215

So this is an easy way out. I think the amendment of the gentlewoman from Texas [Ms. JACKSON-LEE] sort of touches the heart of this matter; that is, it is all right to stick within the housing policy, but please leave some room for these people who do not fit that particular mold.

Mr. Chairman, I thank the gentlewoman for introducing this amendment.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise very reluctantly to suggest to the gentlewoman that while I oppose this amendment, I do so with great sensitivity to not only the problem that she is concerned about but the difficulty we have relative to some of our most important housing programs that need to be taken care of by way of the authorizing process.

There is little question that we have difficulty with public housing across the country that has been long neglected, where buildings are boarded up, and on the other hand we have a shortage of housing availability for people who have stopped becoming part of lists because the list are too long, as you have suggested.

I am very empathetic to that problem, but I am afraid your amendment, as I can best interpret it, might very well find ourselves moving back in the direction of the one-to-one replacement policy position that we just moved aside or tried to set aside or get rid of. One-to-one replacement in the past simply said that if we were to eliminate or tear down a dilapidated public housing unit that we had to replace it with another unit. What really happened, because there was no funding available, is that led to a scourge across the country with public housing having a blight placed upon it as people looked at boarded-up facilities and wondered what are these people doing? So we are attempting to move in a direction that makes some sense. My colleague, at the same time, is faced with a very real shortage problem in her community, as I am in my community. It is a problem that we have to deal with. It is a problem that potentially could lead to a lot of expenditure, and frankly, I think it has higher priority than some of our other expenditures.

But within this bill at this point in time, frankly we are not in a position to effectively implement that which my colleague is suggesting because of its policy implications. It needs to go before the policy committee, and while I know that the gentlewoman is going to withdraw her amendment, and I appreciate that, it is important for the gentlewoman to know that at this point in time, we need to work together with the policy and authorizing committee people as well.

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 the gentleman for yielding to me.

Mr. Chairman, let me just say I, too, am concerned about the concerns expressed here by the gentlewoman from Texas. I know how concerned she is about her community and how she is concerned about trying to meet a specific problem relative to housing in her community. The gentlewoman discussed this matter with me several times as she has discussed it with the gentleman from California [Mr. LEWIS] and it is a matter in which I am sympathetic towards her concerns.

I have assured her that the gentleman from California and I, working together, perhaps in conference, can try and remedy the problem that she is attempting to address here. I would urge the gentlewoman, if she can withdraw her amendment, that the chairman and I would continue to try and work this problem out for the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the esteemed ranking member from Ohio for his words of concern. Recognizing, of course, that all of us come from communities that may be favorably impacted by recognizing the need of responding to waiting lists 6,000 and above, which is one element of this amendment, and as well recognizing that we should not have a singular policy that eliminates replacement offer puts replacement under section 8 or section 8 over replacement. I would hope and would appreciate then if we could have, one, a continued dialogue, but that we could work through conference to solve a problem that is not necessarily only relevant to my community or my State.

I find that throughout the country there are small communities, middle-sized cities that are losing housing units because there is a chilling effect because they believe there is a sole policy that says do not replace any of your public housing units. That is very, very bad for our families that are on the waiting lists, so much so that they are no longer even allowed to get on waiting lists because they are closed.

So I would ask the chairman for his commitment to work on this issue that is extremely important, I think, nationwide, and I want to thank the gentleman from Ohio [Mr. STOKES] for his leadership as well and his desire to work with me on this very important issue.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(By unanimous consent, Mr. LEWIS was allowed to proceed for 1 additional minute.)

Mr. LEWIS of California. Mr. Chairman, the gentlewoman and I discussed this earlier, and she has been very, very sensitive about the time problem we have this evening. Absolutely I commit that we will continue this dialogue. It is very important that the gentlewoman and I and the gentleman from Ohio [Mr. STOKES], and the authorizers work together, for this ought to have a different priority in terms of funding that eventually works its way through appropriations bills and it has in the past. I very much appreciate the gentlewoman's bringing this to our attention.

Ms. JACKSON–LEE of Texas. Mr. Chairman, I thank the gentleman very much, and I also thank the gentleman for his offer to visit my community to see the circumstances that I am speaking of.

Mr. Chairman, in light of our discussion, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know of no other amendments to the bill.

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

Mr. LEWIS of California. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I have one additional amendment which I will be more than willing to accept the time limitation of 5 minutes on either side, and that would complete the business. I would very much appreciate the gentleman's consideration.

Mr. LEWIS of California. Mr. Chairman, I would say to the gentleman from Massachusetts [Mr. MARKEY], even though I have been told by others that we were going to absolutely have to rise on this bill that we spent 2 days on if we did not finish by 10:30 p.m., I am nonetheless highly inclined to accede to the gentleman's request if we can keep this to 10 minutes, 5 minutes on each side.

AMENDMENT OFFERED BY MR. MARKEY

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

The Clerk read as follows:

Amendment offered by Mr. MARKEY: Page 95, after line 21, insert:

SEC. 422. None of the funds made available to the Environmental Protection Agency under the heading ''HAZARDOUS SUBSTANCE SUPERFUND'' may be used to provide any reimbursement (except pursuant to section 122(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) of response costs incurred by any person when it is made known to the official having the authority to obligate such funds that such person has agreed to pay such costs under a judicially approved consent decree entered into before the enactment of this Act.

Mr. MARKEY (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 Massachusetts?

There was no objection.

Mr. MARKEY. Mr. Chairman, I ask unanimous consent that debate on this amendment be limited to 10 minutes equally divided between the majority and minority.

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

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MARKEY] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Chairman, what we have before us right now is the original Markey amendment on the Superfund rebate program to polluters, and what we have done is we have just taken the part of the amendment that the Members were deprived of being given the opportunity to vote upon earlier and taken that part of the bill and brought it out here to the floor so that we can make sure that in instances where companies that had accepted before courts the legal responsibility to clean up hazardous waste sites within communities, that they not be given rebates by the Federal taxpayer for the purposes of cleaning up those sites.

It is a very simple concept: The polluter pays. The polluter who has gone before a court, who has been adjudicated or accepted voluntarily the responsibility of cleaning up the site should not be given taxpayers' dollars to do so. It is a simple concept.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. PALLONE] so that he may also speak to the merits of this issue.

Mr. PALLONE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think this is a simple up or down vote. The issue is whether or not Members want the polluter to pay or to pay the polluter. What the gentleman from Massachusetts [Mr. MARKEY], is saying is that in this case, particularly where there has been a consent order already entered into and the party who is the polluter has agreed that they are liable, there is no reason why they should be given a rebate from the Government and paid to pollute.

It is a simple up or down vote and I would certainly urge a ''yes'' vote.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume. For all of those who are listening, this is going to be a very simple up-or-down vote. This just flat out will prohibit the ability for any polluter to receive Federal funds if they have accepted the legal responsibility to cleanup the site. Otherwise, we are going to take the monies which we should be using to clean up orphan sites, to help out municipalities and we will be expending monies upon the work which the polluters themselves should be doing.

Mr. Chairman, I again urge all Members very strongly who want to take 1 of the 10 most important environmental votes that will be cast in this Congress to vote ''aye'' on the Markey amendment and to make sure that the Superfund Program is not turned on its head and a very large percentage of the money just being handed over to polluters that should be used for the sites that need the help in communities with the neighborhood nightmares that otherwise would not be cleaned up at all.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment, and I yield such time as he may consume to my colleague the gentleman from Ohio [Mr. OXLEY] from the committee of original jurisdiction.

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

Mr. Chairman, let me be very brief. This Markey amendment basically sets the whole process on its head. Why would anybody want to enter into a consent decree if they could not get reimbursed for their cost? That does not really make a whole lot of sense in this process, and I would say to my friend from Massachusetts, if you really want to slow down this process even more than it already is, I would suggest that the Members vote for the Markey amendment.

This is very clear in its attempt to bring small businesses under this incredible yoke of the Superfund liability program.

Let me read from the inspector general of the EPA in his semiannual report to the Congress, findings on the Superfund program. He says, ''In general, lengthy remedial investigation feasibility study and enforcement negotiations delayed actual cleanup of sites.'' Actually delayed the cleanup of sites.

So I suggest to Members that the Markey amendment is the wrong way to go, and let me also point out that this is going to be an NFIB key vote. The National Federation of Independent Businesses that represents over 600,000 small businesses in all of our districts is opposed to the Markey amendment, will make this a key vote. I want to make that very clear to the Members.

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

Mr. LEWIS of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would add we have already debated this issue and we passed by a voice vote my substitute amendment. Keep in mind, the Markey amendment is antienvironment because it would slow and in some instances actually halt cleanup. We do not want to do that.

It is antismall business, and we certainly do not want to be antismall business. Even the administration agrees that we should provide exemption for small business.

□ 2230

And it would be antilocal government. The level of government that is most financially strapped.

Why would anyone in their right mind voluntarily enter into a consent decree to clean up while we are deliberating endlessly on Superfund reform? They would hold out. We would have no cleanup. It does not make sense from an environmental standpoint, it does not make sense from a business standpoint, it does not make sense from local government standpoint. I urge a ''no'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. The Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the additional amendment in this series.

The vote was taken by electronic device, and there were—ayes 142, noes 274, not voting 17, as follows:

[Roll No. 279]

AYES—142

Abercrombie
Ackerman
Andrews
Baldacci
Barrett (WI)
Beilenson
Berman
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gonzalez
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martini
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran
Nadler
Neal
Oberstar
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roukema
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Skaggs
Slaughter
Smith (NJ)
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wynn
Zimmer

NOES—274

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
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
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—17

Becerra
Bevill
Browder
Christensen
Coleman
Fields (TX)
Flake
Gephardt
Gibbons
Goodling
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2249

The Clerk announced the following pair:

On this vote:

Mr. Gephardt for, with Mr. Goodling against.

Mr. JOHNSON of South Dakota and Mr. FRANKS of Connecticut changed their vote from ''aye'' to ''no.''

Ms. MILLENDER-McDONALD and Mr. TEJEDA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROEMER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 171, not voting 18, as follows:

[Roll No. 280]

AYES—244

Abercrombie
Ackerman
Allard
Andrews
Bachus
Baesler
Baker (CA)
Barcia
Barr
Barrett (WI)
Barton
Bass
Blumenauer
Blute
Bonior
Bono
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clayton
Coble
Collins (GA)
Condit
Cooley
Costello
Coyne
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Doyle
Duncan
Dunn
Durbin
Ehrlich
Engel
English
Ensign
Evans
Ewing
Fawell
Flanagan
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Ganske
Gejdenson
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Hutchinson
Inglis
Istook
Jackson (IL)
Jacobs
Johnson (CT)
Johnson (SD)
Jones
Kelly
Kennelly
Kildee
Kingston
Kleczka
Klug
LaFalce
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lipinski
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McHale
McHugh
McInnis
McIntosh
McNulty
Meehan
Menendez
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Moran
Morella
Myrick
Nadler
Nethercutt
Neumann
Ney
Norwood
Oberstar
Obey
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Pelosi
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Rahall
Ramstad
Rangel
Reed
Riggs
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanders
Sanford
Saxton
Scarborough
Schroeder
Schumer
Seastrand
Serrano
Shadegg
Shaw
Shays
Shuster
Skelton
Slaughter
Smith (NJ)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Traficant

Upton
Velazquez
Vento
Visclosky
Wamp
Watts (OK)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Woolsey
Wynn
Young (AK)
Zeliff
Zimmer

NOES—171

Archer
Armey
Baker (LA)
Baldacci
Ballenger
Barrett (NE)
Bartlett
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Borski
Boucher
Brown (CA)
Brown (FL)
Bryant (TX)
Callahan
Calvert
Campbell
Chapman
Clay
Clement
Clinger
Clyburn
Coburn
Collins (IL)
Collins (MI)
Combest
Conyers
Cox
Cramer
Crane
de la Garza
DeLay
Dicks
Dingell
Dixon
Dornan
Dreier
Edwards
Ehlers
Eshoo
Everett
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Foley
Ford
Frank (MA)
Franks (CT)
Frost
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gonzalez
Green (TX)
Hall (TX)
Hancock
Hansen
Hefner
Heineman
Hilliard
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kim
King
Klink
Knollenberg
Kolbe
LaHood
Laughlin
Lewis (CA)
Linder
Livingston
Lofgren
Martinez
McCrery
McDermott
McKeon
McKinney
Meek
Metcalf
Millender-McDonald
Moakley
Mollohan
Montgomery
Moorhead
Murtha
Myers
Neal
Nussle
Olver
Ortiz
Orton
Packard
Payne (NJ)
Payne (VA)
Peterson (MN)
Petri
Pickett
Quillen
Radanovich
Regula
Richardson
Roberts
Rush
Sabo
Sawyer
Schaefer
Schiff
Scott
Sensenbrenner
Sisisky
Skaggs
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Stenholm
Stockman
Stokes
Studds
Stump
Tanner
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Torres
Volkmer
Vucanovich
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
White
Williams
Wise
Wolf
Young (FL)

NOT VOTING—18

Becerra
Bevill
Brewster
Browder
Christensen
Coleman
Fields (TX)
Flake
Gephardt
Gibbons
Hall (OH)
Hayes
Kasich
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2300

Messrs. HILLIARD, TEJEDA, and WELDON of Florida changed their vote from ''aye'' to ''no.''

Messrs. ROYCE, DAVIS, BONO, DELLUMS, SCARBOROUGH, and BACHUS, Mrs. JOHNSON of Connecticut, and Messrs. WICKER, ENGEL, MILLER of California, TIAHRT, and McINNIS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Departments of Veterans Affairs and Housing and Urban Development, and Independent Agency Appropriations Act, 1997''.

Mr. HINCKEY. Mr. Chairman, I want to take a moment today to voice my support for NITA LOWEY's amendment on the watershed protection program. The Watershed Protection Program is one of the best examples we have of what we should all want government to do. It is a cooperative program, not a coercive one. It is a cost-effective program, not a grandiose one. It is a consensus program, not an adversarial one. Everyone benefits.

Everyone agrees that New York City needs a clean water supply that it can depend on. Upstaters like myself know that the relations between the city and the areas that provide its water haven's always been good. My district includes the places that were condemned and flooded over 80 years ago to provide water for New York City, and there is still quite a bit of resentment about it—as you would expect. This plan represents what we in New York have learned about working together, and we think it can serve as a model for the rest of the country, a model that could be helpful in resolving some of the most contentious issues of our day.

What does everyone get? New York City gets clean water—and saves the cost of an $8 billion filtration plant. The watershed areas get help in developing their economies, and help in improving the quality of their own drinking water. Farmers are learning new and more efficient management techniques. All parties benefit from a cleaner environment.

Although the plan can save money over time, it isn't free. That is why we like a commitment of Federal for demonstration projects and monitoring. We have an agreement that everyone will work together—but we still have to see how well the plan works in practice. Without modest support now, the plan could fall apart, and it could mean higher costs for everyone—including the Federal Government—at a later date.

The Federal Government protects or owns key watersheds for many cities around the country. Our constituents pay for your protection. We're not asking the Federal Government to do that for us—just to provide some modest, matched assistance. And we think this plan can offer the entire country something valuable in return.

Ms. JACKSON-LEE of Texas. Mr. Chairman, although I respect the gentleman from Indiana as a colleague and fellow Science Committee member, I realize and accept the fact that he does not believe the space station alpha to be a worthy endeavor. In pursuing this conviction, the Congressman has offered on many occasions, amendments to cancel the space station program. I respect the gentleman for adhering to his principles, and offering his amendments, but this particular one, which would cut $75 million from the program is worse than cancellation.

The $75 million is but a fraction of the total moneys appropriated for the space station this year, however I know that every penny has been planned and accounted for. the first element launch is quickly approaching and every day and every dollars becomes more and more important as November 1997 approaches. I have been told that a cut of this magnitude would cause significant disruptions to this complex and pioneering effort.

NASA has promised, and we expect the program to come in one time and on budget which is, I believe, a reasonable request. However, I do not believe that is fair to hold them to these expectations when we continually attack their attempts to reach this goal by cutting a little bit here, and a little bit there. By doing this, we will only increase the potential for problems and the resulting condemnation of the agency by this body.

While cutting a couple of million here or there doesn't seem harmful to us, as we sit here far removed from the people and programs we effect, it can wreck havoc with an extensively planned and financially slim program.

I do not know what the Member from Indiana wanted to accomplish wit his amendment, but I believe it to be an ill-considered and unwise action. This Nation is on the verge of creating a permanent human preserve in space and it would do no good to handicap these efforts, just when every last penny is needed to assure success. I urge a vote against this amendment.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise in support of H.R. 3666, the Veterans' Affairs, Housing and Urban Development, and independent agencies appropriations bill. Let me first commend the work of Chairman JERRY LEWIS, Congressman LOUIS STOKES, and my colleagues on the Veterans' Affairs/Housing and Urban Development Appropriations Subcommittee. They have certainly crafted a reasonable and sturdy bill under difficult circumstances and the product which they bring to the floor deserves the blessing of the House. I am especially happy that Messrs. LEWIS and STOKES have increased from last year's levels the funding for many of my top priorities such as the programs for our veterans, housing, and environmental protection. Also, I am pleased that there is an adequate level of funding for NASA's human space flight program in which our space station is being developed. Mr. Speaker, I am a firm believer that the people down here on planet Earth will reap the benefits of the many scientific breakthroughs that the space station is sure to provide.

Still, Mr. Chairman, this does not mean there is no room for improvement. While I realize that nothing is perfect, we should nevertheless strive to produce the best appropriations bill possible for the American people. Accordingly, I do intend to support those amendments which I feel will enhance the bill into a more embraceable legislative product.

First, I intend to support the amendment offered by my colleague from New York, Congressman RICK LAZIO. Mr. Chairman, as duly elected members of the House of Representative, we must never forget the importance of ensuring secure housing for the more vulnerable of our society such as our elderly and our disabled. The Lazio amendment addresses these concerns by adding $100 million for elderly housing assistance—thus increasing it to $695 million—and adding $40 million for disabled housing assistance—increasing that funding to $214 million. Mr. Speaker, the moneys provided by the Lazio amendment will help us to successfully continue the mission of providing needed housing to our Nation's seniors and handicapped.

I also will be supporting the amendment offered by my Connecticut colleague, CHRIS SHAYS. This amendment will increase the funds for the Housing Opportunities for Persons with AIDS program [HOPWA] by $15 million, increasing that funding for this program to $186 million. Mr. Speaker, since 1995, the

number of reported AIDS cases has risen by one-third and the number of States and metropolitan areas qualifying for HOPWA grants has increased by 23 percent. However, for the last 3 years, funding for HOPWA has remained at a flat level. Mr. Speaker, the Shays amendment provides the modest, but much-needed increase in HOPWA funding. Passage of this amendment will help the HOPWA program provide increased assistance to the 34 States which now receive HOPWA funds, of which Connecticut is one, and ensure that more people with HIV or AIDS have security when it comes to housing.

Mr. Chairman, I also rise in strong support the Stump-Montgomery-Solomon amendment to increase the Veterans Administration's medical care amount by $40 million from its current level of $17 billion and to increase the Veterans Administration's benefit administration general operating expenses by $17 million from its current level of $824 million. Mr. Speaker, this amendment, which is supported by our Nation's leading veterans service organizations, will help us maintain our duty to provide adequate medical care for our vets while allowing the Veteran's Administration to process more veterans claims.

Mr. Chairman, I once again voice my support for this piece of legislation and encourage my colleagues to do likewise.

Mr. WELDON of Florida. Mr. Chairman, I want to encourage my colleagues to support this important appropriations bill this evening. Not only does this bill fund important housing and veterans programs, it funds the critical scientific research and development efforts of our Nation.

Among those efforts funded are those of the National Aeronautics and Space Administration [NASA], the world's premier space agency. My district is home to one of NASA's key centers, the Kennedy Space Center [KSC], the launch site for all U.S. human space flights. KSC and other NASA centers are unique national assets, but their future is threatened by continued efforts to reduce and eliminate funding for critical human space flight programs, most notably the space station program.

Despite having expressed strong, bipartisan support for the International Space Station only a few weeks ago, the House is once again being asked to vote on funding for the Space Station.

These perpetually unsuccessful efforts to cripple the space station only create uncertainty for NASA and our international partners and unnecessarily tie up the House.

You will hear many of the same arguments from opponents that you heard last month. But nothing has changed since then. The program is still on schedule and within budget. The scientific value of the space station has not diminished since last month. The Space Station still represents the forward-looking, future vision of our country.

Don't be fooled by these so-called savings. In fact, any reduction in funding now would cause cost growth equivalent to double the so-called ''savings'' due to schedule delays in the production of space station components.

We should keep our commitment to NASA and the American people by fully funding the space station.

You should also recognize that any attempts to reduce or transfer funding for the space station are only thinly-veiled efforts to fatally cripple the program. These cuts would devastate a program that has succeeded in staying on schedule and within budget. In fact, over 100,000 pounds of hardware have been produced so far, and we are only 17 months away from the first launch to begin construction.

It's time once and for all to show our support for the program and let NASA and our international partners do their jobs. I urge you to support the space station and to strongly oppose any efforts to terminate or reduce funding for this important program.

Further, I want to point out that that there are several amendments to the bill tonight that would result in ''across-the-board'' cuts in the VA/HUD funding measure. While some of these cuts may fund worthwhile programs, these cuts also severely impact critical programs like the space shuttle and space station. I strongly urge my colleagues to suppose any such cuts so we can avoid weakening our Nation's human space flight effort.

NASA has already done a significant amount of voluntary downsizing, and it can truly serve as a model for other parts of the Federal Government as we reduce the size and scope of government. However, NASA can take no further cuts in this year's budget. It is imperative that NASA receive the funding level proposed by the Appropriations Committee.

Our children and grandchildren will thank you for supporting NASA and supporting their future.

Mr. KANJORSKI. Mr. Chairman, today is an important day for veterans living in northeastern Pennsylvania. In this appropriations bill, Congress will finally commit the resources needed to modernize the Wilkes-Barre, PA VA Medical Center. Included is a $42.7 million plan to renovate and substantially upgrade the facility.

I greatly appreciate the strong leadership of both VA Secretary Jesse Brown in securing funds for the project in President Clinton's budget request and VA-HUD Subcommittee Chairman JERRY LEWIS for including the request in this bill. I also must thank ranking member LOUIS STOKES for his tireless efforts on behalf of veterans and his gracious help on this and other projects important to the citizens of my region. Of course, Congressman JOE MCDADE deserves much praise for his hard work in support of this project, as does Congressman TIM HOLDEN and Congressman PAUL MCHALE.

Mr. Chairman, in my May testimony before the subcommittee in support of this project, and many times since coming to Congress more than 11 years ago, I have tried to explain to the membership of this body how desperate the situation is at this 50-year old medical center. Space shortages are severe, equipment and facilities are outdated, and employee morale is sinking rapidly. Simple put, we must upgrade this facility immediately.

The medical center is wholly insufficient to meet the current and future needs of my region's veteran population. Over 99 percent of all patient rooms are not equipped with either private or semiprivate bathrooms, including rooms for female veterans. Ambulatory care has only 44 percent of needed space. Medical and surgical intensive care units have only 54 percent of needed space, and patient privacy is nonexistent in the hospital's 16-bed wards. Serious environmental deficiencies, such as very poor ventilation, have increased the risk of spreading infection among patients and workers.

I could go on and on about the past and current problems arising from the bad condition of the medical center, but what we must decide today is how we intend to address the future of veterans' medical care in the region. Should we permit the continued, rapid deterioration of the medical center and, in effect, give up hope on providing quality medical services to these veterans or fulfilling our obligation to the taxpayers to provide such services in an effective, cost-efficient manner? I believe we must fulfill our obligations to the brave men and women who risked their lives and health so that we could remain free. Fortunately, the President and the members of the appropriations committee made the right choice in support of full funding for the project. This long overdue project will enable the Wilkes-Barre VA Medical Center to provide the quality medical services veterans deserve and taxpayers expect. I would strongly urge the full House, as well as the other body, to concur.

Without a doubt, this funding will help transform the medical center into a first-class medical care facility. Under the plan, two new bed towers will create much-needed space to correct patient privacy problems, as well as serious ventilation, heating, and air conditioning deficiencies. An ambulatory care addition will enable the expansion of numerous medical units, and help prepare the medical center for the greater focus of the VA on outpatient medical care overall.

Some Members of this Congress believe that we should no longer make substantial investments in VA medical facilities. I disagree. We made a commitment long ago to care for needy veterans and meet their special medical needs through a separate health system. I believe we must continue to do so in the future, as well. To meet this commitment, VA facilities must be appropriately maintained. While new hospitals have been built and old facilities renovated over the years, the Wilkes-Barre VA Medical Center has been virtually forgotten. As the third largest VA facility in the fifth largest State in the Nation, and after nearly five decades of service, this medical center is long overdue for major repairs and modernization.

Mr. Chairman, the 250,000 veterans spread across 19 counties in northeastern and central Pennsylvania, as well as the medical center's dedicated employees, need and deserve this important project. I therefore urge swift approval of this appropriation by the House.

Mr. DINGELL. Mr. Chairman, I rise to thank the chairman, ranking member, and other members of the Subcommittee on VA–HUD–Independent Agencies for their recognition of the continuing importance of the Rouge River National Wet Weather Demonstration Project. In particular, my colleague from Michigan, Mr. KNOLLENBERG, deserves credit for proposing and steering an important provision of this legislation which will provide $20 million in fiscal year 1997 for the Rouge Project.

This project was begun in 1990 following the completion of the Rouge River Remedial Action Plan [RAP] in 1989 which found that the most densely populated and urbanized river in Michigan was contributing significantly to the quality of the fresh surface water of the Great Lakes—which contains 20 percent of the world's fresh surface water. A report of the General Accounting Office [GAO] 2 years prior to completion of the RAP found that the cost

of restoring the Rouge watershed would be massive. In fact, the most recent cost estimates show that the clean up will cost nearly $1.4 billion by 2002.

That is why I joined a group of my colleagues from the metropolitan Detroit area to see if we could muster the resources to meet a tremendous challenge: comprehensive watershed-wide clean up, while developing a technological, managerial, and financial model that could be replicated nationwide as other communities come to grips with the costs and other problems associated with cleaning our waters and keeping them clean. As it so happens, southeast Michigan had many local and regional resources in place to implement such a model, but were in need of Federal partnership. Congress accepted that challenge, and with passage of this measure tonight, the Federal Government will have contributed almost 25 percent of the cost. The remainder is being paid by ratepayers in each watershed community in seven congressional districts, in combination with clean water revolving loans administered by the State of Michigan. It is important to note that, despite this help, our citizens are still being asked to pay higher water bills, and our cities are being asked to stretch resources which already are stretched to their limits.

Mr. Chairman, I am pleased to report to my colleagues tonight that, although such a massive undertaking is never easy, the citizens and community leaders of metropolitan Detroit, on a bipartisan basis, are working together to solve a common problem using innovate approaches to save a precious resource. With the first phase of the project due to be completed soon, project administrator Wayne County is already transferring the knowledge it has gained to other communities across the nation. Again, I would like to commend my colleague from Bloomfield Hills for his leadership this year, so that the state that led in the industrialization of America can lead in the clean up of its natural resources.

Ms. McCARTHY. Mr. Chairman, I rise to express my support of one of our Nation's greatest success stories for our youth, the AmeriCorps program, and to express my opposition to amendments offered today which would eliminate or drastically reduce funding for the Corporation for National and Community Service.

The mission of AmeriCorps is sensible: provide educational opportunities for young people who serve their community in ways that make a real difference in the lives of others.

In my district, AmeriCorps members have partnered with professionals and nonprofit agencies to help immunize children, revitalize and clean up inner city neighborhoods, install smoke alarms in the homes of the elderly, and weatherize homes in low income areas. On Earth Day this year, I assisted AmeriCorps members with planting a community garden in a vacant lot once strewn with debris. The lot now is a source of neighborhood pride.

AmeriCorps members continually champion the cause of community service by their collective and individual efforts. In my community, members have worked with community police officers to initiate neighborhoods watch programs and shut down drug houses. The energy of these young people has inspired many families to get more involved to preserve and protect their neighborhood. As a result, Kansas City is cleaner, safer and more livable in places because AmeriCorps has made its mark.

As we work to balance the Federal budget, I believe we must set smart priorities. Certainly providing opportunities which afford young people access to job training and education ought to be among our national goals.

I urge my colleagues to support the modest level of funding for the Corporation for National and Community Service included in this appropriations bill.

Mr. OWENS. Mr. Chairman, I rise in opposition to many of the provisions in the VA–HUD-Independent Agencies Appropriations Act for Fiscal Year 1997—H.R. 3666. While this bill is a major improvement over last year's VA–HUD appropriations debacle, H.R. 3666 still lacks adequate Federal provisions to address the housing emergency in this country, especially within the inner cities. The passage of various amendments that will be offered by many of my Democratic colleagues today may make this legislation more palatable. However, the basic right of our most vulnerable citizens to sleep comfortably at night must not be compromised.

H.R. 3666 would continue a devastating trend which began in 1995—not funding any new section 8 incremental vouchers. These vouchers could be used to house additional families—many of whom are homeless—who are in dire need of housing assistance. Currently, over 70 percent of the families who quality for low-income housing assistance are not receiving it. These 20 million families are simply forced to deal with substandard housing conditions with serious building code violations such as dangerous electrical wiring and inadequate plumbing; exorbitant rent; and even homelessness. These families, who could qualify for housing assistance, are simply placed on waiting lists. H.R. 3666 would not enable HUD to provide for these families.

This bill completely ignores the Department of Housing and Urban Development's [HUD] recently released ''Worst Case Rental Housing Needs'' report. The report disclosed that the number of households with unmet worst-case housing needs reached an all-time high of 5.3 million in 1993. Of this number, more than 1 million were households headed by an elderly person, and more than 1 million were working-poor families, including many with children. In my State of New York, there were more than 350,000 households with worst-case unmet housing needs. More than 144,400 of these households were families with children. Ironically, Congress responds to this crisis by ending its 20-year record of funding annual increases in the number of renter households assisted through HUD programs.

Furthermore, H.R. 3666 would slash elderly and disabled housing by 29 percent—a $319 million cut. H.R. 3666 would appropriate only $769 million in a new account to fund the section 202 Elderly Housing and section 811 Disabled Housing programs. There is no justification for decreasing housing opportunities for senior citizens and persons with disabilities. We must recorder our priorities and halt the rollbacks of crucial Federal protections.

H.R. 3666 would continue the assault on the successful Americorp program by cutting the program's funding by $36 million—compared to fiscal year 1996. And there are a host of amendments that will be offered to terminate the program. After four independent evaluations have validated the benefits of Americorp, and after thousands of volunteers have attested to its success, Republicans have refused to accept Americorp as a cost-efficient, public-private, community investment that deserves our support.

Finally, H.R. 3666 would underfund another highly regarded program—youthbuild. The youthbuild program educates and trains our youth, renovates our housing, and improves our community by giving young adults the opportunity to construct and rehabilitate housing for homeless or low-income people while simultaneously developing their own academic and vocational skills. Since fiscal year 1995, this program has had to sustain a 50 percent cut. H.R. 3666 would continue this unwise trend and freeze funding at the fiscal year 1995 level.

No, this year's VA–HUD appropriations bill does not contain those ridiculous legislative environmental riders. However, H.R. 3666 would apply a freeze philosophy and fund most programs at or near their fiscal year 1996 appropriation level. At a time when the number of households with worst-case unmet housing needs has reached an all-time high of 5.3 million, at a time when more than 7 million children and adults are homeless, and at a time when a baby is born into poverty in this country every 32 seconds, additional Federal resources are necessary—not a freeze. Unsurprisingly, this freeze philosophy was not applied to the National Defense Authorization Act—H.R. 3230—which authorized $12 billion more than the administration requested and $2.4 billion more than fiscal year 1996 funding to defense programs. The Federal Government can and must do much better in ensuring that its people, even those who are the least fortunate and least economically stable, have safe, decent and affordable housing.

Mr. SMITH of New Jersey. Mr. Chairman, I would like to first thank Chairman JERRY LEWIS for his yeoman's work on this issue of childhood cancer in Toms River, NJ. As I testified before his appropriations subcommittee on May 8, the Agency for Toxic Substances and Disease Registry [ATSDR] is currently working to assist New Jersey in its search for answers to a disturbing, potential cancer cluster among young children.

I rise in strong support of the amendment to H.R. 3666 offered by Chairman LEWIS of California. Childhood cancer is a tragedy that is of national concern, and with the funding provided in this amendment, ATSDR will be given the resources to examine any possible environmental link between toxic substances and childhood cancer.

As some of you know, the Toms River area has two superfund sites—Ciba Geigy and Reich Farm—that many residents fear could be responsible for abnormally high cancer rates in the area.

In August of 1995, the New Jersey Department of Health, responding to anecdotal evidence of increased incidence of cancers among young children, analyzed data in the New Jersey State Cancer Registry and came up with alarming results: a five fold increase in cancer rates for brain and central nervous system cancers among children under age 5.

Something is causing these cancers, Mr. Speaker, and with the funds provided in this amendment, the anxious parents of these kids may at last begin to get some answers. And I would note to my colleagues that if ATSDR does find an environmental link, it will have

implications far beyond the State of New Jersey.

Mr. Speaker, I have repeatedly indicated to my colleagues that ATSDR's work on environmental health is vitally important, especially because no other agency has environmental health as its chief mission. ATSDR provides critical work in filling the serious data gaps in scientific understanding about the human health effects of hazardous substances released from Superfund sites. It also assists States through cooperative agreements, in conducting Public Health Consultations.

With this amendment, ATSDR will have the resources needed to include New Jersey in a seven State national study of brain cancer incidence near national priorities list [NPL] sites. It provides Federal resources through comparative geographic data analysis, providing medical and scientific expertise and education, as well as environmental and biomedical monitoring to examine potential exposure pathways.

Cancer is always tragic, Mr. Speaker, but it is especially heartbreaking when it strikes down innocent children. And that is why it is important to keep a careful count of each of the little victims of cancer, so that researchers can have complete and accurate information to work with. As part of its public health response plan, which this amendment will fund, ATSDR will conduct interviews with area families to make sure people do not fall through the cracks.

In conclusion, with this amendment, the Republican Congress is sending a clear and powerful message to the American people, as well as to the residents of Ocean County: we care about environmental health. We are committed to finding answers; why are so many of our precious children coming down with cancer? But most importantly, we are willing to back up our commitment with Federal dollars.

Mr. THOMAS. Mr. Chairman, I rise today to express my disappointment that language dealing with the Section 8 Housing Program in sections 204 and 205 of H.R. 3666, the Veterans Affairs, Housing and Urban Development and Independent Agencies appropriations bill, was removed from the bill. We have been working to reform this program since 1993 when my local newspaper in Bakersfield, CA, described the rents subsidized by the Section 8 Program. According to the article, some building owners were receiving rents $200 and $300 above comparable market rents for similar size units in the area. While I understand that there may be some additional costs associated with managing section 8 units, I do not believe that an additional $200 or $300 per month is justified.

I believe he Department of Housing and Urban Development must be given the authority to simply reduce rents to those projects which are blatantly out of line with rents paid for comparable units in the area. In taking such a step, I understand that other factors beyond a simple comparison of other area rents must be taken into account. That is why I have introduced legislation to provide the HUD Secretary this authority and why I am disappointed, therefore, that the section 8 language, which would have allowed HUD to bring in a third party arbitrator upon the expiration of section 8 contracts to negotiate new rents based upon comparable market rents was deleted from the VA/HUD appropriations bill. The intent of my legislation is not to bankrupt these projects or violate a contract, nor throw anyone out of their apartments. The intent is to eliminate the windfall that a few project owners may be unjustly receiving at taxpayer expense.

I hope that the Housing and Community Opportunity Subcommittee of the Banking and Financial Services Committee moves quickly this summer to bring legislation to the floor that addresses this issue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to raise my strong opposition to Mr. HOSTETTLER'S amendment to eliminate AmeriCorps.

This amendment to H.R. 3666 will eliminate the entire program and thus deny the opportunity for many deserving young people to attend college. The program is simple, but it has had a significant impact on the lives of people living in my Houston, TX, district.

In the city of Houston, David Lopez, an AmeriCorps volunteer, has worked to provide the inner city kids of working parents with supervised activity and play. This keeps them from being left to their own devices or worse to the design of street predators who would lead these young lives in the wrong direction.

For a year of volunteer service with Communities In Schools, David has earned a $4,725 scholarship toward college.

AmeriCorps 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, the studies confirmed that investments in national service programs are sound, yielding from $1.54 to $3.90 for every $1 invested. In fact, a 1995 GAO report concluded that AmeriCorps almost tripled the amount of $31 million that Congress directed them to raise by raising some $91 million.

AmeriCorps has played a vital role in communities all over America. The 23,641 students taught, and the 49,632 youth helped through violence prevention programs is a testament to the critical role this program plays in the lives of people in need.

I strongly oppose any effort to end this program.

Mr. FAZIO of California. Mr. Chairman, I rise to offer my support for the legislation before us today. H.R. 3666 provides $84.3 billion for veterans and housing programs, the Environmental Protection Agency, NASA, and the National Science Foundation. While this bill falls well short of the administration's request, overall funding is $1.8 billion higher than last year's level.

I am particularly pleased to note that the committee has decided to include funding for the replacement hospital at Travis Air Force Base in Fairfield, CA. Building a new, state-of-the-art facility at Travis will provide much-needed medical care for over 430,000 veterans in northern California. These veterans need a new full service veterans hospital.

I would like to recognize the steadfast support of Operation VA, and in particular, Carolyn Rennert and George Pettygrove, who have been unwavering in their support for the construction of this hospital. The entire Travis community, including many hard working veterans and citizens throughout Solano County deserve praise for their efforts. I would also like to thank the chairman of the VA–HUD Subcommittee, JERRY LEWIS, for his support for the hospital. His commitment to the hospital is a significant step in ensuring that the hospital at Travis becomes a reality.

I am also pleased that the bill includes funding for the Sacramento River Toxic Pollutant Control Program [SRTPCP] within the EPA's Environmental Programs and Management Account. This is a cooperative program conducted by the Sacramento Regional County Sanitation District and the Central Valley Regional Water Quality Control Board.

The Sacramento River is the largest and most important river in California. It supplies water for agricultural, municipal and industrial uses as well as providing important recreational benefits. Unfortunately, this key environmental and economic asset is threatened by pollutant loadings that jeopardize these beneficial uses. The river exceeds State and EPA-recommended water quality criteria developed in the early 1990's for a number of toxic pollutants, particularly metals such as copper, mercury and lead.

The SRTPCP, which is in its third year, was created to bring the Sacramento River into compliance with water quality standards. The program is based on watershed management concepts including the development of site-specific water quality standards and technically feasible, cost-effective programs to achieve water quality standards throughout the river and its tributaries.

Regrettably, I do have one concern and that is that this proposal fails to adequately protect the environment. It simply goes too far and will hurt the ability of communities to protect their residents from toxic exposure. I support the Durbin amendment to restore the community's right-to-know what chemicals are being emitted from local industries.

It is important to encourage growth and development and that can best be achieved if companies work to earn the trust of the community and the two work closely together. Along those lines, I also urge my House and Senate counterparts to do the same and work out a reasonable solution to this issue.

I urge my colleagues to support the fiscal year 1997 VA–HUD appropriations bill.

Mr. HOYER. Mr. Chairman, I rise to express my very serious concerns about the funding levels for Superfund, section 8 housing vouchers, and space sciences in this bill. Once again, the appropriations priorities of this majority are shortchanging America's communities by underfunding efforts to clean up our environment, provide safe housing for our seniors and poor children, and make our neighborhoods better places to live.

I am particularly concerned by the cuts to Mission to Planet Earth, a critical NASA program which has great potential for helping predict weather and climate. The ability to better predict natural disasters will save both money and lives. Moreover, our capability to forecast up to a year in advance will yield tremendous benefits for agricultural and natural resources productivity.

The subcommittee's mark includes $1.149 billion for Mission to Planet Earth. Regrettably, this is a reduction of $220 million from the President's budget request. If the allocation for this appropriations measure was not so constrained, I would offer an amendment to add that $220 million to the bill before us. NASA, through internal efforts, has already greatly reduced the Mission to Planet Earth budget.

Further reductions could cause serious delays in the weather measurements and the Earth observing system. Cuts could also affect NASA's agreements with the United Kingdom, Japan, Brazil, and France—all partners in the EOS system.

Goddard Space Flight Center is NASA's lead center for these efforts and has an extraordinary reputation for Earth science studies. I have had the chance to visit with the scientists working on this program and I can tell you that their work is outstanding. Our understanding of the Earth as an integrated system is far from complete. Mission to Planet Earth and EOS will produce both practical benefits and long-term understanding of the environment.

Mr. Chairman, I strongly believe that it is in the best interests of our country and, indeed, of mankind, to fully fund Mission to Planet Earth and I urge the committee to work to accomplish that objective as this bill moves through the legislative process.

Mr. GEJDENSON. Mr. Chairman, I rise to express my strong concern that the bill before us eliminates the U.S. Office of Consumer Affairs. As many members of this body know, the Office of Consumer Affairs is the only entity on the Federal level which serves as an advocate for consumers on virtually any issue. I believe we should be devoting significantly more, rather than fewer, resources to protecting the interests of American consumers.

The Office of Consumer Affairs traces its origin to the President's Committee on Consumer Interest established by President John Kennedy in 1962. President Johnson transformed the committee into the Office of Consumer Service in 1968. President Richard Nixon was responsible for establishing the Office of Consumer Affairs within the White House and redefined its mission to include information distribution and consumer education. In fact, Elizabeth Dole was Deputy Director of the Office during the Nixon years and played an important role in developing voluntary agreements between manufacturers and consumers. President Nixon was also responsible for transferring the Office to the Department of Health and Human Services and expanding its mission again to include consumer advocacy throughout the Federal Government. Presidents Ford, Carter, Reagan, and Bush all continued the Office and utilized it to ensure consumers' interests were protected at the national level.

As I mentioned above, the Office acts as a consumer advocate. Other entities in the Federal Government address consumer issues by regulating products or services. The Office's mission is to serve as a central point of contact—a one-stop-shop—where consumers can obtain a wide range of information and assistance in addressing their problems with Government agencies as well as the private sector. The Office distributes information through a variety of sources, the most popular of which is the *Consumer's Resource Handbook.* Every member of this body is familiar with these valuable publications which are arguably the most thorough source of consumer-related information issued in America. The handbook provides tips on how to get the most for one's money, prevent fraud and protect personal privacy. In addition, it contains more than 100 pages listing national consumer groups, State and local consumer affairs offices, better business bureaus, corporate consumer centers and a wide range of other helpful information. As the result of aggressive distribution efforts, headquartered in Pueblo, CO, more than 1 million copies are currently in circulation.

The Office of Consumer Affairs responds quickly, and efficiently, to consumer complaints through the toll-free National Consumer HELPLINE. I want to stress to my colleagues that the HELPLINE is staffed by a portion of the Office's 13 trained, professional employees and is not contracted out to another office or to private operators. The HELPLINE can quickly direct consumers to appropriate government agencies helping them negotiate an often complicated system of shared and overlapping jurisdiction. Staff also refer callers to consumer affairs offices in the private sector. Between June, 1995, when the HELPLINE commenced operation, and the end of February, 1996, more than 80,000 people—about 10,000 per month—have been served. It is important to note the Office has assisted this volume of callers while operating the HELPLINE only 4 hours daily. I believe the number of calls would increase significantly if the Office had sufficient resources to operate the HELPLINE during normal business hours.

In addition, through the HELPLINE, letters and other sources the Office performs its central function as an advocate—helping consumers solve their problems. Office staff research consumers' problems and then work with manufacturers and Government agencies to develop voluntary solutions. The Office has a unique problem-solving role because it is nonregulatory. It can contact a private company and work to achieve a compromise relating to how a particular product is sold or produced or how a service is delivered. Most regulatory agencies can not take similar action without being confronted with conflict of interest charges or allegations they are being ''soft'' on entities under their jurisdiction. In a February, 1996 letter to President Clinton, several major U.S. corporations and trade organizations, including MasterCard, MCI, Ford, and the American Gas Association, were among 41 groups urging the President's continued support for the Office. The Office of Consumer Affairs is the only Federal agency which can bring consumers and businesses together in an nonadversarial setting and produce agreements which benefit all parties.

Mr. Chairman, American consumers need a voice at the Federal level more than ever before. Rapid and complex changes in our economy, widespread reorganization of Federal programs, and a blizzard of new products and services associated with the information revolution are generating questions and concerns from a growing number of Americans. At the same time, States, which traditionally have offered the first line of defense for consumers, are reducing, and in some case eliminating, consumer affairs departments and units at an alarming rate.

A March, 1996 investigation by Money Magazine provides startling information about just how severe some of the reductions at the State level have been. As part of its investigation, Money surveyed 45 State attorneys general and 51 other State, county and city consumer affairs offices requesting information about historic and present budgets, contacts, number of cases investigated, and the amount of money returned to consumers as a result of such investigations. Based on the information provided, Money concluded that 44 of the 96 entities surveyed—nearly 50 percent of the total—''have seen their funding or staff levels slashed or eliminated during the past decade.''

The magazine determined consumer protection efforts have been improved in only 9 States. At the same time, 41 States and the District of Columbia have curtailed consumer protection efforts or merely held the line on service in spite of increasing demand. Alabama, Alaska, California, Connecticut, the District of Columbia, Florida, Hawaii, Iowa, Maryland, Massachusetts, New Hampshire, New York, South Carolina, Tennessee, Texas, Virginia, and Wisconsin were all rated by the magazine as ''losing ground'' in the battle to protect consumers' interests. For example, the Alabama attorney general's consumer affairs staff has been cut by 70 percent since the early 1980's while Maryland's has been pared by 28 percent since 1990. In Massachusetts, the executive office of consumer affairs was slated for closure and in New Jersey, Rhode Island, and South Carolina certain State-administered consumer advocacy organizations have been terminated. As the States continue to reduce consumer affairs units and curtail investigations, preserving a consumer advocate at the national level becomes even more important.

I recognize the Appropriations Committee has provided a minimal increase to the Consumer Information Center and transferred some of the Office's functions to the Center. The Center distributes the Consumer's Resource handbook, other consumer-related information and publications from various Government agencies. While the committee report makes vague references about transferring functions, the bill is silent on this issue. However, it is very important to note that the Center will not be taking over the Office's advocacy role. It will not operate the HELPLINE, it will not address consumer complaints and it will not represent consumers' interests in policy discussions within the Federal Government. The Center is, and I believe will remain, a warehousing and distribution entity and will not be transformed into a consumer advocate under the provisions of this bill.

Mr. Chairman, the Office of Consumer Affairs is a great value for the American people. In an article published in the Christian Science Monitor in January, 1996, two former Directors of the Office stated it provides services to the 97 million households in this country for about two cents per household. I challenge any member to find another program which offers similar service to the American people for less. I firmly believe the taxpayers are willing to spend less than $2 million dollars annually to ensure they have a consumer advocate at the Federal level. The American people are not blindly demanding spending cuts. They want this Congress to make cuts and policy changes which make sense. I believe the vast majority of Americans would agree that eliminating the Office of Consumer Affairs fails this important test.

Mr. FOGLIETTA. Mr. Chairman, I rise to speak in favor of this bipartisan amendment which would provide the funds needed to keep the HOPWA Program at pace with the growth of the need and the problem.

HOPWA needs the little bit of extra money that this amendment provides, because the number of communities served by it have expanded.

Why do we need a separate housing program for people with AIDS? That's what I hear

some people ask about this program. The reason is because the needs are so unique. So often, people with AIDS find themselves on the fringes of our communities: Isolated; frightened; stigmatized. Broken financially from the costs of drugs and doctors. Sometimes, homeless. The worst thing that someone needs in the latter stages of AIDS is to worry about where they will live and where they will die. Worry hastens death.

HOPWA is the caring and decent thing, but if that is not enough * * * consider the financial aspects of the issue. Without the hospices provided by HOPWA, a person with AIDS is likely to end up in a hospital, where Medicaid will be huge. Support this amendment because it's cost effective. Support this amendment because it's right.

Mr. REED. Mr. Chairman, I rise in strong opposition to the Hostettler amendment to eliminate the AmeriCorps Program.

AmeriCorps has provided an opportunity for more than 40,000 young people to earn their way through college by giving something back to their communities and our Nation. AmeriCorps members perform many vital functions, including tutoring children, helping seniors, housing the homeless, feeding the hungry, preventing crime, and protecting the environment.

This past Sunday, I attended the City Year Rhode Island Graduation, in which 55 individuals were honored for their year of service in Providence and Central Falls, RI. City Year participants make a difference in the lives of Rhode Islanders by tutoring children and cleaning up communities. Next year, City Year Rhode Island, which receives a majority of its funding from the Corporation for National Service, expects to provide service opportunities to additional participants who will serve throughout the State.

AmeriCorps is making a positive impact in our communities and in the lives of the participants. One recent City Year Rhode Island participant was a high school dropout working in jobs which gave her little chance of advancement. Her involvement in City Year provided an opportunity to assist others in need, which in turn renewed her belief in the value of hard work and inspired her to return to and finish high school. She is now attending Brown University where she is studying medicine, turning a nearly destroyed dream of becoming a doctor into a reality.

Today the critics of AmeriCorps will attempt to disparage AmeriCorps with claims of financial mismanagement and wasteful spending. In recent months, however, the Corporation for National Service has addressed these and other concerns by reducing costs, increasing private-sector support, improving financial management, and eliminating grants to other Federal agencies, in order to harness the full potential of national service. Furthermore, four independent studies have concluded that AmeriCorps is a cost-effective investment that yields more in benefits than the program costs.

As the Providence Journal-Bulletin recently noted, we should be increasing funding for this worthy program, not eliminating it. AmeriCorps enjoys widespread support among participants, governors, and businessmen and women in Rhode island, and across the Nation. I urge my colleagues to reject the Hostettler amendment and other anti-AmeriCorps amendments offered today.

Mrs. MORELLA. Mr. Chairman, I rise in opposition to the Hostettler amendment to eliminate AmeriCorps funding.

AmeriCorps has been a very valuable resource for our great Nation. AmeriCorps is achieving results; AmeriCorps is cost effective; AmeriCorps has earned private-sector support; and AmeriCorps is cutting costs.

An evaluation of AmeriCorps programs by Aguirre International—headed by President Ford's Commission of Education found that just one-tenth of the AmeriCorps members: taught 23,641 students; tutored 23,867 individuals; mentored 14,878 youths; helped 2,551 homeless people find shelter; planted more than 210,000 trees; collected organized, and distributed 974,103 pounds of food and 5,000 pounds of clothes; developed and distributed 38,546 packets of information about drug abuse, street safety, health care, and other issues; ran violence prevention after-school programs for 49,632 youth; performed energy audits for more than 18 million square feet of buildings; and leveraged 669,369 hours of service by unstipended volunteers—each AmeriCorps member manages about 16 volunteers and generates 246 volunteer hours.

AmeriCorps is cost effective for our Nation. Numerous independent studies this year, including one by conservative Chicago School economists sponsored by three private foundations to test their investment in AmeriCorps, confirmed that investments in national service programs are sound, yielding from $1.54 to $3.90 for every dollar invested.

In fact, the 1995 GAO Report concluded that AmeriCorps almost tripled the amount it was required to raise from non-corporation sources in its first year: Congress directed AmeriCorps programs to raise $31 million; they raised $91 million. Of this total, $41 million—more than the amount required of all sources—came from the private sector alone. Such financial support proves that leaders at the local level across the country feel that AmeriCorps is an effective way to meet the needs of their communities.

The program is below budget. In fact AmeriCorps grantees have already reduced costs by 7 percent in real terms. The Corporation has already reduced its administrative budget by 12 percent in real terms. The Corporation has recently announced that it will lower its average budgeted cost per AmeriCorps member in its grants programs by $1,000 each year in program year 1999–2,000. And, the GAO reported the Corporation is spending less per AmeriCorps member than it had budgeted.

The Corporation has also announced that it will no longer make AmeriCorps program grants to other Federal agencies.

Additionally, Representative HOSTETTLER is focusing on just 2 of the over 1,200 AmeriCorps sites and 450 AmeriCorps programs over the last 2 years. In fact, in both these cases, the Corporation and the Governor's commissions found the problems and eliminated funding to the programs to eliminate the waste of taxpayer dollars. These are the exception that prove the rules work.

Recently, I visited two sites of an AmeriCorps program in Montgomery County, MD, called the Community Year. I saw first hand, at Karasik Child Care Center and Holy Cross Adult Day Care Center, that young adults are making a significant difference in the lives of people in need in Montgomery County through AmeriCorps.

Esther Kaleko-Kravitz is the director of Community Year, and Wendy Moen is the corpsmember development specialist. Under the auspices of these two able individuals, young adults provide direct services to the elderly, refugees, and the disabled population in the community, from preschool to adulthood. This national service experience promotes personal and professional growth among the corpsmembers and is a win-win situation for everyone.

All over America, there is a new spirit of community service. Meeting and talking with young people in my district, I see an idealism and an eagerness to help others.

The time has come to provide American students with a program which channels their energy and challenges them to discover the untapped resources within themselves.

We must encourage this spirit of service in our country by opposing this amendment. AmeriCorps members help to form a world where compassion and a willingness to help others will strengthen America and indeed make a difference.

Moreover Governors Weld, Wilson, Engler, Merrill, and Almond, religious groups like the Catholic Network of Volunteer service, the Episcopal Church, and Agudath Israel of America, volunteer sector leaders like Habitat for Humanity, Big Brothers/Big Sisters, the Red Cross, and the YMCA, support AmeriCorps strongly. I urge my colleagues to oppose the Hostettler amendment.

Mr. STUDDS. Mr. Chairman, I rise in support of the amendment, which would provide a $15 million increase for local HIV/AIDS housing assistance grants under the HOPWA Program. These funds will help thousands of people to live longer and stay healthier, while sparing States and localities the far greater costs associated with the hospital and emergency room care to which these individuals would otherwise be forced to turn.

Two years ago, I joined with Members on both sides of the aisle in an effort to prevent the HOPWA Program from being eliminated altogether. Fortunately, the program survived that crisis. But the Congress took away $15 million as part of the 1995 rescissions package, and the program has been level funded ever since—even though the number of reported AIDS cases has risen by one-third and the number of States and metropolitan areas qualifying for a piece of the pie has increased by 23 percent.

It is time to put that $15 million back. Without it, 34 States and cities in every region of the country will actually lose money this year as they struggle to bear the enormous and growing burden of this epidemic. Thousands of people will be forced to choose between paying their medical bills and paying the rent. Many will wind up in hospitals, at a cost 10 to 20 times that of housing and services in a HOPWA-funded residential facility. The rest could find themselves huddled in homeless shelters and sleeping on grates. Many could literally die in the streets this winter.

No civilized society can allow that to happen. I commend the gentleman for offering the amendment and urge its adoption.

Mr. NADLER. Mr. Chairman, I rise in support of this amendment which would increase by $15 million the Housing Opportunities for People with AIDS Program [HOPWA].

At a time when both homelessness and the spread of AIDS have reached crisis proportion, funding for the HOPWA Program is crucial to the basic existence of many Americans.

AIDS is now the leading killer of Americans between the ages of 25 and 44. The growth of the number of people infected with AIDS has been dramatic, and it is often the case that people with AIDS need housing assistance. In fact, at any given time, one-third to one-half of all Americans with AIDS are either homeless or in imminent danger of losing their homes. We have a responsibility, not only to respond to this very devastating public health crisis, but also to provide basic housing assistance to those who are suffering from AIDS.

The HOPWA Program is the only Federal housing program that specifically provides cities and States hardest hit by the AIDS epidemic with the resources to address the housing crisis facing people living with AIDS in communities throughout the Nation.

The HOPWA Program provides community-based, cost-effective housing for thousands of people living with AIDS and their families. This amendment would save funds that would, in the absence of the housing and services provided in a HOPWA-funded residential facility, result in higher expenditures for hospital or emergency room costs. For example, an acute-care bed for an AIDS patient costs on average $1,085 a day, whereas the housing and services provided in a HOPWA-funded residential facility costs between one-tenth and one-twentieth of that amount. In fact, it is estimated that HOPWA dollars reduce the use of emergency health care services by an estimated $47,000 per person per year.

Without this valuable program thousands of people suffering from AIDS would risk homelessness, and quite possibly, premature death due to exposure, poor nutrition, stress, and lack of medical care.

Mr. Chairman, this amendment is socially, morally, and fiscally responsible. I urge my colleagues to support it.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. 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, pursuant to House Resolution 456, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. STOKES

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

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

Mr. STOKES. In its present form I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. STOKES moves to recommit the bill H.R. 3666 to the Committee on Appropriations with instructions to report the bill back to the House forthwith with amendments as follows:

On page 61, line 14, after the first dollar amount, insert ''(increased by $350,000,000)'' and,

On page 61, line 15, strike ''September 1, 1997'' and insert ''September 30, 1997''.

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

Mr. STOKES. Mr. Speaker, earlier in general debate I made reference to the fact that it was my intention to vote for this bill. I said at that time that the bill was not a perfect bill, but because of the fact that the chairman and I had truly worked in a real bipartisan manner to bring to the floor a bill on which he and I both agreed, there were certain parts of the bill that still needed improvement, we were both committed to working on that bill together both here and in conference, and that based upon that I had intended to vote for the bill.

Let me just remind the Members of what happened on this floor today that has changed that from my position.

Mr. Speaker, earlier today we had $122.4 million in additional cuts by amendments offered on the floor, and this is a bill that already in the area of HUD had been cut $2.3 billion in the bill as reported.

AmeriCorps; there was an amendment by the gentleman from Indiana [Mr. HOSTETTLER] which the House defeated where he proposed to take all of the money out of AmeriCorps. The House defeated that amendment by a vote of 240 to 183. Fifty Republicans voted with us to defeat that bill. Later on during the day the gentleman from Kansas [Mr. TIAHRT] had an amendment which again proposed to take all of the money out of AmeriCorps. That amendment was accepted without a vote by the chairman of the subcommittee and was accepted for reasons. I understood the reasons, but it took all the money back out of AmeriCorps again.

Mr. Speaker, we had provided $367 million in this bill, which was already below the President's request. I think by eliminating AmeriCorps from this bill what we are doing is inviting a veto of this bill. This is a pet of the President, and I think we can assure our colleagues it is going to be vetoed.

Additionally, today amendments took out $54 million in additional cuts to NASA. NASA had already been cut $1.1 billion in the bill as reported.

My motion to recommit puts the money, AmeriCorps money, back in, does not take it from any of the accounts. This is money that is lying there and is available. We put the money back in. It is deficit neutral. It is within the targets. It delays the money until September 30, 1997, so there is no immediate obligation.

I would urge all of the Members on both sides of the aisle, in the true bipartisan manner in which the gentleman from California [Mr. LEWIS] and I have worked on this bill, to support this motion to recommit.

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

The SPEAKER pro tempore. Does the gentleman from California [Mr. LEWIS] seek recognition on the motion to recommit?

Mr. LEWIS of California. I do, Mr. Speaker.

Mr. Speaker, as all my colleagues know, as a result of these last couple of days this is a very important, a very interesting, a very complex bill. To say the least, it is a difficult bill with many a compromise, an attempt to balance and measure and weigh carefully that which makes good sense for all those who care about the subject areas of this legislation.

In the discussion that we had earlier regarding the AmeriCorps program, we did essentially come to an agreement within the House that involved an amendment that raided the Hostettler amendment. We left a minimum basic level for AmeriCorps in the bill as a result of that amendment, and indeed it was our understanding that we would work with that as we move towards the conference, and it relates to a lot of the rest of the bill.

Later an amendment came to us that was not one that we had talked about before or had any in-depth discussion, but it was an amendment heartfelt but also that put this program against veterans' programs, and my colleagues know we discussed what we do with those programs.

So we kind of reversed ourselves there, and this motion to recommit is essentially to take us back to the position that we were in earlier in terms of our general understanding about this and a lot of another items.

So, with that, I know some Members have reservations, but we are in the process of measuring this program carefully, and at this point in time I would strongly urge my colleagues to respond to my ranking member, the gentleman from Ohio [Mr. STOKES] who has cooperated in depth in this program, and I urge my colleagues to support the motion to recommit.

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

PARLIAMENTARY INQUIRY

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

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

Mr. CUNNINGHAM. Mr. Speaker, if no Member has spoken against the motion to recommit, is there time available to speak against the motion?

The SPEAKER pro tempore. Five minutes in opposition to the motion was in order, and the gentleman from California [Mr. LEWIS] used the 5 minutes. There is no more time remaining.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 205, noes 212, not voting 17, as follows:

[Roll No 281]

AYES—205

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

NOES—212

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

NOT VOTING—17

Becerra
Bevill
Browder
Christensen
Coleman
Conyers
Fields (TX)
Flake
Gephardt
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2326

Mr. CLINGER and Mr. HOUGHTON changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

Pursuant to clause 7 of rule XV, the years and nays are ordered.

The vote was taken by electronic device, and there were—yeas 269, nays 147, not voting 17, as follows:

[Roll No. 282]

YEAS—269

Allard
Archer
Armey
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fazio
Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield

Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—147

Abercrombie
Ackerman
Andrews
Baldacci
Barton
Beilenson
Berman
Blumenauer
Bonior
Borski
Brown (CA)
Brown (FL)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Duncan
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Foglietta
Ford
Franks (NJ)
Furse
Gejdenson
Gonzalez
Green (TX)
Gutierrez
Hamilton
Hancock
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
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
Murtha
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Petri
Pickett
Pomeroy
Rangel
Reed
Roemer
Rose
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Stark
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wynn

NOT VOTING—17

Bachus
Becerra
Bevill
Browder
Christensen
Coleman
Fields (TX)
Flake
Gephardt
Gibbons
Hall (OH)
Hayes
Lincoln
McDade
Peterson (FL)
Roybal-Allard
Yates

□ 2342

Mr. BARRETT of Wisconsin changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONCURRENT RESOLUTION PROVIDING FOR ADJOURNMENT OF HOUSE AND SENATE FOR INDEPENDENCE DAY WORK PERIOD

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 104–640) on the resolution (H. Res. 465) providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period, which was referred to the House Calendar and ordered to be printed.

POSSIBLE VOTE ON HOUSE RESOLUTION 463, DISAPPROVAL OF MOST-FAVORED-NATION TREATMENT FOR CHINA

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

Mr. SOLOMON. Mr. Speaker, I would say to my good friend, the ranking member of the Rules Committee, that we are about to take up the rule on the motion to disapprove most-favored-nation treatment for China. We do not expect to call for a vote over here even though all of our time will probably be used.

Mr. Speaker, I would just ask the gentleman if he expects anybody on his side of the aisle to call for a vote on this rule this evening.

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

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

Mr. MOAKLEY. Mr. Speaker, we have requests for time, we do not have any requests for votes, and I am not going to call for a vote.

Mr. SOLOMON. Therefore, we would not anticipate a vote on the rule although there is not any guarantee.

Mr. MOAKLEY. The gentleman is exactly right.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR LEGISLATIVE BRANCH APPROPRIATONS BILL

Mr. SOLOMON. Mr. Speaker, the Rules Committee is planning to meet on Tuesday, July 9, to grant a rule which may limit the amendments offered to the legislative branch appropriations bill.

Members who wish to offer amendments to the bill should submit 55 copies of heir amendments, together with a brief explanation, to the Rules Committee office in H–312 of the Capitol, no later than noon on Monday, July 8.

Amendments should be drafted to the bill as ordered reported by the Appropriatons Committee. Copies of the text will be available for examination by Members and staff in the offices of the Appropriatons Committee in H–218 of the Capitol.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

Any off-set amendments should be scored by CBO to ensure compliance with clause 2(f) of rule 21, which requires that they not increase the overall levels of budget authority and outlays in the bill.

We appreciate the cooperation of all Members in submitting their amendments by the noon, July 8, deadline in properly drafted form.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 182, DISAPPROVING EXTENSIONS OF MOST-FAVORED-NATION STATUS TO PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA, AND HOUSE JOINT RESOLUTION 461, REGARDING THE PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 182) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China. All points of order against the joint resolution and against its consideration are waived. The joint resolution shall be debatable for two hours equally divided and controlled by the chairman of the Committee on Ways and Means (in opposition to the joint resolution) and a Member in support of the joint resolution. Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion. The provisions of sections 152 and 153 of the Trade Act of 1974 shall not apply to any other joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the One Hundred Fourth Congress.

SEC. 2. After disposition of House Joint Resolution 182 pursuant to the first section of this resolution, it shall be in order to consider in the House the resolution (H. Res. 461) regarding human rights abuses, nuclear and chemical weapons proliferation, illegal weapons trading, military intimidation of Taiwan, and trade violations by the People's Republic of China and the People's Liberation Army, and directing the committees of jurisdiction to commence hearings and report appropriate legislation. The resolution shall be debatable for one hour equally divided and controlled by Representative Cox of California or his designee and a Member opposed to the resolution. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], 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. SOLOMON asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. SOLOMON. Mr. Speaker, House Resolution 463 is a rule providing for the consideration of two measures. The first measure is House Joint Resolution 182, a resolution disapproving the extension of most-favored-nation treatment to the products of the People's Republic of China. It was introduced by

the gentleman from California [Mr. ROHRABACHER] on June 13, and it was ordered reported adversely by the Committee on Ways and Means on June 18 by a vote of 31 to 6.

Although the Trade Act of 1974 already provides procedures for considering such disapproval resolutions without a special rule, there are two principal reasons why this rule is necessary.

First, the Trade Act provides for 20 hours of debate on such disapproval resolutions. This special rule narrows that down to 2 hours, equally divided between a proponent and the chairman of the Committee on Ways and Means, Mr. ARCHER, in opposition. The rule also provides for consideration in the House instead of the Committee of the Whole as it ordinarily would be.

Second, the Trade Act does not waive points of order against he disapproval resolutions. This rule waives all points of order against House Joint Resolution 182 and its consideration. We are aware of only one need for a waiver, and that is the 3-day availability requirement for the committee report.

Since the bill and report were only filed yesterday, Tuesday, by the Committee on Ways and Means, and today is only the first rather than the third day of its availability, this rule and waiver are necessary.

Under the Trade Act procedures, disapproval resolutions are not subject to amendment or to a motion to recommit. This rule does not alter either of those provisions of the statute. Neither does the rule alter the statutory division of debate time between proponents and opponents.

After the 2 hours of debate provided by the rule, the previous question is ordered to final passage without intervening motion, meaning there will be no amendments and no motion to recommit, consistent with the statutory provisions of the 1974 Trade Act. We live by the law.

In addition to the two reasons I have cited for why this rule is necessary, the rule provides for the consideration of a tandem piece of legislation following the disposition of the disapproval resolution. That measure is House Resolution 461, introduced by the gentleman from California [Mr. COX] just yesterday.

Under the terms of this rule, the Cox resolution will be debated in the House for 1 hour, equally divided between Mr. COX or his designee, and a Member opposed to the resolution.

As with the disapproval resolution, the rule orders the previous question on the Cox resolution to final adoption without intervening motion, meaning no amendments and no motion to recommit. In other words, on both resolutions this House will be given a straight up-or-down vote, and that is the fair way to do it.

The Cox resolution is a simple House resolution, meaning that it does not require Senate approval or Presidential signature for it to be effective. The resolution contains a number of findings in the preamble regarding human rights abuses, nuclear and chemical weapon proliferation, illegal weapons trading, military intimidation of Taiwan, and trade violations by the People's Republic of China and the People's Liberation Army.

It then concludes with a single resolving clause that directs the various committees of jurisdiction, including the Committees on Ways and means, International Relations, and Banking and Financial Services, to hold hearings on the matters and concerns addressed in the preamble and, if appropriate, to report legislation addressing these matters to the House not later than September 30 of this year.

Mr. Speaker, those are the provisions of this rule. I think they will provide the House with ample opportunity over the next 4 hours to fully debate the critical problem of Communist China.

The Committee on Rules had a rather extensive debate on these issues last night before we reported this rule by a unanimous voice vote. I hope this rule will receive the same measure of bipartisan support we had in the Rules Committee.

On the resolutions themselves, I would urge support for both of them, for one simple reason, and let me say this loud and clear: The policy of engagement with Communist China has failed, failed, failed.

Despite what some proponents of business as usual will say today, all one needs to do is read the papers every single day to know that Communist China is a rogue dictatorship that is running amok and is absolutely contemptuous of our weak-kneed policy of appeasement. The examples of abhorrent and dangerous behaviors by this dictatorship are too numerous to even list. Here are just a few.

First, as we speak there is a vicious crackdown on dissent taking place in Tibet, and we all ought to keep this in mind as we deliberate this issue. It is pathetic, Mr. Speaker, It is so sad.

We must remember that we are talking about a Communist dictatorship that commits crimes against its own people every single day.

Mr. Speaker, we also must remember that Communist China represents a growing threat to the national security interests of this country, and that will be brought out during the next 4 hours of debate. Backed by its rapidly growing military power, Communist China has begun to throw its weight around in East Asia, bullying our democratic friends in Taiwan and acting very aggressively in the Spratly Islands.

Most of all, we should be very concerned about recent attempts by China to acquire SS–18 intercontinental nuclear missiles from Russia which could directly threaten the American people.

Now, Mr. Speaker, turning to proliferation matters, well, here the proponents of appeasement have really got some explaining to do. Hardly a day goes by when we do not read about things like Chinese nuclear ring magnet shipments to places like Pakistan, chemical weapons technology transfers to Iran, cruise missile shipments to Iran, uranium processing technology to Iran, plutonium processing technology to Pakistan, and the list goes on and on and on. I could stand here for 20 minutes and continue reading these kind of rogue activities by this government.

Mr. Speaker, the real issue here today, though, is jobs, jobs, jobs, issues that our China policy really hits home on. Once again, our trade deficit with Communist China has surged, and now stand at $34 billion. I wish every one of the men here in this body would take off their shirts and show me the label in the collar on their shirts. I bet them dollars to doughnuts there is not one made in the United States of America.

Mr. Speaker, Communist China does not grant fair access to our goods, period. Meanwhile, we continue to give China carte blanche in our markets with most-favored-nation trading status.

Mr. Speaker, this so-called relationship with Communist China that some people are obsessed with maintaining destroys American jobs, and this has got to stop. We have the power, especially the economic power, with 250 million Americans with the highest standard of living in the world and that buying power to bring pressure to bear on these tyrants, and we ought to use that, without firing a shot. We do it economically.

Terminating MFN is the 2 by 4 we need to get their attention. When the vast American market for Communist Chinese goods is shut off, even temporarily, these greedy dictators will start to show a little bit of flexibility. That is the only kind of language they understand.

So let us use it today by voting ''aye'' on the Rohrabacher resolution of disapproval of most-favored-nation trading status for Communist China. It does not have to be for a year, it does not have to be for 6 months. It can be for only 30 days. We would see them sit down at the table and start negotiating fair trading practices with America.

Mr. Speaker, after we pass the Cox resolution directing four committees of this House to hold hearings and report legislation on how to deal with this problem, those committees ought to report only substantive legislation which takes punitive measures against this outlaw regime which is in fact an enemy of the United States of America and certainly of every working American.

Mr. Speaker, at this point I include the following extraneous material for the RECORD:

[From the Weekly Standard, June 3, 1996]

MOST FAVORED NATION—OR MOST APPEASED?

(By Robert Kagen)

Bill Clinton's announcement last week that he will seek unconditional renewal of China's most-favored-nation status is the

latest evidence of a metamorphosis remarkable even for this president. Though he relentlessly attacked the Bush administration's China policy as bereft of human-rights concerns during his 1992 candidacy, in office Clinton has become the spiritual godson of Henry Kissinger. After a very brief flirtation with risky originality, Clinton has sought safety in the conventional wisdom of the bipartisan foreign policy and business elite, in which he stands shoulder to shoulder with his presidential rival, Bob Dole.

Incoherence on China is not unique to Bill Clinton's foreign policy. It has been a problem for politicians of both parties since the late 1980s. The collapse of the Soviet Union and its Communist empire swept away the original foundation on which the Sino-American rapprochement was built in the early 1970s. America's interests and priorities have shifted as policymakers must now grapple with how to manage a world in which the United States is the sole superpower. At the same time, China's place in the constellation of global powers has shifted; from its position as the weakest side of the Sino-Soviet-American triangle as recently as 10 years ago, China seems poised over the coming decade to become the principal challenger to American dominance of the world order.

The lack of clarity and resolve in American policy toward China today is due to the failure of policymakers to recognize these changes and reorient American strategy to deal with them. The result has been worse than incoherence. American policies these days are starting to look a lot like the kind of appeasement that eventually leads to disaster.

Twenty-five years ago, the logic of the U.S.-China relationship was clear. At a time when American power seemed in Vietnam-saturated decline, Richard Nixon and Henry Kissinger were searching for quick and easy ways of redressing the increasingly unfavorable U.S.-Soviet balance while shoring up Nixon's political standing at home. Playing the ''China card'' looked like a brilliant strategic gambit, a simple matter, as Kissinger recalled in his memoirs, of ''align[ing] oneself with the weaker of two antagonistic partners, because this acted as a restraint on the stronger.'' Kissinger did not share the view of State Department Sinophiles that good relations with China were a worthy end in themselves; he considered them a means to the end of shaping Soviet behavior and inducing Soviet leaders to accept the outstretched hand of détente. Indeed, as former Kissinger aide Peter W. Rodman has noted, the real purpose of ''triangular diplomacy'' was not to forge a permanent strategic partnership with China against Russia but ''to secure better relations with both.''

The shift to a more enduring strategic partnership with China came during the Carter administration under the direction of national security adviser Zbigniew Brzezinski. Alarmed at the Soviet Union's increasing adventurousness in the Third World from Africa to Southeast Asia, Brzezdinski sought to involve the Chinese more directly on the U.S. side in the worldwide anti-Soviet struggle. Kissinger aimed at playing both Communist giants against each other, but Brzezinski in 1978 traveled to Beijing to tell Deng Xiaoping that the United States had ''made up its mind'' and had chosen China. The price the Carter administration willingly paid for this new strategic partnership was the completion of the process of normalization Nixon had begun, including the revocation of U.S. recognition of Taiwan. In American foreign policy circles, Brzezinski's actions firmly established the still-extant bipartisan consensus on the overriding strategic importance of U.S.-Chinese relations.

The world of the 1970s looked very different from today's, however. The West was suffering from a paralyzing loss of confidence in its institutions and its liberal values. Communism still seemed to many around the world, and even to some in the United States, a viable if not superior alternative to capitalism. The great, resurgent successes of liberal capitalism—the Reagan boom here, the rise of the economic ''tigers'' in East Asia—lay in the future. The policymakers of the 1970s could not even have begun to imagine the worldwide democratic revolution that began in the 1980s in Latin America and Asia and then spread to Central and Eastern Europe and Russia. Instead, the United States was surrounded by dictatorships in its own hemisphere and maintained supportive relations with them and many others around the world.

In such a world, the strategic value of American rapprochement and then partnership with a Communist China seemed to outweigh the sacrifice of American ideals such a relationship required. Churchill had been willing to ''sup with the devil'' in order to defeat Hitler; few questioned the logic of closer U.S.-Chinese ties in a world where democracy and capitalism seemed to be imperiled by an expanding Soviet empire. In a world filled with dictatorships of both the left- and right-wing varieties, moreover, few believed the United States could afford to be picky about how its allies governed themselves.

Which is not to say that everyone in the United States was enthusiastic about the new partnership with Communist China. Conservative Republicans, including the old ''China Lobby'' with its bitter memories of 1949 and the ''betrayal'' of Chiang Kaishek, opposed some elements of the new course—especially when it was conducted by the Democratic administration of Jimmy Carter. Thus Robert Dole, although a devoted supporter of Nixon, vigorously opposed Carter's normalization of relations with China at the end of 1978. After normal ties were established, as Jim Mann of the Los Angeles Times has recently noted, Dole called on the White House to invite the president of Taiwan to Washington. From the floor of the Senate in 1979, he insisted that the Taiwan Relations Act must not leave America's old ally undefended against aggression by America's new ally. And when Carter proposed extending most-favored-nation status to China in 1980, Dole led the opposition and introduced legislation denying it to any nation that, like China, had not yet signed the nuclear nonproliferation treaty.

Despite these efforts by its Republican allies, however, the authoritarian regime in Taiwan had a difficult time winning much support in the United States. The dominant view of American policymakers in both parties was that holding the prized China card was essential to America's strategic well-being and that other issues—like sentimental ties to Taiwan, like the sharp ideological differences between China and the United States—had to be set aside.

The resurgence of American power and will under Ronald Reagan ought to have changed this and many other calculations. And to some extent during the 1980s, it did. Reagan, who had achieved preeminence in the Republican party partly by leading a crusade against the Nixon-Kissinger foreign policy, did not share Kissinger's and Brzezinski's strong attachment to the China card. Reagan himself was a longtime supporter of Taiwan, and as Peter Rodman points out, in the Reagan administration ''even the younger officials making Asia policy . . . thought that the Nixon, Ford, and Carter administration had all gone overboard in their sentimentality about China.''

There was also strategic logic to the Reagan administration's de-emphasis of the relationships with China. At a time when Reagan was determined to challenge the Soviets directly on all fronts, both militarily and ideologically, a China policy born in a time of strategic weakness was less compelling. Reagan simply didn't believe he needed China as much as Nixon and Carter had.

The worldwide ideological offensive that Reagan launched at the start of his second year in office, moreover, could not fail to affect the nature of relations between the United States and China. By the mid-1980s, much of the world appeared to be moving steadily in the direction of liberal economics and liberal government. The dire circumstances that had given birth to the U.S.-China strategic partnership in the 1970s were rapidly giving way in the 1980s to a new international situation that required a recalculation of the value of close ties between the two global powers.

Finally, the beginning of the collapse of the Soviet empire in 1989 and the emergence of the United States as the world's dominant military, economic, cultural, and ideological power utterly shattered the original rationale for Sino-American partnership. In the post-Cold War era it was ludicrous to speak of playing the China card, as Kissinger had, to convince Moscow to embrace détente; or as Brzezinski had, to combat Soviet aggression in the Third World. It was no longer possible to describe U.S.-China relations as ''align[ing] oneself with the weaker of two antagonistic partners,'' given the Soviet Union's free fall and China's explosive economic growth.

China itself had appeared to be part of the global trend toward freedom throughout the 1980s. The ''Four Modernization,'' begun under the leadership of Deng Xiaoping in the late 1970s helped produce the Chinese economic miracle we know today. A Chinese ''democracy movement'' soon emerged, calling for a ''Fifth Modernization,'' free elections, and in some instances openly praising American-style democracy. Though it was subject to government harassment, the existence of the democracy movement suggested to many American observers that political reform in China was the inevitable next step after Doug's economic reforms.

The massacre at Tiananmen Square in 1989 and the subsequent suppression of dissidents, which continues to this day, dashed these hopes. It could hardly have been better timed to force the United States to reconsider the unpleasant bargain it had made with its conscience in the 1970s. At the same time the old strategic rationale for the U.S.-China partnership was vanishing, the Chinese government cast a bright light on the acute ideological differences between the two countries. Indeed, after Tianenmen, China emerged as the most powerful opponent of American liberal principles in the world.

In the ensuing years, China would significantly increase its military spending, even as both Soviet and American defense spending declined, and with the clear aim of using its growing military power to enhance its influence abroad. the fruits of these efforts have been apparent in recent years, as china, in the words of Sen. John McCain, has increasingly been ''displaying very aggressive behavior''—in the South China Sea, against a newly democratic Taiwan, and in a growing propensity to make arms sales to many of the world's rogue states.

Under these new circumstances, it would seem to make little sense to continue pursuing the old Cold War policies toward China. Yet remarkably, that is just what the Bush administration tried to do after 1989, and

what the purveyors of the bipartisan consensus, including most recently the Clinton administration, have been trying to do ever since. Even after the Cold War, the United States maintained ''overriding strategic interests in engaging China,'' former secretary of state James Baker declares in his memoirs, but nowhere does he explain exactly what those ''overriding strategic interests'' are.

In fact, the most common explanations of the strategic importance of the U.S.-China relationship today are fraught with contradictions. American business leaders, and their supporters in the administration and Congress, constantly point to China's potentially vast market for American goods. But it is striking how unimpressive the economic numbers really are. Last year, American merchandise exports to China amounted to $12 billion, about 2 percent of overall exports. By comparison, American exports to Taiwan, with a population one-sixtieth as large as the mainland's, were $19 billion. Meanwhile, China has amassed a $34 billion trade surplus with the United States, enough to send Patrick Buchanan into fits of protectionist hysteria. Well might the boosters of the U.S.-China trade relationship insist, like Rep. Toby Roth, that ''the key is not where China is today. What is important is where China is headed.'' But how impressive does the future look? Roth boasts that ''in just 15 years, China will be our 13th largest export market.'' Now there's a strategic imperative!

In the late 19th century, many American businessmen succumbed to what some historians now call ''the myth of the China market.'' The businessmen, the politicians, and the policymakers of the day could see only the unimaginable bounty that lay in the future of such a populous country—even though earnings in the near-term proved minuscule and businesses had to suffer losses in an effort to wheedle their way into the good graces of the Chinese powers that controlled foreign trade. A full century later, the bounty is still elusive, but the myth is just as potent.

And today's proponents of the China trade on strategic grounds have adopted another 19th-century nostrum as well: the conviction that increasing trade is the solvent for all the problems of mankind. Nations that trade with one another, the theory goes, will not let clashing strategic interests get in the way of making a buck. After all, Rep. Roth insists, ''Economic strength, not military might, determines the world's great powers today.'' In testimony before Congress recently, Clinton administration official Stuart Eizenstat defended the renewal of most-favored-nation status for China on the grounds that the ''commercial relationship provides one of the strongest foundations for our engagement.'' Argues undersecretary of state Peter Tarnoff: ''Our economic and commercial relations increase China's stake in cooperating with us and in complying with international norms.'' Robert Dole, once the mainland's foe, now agrees: In a May 9 speech, he argued that ''extension of most-favored-nation status [is] the best way to promote our long-term interests in China. . . . In China, continuing trade offers the prospect of continuing change.''

Is that true? Few Republicans and conservatives would say that trade will reform Castro's Cuba. Nor would they be likely to forget that during the Cold War, the Jackson-Vanik restrictions on trade with the Soviet Union did not prevent political liberalization. On the contrary, the denial of most-favored-nation status to the Soviets may have encouraged reform by forcing the Communist leaders in Moscow to undertake political liberalization as the prerequisite for economic growth.

The view that economics is paramount while military, strategic, and political issues are of declining importance—so-called Manchester liberalism—was rampant in the 19th and early 20th centuries, right up until the outbreak of World War I. It is as dangerous a misconception today as it was then. Nevertheless, this assumption now lies at the heart of American China policy. We need to engage so we can trade, say the businessmen; yes, say the China experts, and we need to trade so we can engage.

In their search for a new rationale for preserving a close relationship between the United States and China, the adherents of today's bipartisan consensus have had to employ such logic constantly. Indeed, the logic of the U.S.-China relationship today has turned in on itself. In the 1970s, the case for strategic partnership with China was that it was necessary to meet the threat posed by the Soviet Union. Today, it seems, strategic partnership with China is necessary to meet the threat posed by China. Secretary of State Warren Christopher put the case best in his speech on May 17. He noted the ''importance of China to our future security and well-being.'' And what, in addition to the lure of the market, is that importance? The answer is that ''China can tip the balance in Asia between stability and conflict.'' In other words, we need a good relationship with China because China is dangerous. Or as Eizenstat put it, ''It is when China's policies are the most difficult that engagement becomes the most essential.''

It's a nice racket the Chinese have going. By the current circular logic of American policy, the more trouble the Chinese make—whether in Taiwan, or on trade, or in the South China Sea, or in weapons sales to rogue states—the harder the United States has to work to ''engage.'' There is no dispute on this point now between the leading figures of both parties. Henry Kissinger, in an op-ed piece a few weeks ago, declared that ''after Chinese leaders had been pilloried and threatened with sanctions for years,'' what was needed now was ''a serious strategic and political dialogue, . . . a sustained effort to define a common assessment of the future of Asia.'' Christopher soon after announced his intention to ''develop a more regular dialogue between our two countries.'' The idea is that regular consolations will ''facilitate a candid exchange of views, provide a more effective means for managing specific problems, and allow us to approach individual issues within the broader strategic framework of our overall relationship.''

We may be forgiven for doubting whether such candid talks will make a big difference. After all, it's not as if efforts at assiduous diplomacy haven't been tried. After the massacre in Tiananmen Square in 1989, President Bush and his secretary of state saw their man task as protecting the important strategic relationship with China from American outrage at Beijing's massive abuse of individual rights. According to Baker, President Bush's first reaction upon hearing of the assault at Tiananmen was: ''It's going to be difficult to manage this problem.'' And indeed it was, as Baker's memoirs amply demonstrate. Baker employed precisely the negotiating style that the China experts insist is the only kind capable of producing results—quiet negotiations, no public threats, none of the ''spasmodic harassment'' Kissinger finds so detrimental, and constant attention to the fact that, as Baker writes, ''face is unusually important to [the Chinese], so an interlocutor must negotiate a delicate balance that nudges them toward a preferred course without embarrassing them in the process.'' Despite all this subtle diplomacy, the Chinese gave Baker absolutely nothing for his troubles. Chinese officials, Baker recalls, ''had no compunction about asking for American concessions while simultaneously ignoring my request for 'visible and positive Chinese steps' to make it easier to allay congressional and public anger with Beijing.'' Throughout the four years of the Bush administration, Baker acknowledges, ''the Chinese relationship essentially treaded water.''

Under present policies, in the years to come the United States will continue to tread water, or worse. The truth is, our posture today is, simply, plain old appeasement. One bit of proof is that we are not supposed even to use the word ''containment'' to describe our policy toward China lest we suggest to the Chinese that in some way we may consider them adversaries. The United States ''should not, and will not, adopt a policy of containment towards China,'' declares Undersecretary Tarnoff. Why not? Because ''we would gain nothing and risk much if China were to become isolated and unstable.'' In other words, even if it were necessary to contain China, it would be too dangerous to attempt the task. This is Kissinger's view, as well. Any attempt to pursue a policy of ''containment'' of China, Kissinger has argued, is ''reckless'' and a ''pipe dream.''

Such a skittish approach to another world power might be forgivable if our own nation were weak. But the same people who fear a policy of ''containment'' often boast that China needs the United States more than the United States needs China. In a trade war, for instance, Eizenstat argues that ''China has a lot more to lose than we do.'' Like that $34 billion trade surplus, for instance. According to Baker, the Chinese ''need our help to sustain their economic growth.'' And Baker, who got nowhere in four years if subtle diplomacy with Beijing, even believes that the Chinese understand toughness: ''Strength inevitably irritates the Chinese, but they understand it. And the absence of resolve in dealing with them can lead to serious miscalculation on their part.''

And yet ''the absence of resolve'' would seem to be the best characterization of the policy that the Bush administration and now the Clinton administration have chosen to pursue toward China. When Baker negotiated with the Chinese during the Bush years, he always went out of his way to make clear that the Bush administration was entirely ''committed to maintaining the relationship,'' that it was always ''seeking ways to reconcile our estrangement.'' Little wonder that, according to Baker, the Chinese ''seemed utterly oblivious to our concerns.'' It is axiomatic that if the United States enters all negotiations with China with the mutual understanding that ultimately American leaders will not allow an estrangement in the relationship, then the Chinese will win in most of the negotiations.

In every relationship between nations there is a horse and a rider, Bismarck once noted, and one should endeavor to be the rider. American policy toward China today almost guarantees that we will be the horse.

How can the United States restore the resolve that James Baker believes is so essential to effective dealings with China? This week Congress is debating and voting on the renewal of most-favored-nation status for China. It will surely pass, and perhaps it ought to. The fact of U.S.-China relations should not rest on this relatively narrow issue. The problem with our China policy goes deeper than simple trade rules. Dealing with an increasingly powerful and ambitious China over the coming years will require a strong and determined America willing either to engage or to contain China, depending on Chinese behavior.

Still, most-favored-nation status has become a symbol of China's whip hand over us.

Our unwillingness to pay what is still a relatively small economic price in terms of lost trade opportunities; our fear that any crisis in U.S.-Chinese relations that might result from denial of most-favored-nation status is too dangerous to risk; our concern that in any confrontation it is we, not they, who will be most likely to blink—these are all sizable cracks in our armor the Chinese can exploit, have exploited, and, indeed, are exploiting.

Thus one can only conclude that before we can conduct a successful strategy of compelling China to ''play by the rules of the international system,'' in the words of Bob Dole, we will have to break our addiction to the China-market myth. And that can only come about if policymakers, economists, and businessmen begin to look at the hard truth and stop allowing their dreams of a gold rush to outweight more vital concerns—not only America's strategic interests, but the basic liberties of more than a billion people living beneath the yoke.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from New York, Mr. SOLOMON, for yielding me the customary half hour and I yield myself such time as I may use.

Mr. Speaker, I want to make two things clear at the beginning of this debate.

First of all, the people's Republic of China has one of the worst human rights records in the world. The unconscionable mistreatment of the Chinese citizens is completely abhorrent. And we, the United States of America, need to do absolutely everything we can to change it.

Second, most-favored-nation status is not special treatment. Most-favored-nation trading status is the status this country accords to 181 countries, nearly every country in the world.

Only seven nations are not granted MFN trade status with the United States.

Since February 1, 1980, China has received MFN status under the 1974 Trade Act. The particulars of this law, the so-called Jackson-Vanik amendment, requires nonmarket economies—or communist countries—to have their trade status reconsidered each year.

Jackson-Vanik passed in 1974 and is based entirely on an outdated cold war strategy—that was put into effect 22 years ago, Mr. Speaker.

Today, Communism continues to crumble around the globe. Each time a country embraces democracy it is thanks entirely to our diplomatic efforts. And we shouldn't stop now.

Because, Mr. Speaker, one quarter of the world's population live in China—1.2 billion people. And very single one of them deserves their chance at freedom and democracy. Just as other people enjoy.

The choice is isolationism or direct engagement. And we accomplished very little with isolationism.

So unless we maintain normal trade relations with China—we lose the chance to show those 1.2 billion people how great democracy is. We lose the chance to end the unspeakable human rights abuse and the horrifying population control efforts that take place in China.

This is our chance to lift the iron curtain of oppression and show one quarter of our world what democracy is like.

And, Mr. Speaker, we've tried it the other way. We tried isolating China 20 years ago. It didn't work then and I don't think it will work today. In fact, I would argue that it actually made the oppression worse.

It's time to try something else. Because every day that these abuses take place; every day a baby girl is abandoned or worse; every day a student fighting for freedom is jailed—we share in some of the guilt. I for one believe we must do every thing we can to end these abuses and end them here and end them now.

If we do not take this chance we wash our hands of the lives of the Chinese people. We pass on the opportunity to negotiate with them on human rights. We pass on the chance to negotiate on nuclear weapons.

If we pass on the chance to talk to China, Mr. Speaker, we got no one to blame but ourselves when they don't listen.

MFN status will help the people of China by bringing businesses into the country, increasing wages, and putting increased pressure on the Chinese Government to improve their human rights record.

I think it's a good idea, It is a good rule, and I urge my colleagues to support it.

□ 2400

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

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona [Mr. SALMON], who is an outstanding freshman Member of this body. He has spent a lot of time in China and Taiwan.

Mr. SALMON. Mr. Speaker, I thank the gentleman for giving me this opportunity. This is something that every one of us has struggled with. I know I have probably spent more time on this issue in the last 6 months than I have any other issue, because it really cuts to the core of our values.

Of course we decry the human rights abuses that have happened in China. They are terrible, they are vile. Of course we are very sick and saddened by the nonproliferation issues that continue to be violated in China. Of course we are saddened and we are upset by the fact that they are pirating our software and our music and we are losing billions of dollars because of that. Of course we are sickened and saddened, me especially; having served a mission for my church in Taiwan, nobody was angrier than I to see friends and loved ones over there that I worked so long with for the 2 years, that I was there being threatened by missiles in the Taiwan Strait when that occurred. When we look at all of these terrible, terrible atrocities that are being committed in China, I think the gut instinct is let us come down hard, let us show them that we mean business. Let us get back to what John Wayne would do and be tough with these guys and make them learn a lesson. But I fear that throwing the baby out with the bath water is the worst thing that we could possibly do.

Think about it. Has there ever been any relationship in your life that you have improved upon or imparted your values to by walking away from that relationship? Severing MFN with China would be tantamount to a declaration of war, I believe, and would lead, I think, ultimately to a cold war, because relationships would quickly deteriorate and ultimately most sides would end up not communicating.

We in our Western understanding of things believe that we know that the right thing to do is to be tough with these people, but let us look at the idea of saving face that is so important to the Chinese culture.

I believe that the freedoms that we enjoy, the values that we hold dearly, will only come to pass in China when the people in China rise up and make it so. A great philosopher once said, more powerful than any invading army or any tactic is an idea whose time has come. I believe the idea of freedom is an idea whose time has come in China, as it was in Taiwan about 20 years ago.

When I lived in Taiwan, it was an oppressive regime. You could not speak out against the government. Freedom of the press was nonexistent. But economic reform spurred political reform, and the same thing will happen in China. But we have got to be articulate in our values. I think the administration can do a better job, a much better job articulating our values, but we will not improve anything if we walk away from the table, and the very things that we care so deeply about will be harmed irreparably if we walk away from this relationship.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentlewoman from California [Ms. PELOSI].

Mr. PELOSI. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time and rise in opposition to the rule, with all the greatest regard for the chairman of the Committee on Rules and our distinguished ranking member.

Mr. Speaker, I rise in opposition to the rule for the following reason. This issue before the House of Representatives this evening is a very important one to the American people. Nothing less is at stake than our economic future, our democratic principles, and our national security. That is why I oppose this rule, because this rule says that tomorrow, while Members are away during a funeral and votes are not going to happen until 3 o'clock, we will have our chance to debate the rule while Members are not here. Then, after Members return, we will be given 15 minutes to make our case against MFN for China. I cannot support the

curbing of debate that is happening in the House of Representatives under this rule.

I know the distinguished chairman of the Rules Committee did his best, but I think that this rule is an arrogant act on the part of the Republican leadership to stifle debate here on this issue. What are they afraid of? Are they afraid of the truth? Are the afraid of the American people weighing in? Are they afraid, as we had hoped, that this debate would take place when it always has in July? Are they afraid of 100,000 young people who gathered in Golden Gate Park to promote freedom of expression in Tibet, who heard from a monk who had been imprisoned by the Chinese for 33 years describe his torture by the Chinese, and who was freed only by international pressure led by the Italian government? Are they afraid of those people?

Why can we not have this debate while Members who here in Congress? Why can we not have the appropriate time, as we have always had, for the grassroots people to weigh in? They believe, and I hope they are always right, that their opinion makes a difference to their Member of Congress and that they should have the opportunity for public comment that the fast track of MFN allows, provides for, but that this leadership in this House of Representatives has decided to curtail. That is why I oppose the rule.

Let us talk about what is at stake. The previous speaker talked about economic reform leading to political reform. Well, let us quote directly from not my word but this administration's own country report on China, on the subject of repression in China. The State Department country report says, ''The experience of China in the past few years demonstrates that while economic growth, trade and social mobility create an improved standard of living, they cannot by themselves bring about greater respect for human rights in the absence of a willingness by political authorities to abide by the fundamental international norms.'' It went on further to say that by year's end, this is 1995, almost all public dissent against the public authorities was silenced.

Why is this important also in terms of proliferation? I said first about our democratic principles being at stake. We talk about democratic principles. We want to ban investment in Burma, no business going on there. But when it comes to China, we cannot even raise a tariff because some businesses might lose a profit on their bottom line, because it is certainly not about American jobs. This is a job loser for America.

We can see by this chart, Mr. Speaker, maybe you cannot, the trade balance with China, when we started this debate in 1989, was reported for 1988 to be $3,479 million. In that time, it has increased 1,000 percent. The trade deficit for last year as reported in this 7-year period is $34 billion. Yes, that gives us leverage. It is not about any country that has human rights abuses, dear ranking member. It is about a country that has a $34 billion trade deficit with the United States, which gives us leverage, which should give us leverage.

Certainly we are not going to revoke MFN for China; the President will not allow it. We should certainly use our voices and our leverage on that issue to send a strong message from this Congress at least that we will stand for human rights. It is not enough to say they have merit or that even they have priority but they are important enough for us to use our muscle on them, our economic muscle on them.

In addition to this trade deficit, we have the transfer of technology to China which businesses are doing. We are almost encouraging it so they can access the market. We have the ripping off of our intellectual property. That piracy is not even counted of the billions of dollars in the trade deficit. So it is a better economic future. Where are our jobs? If Boeing is transferring the production of the tail section of their planes to China to be produced by workers who make $50 a month, how can that be a job winner for us?

On the issue of proliferation, I said it undermined our democratic principles, our moral authority to talk about human rights any place if we cannot talk about it where some business is at stake.

Second, I talked about how this trade with China is robbing our economic future. You want to do business in China? You open up a factory there. You give your technology plans to the government, they open up factories with your technology plans and tell you to create an export plan for the products that you make in China.

This isn't about United States products made in China. Only 2 percent of our exports are allowed into the Chinese market. Over one-third of China's exports flood United States markets. Is this going to isolate China? Where are they going to take one-third of their exports? Let us be reasonable to the American worker.

The third issue is proliferation. I do not have too much time to go into all of that except to say that this administration and the administration before it has looked the other way on the proliferation of missile technology and nuclear technology to Pakistan, of missile technology, nuclear technology, biological technology and chemical technology to Iran, at the same time as we are having nice little resolutions about boycotting Iran and having a secondary boycott on companies that invest in petroleum in Iran until Iran stops its production of weapons of mass destruction. But we do not want to go to the source, the source of that technology to Iran, because some big businesses might lose a little bit of their access.

So this, I repeat, undermines our democratic principles, threatens our economic future, and threatens our national security.

Mr. Speaker, I urge our colleagues to vote no on the rule and no on MFN for China.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Speaker, first of all, I want to commend the Committee on Rules for coming up with the rule they have. Obviously the vote on the motion to disapprove will be allowed tomorrow and, of course, the other piece of legislation will also be discussed, which will mandate that the four committees of jurisdiction that have jurisdiction over the issues that we are concerned about with China will report back by September 30 after holding hearings and possible legislation. I think it is a good solution in terms of crafting the rule. I think we will be able to get to the nub of the issue with that particular rule.

China is the most important relationship that the United States will have over the next 25 years. China comprises 22 percent of the world population. We cannot isolate the Chinese. If we walk away from the Chinese, the Japanese, the Europeans, the Brazilians, every other country will go into China.

So we have to engage the Chinese. I think, as the gentleman from Arizona said, if we cut off MFN, that is tantamount to declaring war with China. China then will become a very belligerent power. Right now they are not expansionary, as we saw with the Soviet Union. But if China should become expansionary and build up their armaments, then the Japanese, then the South Koreans, then the Indonesians, then all of Asia will build up arms and we will have a tinderbox in Asia for the next 10 to 20 years and it will be a threat to world peace and a threat to our children and grandchildren. That is why this issue is important.

□ 0015

Now let me address for a moment the issue of the trade deficit. If we can stop spending 6 months a year on the issue of Most Favored Nation status with China, we can then get to the issues of opening up the Chinese market. And we can do it by exercising section 301, just as we saw last week on the issue of intellectual properties. What we did there, if my colleagues will recall, is tell the Chinese we will impose $2.3 billion worth of sanctions against them unless they come to an agreement with us on the piracy of our intellectual property. They have agreed with us.

Now, obviously, we are going to have to make sure that agreement is enforced. But the fact of the matter is that the only way we are going to be able to deal with the Chinese is by engaging them, not by trying to isolate them, because that will not work. And the key obviously is the fact that we must try to bring China into the civilized nations of the world over time.

So I would support this rule. I would obviously vote against the motion that the gentleman of the Committee on Rules will offer, and certainly support the gentleman's resolution that will require the four committees to look into this matter, hold hearings and obviously pass legislation should it become necessary.

Mr. Speaker, I urge adoption of this rule.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from California, Mr. DUKE CUNNINGHAM, a member of the Committee on National Security.

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

Mr. CUNNINGHAM. Mr. Speaker, I rise in favor of the rule and in opposition to MFN.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Sanibel, FL [Mr. GOSS], another valuable member of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Glens Falls, NY, and I rise in support of this eminently good and wise, noncontroversial rule, and I am asking to revise and extend my remarks in deference to my colleagues at this late hour, and I would suggest to the gentlewoman from California that the problem is scheduling, not rulemaking.

Mr. Speaker, I thank my friend from Glens Falls, the distinguished chairman of the Rules Committee, for yielding me time.

Mr. Speaker, I rise in support of this rule, a rule that will allow for the timely consideration of a bill to disapprove normalized trade relations with China. Or, in the archaic language of diplomacy, we are considering China's Most Favored Nation status, which the President has recently renewed. MFN for China has become a perennial issue—year after year we debate whether or not Congress should overrule the decision to renew normal trade relations—there are no special deals here—with China, the country with the largest population in the world. I welcome the debate, but I will again oppose raising additional trade barriers to one of the world's fastest growing economies. To do so would cost American jobs and ultimately diminish western democratic influence in this crucial region. I agree that China's leaders have acted in bad faith in areas of human rights, arms trades, and intellectual property. These problems must be addressed—and they will be —through the proper channels. We cannot ignore our leadership responsibilities in encouraging democratization and responsible actions in China, but this is exactly what we would be doing if we quit the field today. We must stay engaged in China in order to be a part of the—admittedly slow—process of reform, because many of the reforms in China that we have witnessed to this point have their roots in the free flow of commerce between that country and the United States. So, I urge my colleagues to support the rule, and oppose House Joint Resolution 182.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I think we have to examine what confronts us here. It is not simply what the Chinese do, it is the magnitude to which they can do it. If China was a country of 50, 60, 100 million, even 200 million people, operating with the kind of system that they operate under, we might be able to survive it; 50, 100 million people working in a totally controlled economy, working in prison, slave wages, slave manufacturing, we might be able to, through contact and through constant pressures, make some progress here.

This is a country with 1.2 billion people. Before they have an impact from our economic exchanges they will destroy the economic life of this country if we do not alter the trading practice.

In the last 20 years we have seen the workweek wage of an average factory worker in America drop by $60, not go up, but go down by $60 a week. Sixty percent of Americans have lost ground on their paycheck as a flood of Chinese goods have come into this country.

We talk about the French. The French would each have to buy $4,000 apiece in goods to replace America's demand to China. Forty-five billion dollars of sales in this country does but one thing, it puts American families at risk, it depresses American wages, and it goes on to do damage to our environment.

We can put scrubbers on our factories and clean up the rivers and the pollution that goes into the oceans. As China's economy grows, the pollution it puts into the air and the rivers will continue to devastate the environment of our globe: Missile technology, biotech weapons, chemical weapons proliferated by the Chinese to Iran and every other dangerous corner of the globe.

We were all saddened and frightened by the scene of American personnel barracks in Saudi Arabia being hit by a traditional bomb. What will happen when our Chinese trading partners ship to the Iranians nuclear chemical and biological weapons? What kind of challenges will confront us for the safety of American personnel and indeed the people in this country as well?

China, to be dealt with as a normal trading partner in this global community? Remember the Taiwanese elections a short time ago, as the Taiwanese citizens went to the polls to exercise their right to vote for a new congress and a new president? What did the Chinese government do? They brought their fire power to the straits of Taiwan and tried to intimidate the Taiwanese from a free election.

We have to defend the principles we believe in and the families we represent. The only way to do that is to vote down MFN.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time. I rise in opposition to the rule.

As the gentleman from New York, Chairman SOLOMON, pointed out, this MFN resolution should be given 20 hours of debate, guaranteed by statute. But in a phenomenal show of arrogance, the Republican leadership has said no.

This MFN debate reminds me a little bit of the Medicare debate; Republicans choking off debate, the Gingrich leadership team cutting back-room deals with powerful interest groups, consideration of the legislation in the middle of the night.

This bill will cost millions, will cost millions of American jobs. Our trade deficit with China, as my friend from California said, almost nonexistent only a few years ago, has climbed to $32 billion a year and rising. Within a couple of years it will surpass that of Japan.

MFN is an economic loser for America. We sell more to Belgium. As a Nation we export more to Belgium than we do to China. Conversely, 40 percent of all of Chinese exports are sold into the United States. Simply put, China needs us more than we need them.

How much more can China do to its people and how much more can China do to rest of the world? How many more times can they stick their thumbs in the eyes of their people and the rest of the world before we in this body finally say to MFN? Massacring students in Beijing, selling nuclear technology to rogue nations, slave labor camps, illegally smuggling 2,000 AK–47s into the United States, forced abortions and sterilizations, forcible seizure of Tibetan children, forcing 12-year-old Chinese children to make toys for 12-year-old American children.

It is time we say no to MFN. It is time we say no to the Chinese government. It is time we say no to those abuses. Vote no on the rule, vote no on MFN.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume to say to the previous speaker that the way to be effective on the floor of this Congress is to be as less partisan as we can.

If the gentleman would notice, even the gentlewoman from California [Ms. PELOSI], the gentleman from Massachusetts [Mr. MOAKLEY], and myself and others have been critical of this administration and the previous administrations. We have been critical of both political parties. But when the gentleman stands up here and says the arrogance of the Republican Party by limiting this debate, which should have 20 hours of debate, to 4 hours, let me tell him it was done on a bipartisan basis and it was done, the same thing, under 15 consecutive Democrat leaderships. So let us be bipartisan about this and keep it on a high plane.

Mr. Speaker, I yield 2½ minutes to the gentleman from Virginia [Mr.

WOLF]. On the highest plane I know, this man has been a leader and advocate of human rights throughout the entire world for his entire career here.

Mr. WOLF. Mr. Speaker, I do not even know what to say. I feel so bound up inside about what we are doing tonight. This is fundamentally an evil group of people. This is the evil empire of modern times.

They have Catholic priests and bishops in jail as we now speak who are being tortured. They are torturing Buddhist monks and raping Buddhist nuns. They have more slave labor gulag camps than they had when Solzhenitsyn wrote ''Gulag Archipelago.'' They were selling AK–47's and shoulder missiles that could take 747s out of the sky in Boston, in Chicago, or in L.A.

This is a fundamentally evil group of people, and I worry that 3 or 4 years from now we will have to deal with those people on a military basis. I wish we had a better piece of tandem legislation. The piece of tandem legislation does not do. MFN? If they get it, fine, but we should have abolished the People's Liberation Army and done all these things that are important.

The last thing is, having served here since 1980, no Member of Congress would have had the guts or the courage to come to this floor during the 1980s, when Scharansky was in Perm Camp 35 and Sakharov was under house arrest, no Member of Congress would have had the guts or the courage to stand up and say that we should have given the Soviet Union MFN. And now we are just clamoring to give it to a regime that is the evil empire number one of this world.

I oppose the rule, but the rule is important. I just oppose MFN. I think all of us have to ask ourselves, and the gentleman from New Jersey, CHRIS SMITH, said it better than anybody, what threshold do we have in our own conscience that will make us finally say enough is enough? If they continue to do next year what they have done this year, raping nuns and imprisoning bishops and priests, what will be enough is enough? Each person should ask their own conscience that because we will have to deal with this issue again.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I thank the gentleman for yielding me this time, and with all the admiration that I have, both in my head and in my heart, for the gentleman from Virginia [Mr. WOLF] and the gentlewoman from California [Ms. PELOSI] who are two very strong advocates of human rights, it just shows even more strongly what a tough issue this is for everybody.

I am a strong advocate for MFN. I seem to disagree with Mr. WOLF and Ms. PELOSI on this particular issue, but it is not because I am not outraged about MFN, or that I am not upset with the Chinese Government for orphanages and abortion, or that I am not outraged at the Chinese for the kinds of things that they do in ring sales and foreign sales to the Pakistanis or into the Middles East. But I vote for MFN this year because I vote for the American principles of democracy and human rights, where we have as our pillar, in our foreign policy, that we stress human rights more than any other country in the world.

Now, if we walk away from China, do we have confidence that the Japanese are now going to begin to turn around China? I do not. Korea? No. Europe? No. The United States, with President Carter and President Bush and President Clinton, each one of those individuals can and should do a better job in terms of future Presidents and bilateral relations, stressing our human rights, but we must engage, we must argue, we must debate this issue with maybe the most important country for our citizens in the next 25 to 50 years: 1.3 billion people, the largest standing army.

So for our principles of human rights, I believe we should engage this country and not walk away.

Second, it is because MFN is in our best interests. We are not doing a favor for the Chinese. We create American jobs by doing this. Not right away, not enough with the trade deficit that we have, but let me give Members a quick example.

In Indiana we make brakes for Boeing and McDonnell Douglas commercial airliners. That market is not growing domestically. Our families that get $16 and $17 an hour making these brakes for these commercial airliners are not going to have these jobs if we just sell these airliners to Arizona and California and New Jersey.

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But if we sell these airliners to Russia, to China, to Korea, to Japan, we will continue to see wages go up for our workers. We will continue to see better security for our work force, and hopefully it will not just be airliners, it will be computers, it will be manufacturing equipment, it will be a host of things. But I have confidence, Mr. Speaker, that Americans will stand up for human rights and will stand up and try to create better jobs for American families.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Claremont, CA [Mr. DREIER], one of the outstanding free traders in this Congress for the last, I guess, 16 years, vice chairman of our Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I am happy to be on the same side of the issue with my chairman, the gentleman from New York [Mr. SOLOMON], in supporting this rule. I happen to believe that it is a very fair and balanced rule. It has come up in a very timely manner and, as Chairman SOLOMON said earlier, it is following the procedure that we have gone through in the past.

After 7 years of this debate, there is no question at all that the membership of this House, even if they have served here for only 18 months, has had the chance to look at the issue of MFN for China. Cutting off MFN would clearly hurt the United States. It seems to me that, as we look at this question, ending normal relations with China would be devastating. We have all acknowledged that we very much want to do what we can to assist those who have been victimized by reprehensible human rights violations that we have seen for the past several years. Weapons transfers, saber rattling with Taiwan, intellectual property rights violations, Tibet, all of these things are priority concerns of ours.

The fact of the matter is we need to recognize that over the past several years, while the situation was horrible on June 4, 1989, with the Tiananmen Square massacre and many other murders have taken place, we saw a video in our Republican conference yesterday showing that. But if we compare the Cultural Revolution that took place under Mao Tse Tung and the Great Leap Forward and the export of revolution as my friend, the gentleman from Virginia [Mr. WOLF], discussed that took place under Mao Tse Tung to the China of today, while it is not perfect, it is still horrible, it is better than it was. Why? Because today we are engaged.

We disengaged from China with Chiang Kai-shek in 1949, left for Taiwan, up until the last several years, when Richard Nixon began that opening in the 1970's. I will tell my colleagues that, as we look at this issue, are we going to take a step backward and go back to the policies where under Mao Tse Tung 60 million Chinese people were starved, a million people during the Cultural Revolution were killed by the government? The answer is a resounding ''no''. What we need to do is we need to recognize that the single most powerful force for change is the one that my party stands strongly for, and that is the free market. We believe very strongly in the free market and the power of it.

It is more powerful than any U.S. Government coercion that we could possibly apply. The fact of the matter is, we join together, very much wanting to address these concerns. This rule makes in order a resolution which will allow us to look at the concerns that we will allow us to look at the concerns that we all want to address. But to disengage would be preposterous. The United States of America is the third most populous Nation on the face of the Earth. Yet the People's Republic of China has almost five times the population of the United States.

The gentleman from California, BOB MATSUI, my very dear friend, said it perfectly. Over the next quarter century it is going to be the single most important relationship that we have. It

is very important that we maintain those ties. As I got on a plane, I was stuck in Pittsburgh the night before last. I happened to sit next to a Chinese American civil engineer from Iowa. He brought the issue up to me saying: I lived through the cultural revolution. It was very, very difficult. I saw friends who were victims of the human rights violations, and people were starving. Today when I talk to my family, things have improved. Let us not go back to those horrible times in the past. Let us address our concerns today and move forward.

Support this rule and defeat the resolution of disapproval.

The SPEAKER pro tempore. (Mr. LAHOOD). The gentleman from New York [Mr. SOLOMON] has 12 minutes remaining, and the gentleman from Massachusetts [Mr. MOAKLEY] has 9 minutes remaining.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Miami, FL [Mr. DIAZ-BALART], another very valuable member of the Committee on Rules.

Mr. DIAZ-BALART. Mr. Speaker, last week I finished reading a biography of a Father Maximillian Kolbe, now Saint Maximillian Kolbe. He died at Auschwitz. Pope John Paul has called him the patron saint of our century. In that biography, I learned the name of the company that in August of 1942 was given the contract to build 4 vast crematoria with gas chambers at Auschwitz. The name of the company was Topf and Sohne.

The other company that I learned about, I.G. Farbenindustrie, shared in the profits with the Nazis from the slave labor in the concentration camps.

I wonder if Hitler had not invaded Poland, maybe even afterwards if we had been willing to sit down and reach a peace agreement with him, whether we would not be having tonight's discussion perhaps each year with regard to MFN with the so-called Third Reich. Could we have stopped the construction of the crematoriums had there been engagement? Coexistence with Hitler? Probably not. But would it have been better for an American company to construct the crematoriums than a German company or a French company or a Canadian company? I do not believe so, Mr. Speaker.

I recognize that each situation has its peculiarities in each nation that we deal with. I recognize that China is geographically distanced to the United States and economically very powerful. But I cannot and I will not vote to continue a normal economic relationship with that government that our colleague, Mr. WOLF, has so eloquently described, as well as Mr. SOLOMON, that government of opprobrium.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Mr. SOLOMON. Mr. Speaker, I yield 30 seconds to the gentlewoman from Ohio [Ms. KAPTUR].

The SPEAKER pro tempore. The gentlewoman from Ohio, [Ms. KAPTURE] is recognized for 4 minutes and 30 seconds.

Ms. KAPTUR. Mr. Speaker, I want to thank the gentlemen for yielding time to me.

I rise in strong opposition to this rule and certainly in strong opposition to MFN. This rule was concocted late last night in the wee hours, around midnight, when none of the Members were here except but a few of us who overheard that there might be a meeting up there in the third corner, none of the press was around.

What we have here is merely another attempt by Speaker GINGRICH AND MR. ARMEY to railroad debate in this House on a measure so vital to the American people as well as to the cause of liberty in China. Under normal circumstances, I guess it would be said, but I am so outraged that it is hard to be sad as we consider this here this evening. In Washington it is now nearly 1 a.m., and most of the membership has gone home. People here are bleary-eyed, and yet this is what we are subjected to.

Tomorrow when most of our membership is gone, we will try to attempt to take up the merits of this.What disrespect we show to Bill Emerson, our dear colleague, by the manner in which this is being conducted.

I also want to say to my good friend, the gentlewoman from California, Congresswoman PELOSI, and to the gentleman from Virginia, FRANK WOLF, this Chamber should treat you better. Everyone of our colleagues who is here and who is a party to this deplorable rule and the manner in which it is being considered, shame on you. Shame on you. Shame on you, Speaker GINGRICH, wherever you are. You were out here making noise a few minutes ago, and Mr. ARMEY, for not showing the courtesy to the Members who have worked so hard to represent the best values that we represent as a country.

But do you know what? I have been at this podium before. I have the benefit of 14 years of seniority in this people's House. I remember when they railroaded GATT through here. Boy, do I remember that. I remember standing in this well and saying, American people, remember this one. I remember some of the Members in here snickered. Do you know what? They do. And I remember the NAFTA vote. I remember we almost carried it, and then 63 deals were made. And do you know what? The American people, they remember that, too.

And now we have got China MFN. It is merely another battle in a war, but it is out there in the country because the country ultimately learns what happens here no matter how hard we try to muzzle debate. In this legislation, the United States becomes the most unfavored nation, the most unfavored nation.

Take a look here. Every single year that we have had most-favored-nation, what a misnomer that is, the United States has amassed growing trade deficits with China. Until this year, we are at a level of over $40 billion, which translates into an additional loss at home of 800,000 jobs in this country. By names of companies you know: Nike, we have got Members here who are going to sell out for tennis shoes. We have got members in this Chamber, why, by golly, they are going to sell out for Wal-Mart, 700 sweatshops over in China that make that junk that they send in over to our shores. Well, Bill Clinton gets a lot of money from Sam Walton's family. I feel sad about that. But I care more about freedom and the way people are treated.

We have got some Members here who are going to sell out for Barbie dolls when the vote comes up here tonight and tomorrow. How sad.

You have an accounting to do in a higher life for the votes you will cast on this issue. Commercialism, that is what has become the basis of our foreign policy in the post-cold war world in which we are living.

In fact, the words of democracy, the hope for democracy, respect for the rule of law, the dignity of working people, the promotion of a sustainable environment, those are all illusions as we stand here in this Chamber this evening.

We have no evidence that China has done anything to warrant this favored treatment which will give them a 2 percent tariff level of goods into our market while they maintain a 30 percent to 40 percent tariff against our goods. And they now have the second largest amount of dollars reserves in the world, $70 billion, which they use to buy weapons pointed at us and at their neighbors. So that is what China MFN creates.

What a shame. What a shame. Maintaining the status quo by voting for MFN is a disgrace.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, we have heard the arguments over and over: by engaging with China, we can influence the behavior of the Chinese Government with regards to fair trade, human and labor rights, and proliferation. Members on both sides of the aisle have repeatedly expressed skepticism about this approach, and events continue to prove us right.

Recently, a disturbing new rationale for denying MFN has come to light: China has become the major contributor to weapons proliferation and instability in Asia, with Pakistan being one of the major recipients of Chinese nuclear technology and delivery systems.

As has been reported in the media recently, there is undeniable evidence from our own intelligence agencies that Pakistan has deployed nuclear-capable Chinese M–11 missiles, obtained through a secretive transfers that both countries have tried to cover up. Yet, incredibly, despite the overwhelming evidence, the administration seems unwilling to impose the tough economic that both nations clearly deserve.

Unfortunately, this is not the first time that the dangerous, destabilizing transfers of advanced weapons and nuclear technology from China to Pakistan have gone unpunished. Earlier this year, we failed to punish China or Pakistan for the transfer of 5,000 ring magnets, devices used for the production of weapons-grade enriched uranium. We officially bought into the unbelievable Chinese Government explanation that they were unaware of the transfer. We also went ahead with the transfer of $368 million in United States conventional weapons to Pakistan.

Mr. Speaker, it's time to get tough with China, Pakistan and other nations contributing to the spread of nuclear weapons. Denying MFN to China is a good place to start, an effective way to show that we're serious about nonproliferation.

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Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from California [Mr. ROHRABACHER], one of the Members of this Congress I love to listen to because he speaks right from his heart. He is one of the leading advocates for human rights in this entire Congress.

Mr. ROHRABACKER. Mr. Speaker, I would like to share with Members of this body a notice that I just received in the mail. It seems that the Citizens for a Sound Economy are going to count my vote against most-favored-nation status against me when they are trying to calculate whether or not they will present to me next year's Jefferson Award.

How about that?

As far as I am concerned, the Citizens for a Sound Economy can take their award, and they can take it back, and what they can do is they can rename it the ''Mao Award'' or they can rename it the ''Lenin Prize'' or the ''Goebbels Award,'' or whatever award they want, but they are insulting the Members of this Congress by calling it a Jefferson Award and then counting it against us for voting not to give world's worst tyranny an advantageous trading relationship with this country.

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

Mr. ROHRABACHER. I yield to the gentleman from New York.

Mr. SOLOMON. If the gentleman would do me a favor, if he is sending his back, would he put mine in the same box?

Mr. ROHRABACHER. It is unbelievable.

We have heard today the charge that those of us who are opposed to most-favored-nation status for China are talking about isolating and walking away from China. That is not the case. China is not a country to be ignored, but right now it is being run by tyrants and despots, and they are not a group of people that we should be providing advantageous trade relations with our own people.

The question is whether or not Communist China should continue to enjoy the advantageous trade relationship that it has because it is enjoying the same trade relationship that we give to democratic countries. No one is talking about walking away, no one is talking about an embargo, no one is talking about isolating China, but does any one really believe we should give these dictators, these people who are bullying their own neighbors, who are stepping on the faces of their own people with their combat boots, we should give them advantageous trade relationship with our country?

Every year since 1989, when the Tiananmen Square democracy advocates were massacred, we have seen the situation in China to continue to decline. The theory is, if we engage them, if we trade with them, give them this most advantageous trade relationship with us, things will get better. That is nothing more than a theory, and it is being proven wrong in practice. To continue to have our policies based on a theory that is not working is totally insane, and we will pay a price. In fact, the American people are already paying the price for that insanity.

Granting most-favored-nation status to China while it is going in the wrong direction is exactly the wrong signal to send to these despots. What we are doing is encouraging those dictators to continue their repression, and we are demoralizing those elements in China that want a better world.

Whose side are we on as we celebrate our fourth of July? Are we on the side of our own working people, on the side of those people who struggle for democracy, or are we just on the side of corporate profits? I do not believe that is what this country was founded on.

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

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, I include the following extraneous material for the record:

The material referred to is as 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. 60	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.
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.

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. 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.
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

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. 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.
H.R. 3675	Transportation Appropriations FY 1997	H. Res. 460	Open	N/A.
H.J. Res. 182/H.Res 461	Disapproving MFN Status for the Peoples Republic of China	H. Res. 463	Closed	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. Speaker, I yield the balance of the time to the outstanding gentleman from New York [Mr. RANGEL], the next chairman of the Committee on Ways and Means.

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

Mr. RANGEL. Now, that was a real introduction.

Mr. Speaker, I thought the name of this game was how to get economic growth. I now find that this foreign policy, this trade policy, that normally set by the President with bipartisan support, is now dependent on just how much we hate these bums that are running China, and If I had only known that, I would not even know why we are doing business with Japan. I mean I wan younger then, but it seemed to me that they were not very nice people then. And Germany; my God, the atrocities that were committed then. And Italy; they were not considered friends of ours. My God.

And when it comes to personal experience, those North Koreans, they were chasing me all around North Korea, and the Chinese shot me. And still we got sanctions against Cuba, and really they have not bothered me too much.

But the truth of the matter is, what are sanctions, and what is most-favored-nation treatment? It is not most favored nation. We are saying, if the United States does not get there first, then our so-called friends are going to get there. We also are saying if we get out of there, our great friends will be in there before we can pull out our equipment.

And so this is not a question about who you like and who you do not like, because I am certain that this is not going to be an anti-Communist type of thing with my friends supporting trade with North Vietnam, with my friends supporting trade with North Korea. My God, the Communists, all around us. They are just not shooting us, they are buying things from us, and they are creating jobs from us, and what choices do we have?

If we apply sanctions against them and it is a unilateral sanction, how do we hurt them? We do not have any friends in the United Nations that can depend on our credibility. We now have already told the United Nations, ''Elect who you want for a secretary general, we're vetoing ahead of time.''

We now told people that are doing trade with this little island in the Caribbean, ''You dare do trade with them,'' or, ''You do trade, have your companies any place where any Cuban says he has a piece of land, and we're going to take away your visas and have sanctions against you.''

Who believes us any more? Why cannot the United States have credibility? Why cannot we believe in something and say what the name of the game is? Do we want to find atrocities? Answer: ''You bet your life.'' And we are doing business in Africa with countries. We say we are going to have sanctions against Nigeria. Who is joining us with the sanctions? If we are going to hurt somebody, make certain that we win and stop teasing around throwing out sanctions or we are not going to trade with them when other people are going to trade.

I say, ''Don't hurt yourself just because you're dealing with a bunch of bums. You're dealing with 1.2 billion dollars' worth of good people led by a bunch of bums. Well, what's your option? You just going to say, 'I quit; I am not going to play the game; you didn't pass the personality test'?''

It is dollars and cents. It is hard bucks.

They already said we have to balance the budget, and of course my President now finds it very convenient to adopt most of these ideas. He says balance the budget. He already said we have to cut revenues, and my President says, makes some sense, too: We have got to have tax cuts. He already said that we have to shrink Government. Well, my God, Government is being shrunk. But a strange thing is happening in this country, and that is that the old people are living older, and since they believe the answer to every social ill that we have are penitentiaries, they are building more jails.

Oh, we are not going to spend on education; leave that to the local kids. Well, the local kids are failing, they are in the street, they are jobless, they are ignorant, they have no training, they end up with drugs, making kids, getting violent, going to jail.

Oh, how are we going to deal with that? Well, the only name that we have in town is expanding the economy, and the only way we can expand the economy is not consuming everything that we make but by selling it to somebody even if we do not like the people we are selling it to.

Mr. SOLOMON. Mr. Speaker, I am going to be yielding myself the balance of the time, but in doing so I will yield up to a minute to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my dear friend from Glens Falls for yielding to me, and I do so simply to respond to the statement that was made about the Citizens for a Sound Economy and by my very dear friend from California who reminds me that we agree over 90 percent of the time on issues, as I do with many of my friends on this side of the aisle who disagree with me on this question.

Citizens for a Sound Economy feels very strongly about the need to extend MFN because, if we were to cut off trade with China, we would clearly be hurting most the people we want to help here in the United States; the reason being, CSE opposes tax increases. They very much want to cut the tax burden on those working Americans who benefit from toys, shoes, and clothing, and what is necessary is for us to do everything that we can to maintain that. It would be a $600 million tax increase. CSE stands for free trade and lower taxes, and that is the reason they have taken the position that they have.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, I was simply going to urge every Member of the House to come over here and vote for this rule. It is a fair rule. It is the kind of rule that we have had for 17 consecutive years when we continued to renew MFN for China all these years, so there is no reason for any of us to vote against it, and then I would urge my colleagues to vote for the resolution of disapproval for all of the reasons we have said before.

But I just have to respond a little bit because, as I look at this little note that is going around from the Citizens for a Sound Economy, and I look at

what it says, it says that, ''We may not give you this Jefferson Award again if you vote against giving MFN for China.''

As my colleagues know, to me that is intimidation at its worst. I wonder if they have PAC checks, and now they are not going to give JERRY SOLOMON a PAC check. Well, let me just tell them, ''If you have them, why don't you keep them? I don't want it; OK?'' And any other industry who does not want to give JERRY SOLOMON a PAC check because he is going to vote for this motion to disapprove MFN for China because he believes in human rights for decent people and American foreign policy through all Presidents, whether they be Republican or Democrat, has always been to promote democracies around the world and to encourage human rights for all people. That is what this is all about.

I really resent this, and I am going to send mine back along with the gentleman's, but having said that, let us get back to what I think we all ought to vote for, this rule, and then take the bill up tomorrow, and let us vote to disapprove MFN for China, and then let us pass the resolution that talks about all of the rogue activities of this dictatorship with arms sales and with all of the activities that they undertake.

Mr. BEILENSON. Mr. Speaker, I have serious concerns about this rule and about the bill it makes in order.

I am strongly opposed to the protection that the rule provides for the legislative provision that freezes fuel economy, or CAFE, standards for the second year in a row. This is unwarranted protection for a controversial and major provision which should not be in an appropriations bill.

This legislative rider is a blatant attack on the environment; support for the fuel economy standards freeze is, in fact, opposition to pollution reduction, national energy security, and consumer savings at the gasoline pump.

By reducing oil consumption, CAFE standards have been enormously successful in cutting pollution. By preventing the emission of millions of tons of carcinogenic hydrocarbon into the air we breathe, the standards have improved air quality, including that in heavily polluted cities like my own of Los Angeles. But we have a long way to go before we have clean air.

In addition, CAFE standards have proved to be successful in saving an estimated 3 million barrels of oil a day, thereby reducing U.S. dependence on imported oil. There is no doubt that, without these standards, we would be importing far more oil than we already do. Those imports account for 52 percent of U.S. oil consumption, while contributing $60 billion annually to our trade deficit.

And, of direct importance to consumers, CAFE standards result in savings when they purchase gasoline. Because fuel economy standards doubled between 1975 and the late 1980's, a new car purchaser saves an average of $3,300 at the gas pump over the lifetime of a car. CAFE standards mean over $40 billion in consumer savings annually.

By continuing this freeze, we are preventing full implementation of the law that was enacted in 1975. Specifically, the freeze is blocking improvements in the CAFE standards for light trucks. This means that our constituents who purchase the very popular minivans, sport utility vehicles, jeeps, and pickups are denied the benefits of existing fuel-saving technologies.

These vehicles have become the most prevalent example of the gas guzzlers we have sought to do away with—they now comprise over 40 percent of the new vehicle market, increasing the demand for oil and, so, increasing pollution as well.

Mr. Speaker, I am also disturbed by some of the other provisions of this important piece of legislation, which affects, in one way or another, all Americans.

Specifically, many of us regret that the bill makes such drastic reductions in Amtrak's funding. Amtrak's capital improvement would be nearly halved; the fund for improvements in the Northeast corridor would be eliminated entirely. This is, Mr. Speaker, bad transportation policy.

Instead of cutting in half this funding for Amtrak, we ought to be providing funds to improve and expand rail service in the United States. We are currently making an investment that is totally inadequate; our rail system is nowhere near so cost-effective or consumer oriented as it should be. But, instead of providing the funds to overcome those deficiencies, the action we are taking today represents a giant step backward.

An effective, efficient rail system is essential to the quality of life and economic vitality of our Nation, and improving rail service should be a top priority; instead it has been sadly neglected. Trains run infrequently; the most popular ones are overcrowded; and passengers have well-founded fears about safety and the lack of good, reliable service.

We should be trying to meet the demands of customers—and would-be customers—by improving our Nation's rail program. Rail service should not be relegated to the past, or to the bottom of our list of priorities; it should not be taking a back seat to the enormous amount of funding we continue to pour into our multibillion-dollar highway system.

As the respected columnist, Jessica Mathews, pointed out in her recent Washington Post article, Amtrak has suffered from chronic underfunding; what it needs most is a guaranteed source of capital, and more than 3 percent of transportation funds it receives. We have a transportation system that heavily subsidizes travel by road and air—but ignores rail—and by doing so, we have serious congestion both on the ground and in the air.

A great investment in Amtrak would help us solve those serious problems. I urge my colleagues to consider that as we debate this appropriations bill.

Mr. Speaker, I commend the article by Jessica Mathews to my colleagues for their attention, and I include it at this point in the RECORD.

[From the Washington Post, June 24, 1996]

TIME TO MAKE PLANS—AND TRACKS

(Jessica Mathews)

American visitors to Europe and Japan this summer will have an experience you cannot have anywhere in America.

They will fly to a major airport like Amsterdam, Paris or Osaka, collect their bags, push their cart through customs and a few steps farther, still inside the airport, be at the doorway of an intercity train.

What's special about this quick and easy connection that non-Americans take for granted? First, of course, is the existence of healthy, heavily capitalized rail service, seen as integral to a national transportation system. Trains keep air and highway traffic flowing, and nothing competes with rail in an overall package of speed, cost, comfort, convenience and use of energy and land for trips in the range of 100 to 500 miles.

Anyone who thinks that rail travel is a nostalgia trip should take a look at the investment plans of the booming, modernization-obsessed Asian economies. China, Taiwan, Malaysia, South Korea and others are all investing heavily in high-speed rail.

That's the second characteristic missing for Americans: existing and planned service is high-speed rail, not futuristic magnetic levitation technology, but conventional rails in the here-and-now. After decades of undercapitalization, ''high-speed'' in the United States means only 100 mph to 125 mph, whereas France's 200 mph TGV would make the Washington-New York trip, downtown to downtown, into a one-hour commute.

The third factor is more subtle. Money can't buy it, and technology is no substitute. It is the connection: Air connects to rail, rail to transit, transit to bicycle and pedestrian options, and all of them are laid out to fit with the road system. It sounds basic and it is, but such links are so rare in this country that they're given a fancy name—intermodal connections. The missing element in the United States is planning.

Central planning is, of course, a dirty word here, but when we are serious about doing something well on a national scale, we plan just like everyone else. You can drive on one good road from Maine to Florida because the interstate highway system was laid out as a national system. To overcome our aversion in the 1950s, we pretended that all this planning was in the service of national defense (to move missiles on the roads). In 1996, with tourism/recreation the world's largest industry (and the United States' second-largest employer) and trade an ever-rising share of the global economy, we can no longer afford the hangup.

Missed connections persist at the state and regional level, even when comprehensive planning is attempted, because separate transportation trust funds with separate sources of revenue pit the various modes of travel against each other. The air, rail, transit and highway industries see themselves as competitors, not colleagues serving a broader public interest.

''That half-penny [of the federal gas tax] belongs to transit,'' says transit's chief lobbyist. ''Why should we use our money [air ticket-tax funds] on rail?'' asks an airline spokesman. And so New York's once-great Kennedy Airport lies gasping out in the suburbs, strangled by clogged highways, for lack of rail service from downtown. It's not a New York problem. It is obscenely difficult everywhere in this country to spend transportation money according to self-evident, local need.

Two things need to change: the chronic underfunding of rail and the separate pots of money that stand in the way of sensible spending. Eventually, the airport and highway trust funds and other appropriations must be combined into a single source of money allocated by need rather than mode of service. That will take some time. Meanwhile, urgent action is needed to rebuild passenger rail.

What Amtrak needs most of all is a guaranteed source of capital to buy the rolling stock that will reduce heavy maintenance costs on the antiquated equipment it inherited, improve service and attract new passengers. A recent test vote in the Senate approved a plan to allocate a half-cent of gasoline taxes, about $500 million per year, for

that purpose. Last week, both Senate Majority Leader Trent Lott and Rep. Frank Wolf (R–Va.), in charge of transportation spending in the House, gave the idea a cautious blessing.

Approval is still far from certain, but it is essential. Congress and the administration have previously decided that Amtrak must operate free of public support by 2001—a status that has no precedent anywhere in the world and justification. All other modes of transport are subsidized, roads and highways especially heavily. Why should rail alone not be publicly supported?

Whatever its wisdom, the goal has been set, at least for the time being. If there is the slightest chance that it can be met, capital funding of at least $2.5 billion over five years is the bare minimum cost.

The evidence is all around us that a transportation system that pours money into roads and air travel and starves everything else doesn't work. Spending for airports and highways soared in the '80s, and now economic losses from congestion on the ground and in the air are setting records. In that same time, support for rail declined by a third. It now gets a bare 3 percent of federal transportation funds.

Undercapitalized businesses fail every day. That could happen to Amtrak. Or it could succeed with payoffs in quality of life and national competitiveness out of all proportion to the federal cost. It's up to Congress.

Mr. SOLOMON. 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 resolution was agreed to.

A motion to reconsider was laid on the table.

□ 0100

PROVIDING FOR CONSIDERATION OF H.R. 3675, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT 1997

Ms. GREENE of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 460 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 460

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. 3675) making appropriations for the Department of Transportation and related agencies 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 section 401(a) 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 for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with the colon on page 10, line 25, through ''program'' on page 11, line 3. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. 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 further 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 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 the 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 as follows:

Page 8, line 18, strike ''proceeds from the sale of''.

Page 8, line 20, strike ''credited as offsetting collections to this account so as to result'' and insert in lieu thereof ''disposed of in a manner resulting''.

Page 8, line 22, strike the comma after the figure and all that follows through ''Act'' on page 9, line 1.

Page 11, line 18, strike ''$2,742,602,000'' and insert in lieu thereof ''$1,642,500,000''.

Page 27, line 4, strike ''$400,000,000'' and insert in lieu thereof ''$460,000,000''.

Page 48, line 12, strike the colon and all that follows through ''funds'' on line 15.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from Utah [Ms. GREENE] is recognized for 1 hour.

Ms. GREENE of Utah. For purposes of debate only, Mr. Speaker, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 460 is an open rule providing for consideration of H.R. 3675, the fiscal year 1997 Transportation appropriations bill. The rule provides for 1 hour of general debate, equally divided between the chairman and the ranking member of the Appropriations Committee.

The rule contains a technical waiver of section 401(a) of the Budget Act, which prohibits consideration of legislation containing contract authority not previously subject to appropriations, and two waivers of rule XXI: clause 6, prohibiting reappropriations, and clause 2, prohibiting unauthorized and legislative provisions, with the exception, as requested by the authorizing committee, of a provision relating to funding for a boating safety grant program.

In keeping with our commitment to ensure that the appropriations bills comply with authorizations, the rule resolves certain concerns expressed by the authorizing committee by providing that an amendment printed in section 2 of the resolution is considered as adopted.

In order to better accommodate members' schedules, the rule allows the chairman to postpone votes and reduce voting time to 5 minutes. The rule also permits the majority leader to offer the privileged motion to rise and report the bill back to the House at any time after the final lines of the bill have been read. Finally, the rule provides for priority consideration of amendments that have been pre-printed in the CONGRESSIONAL RECORD, and provides for one motion to recommit, with or without instructions.

Mr. Speaker, I would like to point out that this is the seventh appropriations bill that we have considered this year, and that all seven appropriations bills have been considered under open rules. Under this open, deliberative process, we have given every member of the House an opportunity to offer an amendment on any issue they feel important.

Mr. Speaker, I would like to once again emphasize that this is an open rule, providing for fair consideration of the important issues contained in this bill. I urge my colleagues to support the rule.

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

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

Mr. Speaker, I commend my colleagues on the other side of the aisle for this open rule. The Rules Committee acted appropriately in exposing certain parts of this bill to points of order. In doing so, they followed the long-standing tradition in the House of honoring the authorizing committees' request to be able to raise points of order against legislative language in spending bills. This rule will give them that opportunity.

I also commend Mr. WOLF and Mr. COLEMAN for this bipartisan bill they've put together which I fully support.

This bill allocates $12.5 billion for transportation programs across the country which are very good investments in our country's infrastructure.

Most importantly, Mr. Speaker, this bill emphasizes safety. It allocates $4.9 billion for the Federal Aviation Administration to continue the good work they do making sure our skies are safe. Thanks to this bill, the FAA will be

able to hire 660 new employees entirely devoted to passenger safety.

Even though our planes are among the safest in the world, as last month's tragedy in Florida showed us, we are still not as safe as we should be.

Although I am disappointed that this bill doesn't provide any new funding for the Northeast corridor, the most traveled passenger rail route in the country, I understand that there is a balance from previous appropriations to fund the continued construction of this project.

I urge my colleagues to support this open rule and to support this bill.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I simply want to say I support this rule. It is far preferable than the rule that we just considered. I would simply observe that with respect to the previous rule, this country has walked away from our values in dealing with trade. There is absolutely no reason in my view for us to provide MFN treatment for a country that produces goods through slave labor. I think it is a preposterous joke that we should in any way give credence to the idea that a country with a controlled economy is a fitting participant in free- or fair-trade arrangements. By definition, they are not. I thank the gentleman for his time.

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

Ms. GREENE of Utah. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. GREENE of Utah. 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 matter on House Resolution 460.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Utah?

There was no objection.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3675, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and that I may be permitted to submit tables, charts, and other extraneous material.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 460 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. 23675.

□ 0109

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. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, with Mr. BEREUTER 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 Virginia [Mr. WOLF] and the gentleman from Minnesota [Mr. SABO] will each be recognized for 30 minutes.

The Chair recognize the gentleman from Virginia [Mr. WOLF].

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

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

In the interests of brevity, Mr. Chairman, and because everyone, including the staff, ought to be able to go home, I will include my remarks.

Mr. Chairman, today I am proud to present to the House H.R. 3675, the transportation appropriations bill for fiscal year 1997. I believe this is a very good bill which will improve aviation and highway safety, provide essential funding for highways and other infrastructure improvements across the country, and maintain the Federal Government's commitment to help localities and Amtrak with assistance in their operating budgets. This is a balanced bill, created in a bipartisan manner under difficult budget constraints.

Before I go any further, Mr. Chairman, I want to recognize the huge contributions of the gentleman from Texas [Mr. COLEMAN] in putting together this bill, and past bills, in a truly bipartisan fashion.

This will be the gentleman's last transportation appropriations bill, and I want to say how much I appreciate his diligence and hard work, and his true concern for transportation safety and infrastructure around this country. He will be sorely missed, and we all wish him well.

As all of us know, Mr. Chairman, the coming fiscal year will be very difficult, as we continue to tighten our belt on the way to a balanced budget. This is even more painful with each passing year, because the easiest budget reductions have already been made. Yet this body has shown its strong and unwavering commitment to eliminating the deficit by the year 2002, so some continued sacrifices will be needed.

Before I get into specifics of the bill, let me put the larger budget numbers in perspective. This year, our 602(b) allocation in new outlays is $11.4 billion, which is the same level as last year. This might not seem too difficult until you realize that just to fund things like the employee pay raise, normal inflation in employee medical insurance and other benefits, and general inflation in goods and services, the Department of Transportation would need $250 million more than it received in fiscal year 1996.

And if you use the President's budget as the baseline instead of the current level of funding, even greater reductions are required, because the budget proposed a large increase in new outlays. Combined with the money we need to pay off debts from past years, our budget allocation puts us $359 million in outlays below the administration's request. So very difficult choices had to be made below the level of their request.

This bill sets priorities with the limited resources we have available. What are those priorities?

Safety: Maintaining and improving safety is the number one priority in this bill, above everything else. The recent aviation accidents have convinced many of us that more needs to be done, and there are other troubling signs as well. Fraudulent and unapproved aircraft parts now get inside our commercial airliners all too often. And our aging air traffic control equipment raises concerns.

Last year, air traffic centers all over the country experienced breakdowns in important radar and communication systems. And air traffic controllers are getting stretched thin as air traffic increases without consistent growth in staffing.

To deal with these problems, the bill before the House today raises funding for air traffic control operations by about 6 percent, providing funds for 250 additional air traffic controllers and 373 new staff in aviation safety inspection and oversight. The bill also adds $139 million, not in the President's request, for new air traffic control equipment and systems to improve safety and airway capacity.

Because of the extremely serious questions surfacing now over aviation safety and the FAA's oversight, the bill appropriates $2.4 million for a blue-ribbon commission to perform a comprehensive review of aviation safety, financing, and acquisition. Over the past few weeks, we've seen FAA inspectors and the Transportation Inspector General testify before the House and Senate about safety problems. We read about internal FAA memos raising safety alarms which go ignored by management.

And we know how long it takes the FAA to procure and install new safety equipment. These problems must be addressed in a comprehensive, non-political and professional way.

This high level commission will be bipartisan, and will have adequate funding to analyze in-depth the aviation safety situation in the United States, the FAA's financing problems, and its organization. I intend to offer an amendment to the FAA authorization bill which provides the authorization for this commission when that bill is before the House later this summer. The chairman of the Transportation and Infrastructure Committee agrees with me on this approach. He supports this language, and I am pleased that the appropriations bill provides funds for this important activity.

And we must do more in other safety areas as well, or at least hold the line in the face of

oncoming budget cuts. The National Highway Traffic Safety Administration [NHTSA], for example, performs critical work in research and public education to make our highways safer.

Earlier advances in reducing highway fatalities in this country have slowed in recent years, and in some states, fatalities are going back up with repeal of the national speed limit a few months ago. So the Committee bill places priority on protecting NHTSA's budget, and the related motor carrier safety grants program in the Federal Highway Administration.

Similarly, the second highest number of transportation fatalities in this country occur on our Nation's waterways, and we have received strong appeals from the States to raise funding for boating safety. So the bill raises funds significantly for this program—a 50 percent increase—and requires the Coast Guard to take a more active posture in helping to reduce boating deaths around the country.

Current Operations: The bill also tries to maintain funds for the various operating budgets, and for operating grants, at close to last year's levels. We do not have the resources to start major new initiatives. But we have tried to maintain the current level of operations. Coast Guard operations is funded at approximately last year's level.

Transit operating assistance is at the 1996 level of $400 million, which was difficult since the budget resolution passed by this House assumes that we phase out these grants. And Amtrak operating is at the budget request level. To enhance safety, the bill provides a 6 percent increase in FAA operations, but to help finance the increase, we include $30 million in FAA user fees. These funding levels will maintain current levels of operations except at the FAA, which will be increased.

Investing in Infrastructure: The bill places a high priority on investing in the Nation's infrastructure. With great difficulty, we have found a way to finance the federal-aid highways program at the current level, which will provide funds for road construction in every State. Once again this year, we have included no highway demo projects in the bill, allowing us to put more resources into the hands of the States to decide themselves which projects have the highest need. Likewise, we are not earmarking funds for airport construction grants.

Regarding the Central Artery highway project in Boston, we considered placing a cap on the total cost of that project this year, due to the spiraling costs. However, we have recently received information and assurances from the Commonwealth of Massachusetts and the Department of Transportation that the program is now under control. So although we will continue to monitor this project, I am pleased with the progress made at this time, and the bill includes no provisions restricting funds for this project.

Mr. Chairman, we have tried hard to minimize reductions in capital programs, but that has not been possible in every program. The proposal includes $4 billion for transit grants, the same as the current level. It includes $1.8 billion for FAA facilities and equipment, essentially the same as the budget request. It includes approximately the same level of funding as last year for Coast Guard acquisition, although additional resources will be available to augment their appropriation through sales of Coast Guard airplanes and shore stations which are no longer needed.

Two capital programs have been hit harder than others in this bill, and they are very good programs. These are airport grants and Amtrak.

We provide $1.3 billion for airport grants, 4 percent below the administration's request and $150 million below the 1996 level.

Likewise, Amtrak capital programs are funded at $200 million, a large reduction from $345 million provided for 1996. In addition to this appropriated level, Amtrak has just under half a billion dollars in the bank that it can use during the next year to fund such high priority items as electrification and procurement of high speed trainsets. This level of funding does not prejudice Amtrak from receiving consideration for funding in future appropriations bills.

I know these reductions will cause some Members concern, and I agree that these are good and meritorious programs. If there is any way to raise the figures for Amtrak and airport grants as we go through the process without harming safety programs or other critical needs, I am open to those suggestions. We have to make the difficult cuts as well as the easy ones, and I know these are difficult.

Finally, the bill is very clean of extraneous legislative provisions, and we have tried to work with the legislative committees to ensure their support for the bill. To my knowledge, the rule just adopted addresses the remaining concerns of the legislative committees. There are no major controversial policy changes in the bill. Therefore, I believe the bill can move forward without delay, and without undue controversy.

Mr. Chairman, I believe this is an excellent and balanced bill that puts an emphasis on our highest responsibility—protecting and enhancing transportation safety. From a financial standpoint, it is the best we could do given the budgetary circumstances we are under. It was developed in a truly bipartisan fashion, and received little controversy or debate at either the subcommittee or full committee levels. I believe it deserves the support of this entire body, and I ask for its approval.

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

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	56,189,000	55,376,000	53,816,000	-2,373,000	-1,560,000
Office of civil rights	6,554,000	5,574,000	5,574,000	-980,000	
Transportation planning, research, and development	8,220,000	7,919,000	3,000,000	-5,220,000	-4,919,000
Transportation Administrative Service Center	(103,149,000)		(124,812,000)	(+21,663,000)	(+124,812,000)
Payments to air carriers (Airport and Airway Trust Fund):					
(Liquidation of contract authorization)	(22,600,000)	(21,922,000)	(10,000,000)	(-12,600,000)	(-11,922,000)
(Limitation on obligations)	(22,600,000)	(21,922,000)	(10,000,000)	(-12,600,000)	(-11,922,000)
Rescission of contract authority	(-16,000,000)	(-16,678,000)	(-28,600,000)	(-12,600,000)	(-11,922,000)
Rescission	(-6,786,971)	(-1,133,373)	(-1,133,000)	(+5,653,971)	(+373)
Rental payments	135,200,000	137,581,000	127,447,000	-7,753,000	-10,134,000
Minority business resource center program	1,900,000	1,900,000	1,900,000		
(Limitation on direct loans)	(15,000,000)	(15,000,000)	(15,000,000)		
Minority business outreach	2,900,000	2,900,000	2,900,000		
Total, Office of the Secretary	210,963,000	211,250,000	194,637,000	-16,326,000	-16,613,000
(Limitations on obligations)	(22,600,000)	(21,922,000)	(10,000,000)	(-12,600,000)	(-11,922,000)
Total budgetary resources	(233,563,000)	(233,172,000)	(204,637,000)	(-28,926,000)	(-28,535,000)
Coast Guard					
Operating expenses	2,278,991,000	2,519,350,000	2,609,100,000	+330,109,000	+89,750,000
Defense function (050)		118,500,000			-118,500,000
(Transfer from DOD)	(300,000,000)			(-300,000,000)	
Acquisition, construction, and improvements:					
Offsetting collections		-20,000,000	-20,000,000	-20,000,000	
Vessels	167,600,000	237,000,000	205,600,000	+38,000,000	-31,400,000
Aircraft	12,000,000	21,400,000	18,300,000	+6,300,000	-3,100,000
Other equipment	49,200,000	46,700,000	39,900,000	-9,300,000	-6,800,000
Shore facilities & aids to navigation facilities	88,875,000	59,500,000	47,950,000	-40,925,000	-11,550,000
Personnel and related support	44,700,000	47,000,000	46,250,000	+1,550,000	-750,000
Rescission, FY 1995			(-355,000)	(-355,000)	(-355,000)
Rescission, FY 1996			(-3,400,000)	(-3,400,000)	(-3,400,000)
Subtotal, A C & I	362,375,000	391,600,000	354,245,000	-28,130,000	-57,355,000
Environmental compliance and restoration	21,000,000	25,000,000	21,000,000		-4,000,000
Port Safety Development	15,000,000			-15,000,000	
Alteration of bridges	16,000,000	2,000,000	16,000,000		+14,000,000
Retired pay	582,022,000	608,084,000	608,084,000	+26,062,000	
Reserve training	62,000,000	65,890,000	65,890,000	+3,890,000	
Research, development, test, and evaluation	18,000,000	20,300,000	19,000,000	+1,000,000	-1,300,000
Boat safety (Aquatic Resources Trust Fund)	20,000,000		35,000,000	+15,000,000	+35,000,000
Total, Coast Guard	3,375,388,000	3,750,724,000	3,708,319,000	+332,931,000	-42,405,000
Federal Aviation Administration					
Operations	4,645,712,000	4,918,269,000	4,900,000,000	+254,288,000	-18,269,000
Offsetting Collections		-150,000,000	-30,000,000	-30,000,000	+120,000,000
Facilities & equipment (Airport & Airway Trust Fund)	1,934,883,000	1,788,700,000	1,800,000,000	-134,883,000	+11,300,000
Rescission	(-60,000,000)			(+60,000,000)	
Research, engineering, and development (Airport and Airway Trust Fund)	185,698,000	195,700,000	185,000,000	-698,000	-10,700,000
Grants-in-aid for airports (Airport & Airway Trust Fund):					
(Liquidation of contract authorization)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)		
(Limitation on obligations)	(1,450,000,000)	(1,350,000,000)	(1,300,000,000)	(-150,000,000)	(-50,000,000)
Rescission of contract authority	(-664,000,000)			(+664,000,000)	
Aircraft purchase loan guarantee program (indefinite borrowing authority)	50,000			-50,000	
(Limitation on borrowing authority)	(1,600,000)			(-1,600,000)	
Total, Federal Aviation Administration	6,766,343,000	6,752,669,000	6,855,000,000	+88,657,000	+102,331,000
(Limitations on obligations)	(1,450,000,000)	(1,350,000,000)	(1,300,000,000)	(-150,000,000)	(-50,000,000)
Total budgetary resources	(8,216,343,000)	(8,102,669,000)	(8,155,000,000)	(-61,343,000)	(+52,331,000)
Federal Highway Administration					
Limitation on general operating expenses	(509,660,000)	(652,905,000)	(510,981,000)	(+1,321,000)	(-141,924,000)
Highway-related safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(11,000,000)	(2,049,000)	(2,049,000)	(-8,951,000)	
(Limitation on obligations)	(11,000,000)			(-11,000,000)	
Rescission of contract authority	(-9,000,000)			(+9,000,000)	
Federal-aid highways (Highway Trust Fund):					
(Limitation on obligations)	(17,550,000,000)	(17,714,000,000)	(17,550,000,000)		(-164,000,000)
(Exempt obligations) (sec. 310)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
(Liquidation of contract authorization)	(19,200,000,000)	(19,800,000,000)	(19,800,000,000)	(+600,000,000)	
Emergency appropriations	(300,000,000)			(-300,000,000)	

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Motor carrier safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(68,000,000)	(74,000,000)	(74,000,000)	(+6,000,000)	.....
(Limitation on obligations)	(77,225,000)	(85,000,000)	(77,425,000)	(+200,000)	(-7,575,000)
Rescission of contract authority	(-33,000,000)	.....	.....	(+33,000,000)	.....
Alameda corridor project loan program	.....	58,680,000	.....	.....	-58,680,000
Alameda corridor project loan limitation	.....	(400,000,000)	.....	.....	(-400,000,000)
State infrastructure banks (Highway Trust Fund)	.....	250,000,000	.....	.....	-250,000,000
Total, Federal Highway Administration	.....	308,680,000	.....	.....	-308,680,000
(Limitations on obligations)	(17,638,225,000)	(17,799,000,000)	(17,627,425,000)	(-10,800,000)	(-171,575,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
Total budgetary resources	(19,969,732,000)	(19,422,482,000)	(19,682,425,000)	(-287,307,000)	(+259,943,000)
National Highway Traffic Safety Administration					
Operations and research	73,316,570	98,976,000	81,895,000	+8,578,430	-17,081,000
Operations and research (Highway Trust Fund)	51,884,430	59,537,000	50,377,000	-1,507,430	-9,160,000
Subtotal, Operations and research	125,201,000	158,513,000	132,272,000	+7,071,000	-26,241,000
Highway traffic safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(155,100,000)	(191,000,000)	(167,100,000)	(+12,000,000)	(-23,900,000)
State and community highway safety grants (Sec. 402) (limitation on obligations)	(127,700,000)	(151,200,000)	(127,700,000)	.....	(-23,500,000)
National Driver Register (Sec. 402) (limitation on obligations)	(2,400,000)	(2,400,000)	(2,400,000)	.....	.....
Highway safety grants (Sec. 1003(a)(7)) (limitaiton on obligations)	.....	(15,000,000)	(11,000,000)	(+11,000,000)	(-4,000,000)
Alcohol-impaired driving countermeasures programs (Sec. 410) (limitation on obligations)	(25,000,000)	(25,000,000)	(26,000,000)	(+1,000,000)	(+1,000,000)
Rescission of contract authority	(-56,000,000)	.....	.....	(+56,000,000)	.....
Total, National Highway Traffic Safety Admin	125,201,000	158,513,000	132,272,000	+7,071,000	-26,241,000
(Limitations on obligations)	(155,100,000)	(193,600,000)	(167,100,000)	(+12,000,000)	(-26,500,000)
Total budgetary resources	(280,301,000)	(352,113,000)	(299,372,000)	(+19,071,000)	(-52,741,000)
Federal Railroad Administration					
Office of the Administrator	14,018,000	16,883,000	16,469,000	+2,451,000	-414,000
Railroad safety	49,919,000	51,864,000	51,407,000	+1,488,000	-457,000
Railroad research and development	24,550,000	24,565,000	20,341,000	-4,209,000	-4,224,000
Northeast corridor improvement program	115,000,000	200,000,000	.....	-115,000,000	-200,000,000
High-speed rail trainsets and facilities	.....	80,000,000	80,000,000	+80,000,000	.....
Next generation high speed rail	19,205,000	26,525,000	19,757,000	+552,000	-6,768,000
Trust fund share of next generation high-speed rail (Highway Trust Fund):					
(Liquidation of contract authorization)	(7,118,000)	(2,855,000)	(2,855,000)	(-4,263,000)	.....
(Limitation on obligations)	(5,000,000)	.....	.....	(-5,000,000)	.....
Alaska Railroad rehabilitation	10,000,000	.....	.....	-10,000,000	.....
Rhode Island Rail Development	1,000,000	10,000,000	4,000,000	+3,000,000	-6,000,000
Direct loan financing program	.....	.....	58,680,000	+58,680,000	+58,680,000
Direct loan financing program limitation	.....	.....	(400,000,000)	(+400,000,000)	(+400,000,000)
Grants to the National Railroad Passenger Corporation:					
Operations	305,000,000	342,000,000	342,000,000	+37,000,000	.....
Transition costs	100,000,000	.....	.....	-100,000,000	.....
Capital	230,000,000	296,500,000	120,000,000	-110,000,000	-176,500,000
Total, Grants to the National Railroad Passenger Corporation	635,000,000	638,500,000	462,000,000	-173,000,000	-176,500,000
Total, Federal Railroad Administration	868,692,000	1,048,337,000	712,654,000	-156,038,000	-335,683,000
(Limitations on obligations)	(5,000,000)	.....	.....	(-5,000,000)	.....
Total budgetary resources	(873,692,000)	(1,048,337,000)	(712,654,000)	(-161,038,000)	(-335,683,000)
Federal Transit Administration					
Administrative expenses	42,000,000	43,652,000	41,367,000	-633,000	-2,285,000
Formula grants	942,925,000	221,122,000	460,000,000	-482,925,000	+238,878,000
Formula grants (Highway Trust Fund) (limitation on obligations)	(1,110,000,000)	(1,930,850,000)	(1,592,925,000)	(+482,925,000)	(-337,925,000)
Operating assistance grants	(400,000,000)	(500,000,000)	(400,000,000)	.....	(-100,000,000)
Subtotal, Formula grants	(2,052,925,000)	(2,151,972,000)	(2,052,925,000)	.....	(-99,047,000)
University transportation centers	6,000,000	6,000,000	6,000,000	.....	.....
Transit planning and research	85,500,000	85,500,000	85,500,000	.....	.....
Metropolitan planning	(39,500,000)	(39,500,000)	(39,500,000)	.....	.....
Rural transit assistance	(4,500,000)	(4,500,000)	(4,500,000)	.....	.....
Transit cooperative research	(8,250,000)	(8,250,000)	(8,250,000)	.....	.....
National planning and research	(22,000,000)	(22,000,000)	(22,000,000)	.....	.....
State planning and research	(8,250,000)	(8,250,000)	(8,250,000)	.....	.....
National transit institute	(3,000,000)	(3,000,000)	(3,000,000)	.....	.....
Subtotal, Transit planning and research	(85,500,000)	(85,500,000)	(85,500,000)	.....	.....

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(1,120,850,000)	(1,920,000,000)	(1,920,000,000)	(+799,150,000)	.....
Discretionary grants (Highway Trust Fund) (limitation on obligations):					
Fixed guideway modernization	(666,000,000)	(725,000,000)	(666,000,000)	.....	(-59,000,000)
Bus and bus-related facilities	(333,000,000)	(274,000,000)	(333,000,000)	.....	(+59,000,000)
New starts	(666,000,000)	(800,000,000)	(666,000,000)	.....	(-134,000,000)
Subtotal, Discretionary grants	(1,665,000,000)	(1,799,000,000)	(1,665,000,000)	.....	(-134,000,000)
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(2,375,000,000)	(2,000,000,000)	(2,000,000,000)	(-375,000,000)	.....
Washington Metropolitan Area Transit Authority	200,000,000	200,000,000	200,000,000	.....	.....
Violent crime reduction programs (Violent Crime Reduction Trust Fund)	.....	10,000,000	.....	.....	-10,000,000
Total, Federal Transit Administration	1,276,425,000	566,274,000	792,867,000	-483,558,000	+226,593,000
(Limitations on obligations)	(2,775,000,000)	(3,729,850,000)	(3,257,925,000)	(+482,925,000)	(-471,925,000)
Total budgetary resources	(4,051,425,000)	(4,296,124,000)	(4,050,792,000)	(-633,000)	(-245,332,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	10,150,000	10,065,000	10,037,000	-113,000	-28,000
Research and Special Programs Administration					
Research and special programs	23,937,000	28,169,000	23,929,000	-8,000	-4,240,000
Hazardous materials safety	(12,650,000)	(12,812,000)	(12,772,000)	(+122,000)	(-40,000)
Emergency transportation	(1,022,000)	(993,000)	(993,000)	(-29,000)	.....
Research and technology	(3,288,000)	(7,488,000)	(3,323,000)	(+35,000)	(-4,165,000)
Program and administrative support	(7,388,000)	(6,876,000)	(6,841,000)	(-547,000)	(-35,000)
Accountwide adjustment	(-411,000)	.....	.....	(+411,000)	.....
Subtotal, research and special programs	(23,937,000)	(28,169,000)	(23,929,000)	(-8,000)	(-4,240,000)
Pipeline safety (Pipeline Safety Fund)	28,750,000	31,500,000	28,460,000	-290,000	-3,040,000
Pipeline safety (Oil Spill Liability Trust Fund)	2,698,000	2,528,000	2,528,000	-170,000	.....
Subtotal, Pipeline safety	31,448,000	34,028,000	30,988,000	-460,000	-3,040,000
Emergency preparedness grants:					
Emergency preparedness fund	400,000	200,000	200,000	-200,000	.....
(Limitation on obligations)	(8,890,000)	.....	.....	(-8,890,000)	.....
Total, Research and Special Programs Admin	55,785,000	62,397,000	55,117,000	-668,000	-7,280,000
(Limitations on obligations)	(8,890,000)	.....	.....	(-8,890,000)	.....
Total budgetary resources	(64,675,000)	(62,397,000)	(55,117,000)	(-9,558,000)	(-7,280,000)
Office of Inspector General					
Salaries and expenses	40,238,000	39,771,000	39,450,000	-788,000	-321,000
Bureau of Transportation Statistics					
Salaries and expenses	2,200,000	.....	.....	-2,200,000	.....
Office of Airline Information (Airport and airway trust fund)	.....	3,100,000	.....	.....	-3,100,000
Surface Transportation Board					
Salaries and expenses	.....	3,000,000	12,344,000	+12,344,000	+9,344,000
Offsetting Collections	.....	-3,000,000	.....	.....	+3,000,000
General Provisions					
Bureau of Transportation Statistics (transfer from Federal-aid Highways)	(20,000,000)	(25,000,000)	(25,000,000)	(+5,000,000)	.....
Transportation Administrative Service Center reduction	-7,500,000	.....	-10,000,000	-2,500,000	-10,000,000
DOT field office consolidation (sec. 335)	-25,000,000	.....	.....	+25,000,000	.....
ICC transition (sec. 344)	8,421,000	.....	.....	-8,421,000	.....
Total, title I, Department of Transportation (net)	11,862,519,029	12,893,968,627	12,472,964,000	+610,444,971	-421,004,627
Appropriations	(12,707,306,000)	(12,911,780,000)	(12,502,697,000)	(-204,609,000)	(-409,083,000)
Rescissions	(-844,786,971)	(-17,811,373)	(-29,733,000)	(+815,053,971)	(-11,921,627)
(Limitations on obligations)	(22,054,815,000)	(23,094,372,000)	(22,362,450,000)	(+307,635,000)	(-731,922,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
Total budgetary resources including (limitations on obligations and (exempt obligations)	(36,248,841,029)	(37,303,142,627)	(36,890,414,000)	(+641,572,971)	(-412,728,627)

FY 1997 - TRANSPORTATION APPROPRIATIONS BILL (H.R. 3675)—Continued

	FY 1996 Enacted	FY 1997 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE II - RELATED AGENCIES					
Architectural and Transportation Barriers Compliance Board					
Salaries and expenses	3,500,000	3,540,000	3,540,000	+40,000	
National Transportation Safety Board					
Salaries and expenses	38,774,000	42,407,000	42,407,000	+3,633,000	
Emergency fund	360,802			-360,802	
Total, National Transportation Safety Board	39,134,802	42,407,000	42,407,000	+3,272,198	
Interstate Commerce Commission					
Salaries and expenses	13,379,000			-13,379,000	
Payments for directed rail service (limitation on obligations)	(475,000)			(-475,000)	
Total, Interstate Commerce Commission	(13,854,000)			(-13,854,000)	
Panama Canal Commission					
Panama Canal Revolving Fund:					
(Limitation on administrative expenses)	(52,741,000)			(-52,741,000)	
Total, title II, Related Agencies	56,013,802	45,947,000	45,947,000	-10,066,802	
(Limitation on obligations)	(475,000)			(-475,000)	
Total budgetary resources	(56,488,802)	(45,947,000)	(45,947,000)	(-10,541,802)	
TITLE III - GENERAL PROVISIONS					
General Provision 310		(-41,000,000)			(+41,000,000)
General Provision 310(f)		-306,000,000			+306,000,000
Sec. 338 - National Civil Aviation Review Commission			2,400,000	+2,400,000	+2,400,000
Total appropriations (net)	11,918,532,831	12,633,915,627	12,521,311,000	+602,778,169	-112,604,627
Scorekeeping adjustments:					
Emergency preparedness grants limitation	-4,697,000			+4,697,000	
Administrative reductions (P.L. 104-134)	-15,000,000			+15,000,000	
FHA: Federal-aid highways (P.L. 104-19)	382,190,000			-382,190,000	
General provision: Bonuses & awards	-749,852			+749,852	
Pipeline safety	6,933,000	-3,000,000		-6,933,000	+3,000,000
Permissive transfer (Coast Guard to FAA)	(60,000,000)			(-60,000,000)	
Railroad Safety		-3,000,000	-1,000,000	-1,000,000	+2,000,000
Total, adjustments	368,676,148	-6,000,000	-1,000,000	-369,676,148	+5,000,000
Grand total (net)	12,287,208,979	12,627,915,627	12,520,311,000	+233,102,021	-107,604,627
Appropriations	(13,131,995,950)	(12,645,727,000)	(12,550,044,000)	(-581,951,950)	(-95,683,000)
Rescissions	(-844,786,971)	(-17,811,373)	(-29,733,000)	(+815,053,971)	(-11,921,627)
(Limitations on obligations)	(22,055,290,000)	(23,053,372,000)	(22,362,450,000)	(+307,160,000)	(-690,922,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(-276,507,000)	(+740,198,000)
Grand total budgetary resources including (limitations on obligations) and (exempt obligations)	(36,674,005,979)	(36,996,089,627)	(36,937,761,000)	(+263,755,021)	(-58,328,627)
Total mandatory and discretionary	12,287,208,979	12,627,915,627	12,520,311,000	+233,102,021	-107,604,627
Mandatory	582,072,000	608,084,000	608,084,000	+26,012,000	
Discretionary:					
Crime trust fund		10,000,000			-10,000,000
General purposes:					
Defense (050)		118,500,000			-118,500,000
Nondefense	11,705,136,979	11,891,331,627	11,912,227,000	+207,090,021	+20,895,373
Total, General purposes	11,705,136,979	12,009,831,627	11,912,227,000	+207,090,021	-97,604,627
Total, Discretionary	11,705,136,979	12,019,831,627	11,912,227,000	+207,090,021	-107,604,627

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

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

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

Mr. SABO. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I rise in support of the fiscal year 1997 Transportation appropriations bill and ask unanimous consent to revise and extend my remarks.

At the outset, I want to thank the gentleman from Virginia [Mr. WOLF] for working with me and other Members on several issues of particular interest to me and to other Members on this side of the aisle. He has been cooperative and fair. I also want to thank the staff—John Blazey, Rich Efford, Stephanie Gupta, Linda Muir, and Lori Beth Feld, for their assistance and hard work on this bill. Also Kristen Hoeschler, Cheryl Smith, and Christy Cockburn of the minority staff.

I also want to note that the distinguished gentleman from Texas [Mr. COLEMAN] would ordinarily be managing this bill on our side of the aisle today. He could not be here due to his mother's poor health in Texas. But, we look forward to his return and his stewardship of this bill for the minority when we move to conference with the Senate.

The fiscal year 1997 Transportation bill is within the 602(B) allocation for the subcommittee. It is also well below the amounts allocated to the Transportation bill in last year's conference report—as a result, the funding choices were quite difficult, and several of the new initiatives advanced by the administration were not included in the bill. Nevertheless, in large measure, the bill provides adequate funding for basic transportation safety and infrastructure priorities.

The bill provides $4.9 billion for FAA operations, including $30 million in new FAA user fees, and $2.6 billion for Coast Guard operations. These amounts will fund essential safety operations at these agencies, although not all of the administration's requests were funded.

The bill provides $17.55 billion for the Federal-Aid Highways Program, which will maintain the current level of funding for highway maintenance, repair, renovation, and construction. These funds will help ensure that we continue a minimum level of investment to maintain and improve the condition of our Nation's roads, highways and bridges.

One innovative initiative of the administration to expand highway capacity and provide congestion relief through cost effective technology is the Intelligent Transportation Systems [ITS] Program. The ITS Program has matured from a high risk R&D initiative to the point where the program is ready to test the feasibility of integrating advanced technologies for traffic control and management systems in several cities across the country. I know first hand the potential of these ITS technologies for improving air quality, reducing congestion and conserving energy through the Guidestar Initiative that has been underway in Minnesota for several years.

This bill provides $228 million in funding for ITS Initiatives. I would have liked a higher funding level, but I believe we are headed in the right direction. These technology investments certainly have the potential for significant payoffs in future years and deserve continued support.

The bill provides $400 million in direct loans over 3 years for another important administration initiative—the Alameda rail corridor in California. This economic Development/Transportation Improvement Project has significant regional and national benefits.

In the area of transit, the bill provides $2.05 billion for transit formula grants, including $400 million for transit operating subsidies—the same amounts as last year. Mr. Chairman, transit operating subsidies were slashed last year by $310 million or 44 percent. As a result, many bus and rail operators have had to cut service and raise fares, and otherwise diminish services to the working poor, the elderly and others who depend on mass transit. I am pleased that this bill holds the line on additional mass transit reductions.

The bill also includes $1.7 billion for discretionary bus, rail modernization, and transit new start grants—the same amount as provided in 1996. These funds will help localities replace old, energy inefficient buses and modernize transit systems throughout the country.

The bill provides $1.3 billion in fiscal year 1997 funding for the Airport Improvements Grant Program—a $150 million cut or 10 percent reduction below this year's level. This funding level was the best we could do given the 602(b) allocation given the subcommittee. I believe that we will revisit this issue in conference with the Senate.

Mr. Chairman, I want to briefly mention some concerns about several other provisions in the bill:

The bill cuts essential air service by nearly 50 percent which will severely disadvantage the rural communities that depend on these subsidies.

The bill hits AMTRAK very hard. In total, considering both capital and operating funds, AMTRAK takes one of the largest reductions in the bill—a cut of 28 percent. Funding for the northeast corridor—AMTRAK's most profitable service—is completely eliminated. Clearly, AMTRAK cannot sustain the severe reductions in this bill, and I expect that this issue will be revisited in conference.

Mr. Chairman, I also do not agree with the committee's recommendation to deny $500,000 in funding for the Domestic Auto Content Labeling law. The American Automobile Labeling Act specifically requires the Department of Transportation to ensure that automobile manufacturers label new vehicles to display their domestic content. The U.S. Trade Representative is relying on the DOT to conduct periodic audits to monitor the compliance of Japan and other foreign governments with the 1995 Trade Agreement on autos and auto parts.

Under this agreement, Japanese automakers committed that they would increase their purchases of American automotive parts. However, without the baseline audits for which this bill denies funding, there will not be a mechanism for assessing whether these commitments are, in fact, met. The domestic content law will help promote jobs for U.S. workers, and provide consumers with information that will help them to buy American. The majority's decision to delete this funding was a bad decision, and should be reversed when we deal with this issue in conference with the Senate.

Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the committee.

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

Mr. OBEY. Mr. Chairman, I also simply want to extend my appreciation to the gentleman from Virginia, [Mr. WOLF], the chairman of the committee, for the manner in which he has proceeded to produce a bill which I think will meet a bipartisan test. I would also simply note the absence of the gentleman from Texas, [Mr. COLEMAN], who could not be here today due to an illness in his family in Texas, that this will be the last transportation bill that Mr. COLEMAN would be serving this House on in the capacity of ranking member. We appreciate the very effective work that he has done.

I rise in support of this bill.

Mr. Chairman, last year, the Transportation appropriations bill was one of the appropriations bills where we were able, for the most part, to bridge partisan differences and reach agreement on a bill that could be signed into law. I believe that we should be able to accomplish that same goal on the bill we consider today providing fiscal year 1997 funding for priority transportation programs.

I want to extend my appreciation to the gentleman from Virginia , [Mr. WOLF] for his efforts to work out reasonable compromises on the bill and to address transportation spending priorities under a 602(b) allocation that provides $650 million less in budget authority and $1.3 billion less in outlays than was allocated to the conference version of the 1996 transportation appropriations bill last year.

I also want to note the fine work of the gentleman from Texas, [Mr. COLEMAN,] on this bill. Unfortunately, Mr. COLEMAN could not be here today due to illness in his family in Texas. This bill will be the last transportation bill that Mr. COLEMAN will shepherd through this body as the ranking minority member of the transportation appropriations subcommittee. I know we will all miss the good humor and great ability with which he carries out his responsibilities.

The bill has several positive elements which I want to note. I am pleased that the bill provides a stable funding level for the Federal-Aid Highways program at $17.55 billion—the 1996 funding level. I would note that the conference agreement on the budget resolution which provided $4 billion more for nondefense discretionary spending over the House budget resolution allowed the subcommittee to receive an additional $325 million in outlays which helped to avoid a cut in funding for the highway program. I would have strongly supported an increased in highway funding to get closer to the full ISTEA authorization had additional funds been allocated to the subcommittee.

The bill also provides funding for transit infrastructure and operating assistance to the current level of $2.0 billion, including $400 million for transit operating assistance. These funds are essential for the mobility of the elderly, the poor and disabled, and those in rural America, who are dependent on bus and mass transportation to work, shop and live.

Mr. Chairman, at my initiative, the committee report on the bill requests the Federal Aviation Administration to review the safety

and airworthiness of the ATR–47 and ATR–72 aircraft to make certain that they are safe to fly in the conditions in which they are being flown. The ART 72 is the airplane involved in the 1994 tragic crash in Roselawn, Indiana which killed 68 people. The National Transportation Safety Board will be issuing its report next month on the causes of this accident. My language will help ensure that the FAA undertakes the necessary reviews so that we can be confident that the FAA has taken all steps possible to ensure the safety of those who travel aboard these airplanes.

Mr. Chairman, these are some very positive aspects of the bill. I do, however, believe that the bill falls short in two areas about which I have some concerns.

A small, but significant item in the bill relates to the deletion of $550,000 requested by the administration for the implementation of the domestic content labeling law. This law requires new passenger vehicles sold in the United States to be labeled to show their domestic content. Without these funds, the National Highway Traffic Safety Administration will be unable to conduct the necessary audits to evaluate industry compliance with the requirements of the law.

The deletion of these funds amounts to a de facto repeal of a law that is needed to monitor the implementation of the June 28, 1995 United States-Japan Agreement on Autos and Auto Parts. This agreement, its implementation and its enforcement is a central part of the administration's trade policy toward Japan and its plans for opening the Japanese market.

For approximately 10 years, the United States government has been pressuring the Japanese automobile companies to increase their purchases from United States auto parts suppliers, particularly for those vehicles assembled in the United States. The domestic content labeling law provides the United States Government a recognized and credible methods for benchmarking the United States parts content of Japanese cars and light trucks. The $500,000 reduction in the bill in penny-wise, but pound foolish in terms of our ability to monitor and enforce this agreement to ensure that the Japanese live up to their commitments.

Mr. Chairman, I also disagree with the $500,000 cut in funds requested by the FAA for the contract tower program. The reduction in the bill assumes additional savings will be realized if contract air traffic controllers are paid less than locally prevailing wages. The $500,000 in assumed saving will result in a real cut in the program, since the Department of Labor has already determined that there insufficient justification for the waiver assumed in the bill. I do not agree with the suggestion implicit in the bill that we should not pay these contract air traffic controllers a decent wage. I will also support the amendment by Mr. COLLINS relating to changing the age 60 rule for commercial pilots.

Mr. Chairman, the basic elements of this bill are sound. It contains several flaws that I believe we can correct as the bill moves through floor, Senate, and conference action. I urge the adoption of the bill.

Mr. SABO. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOGLIETTA].

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

Mr. FOGLIETTA. Mr. Chairman, I rise in support of the bill.

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

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

Mr. Chairman, let me just reiterate and thank the gentleman from Minnesota [Mr. SABO], and the gentleman from Wisconsin [Mr. OBEY], and let me pay tribute to the gentleman from Texas [Mr. COLEMAN], who is retiring. This is the last bill he will be handling on the floor. He cannot be here because of a very serious illness in the family.

Let me just also thank the gentleman from Minnesota for mentioning the staff. I would like to include all of those staff names in my extension, because all of the ones that he mentioned have done an outstanding job, and quite frankly, without the very capable, very competent, bright bipartisan staff, it would have been impossible to do this. I take my hat off, and want the staff to know that I personally appreciate the good work they have done.

Mr. COLEMAN. Mr. Chairman, I rise today in support of H.R. 3675, the Transportation appropriations bill for fiscal year 1997. On a whole, Mr. Chairman, this is a good bill. Had we more money, it could have been a great bill; however, given our self-imposed national emergency and the tight budget constraints of the committee, Chairman WOLF and the members of the subcommittee crafted a fine product.

I would like to thank the chairman for his efforts in crafting the legislation and for consulting with me in advance of the subcommittee markup. In addition, the chairman did not include any outrageous provisions which would invoke the opposition of the minority. These two events have enabled H.R. 3675 to be one of the least controversial appropriations bills.

The 1997 Transportation bill considered today is within the revised 602b allocation for the Transportation Subcommittee. I might note that the bill is $650 million in new budget authority below last year's conference level for the 1996 bill. Obviously, this year's allocation is not enough to keep up with the pace of inflation nor to fund cost of living increases, much less to fund the needed increases in infrastructure investment without making substantial decreases elsewhere. The chairman worked hard to guarantee that safety would not be impacted by the constraints of the budget.

While this is a good bill, there are provisions of concern to the minority and to the administration. They include Amtrak's capital account; the operating accounts of the Federal Aviation Administration [FAA] and the Coast Guard; funding for domestic auto content labeling; and wage determination for level one air traffic control towers.

AMTRAK

I know many members of the majority join the administration and the minority in their concerns over the deep cuts in Amtrak's capital account. By cutting this account, it is my belief that we endanger the progress Amtrak in making in streamlining its operations. While Amtrak has made progress in reducing its operating grant needs, it must continue to invest in its infrastructure to attain the operating efficiencies necessary to provide the level of service required to attract passengers and revenue.

FAA OPERATIONS

The subcommittee was unable to fully fund the administration's request for FAA and Coast Guard operations accounts.

Within the FAA operations account, the administration is particularly concerned about the reduction in staff offices and the National Airspace System [NAS] hand-off. The amount provided for stafrf offices in the bill is $1.2 million less than in fiscal year 1996 and, $2 million less than requested. The FAA has indicated that if it does not have $1.2 million of this amount restored, it will have to lay off 70 workers.

By not fully funding the President's budget request for the National Airspace system hand-off, the subcommittee is effectively mandating that new equipment not be installed at several facilities and instead be warehoused.

COAST GUARD OPERATIONS

With respect to the Coast Guard, the Commandant has taken enormous strides to streamline its operations. While the committee provided a portion of the additional funds requested, it stopped far short of providing the majority of these funds. In addition, the priorities were shifted so that the funding does not mirror the Coast Guard's request. To quote the Secretary of Transportation, ''[t]he subcommittee's reductions are inconsistent with the concept of a streamlined Coast Guard and will have a direct adverse impact on the maintenance and operational activity at front line Coast Guard units.'' The Secretary continues by noting that the reduced investment in Coast Guard assets will exacerbate efforts to reduce operating costs in the long run.

DOMESTIC AUTO CONTENT LABELING

The minority continues to be concerned about the decision not to provide funding to the National Highway Traffic Safety Administration [NHTSA] for domestic auto content labeling. The American Automobile Labeling Act specifically requires the Department of Transportation to promulgate regulations and to implement the law.

The U.S. Trade Representative is relying on NHTSA's work to serve as the baseline for monitoring compliance of the United States-Japan auto trade agreement that was negotiated in 1995. Under this agreement, Japanese automakers committed that they would increase their purchases of American-built automotive parts. However, without the work of NHTSA, there will not be a mechanism for assessing the levels of U.S. content in Japanese motor vehicles. Ensuring compliance with this trade agreement would promote jobs for U.S. workers.

Not funding this initiative will have ramifications beyond the enforcement of the American Automobile Labeling Act, and I hope that we can work together to amicably resolve this issue.

WAGE DETERMINATION

My final concern has to do with wage determination for level one air traffic control towers. On May 4, 1994, the FAA signed a memorandum of understanding with the National Air Traffic Controllers Association which ensure that no level one air traffic controller will lose

his or her job as a result of the contracting-out program. The MOU provides that affected level one controllers will have the opportunity to receive additional training and be reassigned to a higher level tower or be guaranteed the right of first refusal to work for the private contractor at the equivalent of the Government wage.

The subcommittee assumes that the Department of Labor will issue waivers to the FAA so that contractors can keep the costs down by paying controllers at these smaller towers less than the prevailing wage. It is not within the purview of this subcommittee to direct the actions of the Department of labor. It is not at all clear that these savings can be realized. The minority supports reasonable compensation for a day's work and disagrees with the policy implications this cut entails.

I would like to note that there are several positive aspects of this bill. Although the subcommittee was unable to fund the Airport Improvement Program at last year's level, we were able to maintain funding for both the highway trust fund and transit operating assistance at last year's level. This bill emphasizes safety by providing an additional 100 airline operations inspectors, 54 new air worthiness inspectors, as well as increased funding of the Boat Safety Grants Program and highway safety programs, such as safety belt and helmet use grants.

I would also like to commend the chairman for not earmarking any highway demonstration projects. The chairman made a decision to refrain from earmarking and has been steadfast in adhering to that decision regardless of pressure he may have received from both sides of the aisle.

In closing, Mr. Chairman, I would like to thank the subcommittee staff for their efforts in crafting this legislation, I would especially like to thank Cheryl Smith and Christy Cockburn for their hard work.

Overall, this is a decent bill, Mr. Chairman, and I commend it to my colleagues for their favorable consideration. I look forward to working with the Chairman to address each of these concerns prior to sending the final legislation to the President.

Mr. DeLAY. Mr. Chairman, I rise in support of this important legislation, which appropriates the funds to help build the Nation's highways and other modes of transportation.

I commend Chairman WOLF for his hard work on this legislation.

Transportation carries not only the people of the world, but also the ideas of the world. Better roadways, safer bridges, smarter highways, all contribute to a better world.

I am not an expert in bridge building but I know that we must build bridges with the next generation. That means providing them with the material to construct a better life for their children.

A balanced budget is one of those materials we will pass on to the next generation. And I commend the chairman for making this legislation fiscally responsible.

Better roadways are another material we will pass on to our children, and this legislation makes the necessary improvements to our Nation's transportation systems to keep us competitive into the next century.

In my hometown of Houston, this legislation increases funding for Intelligent Transportation Systems. These state-of-the-art systems pave the way for the even smarter, more effective transportation systems of tomorrow. Already, ITS has proved to be an integral part of Houston's mobility, and will only contribute in greater ways to the ability to move goods and people in an efficient manner using existing infrastructure.

This bill also contains funding for other forward-looking transportation systems, including the Advanced Technology Transit Bus and Houston Metro. I am especially proud of Houston Metro for being one of the most effective and cost-efficient transit systems in the Nation.

I urge my colleagues to vote for this legislation and keep America on the cutting edge of transportation technology.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I want to commend the Appropriations Committee for the Yeoman's job of meeting the numerous funding requests in this tough fiscal environment. Many of us take for granted and do not recognize the arduous task the Committee faces each time they are asked to balance fiscal responsibility with economic development.

I would also like to thank the chairman and the members of the committee for having the vision to provide the funding for the Alameda Corridor, to support the $400 million in direct loans, as requested by the President through the Federal Highway Administration.

The Alameda Corridor will provide this country with a fast and efficient gateway to Pacific Rim trade and will bolster our ability to compete in the burgeoning economic area. Once completed the Alameda Corridor will generate more than 70,000 local jobs and close to 200,000 new jobs nationwide. The expanded trade, created by the construction of the corridor, through the ports, will create new jobs related to manufacturing, production, and the shipping and trucking of goods.

Today's funding environment requires a strong public-private partnership to finance projects of this nature. With over 75 percent of the cost of the project funded by State and local sources, the Alameda Corridor truly exemplifies the kind of public-private partnership that this Congress has long urged States and localities to pursue for important infrastructure projects.

I would like to thank the members of the California delegation for working together in bipartisan manner to effectively move the project through this body and to bring to fruition plans and blueprints that were conceived long before many of us were sworn into office. Let history reflect that the success of the Alameda Corridor is rooted in the bipartisanship that has helped to bring us to this point. I look forward to continuing to work with my colleagues from both parties and with President Clinton to see the Alameda Corridor through to its completion.

I yield back the balance of my time.

Mr. BENTSEN. Mr. Chairman. I rise in strong support of H.R. 3675. I would like to thank Chairman WOLF and Ranking Member COLEMAN for their assistance in eliminating an environmental and safety hazard posed by abandoned barges in my district. I appreciate all the help both the majority and minority staff provided in addressing this issue. I would also like to thank city of Baytown Mayor Alfaro, Harris County Commissioner Jim Fonteno, Texas State Representative Fred Bosse, the San Jacinto River Association, and the Banana Bend Civic Association for bringing this longstanding problem to my attention.

Mr. Chairman, this legislation provides funding for removing barges abandoned in the San Jacinto River and the Houston Ship Channel. Last February I asked the Coast Guard to develop a plan for the disposal of the barges under the authority of the Barge Removal Act. This Federal law, passed in Congress in 1992, grants power to the Coast Guard to remove any abandoned barge after attempts to identify the owner have been exhausted. I believe that these environmental and navigational hazards have to be removed immediately under this provision to prevent further damage to life and property.

Again Mr. Chairman, I offer my strong support for this legislation and urge its immediate passage.

Mr. FAZIO of California. Mr. Chairman, I rise in support of H.R. 3675, the transportation appropriations bill for fiscal year 1997. I would like to thank the chairman, Mr. WOLF, for shepherding this bill through the Appropriations Committee with little or no controversy. I would also like to take this opportunity to say that it has been an honor and a privilege to serve with RON COLEMAN who is leaving this body at the end of this Congress. RON epitomizes the best characteristics of public service and his leadership will be missed by us all.

While this bill is imperfect, I think that the chairman has done a good job at balancing the diverse transportation needs of this country. I am particularly pleased that the committee has recognized the need to upgrade airline safety by funding additional positions at the FAA.

I am also pleased that the committee has included two projects that are very important to the transportation needs of my district.

BUS ACQUISITION—YOLO COUNTY

Last year the Yolo County Transit Authority [YCTA] was able to replace six of its aging and heavily polluting diesel-fueled buses with fully equipped compressed natural gas buses. Because the six buses approved by the committee last year constituted a little less than half of the county's total request, I am pleased that the committee has supported my request to fund the remaining buses.

Yolo County is part of the Sacramento nonattainment air basin and would face serious sanctions if aggressive efforts are not taken to reduce emissions. Compressed natural gas buses have made a significant impact on the air quality in Yolo County. YCTA already operates four compressed natural gas buses and has seen its emissions reduced by over 50,000 pounds due to the operation of these buses.

SOUTH-LINE EXTENSION

Also included in this legislation is $6 million for final design of an extension of Sacramento's light rail system. The extension will run southward from the existing rail hub in the downtown business district, toward two community colleges, two hospitals, several major employment centers and redeveloping areas, and many of the region's most disadvantaged neighborhoods. These areas comprise the most transit dependent sections of Sacramento, where no light rail service is available today.

In closing, Mr. Speaker, I want to express my thanks to the committee for their fine work and urge my colleagues to support this bill.

Mr. RAHALL. Mr. Chairman, I would like to note that this bill does not contain any earmarking of funds for high-priority highway

projects, often referred to as demonstration projects.

The reason I make note of this particular fact is that whenever funds are earmarked for highway projects, some in the media, and some in this body, call it pork barrel.

In fact, the distinguished chairman of the subcommittee, my good friend, advised Members earlier this year not to even bother testifying before his subcommittee on highway project requests.

Yet, to be sure, as it turns out there are numerous earmarks for other types of transportation projects.

For example, the bill earmarks over $724 million for 39 transit new start projects.

The report accompanying this bill earmarks $333 million for 87 bus projects under what is supposed to be a discretionary program.

In addition, the report directs $36.2 million to 16 specific intelligent transportation system projects.

I could go on and on.

My colleagues, those earmarks alone amount to almost $1.2 billion being directed by this bill toward specific projects.

$1.2 billion.

Ah, but not a one of them a so-called highway demonstration project.

For some reason that I have been unable to understand, the pork barrel label is only applied by the media and some in this body to the earmarking of funds for highway projects.

Meanwhile, the earmarking of funds for transit and ITS projects is met with mute silence.

Now, to be clear, I had no project requests before the subcommittee.

I was not seeking highway project earmarks, or for that matter, transit or ITS project earmarks.

And, I see nothing wrong with the Congress exercising its judgment and directing funds to a specific transportation project. These are, after all Federal funds and not State or local moneys.

However, I do want to illustrate the dual standard that is now being applied.

I want to point this out because we are now operating under this dual standard.

You can go to the Appropriations Committee to get an earmark of funds for a transit project, that serves a locality, but you cannot go to the Appropriations Committee for funding for a highway of an interstate nature that needs an extra boost to be completed.

You can go to the Appropriations Committee to get an earmark of funds for a bus station in some small town, but not for a four-lane highway that crosses State lines.

Mr. Chairman, this dual standard simply makes no sense.

And, as we all know, dual standards are never fair.

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. LAHOOD) having assumed the chair, Mr. BEREUTER, 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. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

ELECTION OF MEMBER TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. GOSS. Mr. Speaker, I offer a privileged resolution, House Resolution 467, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 467

Resolved, that the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Comittee on Transportation and Infrastructure: Mr. BAKER of Louisiana.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TODAY

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon today.

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

There was no objection.

□ 0115

REPORT ON NATION'S ACHIEVEMENTS IN AERONAUTICS AND SPACE, FISCAL YEAR 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

To the Congress of the United States:

I am pleased to transmit this report on the Nation's achievements in aeronautics and space during fiscal year 1995, as required under section 206 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2476). Aeronautics and space activities involved 14 contributing departments and agencies of the Federal Government, and the results of their ongoing research and development affect the Nation in many ways.

A wide variety of aeronautics and space developments took place during fiscal year 1995. The National Aeronautics and Space Administration (NASA) successfully completed seven Space Shuttle flights. A Shuttle program highlight was the docking of the Shuttle *Atlantis* with the Russian space station *Mir*.

NASA launched three Expendable Launch Vehicles (ELV), while the Department of Defense (DOD) successfully conducted five ELV launches. These launches included satellites to study space physics, track Earth's weather patterns, and support military communications. In addition, there were 12 commercial launches carried out from Government facilities that the Office of Commercial Space Transportation (OCST), within the Department of Transportation (DOT), licensed and monitored.

NASA continued the search for a more affordable space launch system for the coming years with its Reusable Launch Vehicle program. NASA hopes to develop new kinds of launch technologies that will enable a private launch industry to become financially feasible.

In aeronautics, activities included development of technologies to improve performance, increase safety, reduce engine noise, and assist U.S. industry to be more competitive in the world market. Air traffic control activities focused on various automation systems to increase flight safety and enhance the efficient use of airspace.

Scientists made some dramatic new discoveries in various space-related fields. Astronomers gained new insights into the size and age of our universe in addition to studying our solar system. Earth scientists continued to study the complex interactions of physical forces that influence our weather and environment and reached new conclusions about ozone depletion. Agencies such as the Environmental Protection Agency (EPA), as well as the Departments of Agriculture and the Interior, used remote-sensing technologies to better understand terrestrial changes. Microgravity researchers conducted studies to prepare for the long-duration stays of humans that are planned for the upcoming International Space Station.

International cooperation, particularly with Russia, occurred in a variety of aerospace areas. In addition to the Shuttle-*Mir* docking mission and the Russian partnership on the International Space Station, U.S. and Russian personnel also continued close cooperation on various aeronautics projects.

Thus, fiscal year 1995 was a very successful one for U.S. aeronautics and space programs. Efforts in these areas have contributed significantly to the Nation's scientific and technical knowledge, international cooperation, a healthier environment, and a more competitive economy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 26, 1996.*

APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE BILL EMERSON

The Speaker pro tempore. Pursuant to the provisions of House Resolution 459, the Chair announces the Speaker's appointment of the funeral committee of the late Bill Emerson the following Members on the part of the House: Mr. CLAY of Missouri; Mr. GINGRICH of Georgia; Mr. GEPHARDT of Missouri; Mr. BOEHNER of Ohio; Mr. SKELTON of Missouri; Mr. VOLKMER of Missouri; Mr. HANCOCK of Missouri; Ms. DANNER of Missouri; Mr. TALENT of Missouri;

Ms. MCCARTHY of Missouri; Mr. MONTGOMERY of Mississippi; Mr. HALL of Ohio; Mr. LEWIS of California; Mr. HUNTER of California; Mr. ROBERTS of Kansas; Mr. WOLF of Virginia; Mr. KANJORSKI of Pennsylvania; Mr. MCNULTY of New York; Mr. POSHARD of Illinois; Mr. MORAN of Virginia; Mrs. LINCOLN of Arkansas; Mr. CHAMBLISS of Georgia; Mrs. CUBIN of Wyoming; and Mr. LATHAM of Iowa.

CHISHOLM TRAIL ROUND-UP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas, Mr. PETE GEREN is recognized for 5 minutes.

Mr. PETE GEREN of Texas. Mr. Speaker, over 100 years ago, the last great herd of longhorns made its way from the grasslands of South Texas to the railhead in Abilene, Kansas, along the Chisholm Trail. The settlements dotting the trail grew into towns, and a few, like Forth Worth, became great cities. For 20 years, Fort Worth has set aside 3 days to remember and recognize the heritage of the Chisholm Trail. From June 21 to 23, the Chisholm Trail Round-Up was celebrated in Fort Worth's historic Stockyards District, benefitting western heritage organizations and keeping alive the knowledge of the way our ancestors lived their day-to-day lives.

The festival is a combination of fund, food, and friendly competition, and a time to reflect on an era that is part of the heritage of our Nation, who we are, no matter where we call home.

An estimated 25,000 to 35,000 men trailed 6 to 10 million head of cattle and a million horses between the end of the Civil War and the turn of the century along the Chisholm Trail. Many of the cattle were destined for shipment to the beef packing houses and butcher stalls of the industrial midwest and northeast; other herds supplied Indian reservations and military outposts.

Contrary to the moviemaker's image of the romantic cowboy, riding under the stars and singing around the campfire, the Chisholm Trail promised danger, drudgery, loneliness, and hardship. Years later, memories of raging rivers, stampedes and sudden violence would stir the blood of the older and wiser former cowboys when they clustered together at old settlers' days and country fairs, recounting days that would never pass again.

They came from all over the United States, and even from Germany, Poland, and France. These cowboys weren't paid much: $30–40 per month if times were good, which wasn't often. Most of them were young. C.K. Ackerman, who hailed from the Texas plains, remembered his first drive to Kansas, which was in 1873. The oldest man in the crew was 25, while the rest ranged between 18 and 22. Some didn't even wait that long to hit the trail. A.D. McGeenhee drove from Belton to Abilene in 1868 at the ripe old age of 11.

One-third of the men who went up the trail were black or Hispanic. Even about 20 women took the trail—and 1, Sallie M. Redus, took her baby along.

The Chisholm Trail did not offer riches to the cowboys, but many went on the fame and fortune after their cowboy days came to an end. Several transferred their skills and experience to the Fort Worth Stockyards, where they became commission merchants and livestock shipping agents for the railroads. E.L. Brouson quit the trail in the 1880's, acquired a small herd of his own and got rich and went broke so many times that eventually he lost count. J.B. Pumphrey and George Hindes became financiers. S.H. Woods served as Duval County judge from 1896 to 1915. Others went on to hold public offices like district attorney, county commissioner, sheriff, marshal, postmaster, city councilman, and even Texas Rangers.

No matter what their later fate, the cowboys who went up the Chisholm Trail left an indelible imprint on our history. A journalist at the end of the era wrote, ''The cowboy was generous, brave, and ever ready to alleviate personal suffering, sharing his last crust, his blanket, and often more important, his canteen. He spent his wages freely and not always wisely, and many became easy prey to gambling and other low resorts. But some among them became leading men in law, art, and scient—even in theology, proving again that it is not in the vocation but in the man that causes him to blossom and bring a fruitage of goodness, honor and godly living.''

The Chisholm Trail Round-Up is a heart-felt celebration of this spirit, and a tribute to the men and women who together forged a new way of life on the American frontier.

VICE PRESIDENT AL GORE COMMEMORATING THE 40TH ANNIVERSARY OF THE INTERSTATE HIGHWAY SYSTEM

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

Mr. GEPHARDT. Mr. Speaker, I am submitting a statement I have received today from Vice President GORE.

This week marks the 40th anniversary of the historic legislation that created our nation's Interstate Highway System. Tonight, at the Zero Milestone Marker on the Ellipse, there will be an event to honor the four visionary Americans who made it possible: President Dwight Eisenhower; Congressman Hale Boggs; former Federal Highway Administrator Frank Turner; and my hero, my mentor , one of Tennessee's finest sons and one of America's greatest Senators . . . my father, Senator Al Gore Sr.

The Interstate Highway System has meant so much to our country. Its creation led to an unprecedented period of national growth and prosperity. It increased safety and dramatically reduced traffic fatalities. And it enhanced our national defense and security.

The Interstate Highway System has literally changed the way we work and even the way we live. But it has done something else, too—something that can't be measured by statistics or dollar signs.

The Interstate Highway System unified our great and diverse nation. As President Clinton has said, it ''did more to bring Americans together than any other law this century.'' And by so doing, it gave our citizens—and still gives our citizens 40 years and about 44,000 thousand miles later—the very freedom that defines America.

Inherent in our Bill of Rights—whether the freedom of religion or press—is the freedom of mobility . . . to go where we please, when we please. Families driving to our national parks on vacation, mothers coming home from work, fathers taking their children to baseball games . . . all depend on the Interstate Highway System—a system that has paved the way not only to the next destination, but to opportunity itself.

A highway to opportunity—that is America. And that is the freedom, I am proud to say, made possible in part by my father's dedication. I'm equally proud to continue that tradition—inspired by him—by working to connect all Americans to the 21st century's highway to opportunity, the information superhighway.

I was always amazed how the voice that called me to the dinner table or reminded me to do my homework could be the same voice that argued so eloquently in the Senate for what can only be described as the greatest public works project in the history of the United States of America. And on this, the 40th anniversary of that accomplishment, I would like to thank my father, Senator Al Gore, Sr.

On behalf of all Americans, I would like to thank him for the Interstate Highway System that, in his words, is truly an ''object of national pride.'' And I would like to thank him, personally, for teaching me both what it means to be a dedicated public servant and a dedicated father.