

served in the U.S. Marine Corps during our Korean war, but never had the opportunity to serve in Korea. I still live by the fundamental lesson I learned from my beloved corps. This lesson is very simple—accomplish your mission and take care of your buddies.

A mission that has always guided me in my congressional career is an unwavering commitment to achieve the fullest possible accounting for those servicemen still missing in action. In accomplishing this mission we all take care of our buddies.

During my service, soldiers, sailors, airmen, and my fellow marines stood up and stopped communism dead in its tracks on the Korean Peninsula, making this country proud. And make no mistake about it—we won that war!

But tragically, all wars have a severe price, and many of my fellow warriors who will remain forever young in my minds were left behind. Remembering that mission—the fullest possible accounting of our buddies—recently in the 104th Congress, the tragic fate of POW's in Korea was revealed. Information has been made public that hundreds of Korean war veterans were indeed left behind.

The Korean war, called the “forgotten war”, still reached out over 40 years later and beckons all of us to never have forgotten warriors.

I pledge that there will be unrelenting pressure from Congress on all individuals and organizations within our Government with any relevant information to come forward. We owe all family members an understanding as to what happened to their loved ones—silence is not an option.

We in Washington, in both political parties and on both ends of Pennsylvania Avenue, the Congress and the President, have a sacred and moral responsibility to resolve uncertainty of all cases of POW's and MIA's. That means not only those from the Korean war, but the unresolved cases from the Vietnam War as well.

Perhaps more than any war, Vietnam continues to illustrate the complexity of the POW/MIA issue. In 1973, 591 Americans were released by the North Vietnamese. And as of this date, the National League of Families of American Prisoners and Missing in Southeast Asia report that “2,140 Americans are still missing and unaccounted for from the Vietnam war.”

Therefore, the fundamental lesson I learned from my experiences as an advocate in supporting POW/MIA's and their loved ones is to have unrelenting vigilance in always passing the strongest possible legislation. All Members of both parties are well aware, H.R. 4000 will restore the provisions that were removed from the Missing Service Personnel Act of 1996 by the McCain amendment to the 1997 Defense authorization conference report. It requires no additional funding or expenditures.

Under the language in the Defense Authorization Act:

Unit commanders are permitted to wait 10 full days before reporting that a service person is missing or unaccounted for.

Missing service persons can be declared dead by the Pentagon without credible proof. If a body were recovered that was not identifiable by visual means, forensic certification would no longer be required.

Criminal penalties were removed for Government officials who knowingly and willingly withhold information related to the disappearance, whereabouts, or status of a missing person.

H.R. 4000 would restore the original language of the Missing Service Personnel Act. The bill, which at present has over 270 co-sponsors, was passed unanimously out of the National Security Committee on September 17, 1996.

It is critical that H.R. 4000 be passed and included in the omnibus appropriations bill for fiscal year 1997. Our Nation's POW/MIA's and their families deserve no less.

Mr. EVERETT. Mr. Speaker, I rise in strong support of H.R. 4000, legislation to restore a number of key provisions relating to the Department of Defense missing persons policy that were modified or deleted in the fiscal year 1997 Defense Authorization Act—H.R. 3230—as the request of the Clinton Administration and the Senate. I was pleased to be an original cosponsor of this measure which was unanimously reported out of the National Security Committee 45 to 0.

Among the provisions included in H.R. 4000, this bill will reestablish the 48-hour time period that a field commander must report a missing person, restores the requirement that the theater commander must assess the adequacy of actions taken to resolve the missing person's status, restores the requirement that the status of persons last known to be alive be reviewed every 3 years for 30 years, and restores criminal penalties for the knowing and willful withholding of information from a missing person's file.

The restoration of these provisions are significant in that the United States must never again leave behind American prisoners of war or those declared “missing in action” without exhausting every means available to determine the fate of all U.S. servicemen.

One of the most important commitments this government can make to those patriots who are willing to fight and die for our freedom, is to ensure that the United States will never abandon them in the hardships of war. Equally important is to instill this commitment with the families of our uniformed personnel. They both must have full confidence that their support from the United States will always be strong, and never fade. This legislation certainly helps us keep this commitment and I urge its adoption.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina [Mr. SPENCE] that the House suspend the rules and pass the bill, H.R. 4000, as amended.

The question was taken.

Mr. DORNAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### ANNOUNCEMENT OF LEGISLATION TO BE CONSIDERED UNDER SUSPENSION OF THE RULES TODAY

Mr. GOODLING. Mr. Speaker, pursuant to House Resolution 525, the following suspension is expected to be considered today, September 27: H.R. 4139.

#### OLDER AMERICANS ACT INDIAN TECHNICAL AMENDMENTS

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1972) to amend the Older Americans Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

S. 1972

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

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Sec. 1. Table of contents.

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Sec. 202. Adult Education Act amendments.

Sec. 203. Extension of Carl D. Perkins Vocational and Applied Technology Education Act.

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Sec. 212. National Commission on Libraries and Information Science.

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##### Subtitle A—Debt Reduction

Sec. 301. Unsubsidized student loans.

Sec. 302. Study of loan fees.

##### Subtitle B—Financial Responsibility Standards

Sec. 311. Extension of public comment period.

#### TITLE I—OLDER AMERICANS ACT OF 1965

#### SEC. 101. INDIAN EMPLOYMENT; DEFINITION OF INDIAN RESERVATION.

Section 502(b)(1)(B) of the Older Americans Act of 1965 (42 U.S.C. 3056(b)(1)(B)) is amended to read as follows:

“(B)(i) will provide employment for eligible individuals in the community in which such individuals reside, or in nearby communities; or

“(ii) if such project is carried out by a tribal organization that enters into an agreement under this subsection or receives assistance from a State that enters into such an agreement, will provide employment for such individuals who are Indians residing on or near an Indian reservation, as the term is defined in section 2601(2) of the Energy Policy Act of 1992 (25 U.S.C. 3501(2));”.

#### SEC. 102. POPULATION STATISTICS DEVELOPMENT.

Section 614(b) of the Older Americans Act of 1965 (42 U.S.C. 3057e(b)) is amended by striking “certification” and inserting “approval”.

#### SEC. 103. REPORTING REQUIREMENTS.

Section 614(c) of the Older Americans Act of 1965 (42 U.S.C. 3057e(c)) is amended—

(1) by inserting “(1)” after “(c)”; and

(2) by adding at the end the following new paragraph:

“(2) The Assistant Secretary shall provide waivers and exemptions of the reporting requirements of subsection (a)(3) for applicants