



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, MONDAY, MARCH 3, 1997

No. 25

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore [Mr. BARRETT of Nebraska].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

HOUSE OF REPRESENTATIVES,
Washington, DC, March 3, 1997.

I hereby designate the Honorable BILL BARRETT to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

Encourage us, oh, gracious God, to be doers of Your word and not hearers only. Your word points us in the way of truth and justice, illumines our path, and we are guided by Your spirit. May the words we say with our lips be believed in our hearts, and may all that we believe in our hearts be practiced in our daily lives, this day and every day, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida [Mr. SCARBOROUGH] come forward and lead the House in the Pledge of Allegiance.

Mr. SCARBOROUGH led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 28, 1997.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on Friday, February 28, 1997 at 9:50 a.m.: that the Senate passed without amendment H.R. 668; and that the Senate appointed to the Coordinating Council on Juvenile Justice and Delinquency.

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Thursday, February 27, 1997:

H.R. 499, to designate the facility of the U.S. Postal Service under construction at 7411 Barlite Boulevard in San Antonio, TX, as the "Frank M. Tejeda Post Office Building";

And the following enrolled bill on Friday, February 28, 1997:

H.R. 668, to amend the Internal Revenue Code of 1986 to reinstate the Airport and Airway Trust Fund excise taxes, and for other purposes.

COMMUNICATION FROM THE OFFICE OF THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 1997

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives,
Washington, DC

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the rules of the House that I have been served with a subpoena issued by the United States District Court of the District of Columbia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

PATRICIA ANN SCHAPP,
Office of the Sergeant at Arms.

SECOND SUPPLEMENTARY AGREEMENT AMENDING AGREEMENT BETWEEN THE UNITED STATES AND CANADA WITH RESPECT TO SOCIAL SECURITY MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-49)

The Speaker pro tempore 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 Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act (the "Act"), as amended by the Social Security Amendments of 1977 (Public Law 95-216,

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

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



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H703

42 U.S.C. 433(e)(1)), I transmit herewith the Second Supplementary Agreement Amending the Agreement Between the Government of the United States of America and the Government of Canada with Respect to Social Security (the Second Supplementary Agreement). The Second Supplementary Agreement, signed at Ottawa on May 28, 1996, is intended to modify certain provisions of the original United States-Canada Social Security Agreement signed at Ottawa March 11, 1981, which was amended once before by the Supplementary Agreement of May 10, 1983.

The United States-Canada Social Security Agreement is similar in objective to the social security agreements with Austria, Belgium, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. Such bilateral agreements provide for limited coordination between the U.S. and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the loss of benefit protection that can occur when workers divide their careers between two countries.

The Second Supplementary Agreement provides Canada with a specific basis to enter into a mutual assistance arrangement with the United States. This enables each Government's Social Security agency to assist the other in enhancing the administration of their respective foreign benefits programs. The Social Security Administration has benefited from a similar mutual assistance arrangement with the United Kingdom. The Second Supplementary Agreement will also make a number of minor revisions in the Agreement to take into account other changes in U.S. and Canadian law that have occurred in recent years.

The United States-Canada Social Security Agreement, as amended, would continue to contain all provisions mandated by section 233 and other provisions that I deem appropriate to carry out the provisions of section 233, pursuant to section 233(c)(4) of the Act.

I also transmit for the information of the Congress a report prepared by the Social Security Administration explaining the key points of the Second Supplementary Agreement, along with a paragraph-by-paragraph explanation of the effect of the amendments on the Agreement. Annexed to this report is the report required by section 233(e)(1) of the Act on the effect of the Agreement, as amended, on income and expenditures of the U.S. Social Security program and the number of individuals affected by the amended Agreement. The Department of State and the Social Security Administration have recommended the Second Supplementary Agreement and related documents to me.

I commend the United States-Canada Second Supplementary Social Security Agreement and related documents.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 3, 1997.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997 and under a previous order of the House the following Members are recognized for 5 minutes each:

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. HUTCHINSON] is recognized for 5 minutes.

[Mr. HUTCHINSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

PUBLIC DISPLAY OF THE TEN COMMANDMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, tomorrow this body is going to be looking at a resolution supporting the public display of the Ten Commandments. There has been a very interesting case in the State of Alabama where Judge Roy Moore, who presides over a circuit court, maintains in his courtroom a wood carved plaque containing the Ten Commandments. He has been challenged by another judge to take those down. The Governor of Alabama, Fob James, has stated that he will do whatever it takes to keep the Ten Commandments up in that courtroom, including calling in the National Guard.

It is sure to be an entertaining debate tomorrow, and very interesting, and, I believe, a very important debate. But sadly, the entertainment is going to come from those people who will come to the floor to try to twist history, try to continue the revision of history that would separate one country from its heritage.

We have a very proud heritage of faith and freedom in this country. In fact, on the issue of the Ten Commandments, we had James Madison, the father of the Constitution, say the following while drafting the Constitution. Madison said, "We have staked the entire future of the American civilization not upon the power of government but upon the capacity of the individual to govern himself, control himself, and sustain himself according to the Ten Commandments of God."

That was James Madison, the father of the Constitution. Yet 220 years later we have radical revisionists who are trying to tell us that the Constitution will not allow us to have the Ten Commandments on the wall of a court in Alabama. It is a radical notion.

Look, for instance, at the Supreme Court itself, which has two versions of the Ten Commandments up on its walls. Look at this House Chamber; right on the back wall is a picture of Moses, one of the great lawmakers in

the history of this Republic. When this great building was being built, it was Moses that was put front center in this Chamber, so every speaker would see the face of Moses on the back wall.

But sadly, over the past 30 years, these radical revisionists have been doing everything that they could do to make the radical seem conventional; worse yet, to make the conventional seem radical.

It is what Charles Krauthammer calls "defining deviancy up." For the radicals, it is not important enough for them to define deviancy down and make deviant behavior seem normal; but, as Judge Bork has said, their most important goal is to make normal behavior seem radical.

For the judges that would like to step forward and talk about how Fob James has no right to decide what is on the walls of his courtrooms in the State of Alabama, I can only say that they need to read what the founders said, attorneys themselves. It was Thomas Jefferson who said, "I consider the Government of the United States as not allowed by the Constitution from intermeddling with religious institutions, their doctrines, their disciplines, or their exercises. This results not only from the provision that no law shall be made respecting the establishment of free exercise of religion, but also that which reserves to the States the powers not delegated to this Federal Government. Certainly no power to prescribe any religious exercise or assume authority in any religious discipline has been delegated to the Federal Government. It must then rest with the States."

Justice Joseph Story, in his commentaries on the Constitution, the first commentary on the Constitution written by a founder, said this: The whole power over the subject of religion is left exclusively to State governments, to be acted upon according to their own sense of justice and the State constitutions.

It is a matter well within the right of any Governor to determine whether the Ten Commandments shall be on the wall of courtrooms or not, and whether the radical revisionists of the past 30 years wish to continue to disconnect America from the beliefs of Madison and Jefferson and Washington, it is up to them.

But, Mr. Speaker, we have got to stop revising history, and stand up today and say enough is enough. If you want to build a bridge to the 21st century you do it, but you do not do it by cutting America off from its proud, faithful past.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Chair will remind all persons in the gallery that they are here as guests of the House. Any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

AMERICA'S TRANSPORTATION
FUNDING NEEDS EXCEED THE
PRESIDENT'S BUDGET PROPOSALS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Virginia [Mr. WOLF] is recognized for 60 minutes as the designee of the majority leader.

Mr. WOLF. Mr. Speaker, last week the House Subcommittee on Transportation of the Committee on Appropriations and Related Agencies kicked off its hearings on the fiscal year 1998 transportation appropriation legislation.

For 2 days the subcommittee received testimony from Members of Congress and public witnesses on transportation policy and funding, including issues related to public transportation. Many, many witnesses representing mass transit organizations and properties located across the country stressed the urgent mass transit needs now existing, the greater needs projected for the future, and the need for additional spending for public transportation.

Earlier last month the President presented his fiscal year 1998 budget proposals, and the budget request for public transportation falls far short of the needs articulated by the witnesses who testified last week. In fact, the Clinton budget proposes to hold the line on public transportation funding at current spending levels, calling for a reduction of 1 percent from last year's level.

Clearly the transportation community is at an important crossroads. Identified mass transit needs far outstrip the President's budget proposals. Under even the rosiest of economic projections, and 602(b) allocations, Congress will never, never be able to fund all of these transit needs.

Further complicating this situation is the upcoming expiration of ISTEA. As Members know, the Intermodal Surface Transportation Efficiency Act of 1991, known as ISTEA, expires at the end of fiscal year 1997. Already, in fact, beginning last year, States and their Governors and transportation departments, Amtrak and commuter rail users, environmentalists and bicyclists, highway folks and the transit community, are staking their positions on legislation to succeed ISTEA.

□ 1415

It seems that everyone is an interested party in this discussion and every interest is in competition with each other. Are you interested in protecting the status quo, changing formulas, seeking major program reforms or otherwise merely looking to increase your relative take of this massive \$150 billion authorization bill? There is a place for you in the debate.

I understand there is a tongue in cheek expression making its way around the Capitol these days. That is that the reauthorization bill reported

by the House Committee on Transportation and Infrastructure will be named "Hot-Tea" for Highway Only Transportation Efficiency Act, the implication being that the general authorization for the transit programs and many of the flexible funding provisions included within ISTEA that benefit the transit community will either be eliminated or greatly diminished while authorization for concrete and pavement will increase dramatically.

I certainly support, strongly support highway spending and providing funding for concrete and pavement to build these necessary roads. However, highway programs must continue to be only one component of a balanced transportation program, one that meets the needs of highway users as well as those who depend on public transportation.

To ensure balance in our comprehensive transportation program, we need to pull together to improve the current program structure and the delivery of services to those that use public transportation regularly. Public transportation is not just about using a sleek subway system when visiting the Nation's capital, nor is it simply about riding in San Francisco's famed street cars while vacationing on the West Coast, nor is it just about getting an earmark for a favored project back home, no matter how small the earmark may be, to ensure that one more transit project is listed in the appropriations legislation and thereby legitimized for continued funding through the lifetime of the project.

No, public transportation is also about, really it is primarily about, getting people to work, getting children to school, providing the way for people to get to the hospital, to the store, to visit friends and relatives across town and across the country. Public transportation represents a vital transportation link for many people, including millions of Americans with disabilities. And without public transportation, many people would virtually be stranded, unable to venture beyond the confines of their neighborhoods. Simply stated, we need to change the way we view providing for public transportation.

First, what are we spending on public transportation? Second, where is that money going? Third, are those funding decisions consistent and appropriate given budgetary constraints? Last, can we develop a comprehensive coherent public transportation program? This is our challenge and this is our goal.

Do you know that annually the Federal Government spends over \$4 billion on transit programs alone? These funds are provided to modernize older rail systems, to purchase and rehabilitate buses and rail cars, and to build or improve existing bus facilities, rail yards, stations and heavy and light rail systems in many of our Nation's cities.

Where is that money actually going? Each year the transportation appropriations bill provides funds designated

specifically for transit properties across the country. Last year Congress provided \$4.4 billion for transit, of which over \$800 million was provided for construction and design of some 54 transit projects, called new starts, throughout the country, and Puerto Rico.

Are these funding decisions appropriate? The Federal Transit Administration currently has entered into 13 full funding grant agreements and expects to enter into two more very soon. These full funding grant agreements represent a commitment by the Federal Government to fund these transit new start projects through to their completion. The 13 funding grant agreements now in place represent a total of \$5.4 billion in Federal commitments, of which nearly \$3 billion remains to be funded. The FTA will have to maintain a grant portfolio of roughly \$800 million per year through the year 2001 to fund these projects; \$800 million per year for these projects alone, yet the President's budget for fiscal year 1998 requests only \$634 million for all new start projects, nearly \$170 million below the amounts negotiated by FTA for the full funding grant agreements.

What does this mean? It means that FTA is further increasing the outyear commitments in its already limited portfolio and will increase the project costs as well. Is this our total commitment to public transportation and new starts? Not by a long shot. As I mentioned earlier, the fiscal year 1997 act provides new start funding for 54 projects. Obviously that is far more than the number of projects having full funding grant agreements. In short, we are providing funds for projects above and beyond those that have secured full funding grant agreements.

The FTA also plans to enter into two additional full funding grant agreements this fiscal year. These agreements would add significantly to outyear commitments. It does not end here either. According to the FTA, there are currently 53 major investment studies now underway throughout the country that may lead to requests for new starts funding. These studies are examining a number of transportation alternatives and corridor alignments.

Many of these studies are in their early stages but to date of the 53 major investment studies that have produced capital cost estimates, the total capital cost of these fixed guideway alternatives exceeds \$30 billion.

These figures are alarming. The new start program is increasingly oversubscribed and overcommitted. The cost of completing all projects in the development process at any one time vastly exceeds the amount of Federal funds that are available now and in the foreseeable future. Another interesting fact worth noting is that since fiscal year 1992, California has received nearly a quarter of all the funds in the new start program, more than any other

State. In fact, the top three recipient States, California, New Jersey and Oregon today received more than half of the funds in the program during that period.

In fiscal year 1998, the President's budget for new starts looks much the same. Of the \$634 million proposed for the program, California is to receive almost one-third of the total funding. New Jersey would get 13 percent and Oregon would get 10 percent. Again, in fiscal year 1998, these three States account for more than half of the total amount requested of the new start program.

For those of you considering light and heavy rail projects in your areas any time in the near future, let me just say this, under the current system, there are no funds available.

In addition, one has to wonder whether some transit capital grants are being spent wisely today. The Congressional Budget Office looked at the cost effectiveness of various forms of public transportation assistance. Using Department of Transportation data to compute the total annualized cost per passenger-mile of these different forms of transit, CBO concluded that ordinary buses average 35 cents per passenger-mile; commuter rail averaged 65 cents per passenger-mile; heavy rail at \$1.40 per passenger-mile; and light rail at \$3.40 per passenger-mile, nearly a tenfold increase over buses. Yet what kind of transit have cities and other local governments been rushing to build with their Federal grants?

LIGHT RAIL

Some transit advocates claim that only light rail can attract suburban commuters and stop the declining use of transit by the middle class. But almost every city that has built either light or heavy rail in the past 25 years has a smaller share of commuting by transit in 1990 than they did 10 years earlier.

This is true in Portland, San Francisco and even here in Washington, DC. In fact, the only major city that has witnessed growth in mass transit's share over the last decade has been Houston, TX, and they are building busways in Houston, not a rail system.

This brings me to my final point, which is really a call to action. What do we need to do? What can we do to develop a comprehensive coherent public transportation program which responsibly meets critical public transportation needs in a manner consistent with the reality of constrained resources? I do not claim to have the answer. But I do know this. The Federal Government is already overcommitted on transit spending, while new requests for funding, many of which would certainly meet identified needs, pour in, when large increases in spending for public transportation are not likely and when important programmatic changes are anticipated during reauthorization of ISTEA.

Those of us who care about support of public transportation must be able to

offer alternatives to the current methods of doing public transportation business. I challenge my colleagues to talk with transit managers, urban planners, as well as State and local officials to consider a number of questions, including the following:

First, does the current new starts program structure encourage metropolitan areas to build fixed-guideway systems rather than an alternative that may be more appropriate but less likely to obtain Federal funding.

Second, does the current system of providing Federal funds specifically for fixed-guideway, new start systems induce metropolitan areas to pursue more costly, less flexible systems compared to flexible route transit systems, such as buses, which can use rights-of-way that are shared by other vehicles?

Third, should the current program be changed to provide more flexibility to State and local government and transit authorities to enable them to be more responsive to the needs of their particular communities?

Fourth, does the current funding formula, 80 Federal/20 local match, have the effect of gold plating projects or providing incentive to pursue projects that transit districts and municipalities otherwise would not because of local financial limitations.

Fifth, should we continue to fund projects in the very early stages of engineering and major investment studies, the cost of which can and perhaps should be paid from State and local funds to indicate strong local support, or limit appropriations to only those projects in their final design and construction?

Sixth, should the current program be modified to provide priority funding or other preferences to projects supported by a greater local match?

Seventh, should transit capital assistance be allocated to the States and localities in a way that mirrors Federal aid highway assistance to guarantee States a minimum return on the taxes they send to Washington?

Eighth, what level of Federal funding should be made available for public transportation, and what should the source of this funding be?

One thing is certain, public transportation is an integral part of the Nation's transportation network and a vital life link for many segments of our population. As such, there must be a continuing, strong Federal role in transit. Local transit systems are the beginning and ending point for inner city transportation and are therefore very much a part of our national transportation network. And road users should help pay for transit programs in some circumstances since they benefit from them. As public transportation reduces the number of automobiles on the road, it therefore reduces congestion on roads and bridges.

Beyond this, however, our transit programs and policies must be updated. Budgetary constraints coupled with ISTEA reauthorizations demand that

we develop new ways of dealing with public transportation. It is time to think differently, to be more innovative, creative and more efficient in the transit services we provide and the alternatives we present to our local boards, States, Federal Government and Congress.

CORRECTION TO THE RECORD OF FEBRUARY 26, 1997, PAGE H641

AIRPORT AND AIRWAY TRUST FUND TAX REINSTATEMENT ACT OF 1997

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 668.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ARCHER] that the House suspend the rules and pass the bill, H.R. 668, on which the yeas and nays are ordered.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 347, nays 73, not voting 12, as follows:

[Roll No. 27]
YEAS—347

Abercrombie	Christensen	Frank (MA)
Ackerman	Clayton	Franks (NJ)
Allen	Clement	Frelinghuysen
Archer	Clyburn	Frost
Armey	Coble	Furse
Bachus	Collins	Gallegly
Baesler	Combust	Ganske
Baker	Conyers	Gejdenson
Baldacci	Cook	Gekas
Ballenger	Costello	Gephardt
Barcia	Coyne	Gilchrest
Barrett (NE)	Cramer	Gillmor
Barrett (WI)	Crane	Gonzalez
Bartlett	Cummings	Goode
Barton	Cunningham	Goodlatte
Bass	Davis (FL)	Goodling
Bateman	Davis (IL)	Gordon
Becerra	Davis (VA)	Goss
Bentsen	DeFazio	Granger
Bereuter	DeGette	Green
Berman	Delahunt	Greenwood
Berry	DeLauro	Gutierrez
Bilbray	DeLay	Gutknecht
Bilirakis	Dellums	Hall (OH)
Bishop	Deutsch	Hamilton
Blagojevich	Diaz-Balart	Hansen
Bliley	Dicks	Harman
Blumenauer	Dixon	Hastert
Blunt	Doggett	Hastings (FL)
Boehlert	Dooley	Hastings (WA)
Boehner	Doyle	Hayworth
Bonilla	Duncan	Hefner
Bonior	Dunn	Herger
Bono	Edwards	Hinchey
Borski	Ehlers	Hinojosa
Boswell	Ehrlich	Hobson
Boucher	Emerson	Holden
Boyd	English	Hooley
Brady	Ensign	Horn
Brown (CA)	Eshoo	Houghton
Brown (FL)	Etheridge	Hoyer
Brown (OH)	Evans	Hulshof
Bryant	Everett	Hutchinson
Bunning	Ewing	Hyde
Burr	Farr	Inglis
Buyer	Fattah	Istook
Callahan	Fawell	Jackson (IL)
Calvert	Fazio	Jackson-Lee
Camp	Filner	(TX)
Campbell	Flake	Jefferson
Canady	Foglietta	Jenkins
Capps	Foley	John
Cardin	Ford	Johnson (CT)
Castle	Fowler	Johnson (WI)
Chambliss	Fox	Johnson, E. B.

Johnson, Sam	Miller (FL)	Serrano
Kanjorski	Minge	Sessions
Kelly	Mink	Shaw
Kennedy (MA)	Moakley	Shays
Kennedy (RI)	Molinarì	Sherman
Kennelly	Mollohan	Shuster
Kildee	Moran (KS)	Sisisky
Kilpatrick	Moran (VA)	Skaggs
Kim	Morella	Skeen
Kind (WI)	Murtha	Skelton
King (NY)	Nadler	Slaughter
Klecza	Neal	Smith (NJ)
Klink	Nethercutt	Smith (TX)
Knollenberg	Ney	Smith, Adam
Kolbe	Northup	Smith, Linda
LaFalce	Nussle	Snyder
LaHood	Oberstar	Solomon
Lampson	Obey	Spence
Latham	Olver	Spratt
LaTourette	Ortiz	Stabenow
Lazio	Owens	Stark
Leach	Oxley	Stenholm
Levin	Packard	Stokes
Lewis (CA)	Pallone	Strickland
Lewis (GA)	Pascrell	Stupak
Lewis (KY)	Pastor	Sununu
Linder	Paxon	Tanner
Lipinski	Payne	Tauscher
Livingston	Pease	Thomas
LoBiondo	Pelosi	Thompson
Loftgren	Peterson (MN)	Thune
Lowe	Peterson (PA)	Thurman
Lucas	Petri	Tierney
Luther	Pickett	Torres
Maloney (NY)	Pitts	Towns
Manton	Pomeroy	Traficant
Manzullo	Porter	Turner
Markey	Portman	Velázquez
Martinez	Poshard	Vento
Mascara	Price (NC)	Visclosky
Matsui	Pryce (OH)	Walsh
McCarthy (MO)	Quinn	Wamp
McCarthy (NY)	Radanovich	Waters
McCollum	Rahall	Watkins
McCrery	Ramstad	Watt (NC)
McDade	Rangel	Watts (OK)
McDermott	Regula	Waxman
McGovern	Riggs	Weldon (FL)
McHale	Rivers	Weldon (PA)
McHugh	Rogers	Weller
McInnis	Ros-Lehtinen	Wexler
McIntyre	Rothman	Weygand
McKeon	Roukema	White
McKinney	Roybal-Allard	Whitfield
McNulty	Rush	Wicker
Meehan	Sabo	Wise
Meek	Sanders	Wolf
Menendez	Sandlin	Woolsey
Metcalf	Sawyer	Wynn
Millender-	Saxton	Yates
McDonald	Schumer	
Miller (CA)	Scott	

NAYS—73

Aderholt	Hostettler	Salmon
Andrews	Hunter	Sanchez
Barr	Jones	Sanford
Burton	Kasich	Scarborough
Cannon	Kingston	Schaefer, Dan
Chabot	Klug	Schaefer, Bob
Chenoweth	Kucinich	Schiff
Coburn	Largent	Sensenbrenner
Condit	Maloney (CT)	Shadegg
Cooksey	McIntosh	Shimkus
Crapo	Mica	Snowbarger
Cubin	Myrick	Souder
Deal	Neumann	Stearns
Dickey	Norwood	Stump
Dreier	Pappas	Talent
Forbes	Parker	Tauzin
Gibbons	Paul	Taylor (MS)
Gilman	Pickering	Taylor (NC)
Graham	Pombo	Thornberry
Hall (TX)	Riley	Tiahrt
Hefley	Roemer	Upton
Hill	Rogan	Young (AK)
Hilleary	Rohrabacher	Young (FL)
Hilliard	Royce	
Hoekstra	Ryun	

NOT VOTING—12

Carson	Dingell	Lantos
Clay	Doolittle	Reyes
Cox	Engel	Smith (MI)
Danner	Kaptur	Smith (OR)

□ 1251

The Clerk announced the following pair:

On this vote:
Ms. Danner and Mr. Reyes for, with Mr. Smith of Michigan against.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OMISSION FROM THE RECORD OF
FEBRUARY 26, 1997, PAGE H643

SOUTH DAKOTANS AND THE
BALANCED BUDGET AMENDMENT

Mr. THUNE. Mr. Speaker, I would like to address the floor this morning by talking a little bit about my recent trip to South Dakota, and over the course of the President's recess I had the opportunity to spend 9 days in my home State, much of which was spent traveling around the State and listening to the people of our State talk about the issues that are important to them. One of the things that I attempted very much to discuss during the course of my travels was the upcoming vote on the balanced budget amendment.

Now, it is interesting to note that already the radio ads are running in my State attacking me for supporting a balanced budget amendment and, again, trying to scare South Dakota seniors against this important issue and trying to generate opposition that is based upon a divide and conquer type of strategy and approach, and it is interesting as I was traveling around the State, and I would stop in cafes across South Dakota and raise this issue, and people, as they listened to the radio ads, would have questions about how in fact this would affect important programs like Social Security. It was always amazing to me, as I explained to them that the balanced budget amendment as it is drafted can be overridden by a three-fifths vote of the Congress, and now takes 60 votes in the Senate to do anything, that 60 votes could override this amendment, and 290 votes in the House, and when I explained to them that in fact a balanced budget amendment would not in any way depart from the current budgetary agreement of Social Security; in other words, the fact that Social Security trust fund surplus is already being applied to hide the deficit, they would be surprised; and I went on further to explain that in this country each year we spend \$148 billion to pay the interest on the amount of money that we borrowed.

When they heard the facts, they were like: "I didn't realize that," and, "This really is important. This is something that we should do."

Now I have not been in Washington for all that long, but it is clear to me from the time that I have been here in Washington; you know, we are falling all over ourselves these days, patting

each other on the back over getting the deficit down, and frankly the deficit has been coming down as the economy has been performing well, but still, a \$126 billion deficit this year is \$126 billion that goes on to the \$6.6 or \$5.4 trillion debt, and in fact, even if the President's budget is adopted, which I question that it will be, and even if his economic assumptions are accurate, the debt at the end of the 5-year period in the year 2002 is \$2.6 trillion.

Now that is \$26,000 for every man, woman, and child in America, and furthermore, a kid born in America today will spend \$200,000 over the course of their lifetime just to pay the interest on the money that we have borrowed. And when you put that in that context, you realize that this vote is really a vote about the future of this country and what we are doing to the next generation of Americans, and I believe profoundly that, as we debate this over the next couple of weeks, that this is the most important vote that we will make for the future of America, and I would like to think that this body, the Congress, could make those decisions, but frankly, it has proven over the years that it cannot. In fact, the President's budget, what is supposed to balance the budget by the year 2002, in fact puts 73 percent of the savings after he leaves office.

We have proven that we do not have the political courage to make the decisions to get out country on a sound fiscal track, and so I would ask the Democrats and the Republicans, people from both sides of the aisle—I know many of the Democrats who ran in this last election year, and many of my Republican colleagues, as well as freshmen, ran on support of a balanced budget amendment, and it is too important to the future of this country.

I have a strong commitment to Social Security; most of the Members of this body do; and I will not do anything in my support for a balanced budget amendment that does in any way diminish that strong support. But this is not about Social Security. It is about the future of this country. And if we do not do something, we not only will not have any money for Social Security, but for every other program that we have in America today.

And so this is a vote for our kids, this is a vote for our families, this is a vote for the future, and as the debate begins in the next few weeks, and I would certainly hope that the Senate will have the votes next week to pass a balanced budget amendment, and if they do and it comes over to the House, that we will work together as Republicans and Democrats, because this is not a Republican issue or a Democrat issue, this is an American issue, and it is critical to the future of this country that we do the right thing for our kids.

And so, Mr. Speaker, despite all the ads that may be running out there, I hope that in this vote that we will take in the next few weeks that this body will serve our country well and serve

our kids well and enact a balanced budget amendment that will bring the fiscal discipline to this Congress, to this country, that we have lacked since 1969, which is the last time that we balanced our budget.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCARBOROUGH) to revise and extend their remarks and include extraneous material:)

Mr. HUTCHINSON, for 5 minutes, today.

Mr. PAUL, for 5 minutes, on March 5.

Mr. SCARBOROUGH, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SCARBOROUGH) and to include extraneous matter:)

Mr. TOWNS.

Mr. PAYNE.

Mr. VENTO.

(The following Members (at the request of Mr. SCARBOROUGH) and to include extraneous matter:)

Mr. GINGRICH in three instances.

Mr. YOUNG of Alaska.

Mr. COBLE.

Mr. PORTER.

(The following Members (at the request of Mr. WOLF) and to include extraneous matter:)

Mr. FALEOMAVAEGA.

Mr. ALLEN.

Mr. BENTSEN.

Mr. PORTER.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Tuesday, March 4, 1997, at 12:30 p.m. for morning hour debates.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of May 22, 1996, through January 7, 1997, shall be treated as though received on March 3, 1997. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the executive communication section of the relevant CONGRESSIONAL RECORDS of the 104th Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2008. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Nevada: Final Authorization of State Hazardous Waste Management Program Revisions [FRL-5699-5] received February 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2009. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Designation of Areas for Air Quality Planning Purposes: Ohio [OH54-2; FRL-5698-4] received February 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2010. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan for Colorado; Carbon Monoxide Attainment Demonstrations and Related SIP Elements for Denver and Longmont; Clean Air Act Reclassification; Oxygenated Gasoline Program [CO-001-0011; CO-001-0012; CO-001-0013; CO-001-0014; FRL-5692-3] received February 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2011. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Regulation of Fuels and Fuel Additives: Adjustments to Individual Baselines for the Reformulated Gasoline and Anti-Dumping Programs [AMS-FRL-5696-2] received February 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2013. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 1997 "International Narcotics Control Strategy Report," pursuant to 22 U.S.C. 2291(b)(2); to the Committee on International Relations.

2014. A letter from the Assistant Secretary for Legislative Affairs, the Department of State, transmitting the President's determination regarding certification of the 32 major illicit narcotics producing and transit countries, pursuant to 22 U.S.C. 2291 (H. Doc. No. 105-50); to the Committee on International Relations and ordered to be printed.

2015. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2016. A letter from the Agency Freedom of Information Officer (1105), Environmental Protection Agency, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552; to the Committee on Government Reform and Oversight.

2017. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

2018. A letter from the Chairman, National Credit Union Administration, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996,

pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

2019. A letter from the National Endowment for Democracy, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2020. A letter from the Vice President and General Counsel, Overseas Private Investment Corporation, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2021. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(b); to the Committee on Government Reform and Oversight.

2022. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

2023. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 16 [Docket No. 970214031-7031-01; I.D. 011697C] received March 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2024. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Offshore Component Pollock in the Aleutian Islands Subarea [Docket No. 961107312-7021-02; I.D. 022197A] received March 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2025. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No. 950725189-6245-04; I.D. 022697B] received March 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2026. A letter from the Secretary of the Navy, transmitting the Department's report entitled "U.S. Navy Ship Solid Waste Compliance Plan for MARPOL Annex V Special Areas," pursuant to 33 U.S.C. 1903; jointly, to the Committees on National Security and Transportation and Infrastructure.

2027. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the National Institute of Corrections' plan for Short-Term Improvements for the District of Columbia (D.C.) Department of Corrections, pursuant to Public Law 104-134; jointly, to the Committees on Appropriations, the Judiciary, and Government Reform and Oversight.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COX of California (for himself, Mr. RAHALL, Mr. ANDREWS, Mr. HALL of Texas, Mr. DELAY, Mr. LIVINGSTON, Mr. BLILEY, Mr. SOLOMON, Ms. MOLINARI, Mr. PITTS, Mr. LARGENT, Mr.

MCCOLLUM, Mr. TALENT, Mr. BURTON of Indiana, Mr. BACHUS, Mr. BAKER, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BILBRAY, Mr. BONILLA, Mr. BONO, Mr. BRYANT, Mr. BUNNING of Kentucky, Mr. CALLAHAN, Mr. CALVERT, Mr. CANNON, Mr. CANADY of Florida, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. COBURN, Mr. COLLINS, Mr. COOK, Mr. COOKSEY, Mr. CRANE, Mr. CRAPO, Mrs. FOLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Mr. EHRLICH, Mrs. EMERSON, Mr. FOLEY, Mr. FORBES, Mr. FOX of Pennsylvania, Mr. GALLEGLEY, Mr. GIBBONS, Mr. GOODLING, Mr. GRAHAM, Ms. GRANGER, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HORN, Mr. HOSTETTLER, Mr. HULSHOF, Mr. HUNTER, Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. SAM JOHNSON, Mr. JONES, Mrs. KELLY, Mr. KIM, Mr. KING of New York, Mr. KINGSTON, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MCCRERY, Mr. MCINTOSH, Mr. MCHUGH, Mr. MCKEON, Mr. MANZULLO, Mr. METCALF, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NORWOOD, Mr. PACKARD, Mr. PAPPAS, Mr. PARKER, Mr. PAUL, Mr. PEASE, Mr. POMBO, Mr. RIGGS, Mr. RILEY, Mr. ROGAN, Mr. ROHRBACHER, Mr. ROYCE, Mr. RYUN, Mr. SAXTON, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SKEEN, Mr. SMITH of Texas, Mrs. LINDA SMITH of Washington, Mr. SMITH of Michigan, Mr. SMITH of Oregon, Mr. SNOWBARGER, Mr. STEARNS, Mr. STUMP, Mr. TAYLOR of North Carolina, Mr. WALSH, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, and Mr. YOUNG of Alaska):

H.R. 902. A bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers; to the Committee on Ways and Means.

By Mr. COBLE (for himself and Mr. GOODLATTE):

H.R. 903. A bill to amend title 28, United States Code, with respect to arbitration in U.S. district courts, and for other purposes; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA:

H.R. 904. A bill to amend the definition of State in the Federal Home Loan Bank Act to include American Samoa within the meaning of such term; to the Committee on Banking and Financial Services.

H.R. 905. A bill to amend title 10, United States Code, to provide that U.S. nationals should be eligible for advanced training in, and for financial assistance as members of, the Senior Reserve Officers' Training Corps; to the Committee on National Security.

By Mr. MCINTOSH (for himself, Mr. GOODLATTE, Mr. BACHUS, Mr. DAVIS of Virginia, Mr. FROST, Mr. BOUCHER, Mr. CONDIT, Mrs. MYRICK, Ms. LOFGREN, and Mr. MORAN of Virginia):

H.R. 906. A bill to provide for a reduced rate of postage for certain mailings that under Federal or State law, are required to be made by local governments; to the Committee on Government Reform and Oversight.

By Mr. SANFORD (for himself, Mr. CLEMENT, Mr. LARGENT, Mr. BALLENGER, Mr. CALVERT, Mr. CAMPBELL, Mr. CHABOT, Mr. CHAMBLISS, Mr. COBURN, Mr. DEAL of Georgia, Mr. GRAHAM, Mr. HERGER, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. ISTOOK, Mr. JONES, Mr. KINGSTON, Mr. KLUG, Mr. LATOURETTE, Mr. LUCAS of Oklahoma, Mr. MCINTOSH, Mr. MICA, Mrs. MYRICK, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. PICKERING, Mr. SALMON, Mr. SCARBOROUGH, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SOUDER, Mr. SPENCE, Mr. SPRATT, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. THORBERRY, Mr. WATKINS, Mr. WATTS of Oklahoma, and Mr. WHITFIELD):

H.R. 907. A bill to amend title 23, United States Code, to modify the minimum allocation formula under the Federal-aid highways program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHAW (for himself, Mr. MICA, Mr. BACHUS, Mr. HUNTER, Mr. WATTS

of Oklahoma, Mr. TRAFICANT, Mr. FOLEY, Mrs. MYRICK, Mr. MCCOLLUM, Mr. ENGLISH of Pennsylvania, and Mr. LATOURETTE):

H.J. Res. 58. Joint resolution disapproving the certification of the President under section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1997; to the Committee on International Relations.

By Mr. ADERHOLT (for himself, Mr. RILEY, Mr. CANADY of Florida, and Mr. BARR of Georgia):

H. Con. Res. 31. Concurrent resolution expressing the sense of Congress regarding the display of the Ten Commandments by Judge Roy S. Moore, a judge on the circuit court of the State of Alabama; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. RADANOVICH.
 H.R. 108: Mr. DEFAZIO and Mr. LEWIS of Georgia.
 H.R. 166: Mr. STUPAK.
 H.R. 168: Mr. STUPAK.
 H.R. 367: Mr. TIAHRT and Mr. WATTS of Oklahoma.
 H.R. 400: Mr. HINCHEY and Mr. LEWIS of Georgia.
 H.R. 630: Mr. RADANOVICH and Mr. MARTINEZ.
 H.R. 664: Mr. FROST and Mr. YATES.
 H.R. 673: Mr. FRANK of Massachusetts and Mr. DELAHUNT.
 H.R. 674: Mr. HILLEARY.
 H.R. 680: Mr. FRANK of Massachusetts.
 H.R. 727: Mr. BILBRAY.
 H.R. 750: Mr. ACKERMAN, Mr. MATSUI, and Mr. PORTER.
 H.R. 817: Mr. POMBO.
 H.R. 882: Mr. LANTOS.
 H. Con. Res. 18: Mr. BURTON of Indiana and Mr. YATES.