

joint resolution on the hiring practices, expansion, and profitability of business with 100 or fewer employees; and”.

(2) POINT OF ORDER.—Section 424(b)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(b)(3)) is amended by adding after the period “If such determination is made by the Director, a point of order under this part shall lie only under section 425(a)(1) and as if the requirement of section 425(a)(1) had not been met.”.

(3) THRESHOLD AMOUNTS.—Section 425(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)(2)) is amended—

(A) by striking “Federal intergovernmental mandates by an amount that causes the thresholds specified in section 424(a)(1)” and inserting “Federal mandates by an amount that causes the thresholds specified in section 424(a)(1) or (b)(1)”;

(B) by inserting “, in the case of Federal intergovernmental mandates exceeding the thresholds specified in section 424(a)(1)” after “unless”.

(4) APPLICATION RELATING TO APPROPRIATIONS COMMITTEES.—Section 425(c)(1)(B) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(c)(1)(B)) is amended—

(A) in clause (i) by striking “intergovernmental”;

(B) in clause (ii) by striking “intergovernmental”;

(C) in clause (iii) by striking “intergovernmental”;

(D) in clause (iv) by striking “intergovernmental”;

(5) APPLICATION RELATING TO CONGRESSIONAL BUDGET OFFICE.—Section 427 of the Congressional Budget Act of 1974 (2 U.S.C. 658f) is amended by striking “intergovernmental”.

(b) RULES OF THE HOUSE OF REPRESENTATIVES.—Clause 5 of rule XXIII of the Rules of the House of Representatives (as added by section 107 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1514)) is amended by striking “section 424(a)(1)” and inserting “section 424(a)(1) or (b)(1)”.

(c) EXERCISE OF RULEMAKING POWERS.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of such House, respectively, and shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such

rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

SEC. 5. SENSE OF THE CONGRESS.

It is the sense of the Congress that any unfunded mandates that are determined by the Director of the Congressional Budget Office to exceed the applicable threshold under section 424(a)(1) or (b)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 658f(a)(1), 658f(b)(1)) should be financed through reduced taxes, tax abatements, or direct compensation by the Federal Government.

THE NATIONAL SECURITY COMMITTEE'S INVESTIGATION OF SEXUAL MISCONDUCT IN THE MILITARY

HON. TILLIE FOWLER

OF FLORIDA

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1997

Mrs. FOWLER. Mr. Speaker, my colleague, Ms. HARMAN, and I appreciate the opportunity to apprise our colleagues about the ongoing congressional efforts to investigate the serious allegations of sexual misconduct that have been made in our Armed Forces.

As our colleagues know, the House National Security Committee, of which we are members, is the committee with primary responsibility over the Department of Defense, particularly with regard to policy issues. It has been tasked by Speaker GINGRICH to fully investigate the issue of sexual misconduct in the military services. Committee chairman FLOYD SPENCE has asked our colleague STEVE BUYER, chairman of the Personnel Subcommittee, and ourselves, the two most senior women on the committee, to lead the committee's efforts.

Mr. Speaker, we take seriously both the allegations of sexual misconduct and the allegations raised this week of possible investigative misconduct. Let us point out that the committee's focus is not on integrated basic training,

not gender neutral performance standards, and not women in combat. Our focus is on sexual misconduct.

The committee's schedule of activities is designed to provide members with an independent basis with which to evaluate the Army Senior Task Force Report on sexual misconduct, due in mid June, and other testimony it will receive, while not interfering with ongoing criminal investigations and prosecutions.

More importantly, the committee's work will examine each of the military services, not just the Army.

During the course of the investigation, the committee will focus on the extent to which the guidelines and systems to protect against harassment and sexual misconduct have failed; whether the Army and the other branches of the Armed Forces can institute sufficient safeguards to protect against future misconduct or whether extraordinary avenues must be created to address allegations of sexual misconduct; the degree to which broad discretion as exercised in the chain of command contributes to a lack of faith in the military justice system; and as a result of the allegations raised Wednesday, whether investigative practices have led to inappropriate pressure if not coercion of individuals to make false allegations or to make admissions in violation of due process and fifth amendment rights against self-incrimination.

To date, we have not reached the conclusion that an investigation independent of the Army of the Department of Defense is necessary. We are concerned that an independent investigation may jeopardize planned criminal prosecutions.

Mr. Speaker, our Armed Forces have a proud history. They led the Nation in racial integration. We believe they fully appreciate what is at stake with these allegations and will respond to ensure that both women and men are respected as individuals and for the contribution each brings to making our military the best fighting force possible.

We look forward to providing progress reports to our colleagues on the committee's investigation of this important subject.