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No. 74

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. NETHERCUTT].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 3, 1997.

I hereby designate the Honorable GEORGE R. NETHERCUTT, Jr., to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leaders limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. PALLONE] for 5 minutes.

DEMOCRATS HAVE TAKEN LEAD ON CHILDREN'S HEALTH CARE

Mr. PALLONE. Mr. Speaker, in the coming days, I am hopeful that a children's health care initiative will emerge as a result of the budget reconciliation process. It is my understanding that approximately \$16 billion over 5 years has been set aside in the budget to provide money to help families obtain health coverage for their children.

Since last year, Mr. Speaker, when the Democrats developed the Families First agenda, children's health care has

been a high priority. Although Republicans have failed to realize that 10 million uninsured children in this country is a problem that needs to be addressed, I have to assure my colleagues that Democrats have not let the needs of these children fall on deaf ears. As one of the three cochairs of the Democratic Health Care Task Force, we have held hearings and meetings with child advocacy groups and various health care providers who have all been very clear in expressing the need for Federal involvement in this issue.

Two months ago, I and a number of my colleagues on the Democratic side sent a letter urging that the Republican leaders move legislation forward by Mother's Day that would benefit the uninsured children. Since then, the GOP has really done nothing about the issue while each day more children enter the ranks of the uninsured.

Just as an example, Mr. Speaker, in my home State of New Jersey, over 200,000 children are currently without health insurance, according to a very good estimate. That many children should not be without health insurance in this Nation if we think about what it means nationwide. Many do not realize that over 90 percent of all uninsured children are in working families whose employer does not offer health insurance or who just cannot because the family or the policy that the employer provides, they just cannot afford to pay the skyrocketing costs.

I have to say, Mr. Speaker, that Democrats understand these statistics and the Democratic Health Care Task Force has developed a proposal to address the problem of uninsured kids. Our task force plan would strengthen Medicaid, create a new flexible matching grant program for working families and enact important health insurance reforms. And this proposal, the Democratic Health Care Task Force proposal, can be considered now that Re-

publicans are being forced to address this issue as a result of the \$16 billion set aside for children's health care under the balanced budget resolution.

Of the 10 million uninsured children, approximately 3 million are already eligible for Medicaid. But what we do in our plan is provide grants to States to help local communities in developing outreach programs to take these 3 million children out of the ranks of uninsured, with maximum flexibility to employee communities resources. So first, what we are doing is to try to get to the kids that already are eligible for Medicaid but for whatever reason are not signed up.

In addition, our Democratic plan will enable children to remain eligible for Medicaid for a full year from the time they are determined eligible. At present, the status is evaluated many times in a given year, oftentimes leading to children having health care insurance one month but not another. This change will offer continuity and allow parents to be more at ease with the guarantee that their child will not lose health care coverage from one month to the next.

The Democratic plan creates Medikids, which is a new matching grant program that will provide States with the necessary resources to seek innovative State solutions to meet the needs of uninsured children in working families. States would be eligible for extra money if they expand Medicaid coverage to cover pregnant women up to 185 percent of the poverty level and all children through the age of 18 in families below 100 percent of the poverty level. Just to give an example, Mr. Speaker, my home State of New Jersey already covers pregnant women up to 185 percent of the poverty level, but they only cover children up to the age of 13. So if they expand that to 18, they then will not only have an expanded Medicaid Program, but they would be able to take advantage of the new

□ 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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Medikids matching grant programs to expand health insurance even beyond Medicaid to a lot more working families.

Under this grant program or Medikids Program, States may provide assistance on a sliding scale, and they have flexibility to determine the level of assistance. They could use the money, the additional funds they get, to pay for programs already helping uninsured children in their State, but the benefits package must be comparable to what is offered under Medicaid. What we are trying to do is to basically get at children whose families have an income between 100 and 300 percent of poverty. So we are going beyond Medicaid to working families who still cannot afford health insurance for their kids but are making more than the poverty level.

The last thing I wanted to mention, Mr. Speaker, is that we do have a component in our Democratic proposal for private health insurance reforms. This consists of requiring insurers to offer group-rated children-only policies thereby making—what we are essentially doing, Mr. Speaker, if I could summarize it, is we are trying to say that, if a group policy is offered, they have to offer kids-only insurance so that parents basically can say, maybe we cannot afford to buy insurance for the whole family but we can afford to buy it for kids.

In summary, what we are doing is expanding Medicaid, granting more money to the States to go beyond Medicaid to cover more kids and making it possible for people who have group insurance to buy kids-only policies to cover kids in those categories. I think it will work to cover most if not all the 10 million uninsured children.

POTENTIAL POLLUTION OF POTOMAC

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from West Virginia [Mr. WISE] is recognized during morning hour debates for 5 minutes.

Mr. WISE. Mr. Speaker, Sunday, residents of this area, the Washington, D.C. area, found a front page Washington Post article dealing with potential pollution problems coming down the Potomac from West Virginia. This followed a report a couple of weeks ago by a group called the American Rivers group. Since most of the Members in this Chamber at some time or another are going to be drinking water generated at the headwaters of the Potomac, namely, West Virginia, I thought we ought to talk about it and talk about what is being done to deal with this concern.

I think that people ought to know that there is a commonsense solution to these problems and, indeed, a number of measures are being undertaken, and that no one is trying to close their eyes to the situation, but at the same time

we also have to appreciate what is being done and that, indeed, a number of steps are already underway to deal with this.

This is not a new issue. In 1994, Federal and State officials were proactive in initiating a project to monitor water quality generated in the Potomac and a number of agencies came together, along with the U.S. Geological Service and the Natural Resource Conservation Service. They performed a long-term study and found that there were high concentrations of fecal coliform and fecal streptococci.

As a result of these findings the following efforts have been initiated, and I think they are significant:

First of all, the Potomac Headwater Land Treatment project. This is a very significant program initiated just a few months ago in which there is a cost share program funded under the U.S. Department of Agriculture's watershed program to assist poultry and livestock producers in developing a nutrient management plan and directing them to build storage facilities.

Poultry litter composting demonstration project, another similar type of effort.

One area that I think has great promise and is already being tested successfully is the power digest project, a project of the West Virginia Department of Agriculture, formerly working with the Olin Co., now with a West Virginia firm, demonstrating ways to reduce the chicken litter to produce methane gas for energy and compost. This is now ready for full-scale application.

We also have the pesticide collection program in which the Eastern Panhandle and Potomac Valley Soil Conservation districts are holding separate pesticide collection days and already more than 30 tons of pesticides have been collected that is not going into the water system.

The Geographic Information System administered by the NRCS and the West Virginia Soil Conservation Agency to record data on the location of poultry houses and feedlots that could be creating problems. The riparian zone development project undertaken in cooperation with the U.S. Fish and Wildlife Service and Partners for Wildlife Program.

The manure testing laboratory, very significant, established in Moorefield through the cooperative efforts of the West Virginia Department of Agriculture, the NRCS, the Soil Conservation Service and the EPA.

The water quality incentive program, which provides incentive payments to farmers to improve land health by changing their management methods.

Also the litter hotline so that farmers and poultry producers can receive assistance in how to deal with this problem. There are a number of other efforts underway as well, including adding additional staff at the new laboratory in Moorefield to work first-hand on these concerns.

I want to reassure people that several things are being done. I have directed my staff to coordinate closely with the West Virginia Commissioner of Agriculture, Gus Douglas, who has already taken the lead on this over the past few years. We are today in the field in Hardy County and other areas talking with many of the parties involved. The first thing is to identify the full extent of the problem and the second is to make sure that we are working in close coordination.

I believe that there is a coordinated effort already underway. If it is not enough, it will be made enough. But I think it is significant, and I wanted people to understand that no one is taking this problem lightly in West Virginia, that indeed working with the poultry industry, working with the poultry producers, those who own the houses, those who are raising the poultry, working with the economic development concerns and working with environmentalists, we are addressing this problem and indeed making every effort to make sure that the Potomac is safe, every part of the Potomac.

So we look forward, Mr. Speaker, to reporting back on progress that is being made. But in light of these reports that have been issued, I think it is important that many people in this area understand that significant efforts are underway to deal in a very meaningful and commonsense way with whatever pollution there may be, because we all benefit, whether at the headwaters of the Potomac or at the receiving end in the Chesapeake Bay, we all benefit from cleaner waters. And we are dedicated to making sure that happens.

JUNE 4—TIANANMEN SQUARE MASSACRE MEMORIAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California [Ms. PELOSI] is recognized during morning hour debates for 5 minutes.

Ms. PELOSI. Mr. Speaker, 8 years ago this week, the world was shocked as people witnessed the brutal suppression of individual freedom and liberty in Tiananmen Square, a massacre which is still not acknowledged by the authoritarian leaders in China. The images of that massacre were seared into our consciousness.

We have not forgotten those who lost their lives for the cause of freedom, and we must not forget those still in prison who have lost their liberty in pursuit of this basic right. Indeed, who can forget the image of the lone man before the tank, portrayed here in this photograph of that courageous act.

I am proud to say that signing this particular poster on this particular poster are the signatures of most of the leading dissidents at the time of the democracy movement in China who have since escaped from China.

It is without question, Mr. Speaker, that we expect to have a brilliant future for the people of China, diplomatically, culturally, economically, and politically.

Our problem is not with the people of China, but with the actions of the repressive Chinese Government, a Government that continues to stifle dissent, to imprison those who dare to speak out, to worship as they please, to organize or to disagree. Eight years ago, the brave men and women who demonstrated for democracy did so in the spirit and the footsteps of our Founding Fathers.

They quoted Thomas Jefferson. They built a monument fashioned after our Statue of Liberty. They looked to the United States as a beacon of hope and of freedom. We looked and still look to them for their courage, their idealism, and their dedication to the establishment of basic human rights and respect for basic human rights.

Tonight in Washington, DC, there will be a demonstration outside the Chinese Embassy. It will be a coming together of many of the groups who have worked in solidarity, human rights groups, labor rights groups, workers rights groups, religious rights groups who have worked together since the time of the Tiananmen Square massacre to call attention to the severe repression that continues in China still today.

□ 1245

As I said earlier, we will gather to honor the pro-democracy activists as we recognize their legacy and the legacy that they obtained from our Founding Fathers. We cannot and must not abandon them in their cause of freedom, both where it is missing and where it currently exists. Where it currently exists, of course, is in Hong Kong, and I will move on to that in a moment.

It is quite clear that by imprisoning those that speak out for democracy, China's leaders have imprisoned part of all who speak out for democratic freedoms. These men and women are the past. The rulers of Beijing are the past. The brave men and women of 1989 and of 1978 and of all the outbursts of freedom, big and small, over the decades in China are the future.

In a few short weeks the world will watch as freedom where it exists now in China, in Hong Kong, is tested. We must maintain our commitment to the people of Hong Kong and to their civil liberties and basic human rights.

In yesterday's paper, Mr. Speaker, it was reported that in Hong Kong there was a huge protest demanding the freeing of the prisoners arrested at the time of the Tiananmen Square massacre. Thousands of people in Hong Kong rallied as the turnover approaches and makes such demonstrations illegal. This rally was first a response to a statement made by a leader in Hong Kong, who said "Forget about Tiananmen Square," and these young

people turned out to say we will not forget about Tiananmen Square. So, again, thousands of people turned out with posters that said "Forget Tiananmen Square? Never."

Mr. Speaker, in observation of the 8-year anniversary. I once again want to call to the attention of our colleagues a book called "The Courage to Stand Alone", written by Wei Jingsheng. Wei Jingsheng has been called the Sakharov of China, and this book was written in a prison cell by him. It is a moving book by the paramount leader and symbol of the ongoing struggle for democracy and human rights in China.

They say the most painful part of being a political prisoner, a prisoner of conscience anywhere, is that your prisoners tell you that nobody cares about you, that nobody knows you are in prison or cares about why you are there. And one thing I want to make certain is that those political prisoners arrested for their peaceful demonstration of their rights at the time of the Tiananmen Square massacre know that they have not been forgotten, all of them, including Wei Jingsheng, indeed a champion of democracy throughout the world.

I would like to read more from the book but my time has expired. More on the subject later. But let us all come together, regardless of what we think about our policy to China, to commemorate the courage of those who gave their personal freedom and indeed their lives for the cause of democratic freedom in China.

RECESS

The SPEAKER pro tempore (Mr. NETHERCUTT). Pursuant to clause 12 of rule I, the House stands in recess until 2 p.m.

Accordingly (at 12 o'clock and 48 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

Let us pray.

May Your blessings, gracious God, that brighten every place and give peace to every soul, be with all who seek Your presence and ask for Your favor. We seek to trust our own strength and yet we know we can be weak; we wish to endorse our own wisdom, and yet we know our ignorance; we say we pursue justice, and yet we can miss the mark. O loving God, as You have created us and nurtured us along life's way, so fill our hearts with those blessings that show us the way of

truth and the meaning of life. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER. 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 (Mr. MILLER of Florida). Will the gentleman from Arizona [Mr. STUMP] come forward and lead the House in the Pledge of Allegiance.

Mr. STUMP 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.

DISPENSING WITH CALL OF PRIVATE CALENDAR

Mr. STUMP. Mr. Speaker, I ask unanimous consent to dispense with the call of the Private Calendar today.

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

There was no objection.

INTRODUCING RESOLUTION TO DENY MOST-FAVORED-NATION TRADING STATUS TO COMMUNIST CHINA

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, today I and a bipartisan group of Members of the House, including Democrats and some of the Republican leadership, are introducing a resolution to deny most-favored-nation trading status to Communist China.

Once again we have witnessed the utter failure of granting favorable terms of trade to China. Here is what it has brought us over the last year:

The purchase of Russian missiles specifically designed to take out American ships and kill American sailors;

A \$40 billion trade deficit, approaching \$50 billion now, mostly caused by the importation of slave-labor goods in this country;

Attempts to buy influence and use U.S. elections and conduct economic espionage against the United States of America;

A renewed crackdown on religion and preparations for a crackdown on liberties in Hong Kong;

But most of all, continued missile and chemical weapons shipments to Iran and Pakistan that will someday kill tens of thousands of innocent human beings, including soldiers who will be called to the rescue, as they were in the Persian Gulf.

I would ask Members to support this resolution when it comes to the floor.

**PASS A STRAIGHTFORWARD
DISASTER RELIEF BILL NOW**

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, House Republicans decided to go home for Memorial Day vacation last week, even though they still have not provided disaster-stricken families with the emergency funds needed to rebuild their lives. It has now been more than 2 months since the President sent disaster relief legislation to Congress; yet Republicans still have not finished their work and passed the bill.

Last month Republicans loaded the bill up with provisions to freeze spending on education and other priorities for working families, a provision the President warned them would force him to veto the bill.

This emergency disaster relief bill that Republicans are holding hostage would help thousands of families rebuild their lives after a massive flood devastating their homes, businesses, and farms. It also included in the bill emergency funds to keep 360,000 women and children from being kicked out of the WIC child nutrition program.

Mr. Speaker, Democratic leaders and Members of Congress from States hardest hit by this flooding will be gathering today to deliver a simple message to the Republican leadership: Just do it, pass a straightforward disaster relief bill now.

GO FLYERS

(Mr. WELDON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker:

There is a place down in Philly called Broad Street,
Where opponents were once turned into minced meat,
These bullies, they skated and were generally hated
By all of those whom they routinely deflated;
The Spectrum was home to these champions of ice,
The Stanley Cup was made theirs not once, but twice,
With Clarkie and Leach and Parent in the net,
Their blood, sweat, and tears we will never forget;
But now here we are in 1997,
The Flyers approaching ice hockey heaven,
Eric the Great has shown us the way,
His heart, speed, and talent on constant display;
With well-seasoned Coffee and a Legion of Doom,
The orange and black have shown opponents their tomb,
Super Mario was valiant but nevertheless,
He just couldn't beat power with pretty finesse;
Over the Sabers they rode on Snow's bulging shoulder,

And then back to Hextall both wiser and older,
The Rangers and Great One were just out of place,
The only "Mess" that we saw was of Robitaille's face;
The heroics of Brind'Amour, Klatt, and Podein,
Have made all us Flyers' fans stand up and scream,
Here we are in the finals with sights set on the Cup,
Like the 70's, no Russians will mess this dream up;
Big Joel Otto and Therien have merely begun,
To pummel the Wings til their Red starts to run,
And just like the days when the Broad Street Bullies did reign,
The Stanley Cup will belong to the Flyers again.

**TIMOTHY McVEIGH HAS ONLY ONE
RIGHT LEFT**

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Timothy McVeigh has been convicted of mass murder. A jury will now deliberate whether McVeigh gets life in prison or the death sentence. I say, did McVeigh give any of those 168 innocent victims an opportunity to plea bargain? Did McVeigh give any of those 19 murdered children an opportunity for a life sentence? I ask, did McVeigh in fact give any consideration at all to the innocent victims and the families of those victims? No, Mr. Speaker.

I say that Timothy McVeigh has only one right left. The jury should read Timothy McVeigh his "last rites." Timothy McVeigh should be put to death, period.

Mr. Speaker, an America that allows mass murderers to plea bargain is an America that is turning its back consistently on innocent victims and citizens. I say it is time to stop the record number of graves and cemeteries all over our country.

**THOUSANDS OF HIGHER PAYING
JOBS: A POSITIVE IMPACT OF
THE GAMING INDUSTRY**

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, recently the National Gambling and Impact Policy Commission was formed. I am here today to speak about one of the positive impacts the gaming industry has had on our society.

An article recently published in the Las Vegas Sun illustrates gaming's positive involvement in the important issue of welfare reform. Two of gaming's corporate citizens have been producing thousands of jobs for welfare recipients. These companies have been giving American families the confidence of being able to make ends meet without depending on public assistance.

A recent Arthur Andersen study of gaming establishments in Mississippi, Louisiana, and Illinois disclosed that gaming has had a dramatic role in decreasing public assistance in these areas. According to the study, casino companies and the industries that support them paid \$21 billion in wages to more than 700,000 men and women in 1995.

The average casino wage was \$26,000 compared to \$20,000 in other amusement and recreation sectors, \$16,000 in the hotel-motel industry, \$22,000 in the motion picture industry. This means that the men and women working in the small casinos to the large mega resorts and riverboats receive better wages and higher-paying jobs in exchange for their hard work.

This is not just a Nevada issue, Mr. Speaker, this is a national issue. I urge Members' support.

**IT IS TIME TO PASS THE
EMERGENCY SUPPLEMENTAL BILL**

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, it has now been more than 2 months since the President sent disaster relief legislation to the Congress, but my colleagues on the other side of the aisle have chosen to dilly-dally, to delay, instead of passing this important bill. They even voted to send the Congress home for 10 days instead of working to get this emergency aid to the families who so desperately need it.

Even worse, the majority has played politics with the disaster relief legislation. Last month they added a poison pill to the bill, a provision that would freeze spending on education and other important budget priorities that in fact help working families in this country. The President has stated that he cannot sign this bill if this provision is included. Yet, the majority has refused to remove it.

It is time to stop playing politics with the lives of American families. It is time to help those victims who are in fact desperately waiting for disaster relief funds. It is time to pass the emergency supplemental bill.

**A BALANCED BUDGET
AGREEMENT THAT IS DIFFERENT**

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, in 1985 a balanced budget deal was agreed to amid great fanfare. In 1990 a balanced budget deal was agreed to amid similar exuberance. In 1993 a balanced budget deal was agreed to that was greeted with more high praise from the liberal media. The budget is still not in balance.

Mr. Speaker, what is it about this balanced budget agreement that is different? First, under a Republican Congress, the economic assumptions are

conservative and realistic. Second, this budget includes the strongest step in entitlement reform since our welfare reform proposals of last year. Third, the resolve of the Republican Congress to balance the budget is the strongest this country has seen since 1954.

Conservative economic assumptions, entitlement reforms, and Republican resolve, those are the keys to this balanced budget agreement. That, Mr. Speaker, separates this budget agreement from the failed promises of previous balanced budget deals.

□ 1415

SILVER CHARM

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, from the Los Angeles County Fairgrounds in Pomona to the Santa Anita race track in Arcadia, California's San Gabriel Valley is totally charmed by our Triple Crown contender and favorite son, Silver Charm, but it is owners Bob and Beverly Lewis who have captured our hearts. Their generous spirit of giving is evident throughout southern California. We celebrate with them as their Kentucky Derby and Preakness winner makes his bid to add the final jewel to his crown.

Silver Charm represents the spirit of America. He is a street fighter who rose to the top through sheer hard work, ability and talent. He is what America is all about. We all root for him because in essence he represents us. He has come not from the royal barns of Kentucky but has become a champion in spite of it.

The son of Silver Buck and Bonnie's Poker continues to fascinate us as he heads to the Belmont Stakes.

Mr. Speaker, this Saturday Californians will be very proud as we celebrate our first Triple Crown winner.

ESTATE TAXES

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, I rise today to say a few words about estate taxes, sometimes called inheritance taxes and more recently referred to as death taxes. This is often designated as a tax on the rich, and some therefore say we should not cut it. But I wish to clarify some of the issues.

Ninety-three percent of the businesses in my area of west Michigan are small businesses, having under 50 employees. Estate taxes, contrary to the public's perception, do not apply just to Bill Gates and others of that sort, but they apply to a majority of the small businesses and farmers in this Nation because, when they die, they have substantial assets in their businesses.

The saying is that farmers are always cash poor but land rich. That is certainly true. And it is unfortunate that today many farmers are not able to pass their farms on to their children. Part of the farm must be sold in order to pay the estate taxes before the farm can be passed on to their children.

Even modest family owned businesses and farms can fall into the range of estate taxable assets, causing great financial hardship. Ironically the truly wealthy families are generally better able to avoid estate tax liability because they can afford to hire experts to reduce their estate taxes, while the small business people and the farmers do not have the money to hire that kind of expertise.

Furthermore, the top estate tax rate of 55 percent is taxing money which has already been taxed, giving a high tax rate of approximately 73 percent.

I believe the estate tax is too high. It is unjust and we should change this so that those who own small businesses and farms can in fact retain them and pass them on to their children upon their death.

CUTTING TAXES

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, I must say, I get a little irritated when the folks on the other side resort to the only card in their deck: class envy.

Yes, America, the land of class envy.

In the liberal vision, America is not a land of unlimited opportunity, a land where all Americans are encouraged to become as prosperous as their God-given talents and hard work will take them. No; in the liberal vision we do not encourage people to become rich. We must tear them down.

No; in the liberal vision of success, it must not be considered the just rewards of hard work; success must be attacked.

No; in the liberal vision, instead of serving as a spur to your own success, government must expropriate wealth that others have produced.

Mr. Speaker, we reject that liberal vision. Pitting one class against another is destructive, counterproductive and just plain wrong.

Cutting taxes on Americans, rich or poor, is nothing more than the belief that Americans should get to keep more of the wealth that they produce.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MILLER of Florida) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 30, 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. I have the honor to transmit a sealed envelope received from the White House on May 30, 1997 at 3:26 p.m. and said to contain a message from the President whereby he notifies the Congress of modifications of duty-free treatment under the Generalized System of Preferences.

With warm regards,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

DESIGNATION OF CAMBODIA UNDER GENERALIZED SYSTEM OF PREFERENCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-88)

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:

The Generalized System of Preferences (GSP) program offers duty-free treatment to specified products that are imported from designated developing countries. The program is authorized by title V of the Trade Act of 1974, as amended.

Pursuant to title V, I have determined that Cambodia should be designated as a least developed beneficiary developing country under the GSP program because it has taken steps to improve worker rights and the protection of intellectual property. I have also determined, as a result of the 1995 Annual Review of petitions for changes that three products should be added to the GSP list of eligible products and that the competitive need limits on 22 products should be waived. As a result of a review of 1996 imports of GSP products, I have determined that de minimis limits on 79 products be waived and 11 products, whose imports no longer exceed the program's competitive need limits, should be redesignated as GSP eligible. Finally as a result of certain provisions of the legislation enacted in August 1996 reauthorizing GSP, I am granting GSP eligibility to an additional 1,783 articles not previously included under GSP, provided that they are imported directly from the least developed beneficiary developing countries.

This notice is submitted in accordance with the requirements of title V of the Trade Act of 1974.

WILLIAM J. CLINTON,
THE WHITE HOUSE, May 30, 1997.

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:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 30, 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. I have the honor to transmit a sealed envelope received from the White House on May 30, 1997 at 3:26 p.m. and said to contain a message from the President whereby he submits a 6-month periodic report on the national emergency with respect to the former Yugoslavia.

Sincerely,

ROBIN H. CARLE.

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO FORMER YUGOSLAVIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-89)

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 International Relations and ordered to be printed:

To the Congress of the United States:

On May 30, 1992, by Executive Order 12808, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Governments of Serbia and Montenegro, blocking all property and interests in property of those Governments. President Bush took additional measures to prohibit trade and other transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro) by Executive Orders 12810 and 12831, issued on June 5, 1992, and January 15, 1993, respectively.

On April 25, 1993, I issued Executive Order 12846, blocking the property and interests in property of all commercial, industrial, or public utility undertakings or entities organized or located in the Federal Republic of Yugoslavia (Serbia and Montenegro) (the "FRY (S&M)"), and prohibiting trade-related transactions by United States persons involving those areas of the Republic of Bosnia and Herzegovina controlled by the Bosnian Serb forces and the United Nations Protected Areas in the Republic of Croatia. On October 24, 1994, because of the actions and policies of the Bosnian Serbs, I expanded the scope of the national emergency by issuance of Executive Order 12934 to block the property of the Bosnian Serb forces and the authorities in the territory that they control within the Republic of

Bosnia and Herzegovina, as well as the property of any entity organized or located in, or controlled by any person in, or resident in, those areas.

On November 22, 1995, the United Nations Security Council passed ("Resolution 1022"), immediately and indefinitely suspending economic sanctions against the FRY (S&M). Sanctions were subsequently lifted by the United Nations Security Council pursuant to Resolution 1074 on October 1, 1996. Resolution 1022, however, continues to provide for the release of funds and assets previously blocked pursuant to sanctions against the FRY (S&M), provided that such funds and assets that are subject to claims and encumbrances, or that are the property of persons deemed insolvent, remain blocked until "released in accordance with applicable law." This provision was implemented in the United States on December 27, 1995, by Presidential Determination No. 96-7. The Determination, in conformity with Resolution 1022, directed the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the FRY (S&M) pursuant to the above-referenced Executive orders and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initiated by the parties in Dayton on November 21, 1995 (the "Peace Agreement") and signed in Paris on December 14, 1995. The sanctions imposed on the FRY (S&M) and on the United Nations Protected Areas in the Republic of Croatia were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within the Republic of Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, in conformity with UNSCR 1022. On October 1, 1996, the United Nations passed UNSCR 1074, terminating U.N. sanctions against the FRY (S&M) and the Bosnian Serbs in light of the elections that took place in Bosnia and Herzegovina on September 14, 1996. UNSCR 1074, however, reaffirms the provisions of UNSCR 1022 with respect to the release of blocked assets, as set forth above.

The present report is submitted pursuant to 50 U.S.C. 1641(c) and 1703(c) and covers the period from November 30, 1996, through May 29, 1997. It discusses Administration actions and expenses directly related to the exercise of powers and authorities conferred by the declaration of a national emergency in Executive Order 12808 as expanded with respect to the Bosnian Serbs in Executive Order 12934, and against the FRY (S&M) contained in Executive Orders 12810, 12831, and 12846.

1. The declaration of the national emergency on May 30, 1992, was made pursuant to the authority vested in the President by the Constitution and laws of the United States, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3 of the United States Code. The emergency declaration was reported to the Congress on May 30, 1992, pursuant to section 204(b) of the International Emergency Economic Powers Act (50 U.S.C. 1703(b)) and the expansion of that national emergency under the same authorities was reported to the Congress on October 25, 1994. The additional sanctions set forth in related Executive orders were imposed pursuant to the authority vested in the President by the Constitution and laws of the United States, including the statutes cited above, section 1114 of the Federal Aviation Act (49 U.S.C. App. 1514), and section 5 of the United Nations Participation Act (22 U.S.C. 287c).

2. The Office of Foreign Assets Control (OFAC), acting under authority delegated by the Secretary of the Treasury, implemented the sanctions imposed under the foregoing statutes in the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnian Serb-Controlled Areas of the Republic of Bosnia and Herzegovina Sanctions Regulations, 31 C.F.R. Part 585 (the "Regulations"). To implement Presidential Determination No. 967, the Regulations were amended to authorize prospectively all transactions with respect to the FRY (S&M) otherwise prohibited (61 FR 1282, January 19, 1996). Property and interests in property of the FRY (S&M) previously blocked within the jurisdiction of the United States remain blocked, in conformity with the Peace Agreement and UNSCR 1022, until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia.

On May 10, 1996, OFAC amended the Regulations to authorize prospectively all transactions with respect to the Bosnian Serbs otherwise prohibited, except with respect to property previously blocked (61 FR 24696, May 16, 1996). On December 4, 1996, OFAC amended Appendices A and B to 31 C.F.R. chapter V, containing the names of entities and individuals in alphabetical order and by location that are subject to the various economic sanctions programs administered by OFAC, to remove the entries for individuals and entities that were determined to be acting for or on behalf of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro). These assets were blocked on the basis of these persons' activities in support of the FRY (S&M)—activities no longer prohibited—not because the Government of the FRY (S&M) or entities located in or controlled from the FRY (S&M) had any interest in those assets (61 FR 64289, December 4, 1996). A copy

of the amendment is attached to this report.

On April 18, 1997, the Regulations were amended by adding a new section 585.528, authorizing all transactions after 30 days with respect to the following vessels that remained blocked pursuant to the Regulations, effective at 10:00 a.m. local time in the location of the vessel on May 19, 1997: the M/V MOSLAVINA, M/V ZETA, M/V LOVCEN, M/V DURMITOR and M/V BAR (a/k/a M/V INVIKEN) (62 FR 19672, April 23, 1997). During the 30-day period, United States persons were authorized to negotiate settlements of their outstanding claims with respect to the vessels with the vessels' owners or agents and were generally licensed to seek and obtain judicial warrants of maritime arrest. If claims remained unresolved 10 days prior to the vessels' unblocking (May 8, 1997), service of the warrants could be effected at that time through the United States Marshal's Office in the district where the vessel was located to ensure that United States creditors of a vessel had the opportunity to assert their claims. Appendix C to 31 CFR, chapter V, containing the names of vessels blocked pursuant to the various economic sanctions programs administered by OFAC (61 FR 32936, June 26, 1996), was also amended to remove these vessels from the list effective May 19, 1997. A copy of the amendment is attached to this report.

3. Over the past year, the Departments of State and the Treasury have worked closely with European Union member states and other U.N. member nations to implement the provisions of UNSCR 1022. In the United States, retention of blocking authority pursuant to the extension of a national emergency provides a framework for administration of an orderly claims settlement. This accords with past policy and practice with respect to the suspension of sanctions regimes.

4. During this reporting period, OFAC issued seven specific licenses regarding transactions pertaining to the FRY (S&M) or assets it owns or controls. Specific licenses have been issued (1) to authorize the unblocking of certain funds and other financial assets previously blocked; (2) for the payment of crews' wages, vessel maintenance, and emergency supplies for FRY (S&M)-controlled ships blocked in the United States; and (3) to authorize performance of certain transactions under pre-sanctions contracts.

During the past 6 months, OFAC has continued to oversee the maintenance of blocked accounts and records with respect to: (1) liquidated tangible assets and personalty of the 15 blocked United States subsidiaries of entities organized in the FRY (S&M); (2) the blocked personalty, files, and records of the two Serbian banking institutions in New York previously placed in secure storage; (3) remaining tangible property, including real estate; and (4) the 5 Yugoslav-owned vessels recently unblocked in the United States.

5. Despite the prospective authorization of transactions with FRY (S&M), OFAC has continued to work closely with the United States Customs Service and other cooperating agencies to investigate alleged violations that occurred while sanctions were in force.

Since my last report, OFAC has collected six civil monetary penalties totaling nearly \$39,000 for violations of the sanctions. These violations included prohibited imports, exports, contract dealings, and payments to the Government of the FRY (S&M), persons in the FRY (S&M), or to blocked entities owned or controlled by the FRY (S&M).

6. The expenses incurred by the Federal Government in the 6-month period from November 30, 1996, through May 29, 1997, that are directly attributable to the declaration of a national emergency with respect to the FRY (S&M) and the Bosnian Serb forces and authorities are estimated at approximately \$400,000, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in OFAC and its Chief Counsel's Office, and the United States Customs Service), the Department of State, the National Security Council, and the Department of Commerce.

7. In the last year and a half, substantial progress has been achieved to bring about a settlement of the conflict in the former Yugoslavia acceptable to the parties. UNSCR 1074 terminates sanctions in view of the first free and fair elections to occur in the Republic of Bosnia and Herzegovina, as provided for in the Peace Agreement. In reaffirming Resolution 1022, however, UNSCR 1074 contemplates the continued blocking of assets potentially subject to conflicting claims and encumbrances until provision is made to address them under applicable law, including claims of the other successor states of the former Yugoslavia.

The resolution of the crisis and conflict in the former Yugoslavia that has resulted from the actions and policies of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), and of the Bosnian Serb forces and the authorities in the territory that they control, will not be complete until such time as the Peace Agreement is implemented and the terms of UNSCR 1022 have been met. Therefore, I have continued for another year the national emergency declared on May 30, 1992, as expanded in scope on October 25, 1994, and will continue to enforce the measures adopted pursuant thereto.

I shall continue to exercise the powers at my disposal with respect to the measures against the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), and the Bosnian Serb forces, civil authorities, and entities, as long as these measures are appropriate, and will continue to report periodically to the Congress on

significant developments pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON,
THE WHITE HOUSE, May 30, 1997.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

CONFERRING STATUS AS HONORARY VETERAN ON LESLIE TOWNES (BOB) HOPE

Mr. STUMP. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 75) to confer status as an honorary veteran of the United States Armed Forces on Leslie Townes (Bob) Hope.

The Clerk read as follows:

H.J. RES. 75

Whereas the United States has never before conferred status as an honorary veteran of the United States Armed Forces on an individual, and such status is and should remain an extraordinary honor not lightly conferred nor frequently granted;

Whereas the lifetime of accomplishments and service of Leslie Townes (Bob) Hope on behalf of United States military servicemembers fully justifies the conferring of such status;

Whereas Leslie Townes (Bob) Hope is himself not a veteran, having attempted to enlist in the Armed Forces to serve his country during World War II, but being informed that the greatest service he could provide the Nation was as a civilian entertainer for the troops;

Whereas during, World War II, the Korean Conflict, the Vietnam War, and the Persian Gulf War and throughout the Cold War, Bob Hope traveled to visit and entertain millions of United States servicemembers in numerous countries, on ships at sea, and in combat zones ashore;

Whereas Bob Hope has been awarded the Congressional Gold Medal, the Presidential Medal of Freedom, the Distinguished Service Medal of each of the branches of the Armed Forces, and more than 100 citations and awards from national veterans service organizations and civic and humanitarian organizations; and

Whereas Bob Hope has given unselfishly of his time for over a half century to be with United States servicemembers on foreign shores, working tirelessly to bring a spirit of humor and cheer to millions of servicemembers during their loneliest moments, and thereby extending for the American people a touch of home away from home: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) extends its gratitude, on behalf of the American people, to Leslie Townes (Bob) Hope for his lifetime of accomplishments and service on behalf of United States military servicemembers; and

(2) confers upon Leslie Townes (Bob) Hope the status of an honorary veteran of the United States Armed Forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona [Mr. STUMP] and the gentleman from Illinois [Mr. EVANS], each will control 20 minutes.

The Chair recognizes the gentleman from Arizona [Mr. STUMP].

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

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the joint resolution under consideration.

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

There was no objection.

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

Mr. Speaker, many consider Bob Hope's most important contribution to American society to be entertaining this Nation's troops overseas. From World War II to the Persian Gulf, Bob Hope performed for millions of American GI's stationed all over the world.

As a Navy enlisted man, I was privileged to attend two of these performances during World War II.

I also had the honor of sharing the stage with Bob Hope and other dignitaries in 1995 in Honolulu at the Waikiki Shell to commemorate the 50th anniversary of V-J Day.

The U.S. Navy recently dedicated the USNS *Bob Hope* (T-AKR 300), the lead ship in a new class of strategic sealift vessels.

On April 22d, the Air Force dedicated its newest C-17 Globemaster III aircraft in the name of Bob Hope in honor of his contributions to the Air Force.

Bob Hope has truly earned for himself the finest title this country can bestow, that of "honorary veteran."

Mr. Speaker, we have over 280 cosponsors on this resolution. I would like to commend the gentleman from Illinois [Mr. EVANS], ranking minority member of the full committee, for his support and cooperation on this resolution.

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

I want to commend the gentleman from Arizona [Mr. STUMP], chairman of the Committee on Veterans' Affairs. As a result of his efforts, he has put this resolution on a fast track, and it is an important piece of legislation and overdue, I think, in terms of recognizing the contributions of Bob Hope. I salute him for his leadership on this measure and was pleased to join him as a cosponsor of this legislation we originally introduced.

Perhaps more than any other person, Bob Hope has done more to lift the spirits of men and women in uniform when those spirits needed to be raised the most. On behalf of the countless

service men and women who Bob Hope has entertained throughout his long and distinguished career, we say to Bob Hope, thanks for the memories and for a job well done.

The honor bestowed on Bob Hope by House Joint Resolution 75 is well deserved. I look forward to favorable consideration of this resolution by our colleagues.

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

Mr. STUMP. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank the distinguished chairman of the committee for yielding me the time, and I congratulate both the chairman and ranking minority member for moving forward with this very appropriate legislation.

Last Thursday night in Los Angeles, a wonderful birthday tribute was held for Bob Hope as he marked his 94th birthday. It seems to me that this legislation is very fitting right on the heels of that important celebration.

When one thinks of the name of Bob Hope, for me the first word that comes to mind is patriot. That is why bestowing on him this title of being an honorary veteran is very, very apropos. He has spent countless days and very important days, holidays, away from his family to entertain our troops during very difficult times in our Nation's history. It seems to me when we think about the kinds of sacrifices that he has made, they clearly do certainly establish very, very good justification for Bob Hope to be named as a veteran of the armed services.

Mr. Speaker, I have considered Bob Hope and his wonderful wife Dolores and his son Tony and others in his family very good friends. They have homes in both Los Angeles and in the Palm Springs area and are very active in the community in southern California. We are happy to, first of all, mark his 94th birthday and wish him many more to come and to congratulate the gentleman from Arizona [Mr. STUMP] and the gentleman from Illinois [Mr. EVANS] for moving forward with this very important and well-deserved legislation.

Mr. BONO. Mr. Speaker, I rise today in support of House Joint Resolution 75, and to speak on behalf of my constituent and friend, Mr. Leslie Townes Hope or, as he is known to everyone worldwide, Bob Hope.

Virtually everyone is aware that Bob Hope has, for many years, been America's greatest "veteran" showman, performing countless times for our troops throughout the world. No matter how far away, or how dangerous the conditions, Bob Hope made sure that our service personnel had the chance to enjoy an entertaining show, and, at least for a brief time, a respite from the horror of war or drudgery of duty.

Although he was not born in America, Mr. Hope is as American as apple pie and forever linked to the glamour of the golden era of Hollywood and the American GI. While the honors

and accolades for Bob Hope are as countless as the shows he performed for our troops, I want to mention just a few of the awards he has received. For his humanitarian work he was awarded the Congressional Gold Medal and the Presidential Medal of Freedom. As an entertainer he was awarded a Presidential Medal of the Arts. His honorary degrees and awards would consume pages of this record. The U.S. Navy has dedicated a ship the USNS *Bob Hope*, and the U.S. Air Force has named its newest C-17 *Globemaster III* in his honor.

As an entertainer Bob Hope is a legendary figure. But his greatest legacy will be carried in the memories of those American sons and daughters who faced adversity far from home and found a few hours of refuge in the USO tours headed by Bob Hope. Bob Hope gave our troops the gift of humor, reminding us all that one of our greatest assets in facing adversity is a sense of humor. No matter, the conditions, Bob Hope came through for our troops. His tours and annual Christmas show, performed in more than 40 countries during the past quarter century brought a piece of home to millions of American service personnel.

The time has come to give Bob Hope our thanks for his selfless commitment to our troops. Veteran groups, members of the Armed Forces, Members of Congress, and the American people have joined together to recognize Bob Hope as the first honorary veteran of the U.S. Armed Forces. I urge all my colleagues to join in this fitting tribute to a great man—Bob Hope.

Mr. KUCINICH. Mr. Speaker, I rise to honor Bob Hope, world renowned entertainer, humanitarian, and Clevelander.

Bob Hope started his entertainment career in the great vaudeville era with Fatty Arbuckle. He made his Broadway debut in "Roberta," by Jerome Kern. He succeeded again with "Ziegfeld Follies" and "Red, Hot and Blue." Then he starred in movies, such as "Thanks for the Memory."

Bob Hope warmed the hearts of Americans through his commitment to raising the spirits of U.S. troops. He traveled the world, to wherever U.S. troops were stationed. Always self-deprecating, he said of himself, "I still have the same rank I've always had—chicken, first class."

Bob Hope is a very successful businessman. He invested his show business earnings wisely, generating considerable wealth. Bob Hope is also a very generous man. His foundation regularly gives away half a million dollars per year to worthy education and health care projects. He has shown deep commitment to Catholic agencies and churches.

Mr. Speaker, Bob Hope is a great American. To Bob, his lovely wife Dolores and their entire family, I wish them continued happiness.

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

Mr. STUMP. Mr. Speaker, I thank the ranking member of the committee for his help. 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 Arizona [Mr. STUMP] that the House suspend the rules and pass the joint resolution, House Joint Resolution 75.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

ESTABLISHING A COMMISSION ON STRUCTURAL ALTERNATIVES FOR FEDERAL COURTS OF APPEAL

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 908) to establish a Commission on Structural Alternatives for the Federal Courts of Appeals, as amended.

The Clerk read as follows:

H.R. 908

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

SECTION 1. ESTABLISHMENT AND FUNCTIONS OF COMMISSION.

(a) **ESTABLISHMENT.**—There is established a Commission on Structural Alternatives for the Federal Courts of Appeals (hereinafter referred to as the "Commission").

(b) **FUNCTIONS.**—The functions of the Commission shall be to—

(1) study the present division of the United States into the several judicial circuits;

(2) study the structure and alignment of the Federal Court of Appeals system, with particular reference to the Ninth Circuit; and

(3) report to the President and the Congress its recommendations for such changes in circuit boundaries or structure as may be appropriate for the expeditious and effective disposition of the caseload of the Federal Courts of Appeals, consistent with fundamental concepts of fairness and due process.

SEC. 2. MEMBERSHIP.

(a) **COMPOSITION.**—The Commission shall be composed of 10 members appointed as follows:

(1) One member appointed by the President of the United States.

(2) One member appointed by the Chief Justice of the United States.

(3) Two members appointed by the Majority Leader of the Senate.

(4) Two members appointed by the Minority Leader of the Senate.

(5) Two members appointed by the Speaker of the House of Representatives.

(6) Two members appointed by the Minority Leader of the House of Representatives.

(b) **APPOINTMENT.**—The members of the Commission shall be appointed within 60 days after the date of the enactment of this Act.

(c) **VACANCY.**—Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(d) **CHAIR.**—The Commission shall elect a Chair and Vice Chair from among its members.

(e) **QUORUM.**—Six members of the Commission shall constitute a quorum, but 3 may conduct hearings.

SEC. 3. COMPENSATION.

(a) **IN GENERAL.**—Members of the Commission who are officers, or full-time employees, of the United States shall receive no additional compensation for their services, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission, but not in excess of the maximum amounts authorized under section 456 of title 28, United States Code.

(b) **PRIVATE MEMBERS.**—Members of the Commission from private life shall receive \$200 for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties, but not in excess of the maximum amounts authorized under section 456 of title 28, United States Code.

SEC. 4. PERSONNEL.

(a) **EXECUTIVE DIRECTOR.**—The Commission may appoint an Executive Director who shall receive compensation at a rate not exceeding the rate prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) **STAFF.**—The Executive Director, with the approval of the Commission, may appoint and fix the compensation of such additional personnel as the Executive Director determines necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service or the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. Compensation under this subsection shall not exceed the annual maximum rate of basic pay for a position above GS-15 of the General Schedule under section 5108 of title 5, United States Code.

(c) **EXPERTS AND CONSULTANTS.**—The Executive Director may procure personal services of experts and consultants as authorized by section 3109 of title 5, United States Code, at rates not to exceed the highest level payable under the General Schedule pay rates under section 5332 of title 5, United States Code.

(d) **SERVICES.**—The Administrative Office of the United States Courts shall provide administrative services, including financial and budgeting services to the Commission on a reimbursable basis. The Federal Judicial Center shall provide necessary research services to the Commission on a reimbursable basis.

SEC. 5. INFORMATION.

The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance the Commission determines necessary to carry out its functions under this Act. Each such department, agency, and independent instrumentality is authorized to provide such information and assistance to the extent permitted by law when requested by the Chair of the Commission.

SEC. 6. REPORT.

No later than 18 months following the date on which its sixth member is appointed in accordance with section 2(b), the Commission shall submit its report to the President and the Congress. The Commission shall terminate 90 days after the date of the submission of its report.

SEC. 7. CONGRESSIONAL CONSIDERATION.

No later than 60 days after the submission of the report, the Committees on the Judiciary of the House of Representatives and the Senate shall act on the report.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums, not to exceed \$900,000, as may be necessary to carry out the purposes of this Act. Such sums as are appropriated shall remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from North Carolina [Mr. COBLE] and the gentlewoman from California [Ms. LOFGREN], each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. COBLE].

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

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

There was no objection.

[Mr. COBLE asked and was given permission to revise and extend his remarks.]

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 908, a bill to establish a Commission on Structural Alternatives for the Federal Courts of Appeals.

An amended version of this bill is presented for passage under suspension of the rules. The amendment to the reported bill makes the following changes:

It reduces the time established in the bill, as introduced, in which the commission must come to a conclusion to 18 months from the appointment of the sixth member of the commission as opposed to 2 years from enactment.

Second, due to the reduction in time, funding for the commission is reduced from \$1.3 million to \$900,000, \$500,000 of which has already been appropriated.

And third, the size of the commission will be reduced from 12 members to 10 members with 2 members being appointed by each of the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House, and the minority leader of the House. Additionally the President and the Chief Justice of the Supreme Court will appoint one member each.

H.R. 908 was introduced in response to recurring attempts to divide the largest of the Federal judicial circuits, the ninth.

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However, if properly implemented, the commission proposal represents a sound approach to a problem of national concern, and that is the explosive growth in the caseload of all of the courts of appeals.

The time is right, it seems to me, for a careful, objective study aimed at determining whether that structure can adequately serve the needs of the 21st century. The task of the commission would be to carry out that study.

The proposed commission would be the first of its kind since the Commission on Revision of the Federal Court Appellate System, also known as the Hruska Commission, which completed its work in 1975, or more than two decades ago. Needless to say, dramatic changes have taken place in the work of the Federal courts in those two decades, but there have been no structural alterations except for the division of the old fifth circuit and the creation of the Court of Appeals for the Federal Circuit.

As I have indicated, under the amended version of H.R. 908, the commission will have 18 months to carry out its work. It also includes a requirement that the initial appointments to the commission be made within 60 days of the date of enactment. That will help to assure that the process will not be delayed unduly. The study is a responsible method to evaluate any prospective split in the ninth circuit and is generally overdue.

Now, Mr. Speaker, I want to add as well that this is not to be exclusively restricted to the ninth circuit. This commission, hopefully, will examine the entire system and come back with a recommendation that the commission deems appropriate.

Many people have been involved in this. We have compromised here and there. It was initially designed to be a 2-year study. That has been reduced to 18 months. So many people have given and taken on this, and I think it is, in its present form, a good bill and I urge its passage.

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

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

H.R. 908, as the chairman has just outlined, creates a commission to study the structural alternatives for the Federal appellate court system. With the expanding caseload in our Federal courts, there is concern throughout the Nation and in the circuits, and nowhere has that concern been greater than in the ninth circuit, composed of my home State of California, as well as the States of Oregon, Washington, Idaho, Montana, Nevada, Arizona, Alaska, and Hawaii.

As the chairman has mentioned, increases in the number of filings in the Federal courts have greatly outpaced the growth in the Federal judiciary and has greatly enlarged the caseload of each judge, often to more than manageable levels. As we approach the next century, I think it is entirely appropriate to examine the structure of the Federal judiciary, and I strongly support this legislation.

While it is true that the initial impetus for this bill were proposals to split the ninth circuit, the proposed commission actually has a broader mandate, as the chairman has just outlined, than studying the ninth circuit. In fact, as we enter the 21st century, we need to take a look at the entire range of possibilities.

Certainly the commission could make a recommendation to split one of the circuits, to reconfigure the circuits and the Congress could follow the Commission's recommendation or be free to choose another alternative. But whatever we intend to do, I know that we will be better off with the expert advice that this commission will provide to us. It is always better to have good, thoughtful, expert advice than to simply move forward, especially in dealing with the judiciary.

So I am happy to join the chairman of the committee and my colleagues on

the Committee on the Judiciary in urging support for the passage of this bill.

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

Mr. COBLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. HYDE], the chairman of the House Committee on the Judiciary.

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

Mr. HYDE. Mr. Speaker, I thank the gentleman for yielding me this time. I am strongly in support of H.R. 908. It was reported unanimously by the Committee on the Judiciary and addresses in a comprehensive manner and in a bipartisan manner some of the concerns that exist about the Federal court system.

This bill creates a Commission on Structural Alternatives for the Federal Courts of Appeals. In 1990, the Federal Courts Study Committee that had been created by statute in 1988 concluded the appellate courts were experiencing a crisis of volume. The study committee expressed the view that—

Within as few as 5 years, the Nation would have to decide whether or not to abandon the present circuit structure in favor of an alternative structure that might better organize the more numerous appellate judges needed to grapple with the swollen caseload.

The committee's report presented several structural alternatives, but did not endorse any of them. Instead, it called for further inquiry and discussion. The proposed commission would thus take up where the Federal Court Study Committee left off.

It is important to note that recent statistics reflect the fact that in fiscal 1996, the number of appeals filed in the 12 regional courts of appeals rose 4 percent to 51,991. This is an all-time high in filings, with eight circuits reporting increases. Clearly, this study the committee proposed in H.R. 908 could not be more timely.

The goal of the commission will be to study the entire Federal appellate court system, but, of course, with a particular view toward addressing the problems facing the largest and most diverse circuit we have, the ninth. The bipartisan structure of the commission is designed to guarantee a fair process, give credibility to the commission's recommendations and ensure the integrity of the Federal court system. We cannot subject something as important as the structure of our courts to political gamesmanship or predetermine the commission's recommendations.

Problems do exist in the size and makeup of the ninth circuit, and the committee is convinced that the commission established in this bill will examine these problems in an equitable fashion. The study called for in H.R. 908 is a responsible method to evaluate the structure of the Federal appellate courts and make recommendations that can provide a sound foundation for congressional action in the future, and so I strongly urge my colleagues to vote in favor of H.R. 908.

Mr. COBLE. Mr. Speaker, I yield 2 minutes to the gentleman from Alaska [Mr. YOUNG].

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I want to thank my good friend, the gentleman from North Carolina [Mr. COBLE], for yielding me this time and for working so hard. I do believe I had something to do with this working on a compromise between the gentleman from Montana [Mr. HILL], and of course the chairman of the committee itself.

I strongly support H.R. 908, but I want to talk about the ninth circuit itself. It is an empire. A lot of people do not understand this. It covers a land mass the size of Western Europe, including nine States and two territories. It serves over 15 million people, more than our largest city, larger than New York or Los Angeles. It is a monstrous responsibility, and it is a court that is overburdened at this time.

If I can say another thing about Alaska. Sometimes I think one of the reasons it is overburdened is they take cases that mean very little. We have a highway that we would like to extend 2½ miles, that everybody agrees with in the State of Alaska, including the State itself and all those people in the small community, with a railroad that goes through a tunnel at this time. And because the trustees of Alaska filed a suit, the ninth circuit decided to hold up construction for 6 months.

Now, this is an example of a court being out of touch with the people of America and the people they represent. Not judicially. They had to review.

So I suggest one thing. I would like to split the court. This bill does not do that. I am the extreme. I think the court should be split at this time so it serves the people as a whole, not to guard massive cities. But I cannot do this.

So this bill right now is a compromise to set up the commission to establish what I think they will find out, that I am correct, that the court should be split. It is the right thing, and I urge the passage of this legislation.

Mr. COBLE. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. HILL].

Mr. HILL. Mr. Speaker, I rise today in strong support of House Resolution 908, and I want to thank particularly the gentleman from Illinois [Mr. HYDE] and the gentleman from North Carolina [Mr. COBLE] and their staffs for their work in bringing this revised version of House Resolution 908 to the floor. I especially want to thank the gentleman from North Carolina for accommodating my concerns and the people of Montana.

Mr. Speaker, justice delayed is justice denied. We need to study the problems of the Ninth Circuit Court and address the concerns that Montanans have expressed to me, that they are not obtaining the same level of judicial

consideration as residents of other circuits.

Considering the size of the circuit, the Ninth Circuit is comprised not only of Montana but eight other States and two principalities. The Ninth Circuit Court is about twice the size of the next circuit court in both population and geography. The caseload is among the highest. It is the fastest growing area of the Nation and the time to complete an average appeal is more than 14 months, which is 4 months longer than the national average. Its 28 judges are about twice the recommended number for an appellate court.

Mr. Speaker, I have worked hard and will continue to work with other Members of Congress to address this problem. The sooner we study the problems of the Ninth Circuit Court, the sooner Montanans' justice will be neither denied nor delayed.

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

Mr. Speaker, I am pleased that although there may be at this point different hunches on how we are going to go, there is unanimity that this bill before us today should be supported and will yield good and thoughtful answers to the Congress as we struggle to make our appellate court system work very well for all Americans.

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

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from North Carolina [Mr. COBLE] that the House suspend the rules and pass the bill, H.R. 908, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT ACT OF 1997

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1420) to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1420

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "National Wildlife Refuge System Improvement Act of 1997".

(b) REFERENCES.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be con-

sidered to be made to a section or provision of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The National Wildlife Refuge System is comprised of over 92,000,000 acres of Federal lands that have been incorporated within 509 individual units located in all 50 States and the territories of the United States.

(2) The System was created to conserve fish, wildlife, and plants and their habitats and this conservation mission has been facilitated by providing Americans opportunities to participate in compatible wildlife-dependent recreation, including fishing and hunting, on System lands and to better appreciate the value of and need for fish and wildlife conservation.

(3) The System serves a pivotal role in the conservation of migratory birds, anadromous and interjurisdictional fish, marine mammals, endangered and threatened species, and the habitats on which these species depend.

(4) The System assists in the fulfillment of important international treaty obligations of the United States with regard to fish, wildlife, and plants and their habitats.

(5) The System includes lands purchased not only through the use of tax dollars but also through the proceeds from sales of Duck Stamps and national wildlife refuge entrance fees. It is a System that is financially supported by those benefiting from and utilizing it.

(6) When managed in accordance with principles of sound fish and wildlife management and administration, fishing, hunting, wildlife observation, and environmental education in national wildlife refuges have been and are expected to continue to be generally compatible uses.

(7) On March 25, 1996, the President issued Executive Order 12996, which recognized "compatible wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation as priority public uses of the Refuge System".

(8) Executive Order 12996 is a positive step and serves as the foundation for the permanent statutory changes made by this Act.

SEC. 3. DEFINITIONS.

(a) IN GENERAL.—Section 5 (16 U.S.C. 668ee) is amended to read as follows:

"SEC. 5. DEFINITIONS.

"For purposes of this Act:

"(1) The term 'compatible use' means a use of a refuge that, in the sound professional judgment of the Director, will not materially interfere with or detract from the fulfillment of the mission of the System or the purposes of the refuge.

"(2) The terms 'wildlife-dependent recreation' and 'wildlife-dependent recreational use' mean a use of a refuge involving hunting, fishing, wildlife observation and photography, or environmental education and interpretation.

"(3) The term 'sound professional judgment' means a finding, determination, or decision that is consistent with principles of sound fish and wildlife management and administration, available science and resources, and adherence to the requirements of this Act and other applicable laws.

"(4) The terms 'conserving', 'conservation', 'manage', 'managing', and 'management', mean to sustain and, where appropriate, restore and enhance, healthy populations of fish, wildlife, and plants utilizing, in accordance with applicable Federal and State laws, methods and procedures associated with modern scientific resource programs. Such methods and procedures include, consistent

with the provisions of this Act, protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and regulated taking.

"(5) The term 'Coordination Area' means a wildlife management area that is made available to a State—

"(A) by cooperative agreement between the United States Fish and Wildlife Service and a State agency having control over wildlife resources pursuant to section 4 of the Fish and Wildlife Coordination Act (16 U.S.C. 664); or

"(B) by long-term leases or agreements pursuant to title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525; 7 U.S.C. 1010 et seq.).

"(6) The term 'Director' means the Director of the United States Fish and Wildlife Service or a designee of that Director.

"(7) The terms 'fish', 'wildlife', and 'fish and wildlife' mean any wild member of the animal kingdom whether alive or dead, and regardless of whether the member was bred, hatched, or born in captivity, including a part, product, egg, or offspring of the member.

"(8) The term 'person' means any individual, partnership, corporation, or association.

"(9) The term 'plant' means any member of the plant kingdom in a wild, unconfined state, including any plant community, seed, root, or other part of a plant.

"(10) The terms 'purposes of the refuge' and 'purposes of each refuge' mean the purposes specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit.

"(11) The term 'refuge' means a designated area of land, water, or an interest in land or water within the System, but does not include Coordination Areas.

"(12) The term 'Secretary' means the Secretary of the Interior.

"(13) The terms 'State' and 'United States' mean the several States of the United States, Puerto Rico, American Samoa, the Virgin Islands, Guam, and the territories and possessions of the United States.

"(14) The term 'System' means the National Wildlife Refuge System designated under section 4(a)(1).

"(15) The terms 'take', 'taking', and 'taken' mean to pursue, hunt, shoot, capture, collect, or kill, or to attempt to pursue, hunt, shoot, capture, collect, or kill."

(b) CONFORMING AMENDMENT.—Section 4 (16 U.S.C. 668dd) is amended by striking "Secretary of the Interior" each place it appears and inserting "Secretary".

SEC. 4. MISSION OF THE SYSTEM.

Section 4(a) (16 U.S.C. 668dd(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively;

(2) in clause (i) of paragraph (6) (as so redesignated), by striking "paragraph (2)" and inserting "paragraph (5)"; and

(3) by inserting after paragraph (1) the following new paragraph:

"(2) The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

SEC. 5. ADMINISTRATION OF THE SYSTEM.

(a) ADMINISTRATION GENERALLY.—Section 4(a) (16 U.S.C. 668dd(a)), as amended by section 4 of this Act, is further amended by inserting after new paragraph (2) the following new paragraphs:

“(3) With respect to the System, it is the policy of the United States that—

“(A) each refuge shall be managed to fulfill the mission of the System, as well as the specific purposes for which that refuge was established;

“(B) compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the System, directly related to the mission of the System and the purposes of many refuges, and which generally fosters refuge management and through which the American public can develop an appreciation for fish and wildlife;

“(C) compatible wildlife-dependent recreational uses are the priority general public uses of the System and shall receive priority consideration in refuge planning and management; and

“(D) when the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated, subject to such restrictions or regulations as may be necessary, reasonable, and appropriate.

“(4) In administering the System, the Secretary shall—

“(A) provide for the conservation of fish, wildlife, and plants, and their habitats within the System;

“(B) ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans;

“(C) plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System, to contribute to the conservation of the ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public;

“(D) ensure that the mission of the System described in paragraph (2) and the purposes of each refuge are carried out, except that if a conflict exists between the purposes of a refuge and the mission of the System, the conflict shall be resolved in a manner that first protects the purposes of the refuge, and, to the extent practicable, that also achieves the mission of the System;

“(E) ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the States in which the units of the System are located;

“(F) assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the System and the purposes of each refuge;

“(G) acquire, under State law, water rights that are needed for refuge purposes;

“(H) recognize compatible wildlife-dependent recreational uses as the priority general public uses of the System through which the American public can develop an appreciation for fish and wildlife;

“(I) ensure that opportunities are provided within the System for compatible wildlife-dependent recreational uses;

“(J) ensure that priority general public uses of the System receive enhanced consideration over other general public uses in planning and management within the System;

“(K) provide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities, such as fishing and hunting;

“(L) continue, consistent with existing laws and interagency agreements, authorized or permitted uses of units of the System by other Federal agencies, including those nec-

essary to facilitate military preparedness; and

“(M) ensure timely and effective cooperation and collaboration with Federal agencies and State fish and wildlife agencies during the course of acquiring and managing refuges.”.

(b) POWERS.—Section 4(b) (16 U.S.C. 668dd(b)) is amended—

(1) in the matter preceding paragraph (1) by striking “authorized—” and inserting “authorized to take the following actions:”;

(2) in paragraph (1) by striking “to enter” and inserting “Enter”;

(3) in paragraph (2)—

(A) by striking “to accept” and inserting “Accept”; and

(B) by striking “, and” and inserting a period;

(4) in paragraph (3) by striking “to acquire” and inserting “Acquire”; and

(5) by adding at the end the following new paragraphs:

“(4) Subject to standards established by and the overall management oversight of the Director, and consistent with standards established by this Act, to enter into cooperative agreements with State fish and wildlife agencies for the management of programs on a refuge.

“(5) Issue regulations to carry out this Act.”.

SEC. 6. COMPATIBILITY STANDARDS AND PROCEDURES.

Section 4(d) (16 U.S.C. 668dd(d)) is amended by adding at the end the following new paragraphs:

“(3)(A)(i) Except as provided in clause (iv), the Secretary shall not initiate or permit a new use of a refuge or expand, renew, or extend an existing use of a refuge, unless the Secretary has determined that the use is a compatible use and that the use is not inconsistent with public safety. The Secretary may make the determinations referred to in this paragraph for a refuge concurrently with development of a conservation plan under subsection (e).

“(ii) On lands added to the System after March 25, 1996, the Secretary shall identify, prior to acquisition, withdrawal, transfer, reclassification, or donation of any such lands, existing compatible wildlife-dependent recreational uses that the Secretary determines shall be permitted to continue on an interim basis pending completion of the comprehensive conservation plan for the refuge.

“(iii) Wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Except for consideration of consistency with State laws and regulations as provided for in subsection (m), no other determinations or findings are required to be made by the refuge official under this Act or the Refuge Recreation Act for wildlife-dependent recreation to occur.

“(iv) Compatibility determinations in existence on the date of enactment of the National Wildlife Refuge System Improvement Act of 1997 shall remain in effect until and unless modified.

“(B) Not later than 24 months after the date of the enactment of the National Wildlife Refuge System Improvement Act of 1997, the Secretary shall issue final regulations establishing the process for determining under subparagraph (A) whether a use of a refuge is a compatible use. These regulations shall—

“(i) designate the refuge official responsible for making initial compatibility determinations;

“(ii) require an estimate of the timeframe, location, manner, and purpose of each use;

“(iii) identify the effects of each use on refuge resources and purposes of each refuge;

“(iv) require that compatibility determinations be made in writing;

“(v) provide for the expedited consideration of uses that will likely have no detrimental effect on the fulfillment of the purposes of a refuge or the mission of the System;

“(vi) provide for the elimination or modification of any use as expeditiously as practicable after a determination is made that the use is not a compatible use;

“(vii) require, after an opportunity for public comment, reevaluation of each existing use, other than those uses specified in clause (viii), if conditions under which the use is permitted change significantly or if there is significant new information regarding the effects of the use, but not less frequently than once every 10 years, to ensure that the use remains a compatible use;

“(viii) require, after an opportunity for public comment, reevaluation of each compatible wildlife-dependent recreational use when conditions under which the use is permitted change significantly or if there is significant new information regarding the effects of the use, but not less frequently than in conjunction with each preparation or revision of a conservation plan under subsection (e) or at least every 15 years, whichever is earlier; and

“(ix) provide an opportunity for public review and comment on each evaluation of a use, unless an opportunity for public review and comment on the evaluation of the use has already been provided during the development or revision of a conservation plan for the refuge under subsection (e) or has otherwise been provided during routine, periodic determinations of compatibility for wildlife-dependent recreational uses.

“(4) The provisions of this Act relating to determinations of the compatibility of a use shall not apply to—

“(A) overflights above a refuge; and

“(B) activities authorized, funded, or conducted by a Federal agency (other than the United States Fish and Wildlife Service) which has primary jurisdiction over a refuge or a portion of a refuge, if the management of those activities is in accordance with a memorandum of understanding between the Secretary or the Director and the head of the Federal agency with primary jurisdiction over the refuge governing the use of the refuge.”.

SEC. 7. REFUGE CONSERVATION PLANNING PROGRAM.

(a) IN GENERAL.—Section 4 (16 U.S.C. 668dd) is amended—

(1) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(2) by inserting after subsection (d) the following new subsection:

“(e)(1)(A) Except with respect to refuge lands in Alaska (which shall be governed by the refuge planning provisions of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.)), the Secretary shall—

“(i) propose a comprehensive conservation plan for each refuge or related complex of refuges (referred to in this subsection as a ‘planning unit’) in the System;

“(ii) publish a notice of opportunity for public comment in the Federal Register on each proposed conservation plan;

“(iii) issue a final conservation plan for each planning unit consistent with the provisions of this Act and, to the extent practicable, consistent with fish and wildlife conservation plans of the State in which the refuge is located; and

“(iv) not less frequently than 15 years after the date of issuance of a conservation plan under clause (iii) and every 15 years thereafter, revise the conservation plan as may be necessary.

“(B) The Secretary shall prepare a comprehensive conservation plan under this subsection for each refuge within 15 years after the date of enactment of the National Wildlife Refuge System Improvement Act of 1997.

“(C) The Secretary shall manage each refuge or planning unit under plans in effect on the date of enactment of the National Wildlife Refuge System Improvement Act of 1997, to the extent such plans are consistent with this Act, until such plans are revised or superseded by new comprehensive conservation plans issued under this subsection.

“(D) Uses or activities consistent with this Act may occur on any refuge or planning unit before existing plans are revised or new comprehensive conservation plans are issued under this subsection.

“(E) Upon completion of a comprehensive conservation plan under this subsection for a refuge or planning unit, the Secretary shall manage the refuge or planning unit in a manner consistent with the plan and shall revise the plan at any time if the Secretary determines that conditions that affect the refuge or planning unit have changed significantly.

“(2) In developing each comprehensive conservation plan under this subsection for a planning unit, the Secretary, acting through the Director, shall identify and describe—

“(A) the purposes of each refuge comprising the planning unit;

“(B) the distribution, migration patterns, and abundance of fish, wildlife, and plant populations and related habitats within the planning unit;

“(C) the archaeological and cultural values of the planning unit;

“(D) such areas within the planning unit that are suitable for use as administrative sites or visitor facilities;

“(E) significant problems that may adversely affect the populations and habitats of fish, wildlife, and plants within the planning unit and the actions necessary to correct or mitigate such problems; and

“(F) opportunities for compatible wildlife-dependent recreational uses.

“(3) In preparing each comprehensive conservation plan under this subsection, and any revision to such a plan, the Secretary, acting through the Director, shall, to the maximum extent practicable and consistent with this Act—

“(A) consult with adjoining Federal, State, local, and private landowners and affected State conservation agencies; and

“(B) coordinate the development of the conservation plan or revision with relevant State conservation plans for fish and wildlife and their habitats.

“(4)(A) In accordance with subparagraph (B), the Secretary shall develop and implement a process to ensure an opportunity for active public involvement in the preparation and revision of comprehensive conservation plans under this subsection. At a minimum, the Secretary shall require that publication of any final plan shall include a summary of the comments made by States, owners of adjacent or potentially affected land, local governments, and any other affected persons, and a statement of the disposition of concerns expressed in those comments.

“(B) Prior to the adoption of each comprehensive conservation plan under this subsection, the Secretary shall issue public notice of the draft proposed plan, make copies of the plan available at the affected field and regional offices of the United States Fish and Wildlife Service, and provide opportunity for public comment.”.

SEC. 8. EMERGENCY POWER; STATE AUTHORITY; WATER RIGHTS; COORDINATION.

(a) IN GENERAL.—Section 4 (16 U.S.C. 668dd) is further amended by adding at the end the following new subsections:

“(k) Notwithstanding any other provision of this Act, the Secretary may temporarily suspend, allow, or initiate any activity in a refuge in the System if the Secretary determines it is necessary to protect the health and safety of the public or any fish or wildlife population.

“(l) Nothing in this Act shall be construed to authorize the Secretary to control or regulate hunting or fishing of fish and resident wildlife on lands or waters that are not within the System.

“(m) Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations in any area within the System. Regulations permitting hunting or fishing of fish and resident wildlife within the System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans.

“(n)(1) Nothing in this Act shall—

“(A) create a reserved water right, express or implied, in the United States for any purpose;

“(B) affect any water right in existence on the date of enactment of the National Wildlife Refuge System Improvement Act of 1997; or

“(C) affect any Federal or State law in existence on the date of the enactment of the National Wildlife Refuge System Improvement Act of 1997 regarding water quality or water quantity.

“(2) Nothing in this Act shall diminish or affect the ability to join the United States in the adjudication of rights to the use of water pursuant to the McCarran Act (43 U.S.C. 666).

“(o) Coordination with State fish and wildlife agency personnel or with personnel of other affected State agencies pursuant to this Act shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).”.

(b) CONFORMING AMENDMENT.—Section 4(c) (16 U.S.C. 668dd(c)) is amended by striking the last sentence.

SEC. 9. STATUTORY CONSTRUCTION WITH RESPECT TO ALASKA.

(a) IN GENERAL.—Nothing in this Act is intended to affect—

(1) the provisions for subsistence uses in Alaska set forth in the Alaska National Interest Lands Conservation Act (Public Law 96-487), including those in titles III and VIII of that Act;

(2) the provisions of section 102 of the Alaska National Interest Lands Conservation Act, the jurisdiction over subsistence uses in Alaska, or any assertion of subsistence uses in Alaska in the Federal courts; and

(3) the manner in which section 810 of the Alaska National Interest Lands Conservation Act is implemented in national wildlife refuges in Alaska.

(b) CONFLICTS OF LAWS.—If any conflict arises between any provision of this Act and any provision of the Alaska National Interest Lands Conservation Act, then the provision in the Alaska National Interest Lands Conservation Act shall prevail.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska [Mr. YOUNG] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, as the chief sponsor of this legislation,

I am pleased that the House is now considering H.R. 1420, a bill that will modernize the National Wildlife Refuge System Administration Act of 1966.

When I began this effort over 2 years ago, my goal was to enact an organic law that would ensure a bright future for our Nation's 92 million-acre refuge system. Our objectives also included creation of a statutory shield to ensure that hunting and fishing and other forms of wildlife dependent recreation could continue within the system and to facilitate those traditional activities, where compatible, with conservation. In my judgment, this legislation will accomplish these goals.

H.R. 1420 is the product of many long hours of thoughtful negotiations between the Department of the Interior, and I want to stress that, between the Department of the Interior, the original cosponsor of the bill, the staff of the gentleman from California, Mr. MILLER, and those representing the hunting, conservation, and environmental communities. In particular, I want to compliment Secretary Bruce Babbitt for his personal commitment to this effort and for hosting these discussions. This process could well serve as a model to resolve other legislative differences.

I would also like to thank my good friend, I just noticed he was on the floor, I do not know where he went, the gentleman from Michigan [Mr. DINGELL], who was the father of the refuges. He worked very hard with me over the years developing these refuges and the refuge system itself. Without his leadership, I doubt if this could have taken place. And again I want to thank the staff for participating because they worked very hard.

But H.R. 1420 is not a perfect bill. It is not everything I wanted. I want to stress it is a compromise that has been endorsed by the Clinton administration and with such diverse groups as the Izaak Walton League, the National Rifle Association, the International Association of Fish and Wildlife Agencies, Safari Club International, Wildlife Legislative Fund of America, and the Wildlife Management Institute. I want to stress that these people support this legislation.

The major components of this new bill are that it statutorily defines the term “compatible use.” While the refuge manager will retain the power to determine what is compatible, this language should provide the necessary guidance to make the proper decision.

□ 1445

It defines the term “wildlife dependent recreation” to mean hunting, fishing, wildlife observation and photography, or environmental education and interpretation and expressly recognizes these as priority uses of the system. This bill neither mandates nor prohibits such nonwildlife-dependent activities such as grazing, jet skiing, or oil and gas development.

The bill will establish for the first time a mission for our Nation's 509

wildlife refuges. This statement stipulates that the mission of the system is to administer a national network of lands and waters for the conservation, management and, where appropriate, the restoration of fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans.

When administering the system, it is the policy of the United States that compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the system and will be given priority consideration in refuge planning and management. In addition, the Secretary is directed to ensure that opportunities are provided for compatible wildlife-dependent recreational activities within the refuge system.

Finally, Congress finds that these activities, including hunting and fishing, have been and are expected to be generally compatible with the mission of the system and purposes of the refuges.

The legislation contains an important requirement that the U.S. Fish and Wildlife Service make a determination, prior to land acquisition, whether existing wildlife-dependent uses may continue during the implementation of a management plan. By so doing, the citizens will know up front whether their favorite fishing and hunting spots will remain open and, if they are unhappy with the decision, they can lobby their congressman prior to the acquisition of the proposed refuge land.

H.R. 1420 requires the completion of a conservation plan for each of the 509 refuges within 15 years of the date of enactment. We should know what kind of natural or wildlife resources exist on these refuges.

Finally, this bill contains language that ensures that the act will not affect Federal, State, or local water rights and will not affect the Alaska National Interest Lands Conservation Act. The key fundamental change between this legislation and H.R. 511 is the deletion of the six systemwide purposes. Under this compromise measure, the hierarchical structure will be the conservation mission of the system, the purposes of each individual refuge unit, compatible wildlife-dependent recreational uses, and then nonwildlife-dependent activities.

While States will retain primacy over the management of fish and wildlife, the mission of the refuge system will be satisfied and individuals will have an opportunity to enjoy compatible wildlife-dependent recreation. After all, it is the American people who have helped to pay for the acquisition of the 92 million acres of Federal refuge lands with their hard-earned tax dollars.

In the final analysis, this is a sound piece of conservation legislation that is true to the legacy of Theodore Roosevelt and reaffirms the vision of the National Wildlife Refuge System Administration Act of 1966.

I urge an "aye" vote on H.R. 1420, and again I want to thank all my col-

leagues that were involved directly in this legislation.

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

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

Mr. Speaker, I am pleased to rise in support of H.R. 1420. This compromise clearly establishes the conservation mission of the National Wildlife Refuge System while ensuring the compatible wildlife-dependent recreation continues to have a place within the system as well. It requires that all uses of the system meet the same objective tests of compatibility.

If and when hunting, bird watching, or other forms of wildlife-dependent recreation are found compatible with wildlife conservation, they are given priority treatment over nonwildlife-dependent uses of the system. This is a sound policy that ensures conservation is paramount, while providing maximum opportunities for compatible wildlife-dependent recreation for the public. Our job here is to provide a good blueprint for managing the refuge system and let the wildlife management professional take it from there. This bill does that. We should pass it and let the professional get back to work.

Mr. Speaker, H.R. 1420 is a good example of bipartisanship, perhaps more appropriately, nonpartisanship. I want to commend Secretary Babbitt, the gentleman from Alaska [Mr. YOUNG], the gentleman from New Jersey [Mr. SAXTON], the gentleman from California [Mr. MILLER], the ranking member, and the gentleman from Michigan [Mr. DINGELL], who is here, as mentioned by the gentleman from Alaska [Mr. YOUNG], and the various interest groups for all their hard work in crafting legislation that satisfies a diversity of needs while preserving a fundamental mission of the system.

Mr. Speaker, I might say that that lineup of people that I just enumerated is a living example of diversity of needs while preserving the fundamental mission of the House of Representatives.

Perhaps we can apply the same approach to address the backlog of management needs plaguing our wildlife refuges. If the refuge system had adequate resources, the various user groups might not be fighting each other so much over access and management decisions. The House's adoption of this legislation today is a significant step forward in recognizing the importance of wildlife refuges and addressing their problems.

I urge, as the gentleman from Alaska [Mr. YOUNG] did, all of our colleagues to support the bill.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

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

Mr. Speaker, I rise in support of H.R. 1420, the bill known as the National Wildlife Refuge System Improvement Act. Mr. Speaker, as my colleagues may know, when I held the first hearing on the first version of the bill before the Fisheries Conservation, Wildlife and Oceans Subcommittee, it sparked a lively debate and was quite contentious. Nevertheless, all witnesses agreed that the problems of the refuge system needed to be addressed.

When I suggested that the differing parties should work together to find a common solution, I would not have guessed that these discussions would culminate in legislation supported by such a diverse group of environmental and hunting organizations as we have found support this bill today.

Today we have before us a bill that is supported by Secretary of the Interior, Bruce Babbitt, the gentleman from Alaska [Mr. YOUNG], chairman of the Resources Committee, the gentleman from California [Mr. MILLER], the ranking member, the gentleman from Hawaii [Mr. ABERCROMBIE], the ranking member of the Fish, Conservation, Wildlife and Oceans Subcommittee, the gentleman from Michigan [Mr. DINGELL], ranking member of the Energy and Commerce Committee, Members of both sides of the aisle, and the administration.

In my view, Mr. Speaker, this is exactly the kind of process that we ought to have in the House to solve problems that are unique and of importance to the American people and the habitat in which wildlife survives. This compromise legislation, which the gentleman from Alaska [Mr. YOUNG] has so eloquently described, contains a provision that I believe is the linchpin to continuing public support for the refuge system.

As the law currently stands, as soon as refuge lands are acquired, the door to public use is immediately slammed shut. The many hunters, fishers, birders, and environmental groups that have been using the land for recreation and education have worked hard to preserve the land and then are prevented from further use. No sound conservation reason can explain this and prevent them from using it.

I have urged for years that this action erodes public support and creates unnecessary ill feelings toward the refuge system and its managers. The bill eliminates this unnecessary situation. It will require the U.S. Fish and Wildlife Service to make a determination prior to land acquisition whether existing wildlife-dependent uses may continue during the implementation of a management plan. In other words, the door does not slam shut.

By so doing, citizens will know up front whether their favorite fishing or hunting spots will remain open. And if they are unhappy with that decision or that proposal, they can lobby their congressional Representative prior to the acquisition of refuge lands. I believe that retaining some modicum of

control will keep the public support of refuges high and decrease hard feelings between users and land managers.

Mr. Speaker, during his opening statement, the gentleman from Alaska [Mr. YOUNG] made reference to a number of groups that support this bill. I would like to add to that list the National Wildlife Federation, who say in the letter drafted and dated May 29, "The negotiations by your staff," referring to the gentleman from Alaska [Mr. YOUNG], "with the Clinton administration and Members of Congress have resulted in a carefully crafted proposal with broad support. We support H.R. 1420." That is the National Wildlife Federation.

Mr. Speaker, this is not an all-encompassing bill. It is probably not perfect. Few things, if any, that we do here are. There are undoubtedly future changes that will be made to the management of the refuge system. This, however, is a huge step in the right direction.

I again want to thank all the Members and staff, specifically Sharon McKean, Harry Burroughs, Chris Mann, Don Beattie, Dan Ashe and others, who worked so hard to bring this compromise legislation before the House. And I, of course, urge all Members to support it.

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

NATIONAL WILDLIFE FEDERATION,
Vienna, VA, May 29, 1997.

Hon. DON YOUNG,
Chairman, House Resources Committee, U.S.
House of Representatives, Washington, DC.

DEAR CHAIRMAN YOUNG: I am writing to thank you for your recent efforts on H.R. 1420, the National Wildlife Refuge Administration Act of 1997. The National Wildlife Refuge System and its proper management have long been of special interest to the National Wildlife Federation (NWF). Your willingness to address many of the concerns we had with the original version of the bill, H.R. 511, is greatly appreciated.

The negotiations by your staff with the Clinton Administration and Members of Congress have resulted in a carefully crafted proposal with broad support. We support H.R. 1420 provided that no weakening amendments are made to the bill as it moves through the legislative process. We appreciate and support your vigorous opposition to any such weakening amendments, as indicated by your staff (Harry Burroughs, conversation with Doug Inkley, May 29, 1997). We look forward to House approval of H.R. 1420 next week.

Sincerely,

MARK VAN PUTTEN,
President.

Mr. ABERCROMBIE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I thank the gentleman from Hawaii [Mr. ABERCROMBIE], my good friend, for yielding me the time, and I want to commend him and thank him for his work on behalf of this piece of legislation. He is a valuable Member of this body and I am indeed grateful to him.

Mr. Speaker, I want to, first of all, urge my colleagues to support this leg-

islation. It is a fine piece of legislation. It is a strong piece of legislation. It will protect one of the Nation's most precious resources, our national wildlife refuge system, hundreds of areas, and millions of acres, and they will be protected for the future, but they will be under wise use.

My colleagues might perhaps wonder why I rise here today. My first reason is to commend my colleagues who have participated in this, the gentleman from Alaska [Mr. YOUNG], my dear friend of long standing, the chairman of the committee, the gentleman from New Jersey [Mr. SAXTON], my good friend, the gentleman from Hawaii [Mr. ABERCROMBIE], the gentleman from California [Mr. MILLER], the ranking minority member of the committee, and the very fine staffs of all of us, including Dan Beattie from my staff, who participated in the work that made this possible.

I also want to rise to commend the Secretary of the Interior, Mr. Babbitt, who worked so hard and so well on this battle. And it is probably with some surprise that all of us who participated in these discussions find that we have accomplished the remarkable task of bringing this legislation to the floor. It is indeed remarkable because there were great differences that existed as we went through the business.

The legislation is good. It is a successor piece of legislation to the Refuge Administration Act, which years ago, when I was chairman of the Subcommittee on Fisheries and Wildlife Conservation of the old Merchant Marine and Fisheries Committee, on which my good friend, the chairman of the Committee on Natural Resources served at that time. I want to say that we were very proud of the good work that we did in those great days, as we are proud of the work that we do today.

The legislation protects hunting, it protects wise use, it sees to it that the refuges both insofar as their habitat and their area are protected. It also sees to it that the wildlife species, which are so precious and so important and which are the reason for the existence of the refuge system, achieve the full and necessary protection which they must have.

The bill expands the National Wildlife Refuge System Act of 1966 by providing a strong mission statement for the system and by ensuring that each refuge is managed in a way that fulfills the mission of the system and the purpose for which the refuge was created. It provides in this strong statement the following language: "To administer national networks of lands and waters for the conservation, management and where appropriate the restoration of fish, wildlife, and plant resources and their habitats with the United States for the benefit of the present and future generations of Americans." It directs the service to implement conservation plans and to determine the compatibility of activities on the refuge and gives protection to compatible

wildlife-dependent activities, like hunting.

And I would remind all my colleagues and everybody in and outside this body that it was the hunters who set up and who maintained and who preserved, protected, and funded the wildlife refuge system, and it is the hunter with his small contribution of one duck stamp each hunting season that makes possible the continued acquisition of land for the precious purpose of protecting this system.

I hope that my colleagues will recognize that this is good, sound, necessary legislation, and I hope that they will recognize that many of the important wildlife and hunting organizations support this: the Wildlife Legislative Fund, the National Wildlife Federation, the National Rifle Association, the Safari Club International, and by my colleagues who work here constantly on behalf of conservation, my colleagues and friends in the Congressional Sportsmen's Caucus.

I do want to say one particular word about the gentleman from Alaska [Mr. YOUNG], my good friend. I know he had strong differences with the Secretary early on, and I know the Secretary had strong differences with my colleague. The two came together in a fashion which does credit not only to them but to this institution and to their respective responsibilities.

I am proud to have had a little bit to do with the adoption of this legislation. I want to urge my colleagues to support the legislation, which brings viability and health to 92 million acres of the refuge system, which is one of the greatest national treasures in the possession of this country.

□ 1500

Mr. ABERCROMBIE. Mr. Speaker, I yield the balance of my time to the gentleman from American Samoa [Mr. FALEOMAVAEGA], and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. I thank the gentleman for yielding me this time.

Mr. Speaker, I neglected to mention the person who worked very closely with me over the past couple of years in preparing for today, and that, of course, is Sharon McKenna, one of the staffers on the Resources Committee who is here with me today. I just wanted to thank her so very much for all the hard work that she has done in preparation for today as well.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FORBES].

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

Mr. FORBES. Mr. Speaker, I thank the distinguished gentleman for yielding me this time to rise in support of this very important legislation. I thank him for his stewardship of this very important issue and, of course, our ranking member of the committee, in fact, the entire committee and the professional staff, for making possible this very important legislation.

H.R. 1420 will finally, after 40 years, give the National Wildlife Refuge System a mission, a central mission for the Nation's 509 wildlife refuges. It will make wildlife conservation the primary purpose of all refuges, and finally give the Fish and Wildlife Service a directive in how to best manage this precious resource.

It also allows important secondary uses, very important, such as hunting and fishing, to continue on refuges as long as they are compatible with the primary purpose of the refuge, wildlife conservation. My good friend from Michigan just a moment ago noted that it was sportsmen conservationists, original conservationists that made possible this setting aside of precious lands.

I thank the committee, and particularly the chairman and the ranking member, for their leadership on this important issue.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, the gentleman from Florida [Mr. GOSS] has brought some questions to my attention which I would like to discuss with the chairman of the committee at this time.

I have a few questions I would like to address to the chairman about the potential effects of the bill on the utility and other rights-of-way and related facilities within the Nation's wildlife refuges. Current law expressly allows such rights-of-way when they are determined to be compatible with the purposes for which the refuge was established. In many cases electricity and other rights-of-way and related facilities provide additional valuable habitat for our Nation's wildlife.

Current Fish and Wildlife Service regulations specify a 50-year permit term for rights-of-way for electrical transmission lines, recognizing that the siting process for such lines is lengthy, complex, and costly. H.R. 1420 requires that the Fish and Wildlife Service review the compatibility for all uses at least every 10 years. Does the gentleman envision this requirement as adversely impacting either existing rights-of-way or the Service's ability to grant future rights-of-way across the refuge?

Mr. YOUNG of Alaska. If the gentleman will yield, the enactment of H.R. 1420 should not impact these rights-of-way. As the gentleman has noted, rights-of-way on refuges are granted by the Fish and Wildlife Service under provisions of the existing Na-

tional Wildlife Refuge System Administration Act, provisions which are not amended by this bill. That act requires the Service to first determine that the proposed right-of-way is compatible with the purposes for which the refuge was established.

This bill utilizes the same definitions of compatibility that the Service has used administratively for many years. Its enactment will create no higher standard for rights-of-way than exist at present. We are changing the process by which decisions are made, not the standard which is used to make them.

The Fish and Wildlife Service accompanies rights-of-way permits with terms and conditions necessary to ensure that the right-of-way remains compatible. What would be examined under the 10-year review required by this bill is the compliance with the terms and conditions of the permit, not the existence of the right-of-way. The Fish and Wildlife Service does this now. The only change would be in the process by which the review is conducted. There would be no adverse impacts on electrical or other rights-of-way through this review.

Mr. SAXTON. I understand that the U.S. Fish and Wildlife Service was consulted on this issue and agrees with the gentleman's assessment. Is that correct?

Mr. YOUNG of Alaska. The gentleman is absolutely correct.

Mr. SAXTON. I thank the gentleman.

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

I certainly want to commend the gentleman from Alaska, the chief sponsor of this legislation, for his leadership and certainly for his patience in getting the bipartisan support of this important piece of legislation. I thank also the gentleman from New Jersey, the chairman of the subcommittee, for bringing this legislation to the floor for consideration.

I have no further speakers at this time, Mr. Speaker, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in my opening statement I forgot to mention that the gentleman from Michigan [Mr. DINGELL] and myself have worked many, many years on refuge legislation. We watched the support for refuges grow in this country because we wanted to leave a legacy of hunting and fishing, the heritage of this country, to our young people. We were able to do that through our actions in the past and this is just an attempt to make sure that continues. I urge a strong aye vote on this legislation.

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

Mr. TANNER. Mr. Speaker, it is a pleasure to be here today to talk about H.R. 1420. I appreciate the gentleman yielding me this time.

Today's vote on the National Wildlife Refuge System Improvement Act is a simple one as we mark National Fishing Week. The road we have taken to establish this common sense compromise for the future management of our Nation's valuable National Wildlife Refuge System is one that should be followed more often.

The gentleman from Alaska [Mr. YOUNG], our committee chairman, Interior Secretary Bruce Babbitt, the gentleman from Michigan [Mr. DINGELL], the gentleman from New Jersey [Mr. SAXTON], and the gentleman from California [Mr. MILLER] should all be commended for their energy and resolve in reaching this consensus agreement. Equally important are the nongovernmental organizations, including the International Association of Fish and Wildlife Agencies, the Safari Club International, the Wildlife Management Institute, the Izaak Walton League, the Wildlife Legislative Fund of America, the National Wildlife Federation, and the National Rifle Association. All have made significant contributions to the process that brings us here today.

I want to particularly thank the gentleman from Alaska [Mr. YOUNG], the gentleman from Michigan [Mr. DINGELL], the gentleman from American Samoa [Mr. FALEOMAVAEGA], the gentleman from California [Mr. MILLER], Secretary Babbitt and all the other citizens who have put into this process a positive way to achieve a consensus on the future care of our important natural resources.

Given that, I would urge the other body to move legislation similar if not identical to H.R. 1420, so that we can fairly quickly get a bipartisan, broadly supported piece of legislation to the President for his signature.

I would like to remind everyone that the future of our Nation's 509 national wildlife refuges is at a critical juncture given the system's 100th anniversary in 6 short years. This legislation's focus on conservation, compatible uses such as hunting, fishing, and wildlife observation, and general management practices for the system marks a significant step forward in the care and maintenance of our refuge system.

Mr. HERGER. Mr. Speaker, I strongly support H.R. 1420, The National Wildlife Refuge System Improvement Act of 1997, and take this opportunity to clarify the scope and application of this important legislation.

This Act directly affects 509 wildlife refuges, covering 92 million acres of Federal lands, in all 50 States and territories. These refuges provide enjoyment for millions of Americans each year, while at the same time they protect and preserve vital habitat and species for future generations. Our Federal Government, however, has managed its refuge system for more than 30 years without any clear mission or direction.

H.R. 1420 provides a beacon of light for public lands management on our national wildlife refuges by establishing a mission "to administer a national network of lands and waters for the conservation, management and,

where appropriate, the restoration of fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans." For far too long the Federal agency responsible for maintaining these refuges, the United States Fish and Wildlife Service, has proceeded without direction or instructions on how to manage our national refuges. They have been left to their own whims to make arbitrary decisions regarding who may or may not gain access to our refuge system. Now, local administrators will be provided a clear definition of wildlife-dependent recreational activities that are considered "compatible uses" within our national refuge system.

It is important to note that this legislation applies directly to "wildlife-dependent recreation," and defines this type of recreation as: hunting, fishing, wildlife observation and photography, or environmental education and interpretation. This legislation does not, however, apply to, preclude, or otherwise bar other activities vital to management of our national refuge system. Most particularly, this legislation does not preclude mosquito control activities. Mosquito abatement on our national refuges is integral to providing for the public health and safety of communities in and around the refuge system. Without these important activities our national refuges become breeding grounds for disease carrying mosquitoes that migrate from the refuges, travelling anywhere from 20 to 50 miles, to infect animals and humans who live in neighboring urban and rural communities. Mosquito control activities do not materially interfere with or detract from the fulfillment of the mission or purpose of the refuge system, but they do have a direct positive impact on public health and safety.

I support H.R. 1420 and join with my colleagues in providing common sense direction for management of our national refuge system.

Mr. MILLER of California. Mr. Speaker, I rise in support of H.R. 1420. As my colleagues are aware, I opposed bills last Congress and again in this Congress that would have harmed the 92-million-acre national wildlife refuge system by making recreational uses a purpose of the system and by establishing a process for determining compatible uses that favored some activities over others. These bills also placed new restrictions on the Fish and Wildlife Service in acquiring and managing refuge lands that would have impeded its ability to conserve fish and wildlife.

However, this compromise resolves those concerns in a way that I hope will satisfy the diversity of users of our wildlife refuges, from bird watchers to duck hunters. This bill represents a bona fide compromise that resulted from concessions on both sides. I think perhaps the most important result of this process has been the realization by environmentalists and hunters that many of their interests really do coincide in the long run. The goals they seek and the activities they enjoy are all dependent on our assuring that there are abundant, healthy wildlife populations. I believe H.R. 1420 accomplishes that.

First and foremost, H.R. 1420 builds a solid foundation for managing the refuge system by making conservation the singular, fundamental mission of the system. In support of the mission, the bill requires conservation plans to be developed for each refuge and requires the

Secretary of the Interior to ensure that the biological integrity, diversity, and health of the system are protected. The bill establishes a well-defined process for deciding what uses are compatible with wildlife conservation and the purposes of each refuge. Importantly, no use is allowed on a refuge until it has been determined that the use will not have a tangible adverse impact on the conservation mission of the system or the purposes of the refuge where the activity will take place. Once permitted, compatible activities remain subject to appropriate regulation.

In addition, H.R. 1420 acknowledges the excellent outdoor recreational opportunities provided to the public by the refuge system. The bill gives recreational uses that depend on wildlife—fishing, hunting, nature observation and photography, and environmental education and interpretation—priority over other uses of the system. Of course, these important recreational uses of the system are the result of sound wildlife conservation because they depend on abundant wildlife.

As with any compromise, not every problem can be addressed to everyone's satisfaction. In particular, I want to express my concern that language directing the Secretary of the Interior to provide "increased opportunities for families to experience compatible wildlife-dependent recreation" not be taken as a directive to divert scarce operational funding for the construction of roads, visitor facilities and other amenities. Where appropriate, such amenities provide important public access to the system's wildlife resources, but wildlife and wildlife habitat should come first.

There has also been considerable discussion about the definition of a refuge. The bill's definition is consistent with the Fish and Wildlife Service's interpretation of a refuge as an area in which the United States has a property interest. I think it is important to note that the United States may have an interest in refuge lands that extends beyond a property interest. However, any authority to protect that interest, to the extent it exists, is neither enhanced nor diminished by this legislation.

I would like to commend Secretary Babbitt for taking the time and the initiative to bring disparate interests together to negotiate. I would also like to commend Messrs. DINGELL and YOUNG for their willingness to seek common ground. Although we initially disagreed on how to manage it, they never wavered in their support for the refuge system. The fragile coalition that was built to broker this compromise is likely to be sorely tested in the other body, but if we can hold it together, I believe the refuge system will be the better for it.

Mr. Speaker, this is a good bill. Many of the refuge system's past problems resulted from the individual refuges not being managed as part of a larger system. This bill builds on the original vision of the gentleman from Michigan [Mr. DINGELL] of a true national wildlife refuge system. H.R. 1420 ensures that wildlife refuges, the only public lands dedicated to wildlife conservation, are properly managed and protected, while encouraging greater public appreciation of wildlife and use of the refuge system. Whether you like to shoot birds with a Browning or a Nikon, H.R. 1420 will enhance your appreciation and use of the refuge system. I urge the House to support the bill.

Mr. FARR of California. Mr. Speaker, I support H.R. 1420, because: it clarifies that the

mission of the refuge system, first and foremost, is to conserve fish and wildlife, with wildlife dependent recreation and education secondary, and other uses as its lowest priority; it establishes a more formal and public process to determine what uses are compatible on refuge lands; and it requires comprehensive planning with public participation.

Theodore Roosevelt created the first wildlife refuge over 90 years ago to protect the wildlife at Pelican Island, FL. Today there are 509 wildlife refuges covering approximately 92 million acres of Federal land, protecting a wide variety of fish and wildlife. In my own district, two refuges have been established to protect endangered species: the Ellicott Slough National Wildlife Refuge for the endangered Santa Cruz long-toed salamander, and the Salinas River National Wildlife Refuge for the endangered Smith's blue butterfly.

Americans benefit a lot from their wildlife refuges, enjoying their bounty and beauty for a variety of wildlife-dependent recreation and environmental education. Last year, over 27 million people visited national wildlife refuges to observe and photograph wildlife. Five million anglers and 1.5 million hunters visited the refuges, and nearly 500,000 students visited the refuges for environmental education programs.

However, as I brought up in committee, I believe that the definition of a refuge should be as defined in the dictionary—as a place providing protection or shelter, a haven. Refuges exist to conserve wildlife, first and foremost, and public use at some refuges may not be appropriate. For example, at the Ellicott Slough National Wildlife Refuge in my district, no public recreation takes place, due to the sensitivity of the habitat. The American public benefits greatly even when such restrictions are placed on certain refuges, in the knowledge that biological resources are being conserved, for present and future generations, and may be conserved to such a degree that some day populations may rebound to the point where they are no longer endangered.

I appreciate the work that has gone into arriving at this version of the National Wildlife Refuge System Improvement Act, and strongly support the belief that only uses that do not have a tangible adverse impact on the refuges ability to meet its conservation purpose or the mission of the system be allowed. The bill requires that these decisions be made in writing, based on sound science, and available for public review and comment, codifying Clinton administration policies. I also support the requirement that the Service ensure that adequate funds are available to administer public uses before they can be permitted: in other words that funds aren't diverted from conservation activities to public use management.

I would also further urge that, although specific language to this effect is not present in this version of the bill, as it was in Mr. MILLER's bill, H.R. 952, the Service should improve its wildlife monitoring as part of the comprehensive conservation plans that are required under this bill. A strong wildlife monitoring program is key to ensuring proper species and ecosystem management.

I would like to end with a final, but very important matter: that of funding for our refuge system. Earlier this month, Reps. GILCHREST, YOUNG, MILLER, SAXTON, ABERCROMBIE, and I, along with nearly 50 additional House Members, wrote to Chairman REGULA and Ranking

Democrat YATES to urge increased funding for the refuge system. This funding is absolutely necessary for the conservation goals of our refuges to be adequately addressed, and strongly urge support of this investment through the appropriations process.

Mr. PAUL. Mr. Speaker, I rise today in opposition to H.R. 1420, the Wildlife Refuge System Improvement Act of 1997. In an attempt to assist in the fulfillment of important international treaty obligations of the United States, today we are asked to support a bill which reinforces an unconstitutional program of the Johnson administration, the National Wildlife Refuge Act of 1966.

Rather than this Congress debating the merits or constitutionality of Federal land management programs and the inherently flawed notion of common ownership and the necessarily resulting tragedy of the commons, this bill would amend the 1966 Act to instill internationally centralized management of these wildlife refuges to include requiring the Interior Department, using sound professional judgment, to prepare comprehensive plans detailing the appropriate use of each refuge. Additionally, this bill instills as the mission of the wildlife system the conservation of fish, wildlife, and plants, and their habitats and provides the statutory authority for denying use of the refuges for all noncompatible uses which materially interfere with or detract from the mission. Moreover, H.R. 1420 directs the Interior Secretary to direct the continued growth of the System in a manner that is best designed to accomplish the mission [emphasis added].

Apparently, the era of big government is not over. In fact, in the name of satisfying international treaties, it seems as though even the Great Society is alive and well and growing.

Mr. GOSS. Mr. Speaker, Teddy Roosevelt named Pelican Island, FL as the first United States wildlife refuge. In that tradition, I'm proud that Florida's fourteenth Congressional district boasts four wildlife refuges, including the J.N. "Ding" Darling refuge on my home island of Sanibel.

I want to commend Chairman YOUNG and the Resources Committee; bringing together many diverse interests, they've crafted a bill that meets with the satisfaction of all parties. H.R. 1420, for the first time, establishes a central purpose for the National Wildlife Refuge System, namely, providing a sanctuary for wildlife. It also addresses the issues of compatible uses in a responsible way. As the session continues, the House will undoubtedly face other contentious environmental debates—I am hopeful that we can address those issues in a similarly cooperative and productive manner.

Mr. CUNNINGHAM. Mr. Speaker, I rise today in support of the National Wildlife Refuge System Improvement Act (H.R. 1420). As cochairman of the Congressional Sportsmen's Caucus, I encourage all my colleagues to support this important legislation.

The refuge bill is a proenvironment bill which will protect our Nation's tradition of allowing people using their national recreational areas to hunt, fish, and look at birds, while preserving the environment.

Specifically, H.R. 1420 creates a nationwide set of six purposes for our national refuge system. Our refuge system will now be a dedicated network of lands to conserve and manage fish, wildlife, and plant species; to conserve, manage, and restore fish and wildlife

populations, plant communities, and refuge habitats; to preserve, restore, and protect endangered and threatened species; conserve and manage migratory birds, anadromous fish and marine mammals; to allow compatible wildlife-dependent recreation, which includes hunting, fishing, wildlife observation, and environmental education; and to fulfill our international treaty obligations.

This bill also requires the U.S. Fish and Wildlife Service to create conservation plans for each of America's 511 refuges within the next 15 years. These plans will help Americans understand the goals of our refuges and provide a better accounting of our national treasures.

It is also important to recognize what this bill does not do. This bill does not permit hunting and fishing on every wildlife refuge. The individual refuge manager must find that these activities are compatible with the purpose of the refuge. In addition, this bill sets clear guidelines and standards for managers to determine compatible uses. This bill does not permit non-wildlife activities such as mining, jet skiing, or oil and gas development. This bill does not increase or decrease the size of any of our 511 refuges.

This bill is the first significant refuge reform bill considered by Congress since the original refuge legislation in 1966. This legislation is supported by many outside organizations, including the International Association of Fish and Wildlife Agencies, the Wildlife Legislative Fund of America, American Sportfishing Association, Safari Club International, and many other groups.

I hope that all my colleagues recognize how important this legislation is and vote for H.R. 1420.

Mr. YOUNG of Alaska. 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 Alaska [Mr. YOUNG] that the House suspend the rules and pass the bill, H.R. 1420, as amended.

The question was taken.

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RAGGEDS WILDERNESS, WHITE RIVER NATIONAL FOREST BOUNDARY ADJUSTMENT

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1019) to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, CO, to correct the effects of earlier erroneous land surveys.

The Clerk read as follows:

H.R. 1019

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

SECTION 1. BOUNDARY ADJUSTMENT AND LAND CONVEYANCE, RAGGEDS WILDERNESS, WHITE RIVER NATIONAL FOREST, COLORADO.

(a) FINDINGS.—The Congress finds the following:

(1) Certain landowners in Gunnison County, Colorado, who own real property adjacent to the portion of the Raggeds Wilderness in the White River National Forest, Colorado, have occupied or improved their property in good faith and in reliance on erroneous surveys of their properties that the landowners reasonably believed were accurate.

(2) In 1993, a Forest Service resurvey of the Raggeds Wilderness established accurate boundaries between the wilderness area and adjacent private lands.

(3) The resurvey indicated that a small portion of the Raggeds Wilderness is occupied by adjacent landowners on the basis of the earlier erroneous land surveys.

(b) PURPOSE.—It is the purpose of this section to remove from the boundaries of the Raggeds Wilderness certain real property so as to permit the Secretary of Agriculture to use the authority of Public Law 97-465 (commonly known as the Small Tracts Act; 16 U.S.C. 521c-521i) to convey the property to the landowners who occupied the property on the basis of erroneous land surveys.

(c) BOUNDARY ADJUSTMENT.—The boundary of the Raggeds Wilderness, Gunnison and White River National Forests, Colorado, as designated by section 102(a)(16) of Public Law 96-560 (16 U.S.C. 1132 note), is hereby modified to exclude from the area encompassed by the wilderness a parcel of real property approximately 0.86-acres in size situated in the SW¼ of the NE¼ of Section 28, Township 11 South, Range 88 West of the 6th Principal Meridian, as depicted on the map entitled "Encroachment-Raggeds Wilderness", dated November 17, 1993. Such map shall be on file and available for inspection in the appropriate offices of the United States Forest Service, Department of Agriculture.

(d) CONVEYANCE OF LAND REMOVED FROM WILDERNESS AREA.—The Secretary of Agriculture shall use the authority provided by Public Law 97-465 (commonly known as the Small Tracts Act; 16 U.S.C. 521c-521i) to convey all right, title, and interest of the United States in and to the real property excluded from the boundaries of the Raggeds Wilderness under subsection (c) to those owners of real property in Gunnison County, Colorado, whose real property adjoins the excluded lands and who have occupied the excluded lands in good faith reliance on an erroneous survey.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho [Mrs. CHENOWETH] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho [Mrs. CHENOWETH].

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

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, H.R. 1019 provides for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest in Colorado, to correct the effects of earlier erroneous land surveys. This bill is identical to legislation which passed within the House of Representatives last year by voice vote. However, the legislation was not acted upon by the Senate prior to the conclusion of the 104th Congress.

In 1993, following a boundary survey, the White River National Forest discovered an encroachment into the

Raggeds Wilderness area just west of the town of Marble in Colorado. The encroachment consists of approximately 400 feet of power line and 400 feet of road. In addition, portions of four subdivision lots extend into this wilderness. The road is a county road and provides the sole legal access to the four lots. The entire encroachment is less than 1 acre of land.

The Bureau of Land Management/Forest Service surveys found that the original survey of the Crystal Meadows subdivision was erroneous. Although less than 1 acre is affected, the Forest Service cannot settle the matter under the authority of the Small Tracts Act because the lands in question are within the Raggeds Wilderness. The wilderness boundary may only be modified by an act of Congress.

H.R. 1019 follows the guidelines established by the Small Tracts Act, Public Law 97-465. The bill is non-controversial, Mr. Speaker, and I urge its passage.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, this is the first of four national forest bills on the floor today which are sponsored by our Republican members. Along with other Democratic members of the Committee on Resources, I am pleased to support this legislation introduced by the gentleman from Colorado. This bill would correct an erroneous land survey which has resulted in the encroachment of 1 acre of private land on the Raggeds Wilderness area in the White River National Forest. The legislation is without controversy, and it is supported by the administration. A similar bill passed the House in the last Congress. I urge my colleagues to support the legislation of the gentleman from Colorado [Mr. MCINNIS].

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

Mrs. CHENOWETH. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Speaker, I urge my colleagues to support H.R. 1019. I would also like to comment briefly on H.R. 1020, but prior to that I want to thank the gentleman from Alaska [Mr. YOUNG] and the gentlewoman from Idaho [Mrs. CHENOWETH], subcommittee chairman, for rapidly moving this legislation forward. I would also like to thank the gentleman from American Samoa for his courtesies and support in regard to H.R. 1019.

Briefly on H.R. 1020, that is also a noncontroversial issue and ties into this. It adjusts the boundary of the White River National Forest to include all the National Forest System Lands within Summit County, CO, which are currently part of the Arapaho National

Forest, being the Dillon Ranger District. The White River National Forest has administered these lands for a number of years. Therefore, the inclusion of the Dillon Ranger District within the White River National Forest will more accurately depict the administration of these lands. Furthermore, the inclusion should reduce confusion within the general public as to who administers the Dillon Ranger District. The legislation will not alter the current distribution of forest receipts to the affected county governments. I urge my colleagues to support this legislation and again H.R. 1019, once again expressing my appreciation.

□ 1515

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. DELAHUNT], my good friend, who unfortunately, because of a traffic jam, was unable to deliver his statements in support of the previous legislation.

Mr. DELAHUNT. Mr. Speaker, I also rise in support of House Resolution 1019 offered by the gentleman from Colorado [Mr. MCINNIS], and I support that and I commend his efforts. I would also like to speak, Mr. Speaker, to House bill 1420.

Mr. Speaker, when President Theodore Roosevelt established the first wildlife refuge in Florida 94 years ago, he could have hardly imagined a national system of 500 refuges covering 93 million acres. Today we have an opportunity to make a genuine contribution to this remarkable legacy of wildlife conservation and management.

It is in that spirit that I do support enthusiastically House Resolution 1420, the National Wildlife Refuge System Improvement Act of 1997. The chairman and ranking member have worked together to craft a bill for consideration by the full House that fulfills the conservation objective and ensures the future biological integrity of our refuge.

Mr. Speaker, I am especially pleased to offer my support of this legislation because of the important role in building that legacy played by my predecessor in this Chamber, former Congressman Gerry Studds. As chairman of the Committee on Merchant Marine and Fisheries, Mr. Studds fought tenaciously for species large and small, beautiful and not so beautiful, endangered and common alike. Legacies are not historical relics. Like the species that inhabit our refuge, they survive only if they prosper and evolve.

Mr. Speaker, the bill before us explicitly encourages the Fish and Wildlife Service to pursue partnerships with local communities, States, private and nonprofit groups. It is precisely such a partnership that has characterized our progress toward one of the newest additions to the refuge system in Mashpee on Cape Cod, home to over 180 migratory fish and bird species.

Like so many others across the country, the Mashpee Refuge has value even

beyond its statutory objectives, in this case in safeguarding the quality and quantity of the area's fragile water resources. This imperative has become particularly acute with recent findings that pollution emanating from a nearby military reservation is seriously contaminating groundwater and jeopardizing future drinking water supplies.

For all these reasons, I can think of no better way to honor the work of Mr. Studds and others who have advanced these objectives than to fulfill the Federal commitment by completing acquisition of the final 325-acre tract of the Mashpee Refuge, and to enact H.R. 420 into law.

Mr. Speaker, this bill draws on historic bipartisan support for the basic mission of the refuge system and makes adjustments that keep this refuge system alive and viable, and I urge my colleagues to join me in helping the House to pass it.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. DELAHUNT] for his fine statements.

Mr. Speaker, I have no additional speakers at this time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentlewoman from Idaho [Mrs. CHENOWETH] that the House suspend the rules and pass the bill, H.R. 1019.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WHITE RIVER NATIONAL FOREST BOUNDARY ADJUSTMENT

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1020) to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, CO, which are currently part of the Dillon Ranger District of the Arapaho National Forest.

The Clerk read as follows:

H.R. 1020

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

SECTION 1. INCLUSION OF DILLON RANGER DISTRICT IN WHITE RIVER NATIONAL FOREST, COLORADO.

(a) BOUNDARY ADJUSTMENTS.—

(1) WHITE RIVER NATIONAL FOREST.—The boundary of the White River National Forest in the State of Colorado is hereby adjusted to include all National Forest System lands located in Summit County, Colorado, such lands forming the Dillon Ranger District of the Arapaho National Forest. The Dillon Ranger District is hereby made a part of the White River National Forest.

(2) ARAPAHO NATIONAL FOREST.—The boundary of the Arapaho National Forest is hereby

adjusted to exclude the National Forest System lands included in the White River National Forest under paragraph (1).

(b) REFERENCE.—Any reference to the Dillon Ranger District, Arapaho National Forest, in any existing statute, regulation, manual, handbook, or otherwise shall be deemed to be a reference to the Dillon District, White River National Forest.

(c) EXISTING RIGHTS.—Nothing in this section shall be construed to affect valid existing rights of persons holding any authorization, permit, option, or other form of contract existing on the date of the enactment of this Act.

(d) FOREST RECEIPTS.—Notwithstanding the distribution requirements of payments under the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), the distribution of receipts from the Arapaho National Forest and the White River National Forest to affected county governments shall be based upon the National Forest boundaries that existed on the day before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho [Mrs. CHENOWETH] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho [Mrs. CHENOWETH]. (Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, H.R. 1020 adjusts the boundaries of the White River National Forest to include all national forest system lands within Summit County, CO, which are currently part of the Dillon Ranger District of the Arapaho National Forest. The White River National Forest has administered these lands for a number of years, and therefore the inclusion of the Dillon Ranger District within the White River Forest will more accurately depict the proper administration of these lands. Furthermore, the inclusion should reduce confusion within the general public as to who administers the Dillon Ranger District. The legislation will not alter the current distribution of forest receipts to the affected county governments.

Mr. Speaker, this bill is non-controversial, and I urge its passage.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, as explained by the gentlewoman from Idaho, this bill adjusts the boundary of the White River National Forest to include lands which are currently part of the Dillon Ranger District of Arapaho National Forest. It is my understanding that the administration's earlier concerns about the language preserving the current distribution of forest receipts have been resolved and that there is no further objection by the administration on this bill.

This legislation again is sponsored by the gentleman from Colorado [Mr.

MCINNIS], and I urge my colleagues to support this piece of legislation.

Mr. Speaker, I do not have any additional speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Idaho [Mrs. CHENOWETH] that the House suspend the rules and pass the bill, H.R. 1020.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FACILITATING THE SALE OF CERTAIN LAND IN TAHOE NATIONAL FOREST

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1439) to facilitate the sale of certain land in Tahoe National Forest in the State of California to Placer County, CA, as amended.

The Clerk read as follows:

H.R. 1439

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

SECTION 1. LAND CONVEYANCE, TAHOE NATIONAL FOREST, CALIFORNIA.

(a) SALE AUTHORIZED.—Subject to all valid existing rights, the Secretary of Agriculture may sell to Placer County, California (in this section referred to as the "County"), all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 35 acres located in Tahoe National Forest in the State of California to permit the County to create a community park in Squaw Valley.

(b) DESCRIPTION OF PROPERTY.—The parcel to be conveyed under subsection (a) is generally depicted on a map entitled "Placer County Conveyance", dated April 1997, which shall be available for public inspection in appropriate offices of the Secretary. The map and attached approximate legal description are subject to adjustment by survey. The cost of any such survey shall be borne by the County.

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), the County shall pay to the United States an amount equal to the fair market value of the conveyed parcel, as determined in conformance with the document entitled "Uniform Appraisal Standards for Federal Land Acquisitions (1992)". The proceeds from the sale shall be deposited in the fund established by Public Law 90-171 (16 U.S.C. 484a; commonly known as the Sisk Act) and shall be available for expenditure in accordance with such Act.

(d) EXISTING USES.—As a condition on the conveyance under subsection (a), the County shall agree to provide for continuation of any existing non-Federal improvements or uses on the conveyed parcel for the remainder of the terms of the existing authorizations.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

Idaho [Mrs. CHENOWETH] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho [Mrs. CHENOWETH].

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

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

Mr. Speaker, H.R. 1439 introduced by the gentleman from California [Mr. DOOLITTLE] of the committee authorizes the Secretary of Agriculture to sell 35 acres in the Tahoe National Forest to Placer County, CA, for the purpose of creating a community park in Squaw Valley.

The site is located at the southwest and northwest corners of Squaw Valley Road and Highway 89.

Now this area stands out as the only feasible location to accommodate the various interests. Placer County believes that this legislation is needed to streamline the acquisition process and thus save thousands of dollars for the county and for the Forest Service.

There is substantial support for the park and the community, and the Placer County Parks Commission has allocated over \$250,000 for acquisition and development of this park. Currently there are no public parks in Squaw Valley, and the nearest park facilities are located in Tahoe City, which is approximately 10 miles away.

Mr. Speaker, I urge the passage of this legislation.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, this piece of legislation was introduced by the gentleman from California [Mr. DOOLITTLE], and the bill is intended to facilitate the sale of about 35 acres of Federal land in the Tahoe National Forest in California, Placer County. The prospective purchaser intends to use the property for a public park.

The Forest Service has the authority to sell this land under current law and testified that the bill is unnecessary, but the legislation serves the purpose of highlighting this as a priority matter for Forest Service attention. It does not, however, alter the responsibility of the purchaser to pay fair market value for the land.

Mr. Speaker, I urge my colleagues to support this piece of legislation introduced by the gentleman from California [Mr. DOOLITTLE].

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

Mrs. CHENOWETH. Mr. Speaker, I thank the gentleman from Samoa [Mr. FALEOMAVAEGA].

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Idaho [Mrs. CHENOWETH] that the House suspend the rules and pass the bill H.R. 1439, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HOOPA VALLEY RESERVATION SOUTH BOUNDARY ADJUSTMENT ACT

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 79) to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe, as amended.

The Clerk read as follows:

H.R. 79

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hoopa Valley Reservation South Boundary Adjustment Act".

SEC. 2. TRANSFER OF LANDS WITHIN SIX RIVERS NATIONAL FOREST FOR HOOPA VALLEY TRIBE.

(a) TRANSFER.—All right, title, and interest in and to the lands described in subsection (b) shall hereafter be administered by the Secretary of the Interior and be held in trust by the United States for the Hoopa Valley Tribe. The lands are hereby declared part of the Hoopa Valley Reservation. Upon the inclusion of such lands in the Hoopa Valley Reservation, Forest Service system roads numbered 8N03 and 7N51 and the Trinity River access road which is a spur off road numbered 7N51, shall be Indian reservation roads, as defined in section 101(a) of title 23 of the United States Code.

(b) LANDS DESCRIBED.—The lands referred to in subsection (a) are those portions of Townships 7 North and 8 North, Ranges 5 East and 6 East, Humboldt Meridian, California, within a boundary beginning at a point on the current south boundary of the Hoopa Valley Indian Reservation, marked and identified as "Post H.V.R. No. 8" on the Plat of the Hoopa Valley Indian Reservation prepared from a field survey conducted by C.T. Bissel, Augustus T. Smith, and C.A. Robinson, Deputy Surveyors, approved by the Surveyor General, H. Pratt, March 18, 1892, and extending from said point on a bearing of north 72 degrees 30 minutes east, until intersecting with a line beginning at a point marked as "Post H.V.R. No. 3" on such survey and extending on a bearing of south 15 degrees 59 minutes east, comprising 2,641 acres more or less.

(c) BOUNDARY ADJUSTMENT.—The boundary of the Six Rivers National Forest in the State of California is hereby adjusted to exclude the lands to be held in trust for the benefit of the Hoopa Valley Tribe pursuant to this section.

(d) SURVEY.—The Secretary of the Interior, acting through the Bureau of Land Management, shall survey and monument that portion of the boundary of the Hoopa Valley Reservation established by the addition of the lands described in subsection (b).

(e) SETTLEMENT OF CLAIMS.—The transfer of lands to trust status under this section extinguishes the following claims by the Hoopa Valley Tribe:

(1) All claims on land now administered as part of the Six Rivers National Forest based on the allegation of error in establishing the boundaries of the Hoopa Valley Reservation, as those boundaries were configured before the date of the enactment of this Act.

(2) All claims of failure to pay just compensation for a taking under the fifth amendment to the United States Constitution, if such claims are based on activities, occurring before the date of the enactment of this Act, related to the lands transferred to trust status under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho [Mrs. CHENOWETH] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho [Mrs. CHENOWETH].

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, H.R. 79, introduced by the gentleman from California [Mr. RIGGS] would transfer 2,641 acres of land to the Hoopa Valley Tribe of California. This land is currently part of the Six Rivers National Forest.

The south boundary of the Hoopa Valley Reservation contains a dogleg and as a result of the 1875 survey that left 2,541 acres out of the 6-mile square, H.R. 79 would straighten the boundary to reflect what many believe was the originally intended boundary of the reservation. Similar legislation was introduced in the 104th Congress, reported by the Committee on Resources and passed on the House floor, but the adjournment prevented final action on the bill in the Senate.

On May 8, 1997, the Subcommittee on Forests and Forest Health approved this amendment in the nature of a substitute to incorporate several technical changes recommended by the administration, and on May 21 the Committee on Resources reported the bill with an amendment to ensure that several Forest Service roads on the lands being transferred will remain open to the public after the transfer. The roads provide access to the public campground, the Trinity River and the national forest land.

Mr. Speaker, I thank all involved on both sides of the aisle for working with me, the gentleman from California [Mr. RIGGS], and the Hoopa Valley Tribe to develop language that everyone can agree on on H.R. 79. Additionally I would like to thank my colleagues, especially the gentleman from New York [Mr. HINCHEY], the subcommittee ranking member, the gentleman from California [Mr. DOOLITTLE], and the gentleman from Colorado [Mr. MCINNIS] for their assistance with passage of these four bills.

So I urge this bill's passage, Mr. Speaker.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, as mentioned earlier by the chairman of the subcommittee, the gentlewoman from Idaho [Mrs. CHENOWETH], this legislation was introduced by the gentleman from California [Mr. RIGGS] and a similar piece of legislation was also introduced by Senator BOXER of California.

Mr. Speaker, H.R. 79 would transfer almost 2,640 acres of land currently within the Six Rivers National Forest in California to the Hoopa Valley Tribe to be held in trust for the tribe. This language includes an operating campground that is adjacent to the southern boundary of the reservation. There is question as to whether or not this land was intended to be part of the original reservation boundaries, but by looking at a map of the area one can conclude that may have been the case.

□ 1530

Regardless, the Forest Service has testified that it supports this transfer and believes that the tribe has the resources and expertise to effectively manage the area.

In fact, the Hoopa Valley Tribe is well-known as environmentally sensitive toward the stewards of their land. The tribe operates under a forest management plan which was adopted for the years 1994 through the year 2003. This management plan was developed with the collaboration of the World Wildlife Fund. In March of this year, the U.S. Fish and Wildlife Service issued a biological opinion finding that the Hoopa forest management plan would not jeopardize the northern spotted owl or any of the other listed endangered species.

Attached to my statement, Mr. Speaker, I include two letters from the tribe's representative. The first is to the office of the Secretary of the Interior, and the second is to Mr. James Lyons, the Under Secretary for Natural Resources and Environment at the Department of Agriculture. These letters explain the tribe's forest management plan and how we can expect the transfer of lands to be managed.

H.R. 79 makes clear that the roads within this area will be made part of the Indian reservation roads system within the Bureau of Indian Affairs assuring public access through the area and to the Trinity River.

I would like to thank the gentlewoman from Idaho [Mrs. CHENOWETH] and her staff for working with Democrats on this side of the aisle and for bringing to the floor this legislation for consideration. I hope that this will benefit the Hoopa Valley Tribe in the future, and I ask my colleagues to join me in supporting this legislation.

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

HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C., ATTOR-
NEYS AT LAW,

Washington, DC, April 15, 1997.

Re H.R. 79 Hoopa Reservation boundary ad-
justment.

HEATHER SIBBISON, Esq.,
Office of the Secretary, U.S. Department of the
Interior, Washington, DC.

DEAR HEATHER: Attached is a letter to Ag-
riculture Department Under Secretary
James Lyons regarding the Hoopa Valley
Reservation boundary adjustment legisla-
tion. It is in response to a draft proposal
(also attached) from the Forest Service to
amend H.R. 79. As the letter explains, the
Hoopa Valley Tribe strongly disagrees with
the proposed amendments. Also attached is
Resource Committee Chairman Don Young's
March 11 letter to T.J. Glauthier at OMB of-
fering to move expeditiously on the bill. This
followed Chairman Young's February 10 let-
ter to Secretary Babbitt with the Commit-
tee's routine request for a bill report. In ad-
dition to those letters is T.J. Glauthier's Oc-
tober 2, 1996, letter to the Senate Committee
on Indian Affairs clearing the bill for passage
in the 104th Congress.

Please consider the following as you evalu-
ate H.R. 79: The bill would transfer 2641 acres
from the Forest Service in trust to the
Tribe; Prior Forest Service sales harvested
915 acres of that total; and Under the Tribe's
Forest Management Plan (FMP) (which has
received a non-jeopardy biological opinion
from the Fish and Wildlife Service as to any
listed species, including the northern spotted
owl).

Approximately 620 acres will be protected
by the FMP's stream side protection zones
(Class 1: 400 feet; Class 2: 200 feet; Class 3,
100); 330 acres will be subject to the FMP's
wild and scenic river designation; 310 acres
will be in the Trinity view shed; and 102
acres will be in northern spotted owl activity
zones.

The portion of the 2641 acres designated as
Late Successional reserve in the President's
Forest Plan totals 1264 acres. By restoring
the land to the Hoopa Valley Reservation
and placing it under the Hoopa FMP, 1362
acres will be protected; that is, more than
would be protected by the Late Successional
Reserve designation in the President's For-
est Plan. If you have any questions about
this, please give me a call.

Sincerely,

JOSEPH R. MEMBRINO.

HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C., ATTOR-
NEYS AT LAW,

Washington, DC, April 4, 1997.

Re H.R. 79—Hoopa Valley Reservation south
boundary adjustment.

Hon. JAMES R. LYONS,
Under Secretary for Natural Resources and En-
vironment, Department of Agriculture,
Washington, DC.

DEAR UNDER SECRETARY LYONS: Following
my conversation with you and Director of
Lands Eleanor Towns on March 11, Director
Towns forwarded to me a draft regarding five
points she asked be considered in the review
of H.R. 79. After consultation with the Hoopa
Valley Tribal Council, I have been author-
ized to report the Tribe's response.

1. RESERVATION STATUS

The Tribe agrees with you and Director
Towns that the land subject to H.R. 79 is to
be made part of the Hoopa Valley Reserva-
tion and held in trust by the United States.
It has always been the Tribe's position that
the land be part of the reservation.

Director Towns stated that the reason for
the proposed change in the text of the bill—
by which she would add the phrase "acting

through the Secretary of the Interior"—is to
ensure that the Forest Service would have
no trust responsibility for the land following
its transfer to the reservation. That intent is
contrary to federal law and administration
policy.

The United States, not individual federal
agencies, is the trustee of Indian reservation
land. Thus, while direct administration of
the federal trust responsibility for the Hoopa
Valley Reservation may reside with the Sec-
retary of the Interior, the Forest Service
nevertheless is subject to the federal trust
responsibility and is obligated to conduct its
affairs accordingly. As you know, President
Clinton emphasized his Administration's
commitment to the federal trust relation-
ship in his Memorandum on Government-to-
Government Relations With Native Amer-
ican Tribal Governments (April 29, 1994, 59
Fed. Reg. 22951). Among other things, the
President directed that "Each executive de-
partment and agency shall assess the impact
of Federal government plans, projects, pro-
grams, and activities on tribal trust re-
sources and assure that tribal government
rights and concerns are considered during
the development of such plans, projects, pro-
grams, and activities." We do not believe
that the proposed departure from H.R. 79's
use of the standard legislative phrase for
holding land in trust can be reconciled with
the President's directive and request that it
be withdrawn.

2. BOUNDARY ADJUSTMENT

On page 4 of Director Towns statement on
H.R. 2710, the bill introduced in the 104th
Congress on this matter, she states that "the
National Forest boundary would need to be
statutorily adjusted to exclude the lands
transferred . . ." Statement of Eleanor
Towns before the Committee on Resources
Subcommittee on Native American and Insu-
lar Affairs (July 17, 1997). The Committee re-
sponded by amending the bill to include the
statement: "The boundary of the Six Rivers
National Forest shall be adjusted to exclude
the lands to be held in trust for the benefit
of the Hoopa Valley Tribe pursuant to this
section." House Report No. 762, 104th Cong.,
2d Sess. 2 (September 4, 1996). The draft com-
ments from the Forest Service forwarded to
us now refer to alleviating the need "for an
administrative boundary adjustment" by
further amending H.R. 79 to read that the
boundary "is hereby adjusted" instead of
"shall be adjusted." This proposal additional
amendment appears to us unnecessary; a dis-
tinction without a difference. In any event,
the Forest Service gives no indication that
an administrative adjustment based on the
mandate in H.R. 79 would be burdensome,
complex or anything other than a routine,
ministerial action. It makes no sense to bur-
den the legislative process with a cosmetic
amendment.

3. RESERVATION OF EASEMENTS

The proposal to reserve easements in the
land for Forest Service roads 8N03 and 7N51
is not acceptable. First, the land on which
the roads are located was always understood
to be the Tribe's. Director Towns and you
both stated that your objective is to have
this land have the same status as the rest of
the Hoopa Valley Reservation. The purpose
of H.R. 79 is to eliminate a physical dogleg
in the reservation boundary. It does not ad-
vance the ball to substitute a jurisdictional
dogleg for a physical one. Second, Director
Towns states that the Tribe's history of pro-
viding access across its roads to the non-
Indian community whose land would otherwise
be inaccessible for timber harvest, recre-
ation, cattle grazing and other uses cannot
be considered precedent for how the Tribe
will manage the land to be transferred by
H.R. 79. That charge is unsupported and

unsupportable. The Tribe is baffled, to say
the least, by the idea that it would spite
landowners in the Six Rivers community by
shutting down access to adjacent lands once
it obtains jurisdiction over the two roads.
We do not know the source of this specula-
tion and have had a very different impres-
sion from the local Forest Service personnel.
On April 3, the Hoopa Valley Tribe hosted a
meeting of the interagency advisory com-
mittee for the President's Northwest Forest
Plan. At that meeting, Six Rivers Forest Su-
pervisor Martha Kettelle said that she sup-
ports the transfer proposed in H.R. 79 and
will work with the Tribe upon enactment to
build the Service's government-to-govern-
ment relationship with the Tribe on coopera-
tive access to the roads affected by the
transfer. At the end of the day, the proposal
to reserve easements, and the speculation
underlying it, cannot be reconciled with
President Clinton's memorandum on govern-
ment-to-government relationships referred
to above in which he instructed government
agencies undertaking activities affecting
tribal rights or trust resources to implement
them in a "knowledgeable, sensitive manner
respectful of tribal sovereignty."

4. MANAGEMENT CONSISTENT WITH THE PRESIDENT'S NORTHWEST FOREST PLAN

The Hoopa Valley Tribe has adopted a For-
est Management Plan for the period 1994-2003
(Tribal Resolution 94-19, April 20, 1994)
(Hoopa FMP). The Hoopa FMP's develop-
ment was in part guided by the principles
that emerged from the Tribe's collaboration
with the World Wildlife Fund in development
of an integrated resources management ap-
proach to reservation resources. The Hoopa
FMP accounts for endangered and threat-
ened species listed pursuant to the Endan-
gered Species Act. The Tribe identified 5
plant and animal species listed under the act
that are present, or suspected to occur, on
the Hoopa Valley Reservation including the
Northern Spotted Owl. The Hoopa FMP's
minimum management requirement for list-
ed species includes abiding by 50 C.F.R. Part
17 which sets forth the requirements estab-
lished by the United States Fish and Wildlife
Service for "surveying, submission of bi-
ological assessments on all proposed actions,
receiving biological opinions on all proposed
actions, and abiding by recovery plans if in
effect." Hoopa FMP at 26. With specific re-
gard to the spotted owl, the Hoopa FMP pro-
vides:

Meet surveying requirements of the
USFWS accepted protocol (March 7, 1991 re-
vised March 17, 1992 and any subsequent re-
visions). Complete biological assessments in-
cluding mitigations which address the
USFWS past conservation recommendations
and any seasonal restrictions necessary then
submit to USFWS. If conservation recom-
mendations are not included in a project's
planning documents then justify their exclu-
sion in the biological assessment. General
timber sale planning will include no harvest
of 70 acre owl activity centers unless a Hab-
itat Conservation Plan or other mechanism
has been completed and accepted by the
USFWS which allows such harvest. Allow no
disruptive harvest related activities, such as
but not limited to, any harvest activity,
road building, tractor piling, burning, thin
and release, etc. within 0.25 mile of known
activity centers during the breeding season
(Feb. 1 to Aug. 1 each year) or until the pair
has been determined to be not nesting, or the
nesting attempt has failed. Receive biolog-
ical opinion from USFWS and assure that all
guidelines, mitigations and conservation re-
commendations from the biological assess-
ment (BA) and biological opinion (BO) are
adhered to during the implementation of the
project—Hoopa FMP at 26-27.

On January 10, 1997, the Hoopa Valley Tribe and the Bureau of Indian Affairs requested the Fish and Wildlife Service pursuant to section 7 of the Endangered Species Act to engage in a formal consultation to develop a biological opinion on the Hoopa FMP and its effects on the five species referred to above, including the Northern Spotted Owl. By letter of March 12, 1997, the Service transmitted its biological opinion that the implementation of the Hoopa FMP will not jeopardize the Northern Spotted Owl or any of the other listed species (Biological Opinion No. 1-14-97-F-3). This opinion is consistent with the Tribe's policy of using extraordinary care in the Hoopa FMP to protect the reservation plant and wildlife resources. Of course, the land to be transferred by H.R. 79 will be integrated into the Hoopa FMP.

President Clinton's memorandum on government-to-government relations states that he is "strongly committed to building a more effective day-to-day working relationship reflecting respect for the rights of self-government due the sovereign tribal governments." In this case the Hoopa Valley Tribe has embraced that relationship and worked carefully, professionally, and in the spirit of the federal wildlife conservation effort for the Northern Spotted Owl and all species on the Hoopa Valley Reservation. In view of the Fish and Wildlife Service's conclusion and the President's memorandum on government-to-government relations, the proposal to amend the bill is both unnecessary and inappropriate.

Finally on this point, we note a practical political consideration. H.R. 79 has been assigned to the Subcommittee on Forests and Forest Health which is chaired by Rep. Helen Chenoweth. Her antipathy toward the President's Northwest Forest Plan is well-known. We are afraid that the proposal to amend H.R. 79 to require the Tribe to manage the land pursuant to the President's plan will be seen by opponents of the Administration as an attempt to use legislation for the benefit of the Tribe as a subterfuge to have Congress affirm the President's plan. If the subcommittee makes the President's plan an issue in H.R. 79, we believe that politics could overwhelm the merits of H.R. 79 and defeat the bill.

5. SETTLEMENT OF CLAIMS

This provision for claims waiver is unnecessary and, in any event, over broad. H.R. 79 is not the settlement of a legal claim. This is a policy matter regarding fair and honorable dealings between the United States and the Hoopa Valley Tribe. In addition, the disclaimer refers to events occurring prior to enactment of H.R. 79 unrelated to the south boundary. The Tribe wonders why this clause is in the bill; it would appear to be an attempt to eliminate responsibility for any latent damage to the land such as might have occurred from deposition of toxic chemicals or other activities under the direction of the Forest Service. We know of no such event having occurred and would like to assume that the Forest Service has none in mind either. Also, the final proviso regarding a bar to any compensation for restrictions is unacceptable. It would strip the Tribe of Fifth Amendment protection against loss of property rights caused by Congress' future imposition of land use restrictions that otherwise would be compensable. Seeking this kind of a provision in the bill runs counter to the spirit and substance of the President's memorandum on government-to-government relations with the Tribe and would put the Tribe at a disadvantage with respect to all other property owners.

CONCLUSION

I hope you will be persuaded that the Forest Service's recommendations to amend

H.R. 79 are not appropriate. I would also encourage you to coordinate with the Department of the Interior on those issues related to the Indian affairs and fish and wildlife programs raised in the draft. The draft proposals are not mere details but go to the heart of the relationship between the Tribe and the United States and the purpose of H.R. 79. Resources Committee Chairman Don Young wrote to Associate OMB Director T.J. Glauthier on March 11 in an extraordinary gesture to move forward expeditiously on H.R. 79. With this favorable reception in the Congress, there is every reason to advance the bill without further delay. Your attention to this is appreciated.

Sincerely,

JOSEPH R. MEMBRINO.

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

Mrs. CHENOWETH. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I thank the gentleman from Idaho [Mrs. CHENOWETH], my very good friend and the distinguished chair of the Subcommittee on Forests and Forest Health, for yielding me this time. I also want to thank the gentleman from Alaska [Mr. YOUNG], chairman of the full Committee on Resources, and of course our Democratic colleagues who both last year and this year worked on a cooperative, bipartisan basis to help advance this legislation.

Mr. Speaker and colleagues, the bill before us now on the floor under suspension of the rules, I introduced on January 7 of this year, the first day of the 105th Congress. It is for me a very high personal legislative priority, because it would convey to the Hoopa Valley tribe in Humboldt County, CA, land to restore the tribe's reservation to its original intended, agreed-upon boundary. This boundary is intended to be a perfect square.

This legislation is virtually identical to House Resolution 2710, which I sponsored in the last Congress. That bill passed the House by a voice vote on September 11, 1996. It was then cleared on a bipartisan basis for unanimous consent approval by the Senate, and a representative of the Clinton administration wrote that the President would sign the bill. However, to my great regret, the Senate adjourned for the year and for the Congress before the legislation could be acted upon. Again, that is why I have made this legislation a high priority for action this year and why I greatly appreciate the help and support of my colleagues in moving this legislation.

As my colleagues have heard, the bill would transfer to become a permanent part of the Hoopa Valley Reservation, part of the tribe's tribal lands, approximately 2,641 acres of land that is now held by the U.S. Forest Service. For as long as 10,000 years, the Hoopa Valley Tribe has lived in the Hoopa Valley, beginning their settlement at the mouth of the Trinity River Canyon. As early as 1851, a proposed treaty would have established a reservation actually encompassing an area larger than the present reservation.

Although Congress conveyed 93,000 acres of land to the tribe in the 1800's, the boundary survey excluded over 2,600 acres that belonged to the tribe at that time. In restoring that land, the 2,600 acres at the southeast corner of what otherwise would be a 12-mile square, the bill would eliminate a dogleg in the south boundary in the present reservation correcting this action.

This irregular dogleg in the boundary was apparently done to accommodate some non-Indian miners in the area who were pursuing State claims, and although those claims soon played out and the miners left the area, this boundary was never changed and this inequity was never corrected.

The land is administered, as I mentioned, by the Forest Service. It is part of the Six Rivers National Forest. The original timber on the parcel was sold off by the end of the 1970's to the benefit of the Federal Treasury and Federal taxpayers. The area to be transferred includes Tish-Tang Camp Ground, a Forest Service facility. The Hoopa Valley Tribe has stated publicly, and I believe that this is a very firm commitment, that it will continue to operate Tish-Tang as a public campground. This will be particularly important if budget reductions necessitate reductions in the Forest Service campground operations and maintenance.

Furthermore, the tribe has assured that public access to the gravel bar at Tish-Tang in the Trinity River will continue. This is very important to local citizens, my constituents in the community of Willow Creek, which neighbors or borders the reservation. It is also important to the people who regularly use the river for recreational and business purposes.

Some minor amendments, Mr. Speaker, have been made to the bill in committee, and the administration has indicated it can approve the measure in this form, as the distinguished ranking member indicated.

Mr. Speaker, members of the tribe have long been outstanding stewards of California's north coast environment, and they have been recognized for their efforts to help restore fish and wildlife habitat in the Trinity River Basin. This transfer proposed by this bill would permit the tribe's long-standing land management and economic development policies to be extended to the restored lands, the lands to now be assumed by the tribe.

The boundary should be adjusted to reflect the original intent of Congress. This is a matter of basic fairness and return to the members of the tribe what is truly theirs, and I urge my colleagues' approval of the bill.

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

At this time I would be remiss if I do not express my sense of commendation to the ranking member of the subcommittee, the gentleman from New York [Mr. HINCHEY] certainly for his

contributions and his attentiveness to these measures, three measures previously that we passed and H.R. 79 that is now up for consideration. I certainly thank the ranking Democrat on this side of the aisle, the gentleman from California [Mr. MILLER].

It is my understanding, Mr. Speaker, that this is the first opportunity that the gentlewoman from Idaho [Mrs. CHENOWETH], the chairman of the subcommittee, has had to manage these four pieces of legislation, and I want to add my commendation to the gentlewoman for her leadership and certainly for successfully bringing these four pieces of legislation to fruition. Certainly I have a very strong feeling that it will have the support of our colleagues here on the floor of the House.

Again, I commend the gentlewoman for her fine leadership in bringing these pieces of legislation for consideration.

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

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

I want to thank the gentleman from American Samoa [Mr. FALEOMAVAEGA] for his fine comments and also thank him for his time and his efforts in helping our committee be successful in ushering these bills through. Without his good work, it could not have happened.

I also want to thank the gentleman from New York [Mr. HINCHEY], our ranking minority member, for his good work.

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 gentlewoman from Idaho [Mrs. CHENOWETH] that the House suspend the rules and pass the bill, H.R. 79, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1019, H.R. 1020, H.R. 1439, H.R. 79, the bills just passed, and on H.R. 1420, considered earlier.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 3 o'clock and 39 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. STEARNS] at 5 o'clock p.m.

NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1420, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and pass the bill, H.R. 1420, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 26, as follows:

[Roll No. 156]

YEAS—407

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Bilely
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Clyburn

Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost

Galleghy
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrist
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Henger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski

Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowe
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalfe
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinaro
Mollohan
Mollohan
Moran (KS)

Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano

NAYS—1

Paul

NOT VOTING—26

Andrews
Bachus
Barton
Billbray
Blagojevich
Clayton
DeFazio
Dicks
Dixon

Doggett
Ensign
Farr
Ford
Furse
Hilleary
Hunter
Lantos
Lewis (CA)

Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

□ 1735

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FORD. Mr. Speaker, due to a delay in the flight from my congressional district, I was unavoidably detained and thus was unable to vote on rollcall vote 156. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. SANFORD. Mr. Speaker, unfortunately my plane was delayed and I missed the vote on H.R. 1420, the National Wildlife Refuge System Improvement Act. Had I been here to vote, I would have supported the bill.

PERSONAL EXPLANATION

Mr. PICKERING. Mr. Speaker, I was unable to return to Washington, DC, today due to a death in my family and missed the following vote:

Rollcall vote No. 156, passage of the National Wildlife Refuge System Improvement Act (H.R. 1420). Had I been present, I would have voted "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1438

Ms. CHRISTIAN-GREEN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of the bill, H.R. 1438.

The SPEAKER pro tempore (Mr. STEARNS). Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

MESSAGE FROM THE SENATE

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

H. Con. Res. 84. Concurrent Resolution establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002.

The message also announced that the Senate insists upon its amendment to the resolution (H. Con. Res. 84) "A concurrent resolution establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002." and requests a conference with the House on the disagreeing votes of the two Houses thereon and appoints Mr. DOMENICI, Mr. GRASSLEY, and Mr. LAUTENBERG to be the conferees on the part of the Senate.

APPOINTMENT OF CONFEREES ON HOUSE CONCURRENT RESOLUTION 84, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 1998

Mr. KASICH. Mr. Speaker, pursuant to clause 1 of rule XX and at the direction of the Committee on the Budget, I move to take from the Speaker's table the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the U.S. Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. KASICH) is recognized for 1 hour.

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

In an effort to try to move this along, Mr. Speaker, there really is not a reason, I do not believe, to get into any kind of protracted debate or discussion here. This is just no more than an effort to go to a conference, a conference that I have labeled the fait accompli conference.

There is not a whole lot that has to be done. We have an agreement between the administration and the Congress of the United States, and frankly we ought to get about it. We ought to get it done this week, which we will get done this week.

Just in a nutshell, I think we do need to know that this will provide for us the first balanced budget since 1969, since Neal Armstrong walked on the Moon. It will be the largest amount of entitlement savings. It will be the first balanced budget since 1969. It would also contain over the next decade about \$700 billion in savings in mandatory spending, including very significant reforms of Medicare. The Medicare savings will be approximately the same amount of savings that the Republicans proposed in 1995.

It will also have some structural changes. It is not just about dollars. There will be some adjustment between the rural and urban reimbursements as part of the ability to give our senior citizens more choice.

Furthermore, it will now begin to pay the skilled nursing facilities and home health care providers a prospective amount, similar to how the hospitals work, in an effort to try to contain the costs of Medicare. We think these are obviously significant, combined with the fact that the shift of home health care from part A to part B will be kept in the premium, which will mean that beneficiaries in fact will bear a part of the burden, with the poorest beneficiaries continuing to have some relief.

It is a structural change of Medicare with far more yet to come, and we will be unrelenting in the idea of developing ultimately a voucher program for

Medicare that will keep it sound during the period of time when the baby boomers start to retire.

But what is also contained in this budget resolution is an agreement to fundamentally have growth in the non-defense discretionary programs, the programs that operate the agencies and departments of the Federal Government. They will grow at a rate of about half a percent a year, as compared to a 6-percent growth over the last 10 years.

Frankly, I am still checking the numbers, but I believe this will be the smallest level of growth in nondefense discretionary spending that we have seen at least over the last 10 years, and we are going back to find out if it may be the smallest level of growth that we have ever seen; significant progress.

Let me also suggest the economic foundation of this program. It is interesting to note that during the Reagan years, the Reagan economic plan was underlaid by a growth in the economy that forecast somewhere in the vicinity of 4.3 to 4.4 percent. That is a growth rate we dream about today and we would hope to achieve, but not one that has been achieved for a long time.

Mr. Speaker, contained in this agreement is not a 4.4-percent projection of economic growth that would make it somewhat unrealistic. What is contained in this agreement is a 2.1-percent economic growth pattern. As we all know, the economy in this last quarter has grown at about 5.6 percent. Certainly we will not achieve those levels of growth in this agreement, but what is important to note is that 2.1-percent presumes that at some times the economy will grow faster and at other times it will not grow as fast. We believe this is a conservative foundation, a conservative economic forecast, much more conservative than the blue chip estimators across this country.

So what we have, Mr. Speaker, is we have the largest amount of mandatory savings in history, a significant slowdown of the nondefense discretionary, the programs that run the Government to a half a percent a year, conservative economics underlying this program, the first balanced budget since 1969, and, Mr. Speaker, the much desired and fought for tax cuts that we believe will help the American family and will also help to grow this economy.

Let me just make a point. The capital gains tax cut in our judgment is one of the things that can help build an infrastructure for America that will allow this economy to grow faster in the absence of inflation. We think that is very, very significant.

We also believe that a child tax credit is very important because it begins to send the right signals to that institution most under attack in the United States, the American family. We believe it will also restore a little justice in the area of estate relief, so as people work a lifetime to grow a business, they should not have these high levels of taxation.

Mr. Speaker, let me also make it clear that this is not the end of the

road. We clearly have a number of things we want to do in the area of additional entitlement reform. We want to make fundamental changes in the operation of this Government, including the elimination of certain departments.

□ 1745

Let me make it clear that the hallmark of this Congress has been and really the last two Congresses has been the idea that we are going to return people's power, money and influence from this city back home to where the American people live. And that includes tax cuts. That includes letting people have more power in their pocket by letting them keep more of what they earn. So no one should be mistaken that this agreement is somehow the end of the road, but, really, it does represent the fall, the kind of the fall of the Berlin Wall.

I remember when that happened, and many people looked around and said that it was hard to believe that we had actually defeated the Communists when the wall came down. Many found it hard to believe. Frankly, when you take a look at this agreement and you see the fact that we are going to balance the budget, we are going to have entitlement reform, we are going to have tax cuts, that this begins to really cement into place that the era of big government is at an end, and in a manner of speaking the Berlin Wall has fallen in regard to this budget.

It does not mean it is the end of the day, but it means that a tremendous victory has been achieved here in the United States, an agreement underscored by the idea that Government should be smaller, that people should be more powerful. We think this is a giant first step with many more steps to come.

So, Mr. Speaker, I would urge that we would go to conference, complete our work, get this done by the end of this week, and then begin to put into the permanent law the changes that we all seek.

One other final note. Some have looked at this agreement and have wondered whether we get started on the deficit reduction up front. The answer to that of course is yes. With the permanent changes in the entitlement programs being enacted in this year, over time they will obviously accumulate savings. We are very happy with the fact that this, unlike previous agreements, will actually give us tax relief now, will give us savings now, and entitlement savings beginning the minute that this reconciliation bill is signed by the President.

I wanted to thank the President for cooperating with us and his assistants, including Mr. Bowles and Mr. Hilley, Mr. Raines, Mr. Sperling; and I would also like to thank the gentleman from South Carolina, Mr. SPRATT for his work and, of course, the gentleman from New Mexico, Senator DOMENICI.

Mr. KASICH. Mr. Speaker, for purposes of debate only, I yield 30 minutes

to the distinguished gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, we passed on the House floor before we left here for Memorial Day a historic resolution and we passed it with bipartisan support. Budget resolution House Concurrent Resolution 84 was passed on this side of the aisle on the Democratic side with a vote of 132 to 70, if my recollection is correct, almost a two-to-one margin over here and by an overwhelming margin on the other side. What we do in this budget resolution really pushes the envelope of what we can accomplish in a budget resolution. We have basically incorporated by reference a hard wrought, hard negotiated, bipartisan budget agreement of 1997, achieved over 3 to 4 months of negotiations, among the White House and the congressional leadership and particularly the principals on the Committee on the Budget.

Even though this agreement goes to further lengths than we normally find in a budget resolution, it really does not contain all of the detail we need to see that it is carried out as the parties who negotiated it intended. That is why I say we are pushing the envelope of what we can accomplish with a budget resolution.

It is important that we bring this conference report to conclusion, to closure with as much clarity and distinctness as we can possibly give it, given the vehicle we have got, a budget resolution, because many of us are still concerned that what comes out of the production line, off the production line, out of the authorizing committees and appropriation committees will resemble, identifiably, what we are putting on the production line at the outset in this budget resolution.

So the start of this process, the seeing to it that we get it done right is this conference report, and so I wholly support the idea of going to conference.

We tried an alternative, an expedited alternative that would have involved bringing to the floor of the House and the other body conforming amendments that would have in effect converged the text of both budget resolutions to the same text. But we have failed at that effort. It does not appear we can resolve that soon enough, so this is the conventional device for bringing the House and the Senate together on things we disagree about.

We will offer at the appropriate time, assuming the House approves the motion to going to conference, our motion to instruct conferees that will deal with one particular aspect of this agreement that still concerns Members on my side of the aisle. Some of these Members, our minority leader included, were here in 1981 when the Economic Recovery Tax Act, Kemp-ROTH, was passed. And they feel that we are only now beginning to restore the revenue base of the Federal Government to the point where we are about to get rid of deficits.

They do not want to have us come so far to be so closely within reach of a balanced budget because we have taken steps, among other things, to restrain spending and also to restore the revenue base of the Government, having come so far to enact a tax bill that will so diminish the revenue base of the Government that we will have this problem all over again, a structural problem that will not lead us to a balanced budget or at least will strike a balance, a budget that will strike a balance in 2002 but will not be in true equilibrium. We will not have a problem finally and permanently resolved. That is why they are concerned that we keep within the bounds that we have outlined in this agreement, this budget agreement and the budget resolution, the tax cuts that are authorized and the reconciliation instructions that are put forth to it.

Our motion to instruct conferees will go to the very essence of that particular tax reduction measure that will be part of the reconciliation instruction and the budget conference agreement.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR], minority whip.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding me the time.

I want to commend him, the gentleman from Ohio [Mr. KASICH], and all those who worked on this budget agreement. Let me just say at the outset that I think the vote that we will have shortly on this floor this evening could be one of the most important votes that we will have in this Congress. The motion to instruct our conferees to make sure that the tax piece of this budget agreement does not explode in the outyears causing us a replay of 1981, where it took us more than a decade to dig our way out of huge deficits.

It is an important vote. I encourage all of my colleagues to be cognizant of what will be happening here in just a few minutes. It is important because we knew, we know what happened back in 1981. In the past, Republican tax bills, tax breaks for capital gains, IRAs, have favored high income people, and estate tax cuts all exploded outside the budget window. That has been the history in the past when Republicans have controlled or have written the tax bills that have become law.

What we will be suggesting on this floor when we get to it in a few minutes is that we accept the language of the Senate. The language of the Senate basically says this: that they want to keep the \$250 billion cost that we are talking about on the tax bill on a 10-year period. No explosion after 5 years. No 1981's again. And the emphasis will be on helping the poor working Americans and middle-income Americans and it will be helping them with the child tax credit. It will be helping them with the educational tax breaks that we will be putting forward and that have been put forward already in this debate on the budget.

So I urge my colleagues, this is a maintenance budget that we are dealing with here. We brought the American people and we brought this country into a balanced budget in 1993, when we voted for the 1993 budget that brought the deficit down from \$300 billion a year to the present level of about \$65 billion. What we are doing now is trying to maintain and get that extra inch that we need to the goal line.

If we do what we did with trickle-down theory in 1981 and we pass a tax bill that has exploding numbers in the 6th, 7th, 8th, 9th and 10th year, we will be doing a disservice to this institution, our colleagues who follow us and certainly the American people.

I want to urge all of my colleagues to support the motion this evening to put some fiscal restraint on what we are doing by making sure that the tax benefits get to those who really need them in the area of education and in the area of child tax credits and make sure that we do not create for ourselves a situation in which our children and our children's children will be paying off this exploding debt in the 6th, 7th, 8th, 9th, and 10th years. I urge my colleagues, when the time comes, to support my colleague from South Carolina who will try to rein in these exploding out-year deficits by a runaway tax bill.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Speaker, today we have an opportunity to do something which I cannot see any reason why anybody would not do. And that is to make sure that the tax breaks that are put into this bill do not explode in the outyears. The estimates that we have seen on the proposals that have actually been put on the table by Senator ROTH and others have deficits of \$750 billion in the second 10 years. And if anyone votes against this resolution, they can only do it on one of two bases. One is that they do not care that we are replaying 1981. In 1981 we made decisions in this House, none of us were here, most of us were not, at least, and it took us 15 years to dig ourselves out of it. Now here we are going back in the pit again and doing the same thing again and setting ourselves up unless we instruct our conferees to refuse to put that kind of language in the budget resolution. They must limit the explosion in the out-years.

The only other reason that someone would vote against this resolution or this motion by the gentleman from South Carolina [Mr. SPRATT] is if they simply do not expect to be here.

I understand there are a lot of Members around here who believe in term limits. Maybe they figure in 6 years they will all be gone, but the very Members who are here today saying we must balance the budget always put it in terms of our children. We have to do it for our children. We do not want to sink our children in debt. Yet if we do not limit the tax breaks by the motion

that the gentleman from South Carolina [Mr. SPRATT] is making, we set in motion something that will happen 10 or 12 or 15 years out there.

If you are a baby boomer in this country and you are going to get to 65 in 15 years, just as the baby boom generation gets to taking Medicare and Social Security, this major problem will be back on the doorstep.

□ 1830

Who will be here to fix it? Well, it will be our children. They will have then run for the U.S. Congress, and they will be facing the same problem. They will say to themselves, why did the Congress of 1997 set in motion this mess?

We can almost excuse the Congress of 1981, because they did not know. They were not really paying attention or they did not know what was going to happen. But we have now seen what happens when we give big tax breaks and cut the budget, and so we have no excuse for setting in motion something that will be an enormous problem for our children.

I urge all my colleagues to vote for the motion to instruct the conferees offered by the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, the motion before us is one that ought to be accepted by acclamation, both parties, staying within the spirit of this historic balanced budget agreement.

As a member of the Committee on the Budget, I enthusiastically supported the agreement. I supported it because I felt it represented a compromise, a compromise that provided Americans with a balanced budget, with tax cuts, and yet with essential commitments to programs and national priorities that reflect our basic values.

Now, what is before us tonight in the motion to instruct conferees offered by my colleague from South Carolina is simply to go with the Senate provision 104(b) of the Senate-passed resolution that the 10-year cost of the tax cuts shall be \$250 billion and, second, with section 321 of the Senate-passed resolution that there ought to be a fair distribution of tax cuts as to the \$250 billion.

This is not a figure that has just come up on the floor of the House, thrown into this motion. It was at the heart of the negotiations. It was at the heart of the negotiations because the Senate requires a 10-year look at revenue losses under tax cuts, first of all; and, second, because a balanced budget plan that tried so mightily to reach balance by 2002 would be a sham if it had a provision that exploded the revenue loss under the tax cuts and threw the budget wildly out of balance in the years 2003 through 2007.

This is not about hitting once a balanced budget only to spin wildly out of

control again. This is about getting America on a firm financial foundation with a balanced budget in the year 2002 and in the years that follow that. That is why the 10-year \$250 billion figure is so critical.

Finally, as we get to tax breaks, let us direct those tax breaks to those who really need them, the middle-income, working-income Americans that are stressed so hard trying to make ends meet. That was agreed to by the Senate, a Republican-controlled Senate, with substantial support from both political parties.

This section 321 talks about a substantial majority of tax cuts benefits will go to middle-class working families earning less than approximately \$100,000 per year and will not cause revenue losses to increase significantly in the years after 2007.

So all we are asking is that this balanced budget agreement reflect balance not just in 2002 but in the years after 2002, and that those who benefit from the tax cuts primarily be Americans earning under \$100,000 and less. Quite frankly, we have to make priorities and we have to direct the tax cuts to those who need them the most, working income, middle-income Americans. Please go with the motion to instruct.

Mr. KASICH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Just in response, Mr. Speaker, I would hope we all keep track of some of our goals in this country and what I assume we all want to accomplish, and one thing is more and better jobs.

So the question, as we review tax cuts, is how do we get more and better jobs and keep this economy growing?

So to specify and say that the tax cuts have to be just to a certain income group, I think dismisses the larger question of how can we best accomplish the goals that we all want to achieve, and that is more and better jobs for the American working family.

Mr. KASICH. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I am not quite sure what this motion to instruct is. I hope it does not include in here a tax increase, but I am constantly amazed at the fact that people, some people in this House, worry that people are going to get their money back. I cannot quite understand why it is that there is this sense.

We are pulling the folks who for many years fought against the balanced budget and tax cuts a lot of the way, but I guess I am not convinced we have changed their hearts yet. Maybe we will get there. But what I do not understand is what this sense is that somehow the Government will have less and the people will have more. See, I think that is a good thing, if the government has less and the people have more. I think it is a good thing if the Government has less power and the people have more power.

Now, there are all kinds of ways we can give people their power. We can give them a right to send their kids where they want to go to school without the Government trying to tell them where they ought to go.

We could actually let the housing authority in Chicago decide that if they want to check the residents to see if they have got guns in their place, they should be allowed to do that. We ought to set the rules that we want in our housing authorities and the communities we live. I think that is pretty good.

I think we ought to let people have more choice on the kind of health care they want to have. I think they can make that kind of decision.

But aside from even those issues, a much bigger issue than all of that is the fact that people will have more money in their pockets. And when they have more money in their pockets they, by definition, have more power.

So I understand the idea that we do not want to violate the terms of this agreement. That is, I guess, to be adhered to. But, frankly, I wish we had far greater tax cuts in this agreement and second, though, the notion that somehow over the course of this that people are going to actually keep more than what we set out and that we are in this hyperventilated negative state about that is something that is beyond me.

The simple fact of the matter is that if we balance the budget faster, I do not hear anybody saying that we should give people more of their money back. I do not hear anybody saying that we in fact may get to a balanced budget sooner, and as we get to a balanced budget sooner, let us give more tax cuts.

I have to say to my colleagues that the wave of the future is not about the Government having more power. The people of this country are saying they want government to have less power. We better not knock on their door and tell them that we are from the Government and we are here to help. We are not going to get that good a reception from them, in case my colleagues have not noticed.

Our crusade ought to be about giving people their power back, about making this town less important. And that is what we are all about. That is what we are all about starting in this budget agreement: Balanced budget, hope for our children, tax cuts to give people more power, Medicare reform so people can have more options, shrinking the size of the Government that operates the agencies and departments. That is what we are all about in this agreement.

I am just going to argue that the reason we are balancing the budget is because the people want it, and the reason why they ought to have tax cuts and less government is because they want it, and the sooner we get this message the quicker we can end the cynicism and the skepticism people

have about this Capital City of the United States.

Mr. Speaker, I would hope that, frankly, we could even dispense with this motion to instruct because now we are trying to micromanage who gets the tax cuts. We are starting class warfare again. And then I think we are saying we will have a tax increase. That is what I think this says.

Frankly, I hope it is not going to pass. I predict it is not going to pass. And I think we should get on with this and forget this motion to instruct and I would ask the gentleman from South Carolina to just unoffer this today.

Mr. SPRATT. Mr. Speaker, I yield myself 2 minutes to respond to the gentleman.

I think we all need to bear in mind that basically what we are doing in this budget resolution for the next 5 years is borrowing more money so that we can fund the cost of tax cuts. Bear that in mind.

Second, what we are trying to do in this motion to instruct, which we will offer shortly, is say to the conferees stick to the strict outlines of the budget agreement that we have laid out.

We have decided that we can make room for \$85 billion in net revenue reduction over 5 years in this budget and \$250 billion over the second 5 years. Those are the limits. Please do not stretch the limits because we are concerned not just that we strike balance in the year 2002, but that we put this Government on a basis of equilibrium and we will have a truly balanced budget that will last.

As to the revenues of the Government, here is the administration's design, which is basically incorporated in this package and which is what they sent up with the budget presented by President Clinton in February of this year. The Government of the United States is now spending around 20.3, 20.4 percent of GDP, gross domestic product. We are taking in taxes about 19.1 or 19.2 percent. And there is the deficit, the difference between the intake and the outgo of the Government based upon the percentage measured as a percentage of our GDP.

The goal here, the design of this package, as proposed by the administration, as essentially embraced in this budget resolution, is to have revenues and spending converge at about 19.3 percent of GDP. So spending as a percentage of GDP under this plan will drop, revenues will remain relatively constant, and that is the scheme here. We want to make sure that scheme is achieved, and that is what we are about.

Second, in doing these tax cuts, we want to make sure that the people who really deserve tax relief, middle-income Americans worried about how to pay for college tuition and other such essential things, are not forgotten.

I know there is a lot of zeal to do capital gains tax cuts and estate tax cuts and to rewrite the alternative minimum tax, and in the zeal to do

that we want to make sure that middle-income Americans get remembered too.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Speaker, those of us on the Committee on the Budget have worked on this budget resolution, and although there is partisanship in some areas, I think that many of us feel that we have had and would like to have a good working relationship with the chairman of the committee, the gentleman from Ohio [Mr. KASICH], and with the other Members who have spoken. I certainly sense from their comments in other contexts that they too feel we should be working on a bipartisan basis to the maximum extent possible.

Now, the comments earlier this afternoon, I think, sort of missed the thrust of what we are really debating. The statements were essentially made "people good, government bad." We are not talking about "people good, government bad"; we are talking about what we need to do to ensure that we balance the budget. What do we need to do to make sure that the tax cuts do not balloon out of the channel that we are trying to construct and flood our efforts or snuff out our efforts to balance the budget.

□ 1815

And all that is being suggested is that we in the House side should accede to the Senate in this respect. I do not believe that the Senate was dominated by radical liberals in the passage of the budget resolution. The Senate has looked at this and has simply said, let us make sure that on a 10-year basis the tax cuts do not exceed \$250 billion. The Senate has also said, let us make sure that these tax cuts do not run away with our efforts to balance the budget after the 10-year period. And the Senate has said, let us make sure that the bulk of the tax cut benefits go to people earning less than \$100,000 a year.

Now, if the Senate has engaged in some sort of destructive and manipulative action with respect to tax cuts, those horrible Republicans in the Senate, or if they have initiated a class warfare strategy, it certainly is a surprise to me and I think almost every Member of the House. I think that what the Senate Republicans have put into the budget resolution on their side reflects nothing more than common sense, and I certainly have found as I have journeyed throughout my congressional district that Republicans and Democrats alike agree that we ought to be about balancing the budget first and then when we know that we have that under control and we have eliminated the deficit, we ought to be cutting taxes and making sure that whatever good programs we have are adequately supported. For this reason, I urge that we all join in supporting the motion.

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from Ohio [Mr. KASICH] has 17½ minutes remains. The gentleman from South Carolina [Mr. SPRATT] has 11¼ minutes remaining.

Mr. SPRATT. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from South Carolina [Mr. SPRATT] for yielding.

Mr. Speaker, this is a reasonable approach, as the speaker before me said, this was adopted by the Senate, which is controlled by the other party. And I think it is very reasonable. Now, this tax cut deal, which I voted for in the committee and I voted for on the floor, is predicated on stable growth, it is predicated on asset sales. And we have to be honest with ourselves that it may not work and we may end up with severe revenue losses down the road. We ought to take the steps now to ensure that we stay within the confines of the original deal, and that is what the Spratt motion would do.

The gentleman from Ohio [Mr. KASICH] was talking about the Reagan years and the GDP assumptions in the Reagan years. And I know we do not want to confuse things with the facts and look at the statistics, but I think it is important that we do. During that period, my colleague mentioned that assumption of 4 percent annual growth was never realized, and of course that is true when you look at the historical statistics. The same could be said about this: I think the gentleman is correct in many respects, we assume some very conservative economic statistics, particularly as it relates to growth rates. But if you look at some other statistics and compare them to historical average, we are using some pretty optimistic assumptions.

For instance, our assumptions for inflation are 200 bases points less than what the recent historical average has been. Our assumption for interest rates is about 300 bases points less than what the recent historical averages have been. And our assumptions for unemployment are 1 percent less. And with respect to spectrum sales, we are assuming more than we have achieved before us. So it is possible that this deal will not work out.

I might also add that the chairman of the committee, who I have a great deal of respect for, talked about the capital gains reduction and how that might create some inflation-free growth. That is quite possible. I have supported capital gains reduction. I have introduced a bill to do so. But I do not think we can ignore the fact that down Constitution Avenue sits the chairman of the Federal Reserve and the current, like his predecessor, tends to have a monitorist bent; and I think we would have to contend with them at some point if they saw increasing inflation-free growth that they might start to take the punch bowl away and put on the brakes, and that would also impact interest rates.

So what this does is to say we will live within the \$250 billion revenue stream over 10 years like the Senate has already done. And I think that makes sense. This is what we would call in the transaction business, belts and suspenders. We are making sure that we are going to follow through and do it the right way and not cause problems down the road for our children.

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

Mr. MENENDEZ. Mr. Speaker, I thank the gentleman from South Carolina [Mr. SPRATT] for yielding and I rise to support the motion that he is going to offer to instruct conferees, and I would hope that the gentleman from Ohio [Mr. KASICH] would support the motion because, in fact, it is about making sure that there are no tax increases in the future.

As someone who voted for the budget deal, I believe a deal is a deal. But the budget deal is only truly a deal if we balance the budget not merely on the numbers but on the principles. That is why we must use the 10-year outlook on tax revenues. There is nothing magical about hitting a date in 2002 and then returning to deficits because we have planted the seeds of fiscal instability. Ten-year revenue figures are about as honest as we can get. It is very hard, however, to conceal tax expenditures which blossom and proliferate after 5 years if we use the other body's revenue baselines.

The mess we are in today is because of spending binges which began in 1981 when we massively front-loaded defense spending and tax cuts. These two measures created the tidal wave of deficits 6, 7, and 8 years later that is causing the fiscal pain that we are experiencing today.

It was voodoo economics back then, and we should not resort to smoke and mirrors now. The real magic is to keep the budget balanced in 10 years. Let us keep the deal to permanent fiscal responsibility and use the most honest figures, the 10-year estimates. I urge my colleagues to make this an honest deal and vote for the motion to instruct conferees when it is offered.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan [Ms. STABENOW].

Ms. STABENOW. Mr. Speaker, first I would rise to once again to congratulate all parties on both sides of the aisle for putting together this balanced budget agreement, which I was very proud to support. It is not just about numbers, however, it is about protecting our values for our families. And that is the reason why I rise this evening to support the motion to instruct, which I think is incredibly important if we are to maintain the integrity in the outyears of balancing the budget and maintain our values that are outlined in the balanced budget agreement.

I had an opportunity to spend time over the district workweek in my dis-

trict, holding office hours in grocery stores and local restaurants, talking to my constituents about this balanced budget agreement. They told me they liked the fact that education was placed as No. 1 in the priorities for investment. They liked the fact that children's health and health care for working families that do not now have health care was important to the process, as well as protecting the environment and creating jobs. But they expressed one concern, and that was over and over again: Who will receive the tax cuts that are being proposed?

Because in their minds, their history has been for the last 15 to 20 years that they, as working families, middle-class Americans, small businesses, family-owned farms, have not seen the benefits of the bulk of the tax cuts that have been instituted since the 1980's, and they are asking, whether it is a family-owned farmer who has put all of their hard work and sweat into their land, that they be protected in terms of the estate tax, and I very strongly support eliminating the estate tax for those family-owned farmers or family-owned small business, or whether it is a young couple, not so young couple, depending on your perspective, in their forties whose children just went off to college and they need to get a smaller home now but all of their investments are tied up in equity in their house. That is their savings, and they are saying, can we please have capital gains protection for us as working people.

I would urge the committee to make sure that when we are done, tax cuts go to those who need it the most.

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

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

Ms. JACKSON LEE of Texas. Mr. Speaker, very simply, I rise to support the Spratt amendment to this budget and raise three simple points to my colleagues on the other side of the aisle. Let me say, because of the work that we have already done, we have a booming economy. I think we should acknowledge that. The numbers suggest that we have the lowest unemployment. One of the things that we need to do, however, is create jobs for many in our community.

On behalf of the 18th Congressional District in Texas, two other points that I think are more far-reaching that we should attest to, and that is that many of our constituents wanted us to balance the budget and they wanted us to bring down the deficit. This particular budget resolution and the motion to instruct conferees on the budget resolution is important, and that is because it instructs that the tax cuts do not exceed the \$250 billion net cuts in the budget agreement.

We do not want to bust the balanced budget. That is key and that is very important. And then I believe that we should have tax cuts but they should

be tax cuts for working Americans, the working Americans that have helped build this country, a child tax credit, an education tax credit, targeted estate tax relief, targeted capital gains.

The real emphasis of this balanced budget should be for those Americans who every day go out and work, every day continue to pay their taxes and build this country. We should create jobs for the graduates in the 1997 class, the 1998 class, the 1999 class and, yes, the year 2000 class. Put our people to work by focusing on the right kind of tax cuts that do not bust the budget, that have a targeted estate tax, a targeted education tax cut, a targeted child credit tax cut, and to make sure that this is truly a balanced budget that works for all Americans.

Mr. KASICH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, if a Member could respond from the other side briefly, I am very concerned about this because what we are adopting is a sense of Congress passed by the Senate. And in section 321(2), it says that if revenue starts going down after the year 2007, will increase taxes.

Most of the speakers over there say, look, we want a tax cut, we do want it to go to the American working family. But (2), the gentleman from South Carolina [Mr. SPRATT] says, after 2007, if revenues start going down, increase taxes. That is not what we want. And I do not think we should accept that idea that somehow if there is a slump in the economy, what we do and how we instruct conferees is to increase taxes so that they do not have any revenue loss after the year 2007.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. SPRATT] has 3¼ minutes remaining. The gentleman from Ohio [Mr. KASICH] has 16½ minutes remaining.

Mr. SPRATT. Mr. Speaker, I yield 90 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I thank the gentleman from South Carolina [Mr. SPRATT] for yielding.

Mr. Speaker, I was reading this week-end an article by Professor William Quirk of the University of South Carolina Law School, and he reminds us that in the year 2002, when the budget is supposed to be balanced, we will owe \$450 billion in interest payments on a \$7 trillion debt; and at that same time, the discussion is how much are we going to give away in tax cuts to individuals.

No more important decision will be made by this Congress for future generations as to whether or not, when we engage in the process of cutting taxes, whether or not we can control ourselves and resist the political instinct to hand out goodies and to hand out tax cuts that are disguised in the first years and then only to explode in the later years and then to cause an explosion of the deficit that this Congress

and this Nation has worked so hard to bring into balance.

We have got to be very clear that tax cuts should go to those who need them the most and tax cuts should be constrained in their growth and that tax cuts should not upset the balance of the budget in the year 2002. Otherwise, we will end up in the situation as was pointed out in the Washington Post this last week that the budget would be balanced only to become instantly unbalanced all over again.

That is not what the American people are asking us to do. They are asking us to bring this budget into balance and to keep it into balance and to force us to choose our priorities and not charge it off to future generations. Just as we should not charge off spending, we should not charge off the tax cuts to future generations.

Mr. Speaker, I insert into the RECORD the following article by William J. Quirk:

THE EARTH BELONGS TO THE LIVING

(By William J. Quirk)

The President and Congress have both promised us a balanced budget in the year 2002. The debt, at that time, will be somewhere between six and seven trillion dollars, which, assuming a seven percent interest rate, will cost close to \$450 billion a year in interest. Each year, every year, forever. Is it plausible to think the new generation will pick up that perpetual burden? How can the country equitably deal the debt burden?

Debt can only be disposed of in five ways: one, by paying it off; two, by repudiating it; three, by inflation—which is a veiled repudiation; four, by conquering the creditor to cancel the debt or conquering a third party to seize sufficient wealth to pay off the debt; or, five, by large real growth which makes the debt service a smaller share of a growing pie. If large real growth is unlikely, and conquest unpalatable, only the first three methods are available. The classic approach is inflation. The United States, since the Vietnam War, has used consistent inflation, usually around three percent, to reduce our debt. Inflation can be a successful method if no new debt is incurred, but continuing large deficits, and the new borrowing to cover them, have overwhelmed the tactic.

The Founders, other than Hamilton, believed that a perpetual debt was incompatible with self-rule, since the current generation cannot be asked to pay for decisions they did not make. Thomas Jefferson, during his term, reduced the national debt by one-third despite paying cash to Napoleon for Louisiana. "If we go to war now," Jefferson wrote to James Monroe in 1805, "I fear we may renounce forever the hope of seeing an end of our national debt. If we can keep at peace eight years longer, our income, liberated from debt, will be adequate to any war, without new taxes or loans, and our position and increasing strength put us hors d'insulte from any nation." Jefferson, in 1804, listed cutting taxes, cutting expenses, and reducing the national debt as the highest accomplishment of his first term: "To do without a land tax, excise, stamp tax, and the other internal taxes, to supply their places by economies so as still to support the government properly and to apply \$7,300,000 a year steadily to the payment of the public debt." Jefferson foresaw that a debt policy, such as Hamilton fostered, would be complicated and promote the centralization of power. Jefferson wrote James Madison in 1796 that "the accounts of the United States ought to be, and may be,

made as simple as those of a common farmer, and capable of being understood by common farmers." Things did not turn out as Jefferson hoped.

Our economists, unlike Jefferson, fail to distinguish between private borrowing and public borrowing; they think the issue is whether the annual income stream (tax revenues) is able to support the annual interest cost. But the real issue is whether a \$450 billion annual charge—with no return—is socially and politically sustainable. Does anyone think a 20-year-old earning \$10 an hour, or \$20,000 a year, can afford to pay \$4,234 in federal and state income tax and Social Security tax? That amount, invested each year for 45 years at seven percent interest, would give a nest egg of \$1,268,000. The present value of all the Social Security benefits he will receive, starting in 2041, assuming the system still exists, is an unimpressive \$12,400. The present value of health benefits he will receive is \$25,800, and of welfare benefits, \$20,500. The difference between \$59,700—the present value of all the benefits he will ever receive—and \$1,268,000 is a very expensive government for someone making \$10 an hour.

Can a government survive when so many resources are allocated to pay for inherited liabilities? Can a moral, orderly society survive if it does? The debt, because of doubts on both scores, destroys the value of the currency. The fear is that history will probably repeat itself, and the country will stoke up inflation to reduce the effective burden of an unupportable debt. Inflation may stay within bounds, as it has, barely, for the past 20 years. Or it may run out of control and destroy the currency as it did in Weimar Germany in 1923. The Weimar inflation destroyed the middle class, the basis of any democracy, and made way for Hitler. Either way, when the currency's value is unpredictable, individuals can't plan for a child's education, business cannot look very far ahead, and the country is disoriented.

Jefferson, in a September 6, 1789, letter to James Madison, said he thought it self-evident "that the earth belongs in usufruct [trust] to the living, that the dead have neither powers nor rights over it." In 1823, Jefferson wrote to Thomas Earle, "That our Creator made the earth for the use of the living and not of the dead; that those who exist not can have no use nor right in it, no authority or power over it; that one generation of men cannot foreclose or burden its use to another, which comes to it in its own right and by the same divine beneficence; that a preceding generation cannot bind a succeeding one by its laws or contracts." The current generation, in other words, holds the land as a life tenant does; he is entitled to cultivate the land and enjoy the fruits of it, but he can't hurt the interest of those who are to come after. He should turn the land over in the same condition he received it. Each generation is the steward for the earth during its lifetime.

Assume, Jefferson wrote, that Louis XV borrowed so much from the bankers of Genoa that the interest on the debt came to equal the whole annual net profit of France: "Should the present generation of Frenchmen deed their property to the Genoese creditors and leave their homeland? No. They have the same rights over the soil on which they were produced, as the preceding generation had. They derive these rights not from their predecessors, but from nature." No generation, by natural right, can oblige the next generation to pay its debts. If it could, it might, during its own time, "eat up the usufruct of the lands for several generations to come, and then the land would belong to the dead, and not the living."

Jefferson concluded that it would be "wise and just" for the Constitution to declare

that "neither the legislature, nor the nation itself, can validly contract more debt than they may pay within their own age, or within the term of 19 years." Not all borrowing, of course, leads to wasteful spending debt. Debt may be invested in beneficial infrastructure. The 1846 New York Constitutional Convention, applying Jeffersonian principles, provided that the state could contract no debt except by a law approved by a referendum. The debt, however, had to be for a single "work or object" and be accompanied by a new tax sufficient to pay interest and retire the debt within 18 years. Or the debt may be invested to acquire intangible assets—which the society considers beneficial—such as Pitt's Napoleonic Wars and our World War II and Cold War. But, because of the absence of checks, spending is far more likely to be wasteful when borrowing is permitted. If a country runs on a pay-as-you-go basis, whatever mistakes it makes will be paid for by those who made the mistakes.

Moreover, the requirement of immediate payment for government programs acts as an efficient brake on governmental enthusiasm. Debt, since it requires no immediate taxes, removes the fundamental limitation that to fund a program for the benefit of one group, the money has to be taken from a different group. Under pay-as-you-go, the payers must currently pay what the payees will currently receive. The payers are apt to resist—the issue must be discussed—and some compromise reached.

With a borrowing policy, as Jefferson saw, the rules are entirely different. The consent of the governed is not necessary. The executive proposes a program but now he meets no effective opposition, since the legislature is equally happy to spend money today that will have to be repaid by future taxpayers. The viciousness of the borrowing policy is that the taxpayer of tomorrow is not represented by any of the parties at the table. The burden is easily cast upon the unrepresented future. Programs can go forward that the current taxpayers are unwilling to pay for. Unpopular programs—such as the Vietnam War, the Great Society, and the Savings and Loan bailout—can move ahead. Of course, when programs go ahead without the consent of the governed, they are likely to tear the country apart.

Jefferson believed that the debt-making power was too dangerous for the federal government. Since it could not be safely limited, it had to be prohibited. Jefferson wrote to John Taylor, on November 26, 1798: "I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government of the genuine principles of its Constitution. I mean an additional article, taking from the federal government the power of borrowing." (Emphasis added.)

Jefferson said in 1816 that the people, "not the rich, are our dependence for continued freedom. And to preserve their independence, we must not let our leaders load us with perpetual debt." If the leaders load us with such debt, we will then be taxed "in our meat and in our drink" till we must, like the English, live on "oatmeal and potatoes; have no time to think, no means of calling the mismanagers to account; but be glad to obtain subsistence by hiring ourselves to rivet their chains on the necks of our fellow-sufferers." We will, at that point, "have no sensibilities left but for sinning and suffering. Then begins, indeed, the war of all against all."

□ 1830

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, as we go to conference this evening on the budget resolution, we really should assure the American people they will get a balanced budget as promised. So that means crafting the tax package in a way that makes it possible to provide the promised tax cuts while adequately measuring their cost to assure that the budget will actually balance in 2002.

That means playing fair with the numbers. The numbers cannot be jury-rigged so as to provide only the illusion of a balanced budget. How tragic it would be, Mr. Speaker, if in fact after these tax cuts were promised and the budget were laid out, that we would not have a balanced budget but would have a deficit that we have worked so hard to get rid of.

I think we should all agree on a bipartisan basis that such an outcome is absolutely unacceptable. We will balance the budget, we will give the tax cuts, and we will use fair and honest numbers.

Mr. KASICH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I would say to my colleagues on the other side, there is a lot of room that we can maneuver in the future. We are looking at a lot of different savings, and I think we can get support from the other side of the aisle.

Let me give a couple of classic examples that I hope in the next budget can go toward more of the savings that we are trying to send back to the American people. The 760 programs we have in education, to take and see, and I think it is fair to ask, which ones are working, which ones are not. The President is asking for \$3 billion in a new literacy program. We today are funding 14 literacy programs. Let us reduce the bureaucracy and see which ones work.

When we take a look at the earned income tax credit, that there is a 26-percent overpayment, so 25 cents out of every dollar. We can have a lot of savings from that and give it back to the American people. We can take a look at when we are getting as little as 50 cents on the dollar back out of our education from the Federal Government, that we can drive it down and bring in a lot of private work for it, with my colleagues from the other side. And take a look at the extension in Somalia, Haiti and Bosnia has cost us over \$15 billion and this new extension that the President is talking about that already is there, and then not pulling our troops, it is going to cost another \$5 billion. I think that there is going to be a lot of room at which we can improve both of the issues on the bills and have more relief for the middle class like we want and like my colleagues on the other side do. I hate the term middle class. It should be middle income, not middle class. I would ask my colleagues on the other side to work with us on this and that it is

something I think for the future of this country, the balanced budget, and making sure that we do help on both sides of what we want in this, that we can go a long way.

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

Mr. KASICH. 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 motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BONILLA). The question is on the motion offered by the gentleman from Ohio [Mr. KASICH].

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. SPRATT moves that the managers on the part of the House at the conference on disagreeing votes of the House of Representatives and the Senate on H. Con. Res. 84, the concurrent resolution on the budget for fiscal years 1997 through 2002, be instructed to do everything possible within the scope of the conference (1) to agree to section 104(b) of the Senate-passed resolution, limiting the 10-year net cost of the tax cuts to \$250 billion; (2) agree to section 321 of the Senate-passed resolution, with respect to fair distribution of tax cuts.

The SPEAKER pro tempore. Under the rule, the gentleman from South Carolina [Mr. SPRATT] and the gentleman from Ohio [Mr. KASICH] each will control 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I yield myself 2 minutes to explain the purpose of the motion.

As I said at the outset when the gentleman from Ohio [Mr. KASICH], the chairman, introduced his motion to go to conference, our purpose here is to see that what comes out of the pipeline resembles in its essential details what we are putting into the pipeline in the form of this budget resolution, and in particular on our side we are concerned that after spending years in restoring the revenue base of the Federal Government to the point where we have got the deficit down to \$107.8 billion last September, projected to be below \$90 billion, well below it, this coming September, we do not want to make the mistake made in 1981 and undo all the progress that has brought us to this point where we can truthfully say we are within reach of a balanced budget.

No. 1, we want to make sure that the tax writing committees, when they undertake to fulfill the reconciliation instructions, will strictly keep to the dictates of this resolution and see to it that the net revenue loss in the first 5 fiscal years from 1998 to 2002 is no more than \$85 billion, and in the years 2003 to 2007 is no more than \$250 billion. That was the agreement. We want to see it observed. Fundamentally, we are

simply reiterating what is the agreement reached among all the parties.

Second, in distributing the tax benefits, the tax cuts, we want to say to the tax writers, as the other body has said in its resolution, be fair to hardworking Americans, see to it that they get at least a significant part of the tax benefit bill that we are about to write. Those are the two fundamental things that we stress here today. We do not see how anybody in this House, Democrat or Republican, could differ or disagree with it. We hope that everybody, seeing the merit of this motion to instruct, will join in supporting it.

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

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

Mr. Speaker, I am pleasantly surprised that this motion does not call for a tax increase. I have not had a chance to see it. I am now looking at it. I tried to figure out a reason as to why, and I was not hoping to find something that I thought would blow up the agreement, but I wanted to carefully analyze it to make sure that it does not.

In regard to the first part of this, which is that the 10-year net tax cut be limited to \$250 billion, the answer on that is that that is part of the agreement and we are all in agreement that the net tax cut over 10 years, as called for under this agreement, is \$250 billion.

Let us not make any mistake about it. Come the year 2000, if we elect a Republican President, I think we are probably going to see more tax cuts, but all things staying normal here, we are going to have a compliance to the fact that we are going to have \$250 billion worth of tax cuts.

The other provision in here is the fact that the substantial portion of the tax cuts will go to people under \$100,000. That is clearly our intent. In fact, the biggest item in our package is a family tax credit.

Frankly, I do not think this is really a very meaningful motion to instruct, although I say to the authors of it, they have put it together, we will have a vote on it, and it will pass. Let me just suggest that I do not see any language in here that would call for repealing any tax cuts or anything else. Essentially this means that the bulk of the benefits will go to middle-income America, which we agree with, and second that in fact the net tax cut will be \$250 billion.

With that, Mr. Speaker, as far as I am concerned, we can all support this motion to instruct.

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

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

I thought the gentleman was calling for a vote by acclamation to endorse this resolution. I did not hear him say anything that disagreed with the motion to instruct conferees. Is that the gentleman's request?

I would like to ask the gentleman, do I correctly understand what the gentleman just said, that he supports this particular motion to instruct conferees, then?

Mr. KASICH. If the gentleman will yield, I have no objection to doing what we intend to do.

Mr. SPRATT. So the gentleman supports the motion to instruct conferees?

Mr. KASICH. I support the idea that we are going to live up to our agreement on \$250 billion in net tax cuts, and would agree with the gentleman that our plan is going to give the bulk of the resources to middle-income, hardworking Americans. We favor that.

Mr. SPRATT. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from South Carolina [Mr. SPRATT].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs: KASICH, HOBSON, and SPRATT.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

PASS A CLEAN SUPPLEMENTAL APPROPRIATION

(Mr. OBEY asked and was given permission to address the House for 1 minute.)

Mr. OBEY. Mr. Speaker, I have introduced tonight H.R. 1755, a clean supplemental which contains the items agreed to by the conference committee to this point on the emergency flood relief supplemental, but which strips the proposal from the unrelated partisan riders which have been insisted on by the Republican leadership of both houses.

I had intended to try to offer a motion this evening to take that bill up today but the majority leadership did not want it cleared. I would simply say that if the leadership insists on putting nonrelated items into the supplemental, it is clear that the President will veto that legislation and we will be here next week doing what we ought to do this week, which is to pass a straight, clean supplemental appropriation bill meeting the needs of the flood victims in the various States in this country.

I would hope that by tomorrow, the House leadership and the Senate leadership would either have changed its mind about insisting on those unrelated riders, or else if they have not, I

hope that they will at some point tomorrow allow the motion which would allow us to bring before the House a stripped-down version of the supplemental so that we do not, in fact, needlessly tie up this legislation for another week. If we do not do this this week, we will certainly be here next week doing next week what we ought to be doing this week, and it makes no sense at all.

□ 1845

We ought to simply see an end to the partisan games, and we ought to move this bill in the stripped-down version on its way to the White House.

REPORT CONCERNING EXTENSION OF WAIVER AUTHORITY FOR ALBANIA, BELARUS, KAZAKSTAN, KYRGYZSTAN, TAJIKISTAN, TURKMENISTAN, AND UZBEKISTAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-91)

The SPEAKER pro tempore. (Mr. BONILLA) 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:

I hereby transmit the document referred to in subsection 402(d)(1) of the Trade Act of 1974, as amended (the "Act"), with respect to a further 12-month extension of authority to waive subsections (a) and (b) of section 402 of the Act. This document constitutes my recommendation to continue in effect this waiver authority for a further 12-month period, and includes my reasons for determining that continuation of the waiver authority and waivers currently in effect for Albania, Belarus, Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan will substantially promote the objectives of section 402 of the Act. I have submitted a separate report with respect to the People's Republic of China.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 3, 1997.

REPORT CONCERNING EMIGRATION LAWS AND POLICIES OF ARMENIA, AZERBAIJAN, GEORGIA, MOLDOVA, AND UKRAINE (H. DOC. NO. 105-92)

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:

I hereby transmit a report concerning emigration laws and policies of Armenia, Azerbaijan, Georgia, Moldova, and Ukraine as required by subsections

402(b) and 409(b) of title IV of the Trade Act of 1974, as amended (the "Act"). I have determined that Armenia, Azerbaijan, Georgia, Moldova, and Ukraine are in full compliance with subsections 402(a) and 409(a) of the Act. As required by title IV, I will provide the Congress with periodic reports regarding the compliance of Armenia, Azerbaijan, Georgia, Moldova, and Ukraine with these emigration standards.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 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 will be recognized for 5 minutes each.

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

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

REASONABLENESS IN SPENDING TAXPAYER DOLLARS

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

Mr. SMITH of Michigan. Mr. Speaker, you know we are at the starting gate of a new era, I think, in the U.S. Congress of trying to look at what is reasonable and what is practical on the way we pay/spend taxpayers' dollars. We have just finished a debate and both sides have agreed that somehow Government is taking too much of the hard-earned money out of working families' pockets, so we are in a new attitude saying that too big a Government and too much taxes is bad for the people and it is bad for the economy.

I think as we look over some of the weaknesses of this budget agreement, I suspect a couple of the areas that I would put at the top of the list are the way we have dealt and tried to figure out solutions for the reduction in spending of entitlement programs.

Entitlement programs next year will use up 53 percent of the total Federal budget, and you know for a Congress that was developed and given the responsibility of not only deciding how much money was going to be spent and how it would be spent to evolve in today's situation where Congress really only has control of about 17 percent of the budget; if you consider that the 17 percent that goes into defense spending is almost on automatic pilot, because there is seldom a disagreement of more than a plus or minus 10 percent deviation between the hawks and the doves and the Republicans and the Democrats, we are left with discretionary spending that represents just under 17 percent of the Federal budget.

Entitlement programs I think can be defined as anybody that is eligible for that money will automatically be paid those sums. Of course, the large spending items are Social Security taking 23 percent of the Federal budget now, Medicare, Medicaid, the welfare programs, the food stamp programs, the agricultural programs; all on automatic pilot, if you will, that Congress has lost control of and a majority in Congress can no longer adjust those spendings without the consent of the President.

You know, I think a lot of people misunderstood what happened 2 years ago when Republicans said that we are going to take this discretionary spending and use it as leverage to try to change and slow down some of the increases in discretionary spending.

Now, the Government closed down first 2 days, and then in December 1995, 3 days, and then it came to March 1996, last year, and Republicans said, look, we are going to draw a line in the sand and we are not going to pass this discretionary spending bill that in effect runs the Federal Government unless the President agrees to submit a balanced budget.

The President though, does whatever he does to make those decisions, decided, yes, I am going to do that. Now the whole world of Congress has changed, and everybody is saying yes, we want to balance the budget.

I mean that is the good news, that is the great news, and now we are saying let us let people keep some of that hard-earned money in their pockets and start reducing taxes. That means reducing the size of this overwhelming huge Government that is now out of control.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

IN SUPPORT OF FULL FUNDING FOR SUMMER YOUTH EMPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in order to focus on the need to sustain, expand, and fully support our Nation's youth through the federally funded Summer Youth Employment Program.

I am strongly committed to the Summer Youth Employment Program and would like to insure that it serves all of the needs for summer employment for our Nation's disadvantaged youth.

Prior to my election to the U.S. House of Representatives, I worked to create an expanded Summer Youth Employment Program that would serve the entire city of Houston.

That resulting effort continues to be successfully managed by Houston Works, a not-for-profit organization based in Houston, TX.

I know from personal experience that a summer job for those young people enrolled into the Job Training Partnership Act's Summer Youth Employment Program sponsored projects around this country is more than just an opportunity to have money for the next school year, it is an opportunity to learn, live, and experience the work environment and culture.

In 1997, Houston Works Summer Youth Program plans to serve 6,500 young people between the ages of 14 and 21, with a projected budget of \$8.9 million. This funding would only allow 3 percent of those who would qualify to be included in the program. The potential number of applications for this important jobs program is 43,000 young people which reflects the total number of disadvantaged youth in the area served by Houston Works. Nationwide, there are 4 million youths who would qualify for this summer jobs program if funds were available.

Last year Houston Works provided 5,177 jobs to youth ages 14 through 21 years, with a budget of \$6.5 million.

This program has made a significant difference in the lives and fortunes of Houston's young people who were fortunate enough to have their applications accepted.

One young lady in particular that comes to mind when I think of the real impact of our summer jobs program has on the lives of our Nation's young people is Ms. LaQuista L. Stewart.

Ms. Stewart is a remarkable young woman who worked 4 years with the Summer Youth Employment and Training Program during the summers of 1991 through 1994. Her placement included 2 years as a clerical assistant at Smiley High School; 1 year at Texas Children's Hospital as a medical assistant to the supervisor of the pulmonary laboratory technician in the Diagnostic Center, and 1 year as clerical assistant to Houston City Councilmember Felix Fraga.

Ms. Stewart's uniqueness is not that she did very well in her job placements, but that she, like majority of youth served by this critical program, had to overcome obstacles to meet the challenges and succeed in the program.

At the age of 2, she and her family were involved in a car wreck that left her stepfather permanently disabled and LaQuista lost her spleen and left kidney. Her family has gone through great difficulty, both financial and personally, as they learned to cope with their physical and economic limitations after the accident.

Ms. Stewart used the income provided by her youth employment to assist her family financially and for college expenses.

Despite her setbacks, Ms. Stewart was able to participate in the National Honor Society, became her Class Parliamentarian, worked with Future Business Leaders of America, and was ranked 40th in a class of 365 students.

Ms. Stewart credits Houston Works Program which is funded by the Summer Youth Employment Program for her successful job placement in the office of Houston City Councilmember Michael J. Yarbrough. Councilmember Yarbrough hired Ms. Stewart in a permanent job on July 29, 1994. She currently works 40 hours per week and is enrolled in her third year at the University of Houston.

Some might say, in hindsight, that Ms. LaQuista Stewart would have been a success without the Summer Youth Employment Training Program, and if this were a perfect world I would agree with them. Unfortunately, this world is not perfect and those deserving of a chance to learn valuable job skills are not always afforded that opportunity.

I would like to stress the need to look at summer youth employment as an extension of the learning experience for those young people who would otherwise not have that opportunity. It is the best example that we can convey to disadvantaged youth the valuable lessons of work and responsibility.

I would like to see the funding for summer youth employment create a separate funding stream for this significant program. Most of our disadvantaged young people live in urban areas that can best be served by direct funding of these programs. The block grant approach is detrimental to summer youth employment because it may not leave States with the needed flexibility to assign funds based on the particular socioeconomic demographics of the various States.

This summer jobs program provides income that will generate spending, often in impoverished neighborhoods, the summer program helps generate economic growth. For each 1,000 kids employed, the program brings between \$1 and \$1.4 million to those community.

I would hope that the Congress can meet the administration's request of \$871 million for the next fiscal year's funding of our Nation's Summer Youth Employment Program. I would also ask that you keep in mind the full benefits of the Summer Youth Employment Program, both tangible economic benefits and intangible job learning experience benefits.

PROMISES MEAN NOTHING TO PEOPLE WHO HAVE NO PLACE TO LIVE

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

Mr. POMEROY. Mr. Speaker, it is now day 12, 12 days since Congress recessed without taking action on the disaster supplemental appropriations bill. It is the sixth week since an absolutely devastating flood, a flood of 1,000-year proportion, hit Grand Forks and inundated North Dakota's second largest city, a city of 50,000 people.

One of the things that as we saw the footage broadcast throughout this country and, in fact, across the world, as you looked at literally a city steeped in the Red River water, it was a horrible visage. But one of the things that I think we perhaps could not fully appreciate as we watched that horrible site and saw the fires ravaging the downtown in the middle of this floodwater is the extent of damage occurring in each and every structure that had that floodwater in it.

During the 12 days since Congress recessed I spent a good deal of that time in Grand Forks. The stories that I heard directly from the people impacted from this flood were among the most moving I have heard from anyone.

What I believe Congress failed to realize as it recessed and went home without taking action was that it left literally thousands of people in the area I represent utterly in limbo.

Some have suggested that the disaster did not need prompt attention, FEMA is operating, SBA is operating, the programs are in the pipeline chugging along happily, providing all the disaster relief anyone could ever require. That is simply wrong; they are simply wrong. In fact, the disaster bill hung up in conference committee contains in one of its most essential parts \$500 million of community development block grants. This funding is literally the linchpin of the Grand Forks' recovery effort because it will provide the funding for the expanded floodway, it will provide the buyouts that will purchase the homes in the floodway, giving their owners the capital they need to get on with planning where they are going to live next; do they build, do they buy? Whatever. Without that community development block grant funding, without the assurance, and the commitment of those resources to our area, people are utterly on hold.

Imagine having your home in the floodway, but with the city unable to determine exactly what funding will be available for home buyout purchase, the city cannot tell you whether or not to repair your home. Now your home has got about \$20,000 or \$30,000 worth of damage, and this is the case of hundreds of homes. You do not know whether to put in \$20,000 or \$30,000; you already lost most of your life's investment in the equity of your home. You do not know whether to put in that money without knowing whether you might be bought out and forced to move within a year again anyway. And so you wait, as hundreds of families are waiting in Grand Forks each and every day of the 12 days that Congress went out on recess without taking action. Your children may be living with grandparents or relatives, other relatives, maybe friends. Your family may be scattered. You may be commuting 90 miles one way to work because you do not have a place to live, and Congress recesses.

And during the recess, Mr. Speaker, Members traveled all over the world enjoying their time away from legislative business. Well, the people in Grand Forks would have liked to have taken time away from their business, their business of trying to pull themselves out of the floodwater and the mud of the Red River and get on with their productive lives. But they could not do it, and the reason they could not do it is because this bill was hung up in conference committee.

There was a tremendous constructive, bipartisan effort in building a good disaster bill. I personally have stood here on the floor of the House and expressed my appreciation to the Speaker, to the majority leader and to the other Members, both in the majority and the minority, who have worked

together to build such a meaningful relief package to our area. But it does not do any good if it is not passed. Simple as that.

Mr. Speaker, deed is in the enacting and getting the resources available. Promises at this point mean nothing to people who have got no place to live.

□ 1900

The conference committee reconvenes tomorrow. It is my urgent hope and request of the conferees that, as they come back into session, remember those in the flood-ravished areas I represent, put politics aside, and get about the business of getting people the help they so desperately need.

TRIBUTE TO JOHN SENGSTACKE

The SPEAKER pro tempore (Mr. GIBBONS). Under a previous order of the House, the gentleman from Illinois [Mr. DAVIS] is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to pay tribute to a great American who recently passed away, one whose life has flowed and influence has flowed from his office on the near south side of Chicago to points across America and throughout the world, Mr. John H. Sengstacke. He spent 50 years as publisher of the Chicago Daily Defender newspaper, which was founded by Robert Abbott in 1905 and sold as many as 200,000 copies a week during World War II, when it championed desegregation of the Armed Forces and paved the way for Jackie Robinson to become the first black to play major league baseball.

John Sengstacke was born in Savannah, GA, educated at Hampton Institute in Virginia, and spent the rest of his life working for and building the Chicago Defender newspaper, a paper which under the leadership of Mr. Abbott had acquired a readership far beyond Chicago by being an early champion of the great migration beginning in World War I.

Mr. Abbott preached in his editorials that the destiny of blacks was in the north, where factories were desperate for workers. Pullman car porters acted as unofficial circulation agents by picking up copies in Chicago and dropping them off at barber shops and churches along their southern runs.

In the 1940's Mr. Sengstacke founded the Negro Newspaper Publishers Association, now known as the National Newspaper Publishers Association, which has more than 200 members. He also acquired the new Pittsburgh Courier, the Detroit-based Michigan Chronicle, and the Tri-State Defender published in Memphis, TN. Out of the Defender has emerged a Chicago institution, the Bud Billiken parade. As an activity of the Defender charities, the Bud Billiken parade has grown to be one of the largest community celebrations in the Nation. Mayors, Governors, Senators and even Presidents have marched or ridden in this parade, which traditionally draws more than a

million active viewers and participants each year.

The Chicago Daily Defender newspaper has been a haven and inspiration for renowned journalists and publishers such as Lu Palmer, Vernon, Jarret, Faith Christmas, John H. Johnson, and Chinta Strasburg, to name a few.

John Henry Herman Sengstacke was an adviser to Presidents Truman, Kennedy and Johnson. Through his influence with President Franklin Delano Roosevelt, Mr. Sengstacke arranged for the first African-American correspondent in White House history, Mr. Harry McAlpin. He also figured prominently in influencing President Roosevelt to hire African-Americans to work for the U.S. Postal Service. He received 10 Presidential appointments, including his selection by President Truman to serve on the committee on equality of treatment and opportunity in the Armed Forces, which resulted in desegregation of the military.

In the 1940's Paul Robeson and John Sengstacke arranged a meeting with Jim Landis, commissioner of baseball, and Branch Rickey, manager of the Brooklyn Dodgers, which led to the hiring of Jackie Robinson to play major league baseball. He served as chairman of the board of Provident Hospital and Training School Association which rebuilt the Provident Medical Center which enabled the legendary hospital in which the world's first open heart surgery was performed by Dr. Danial Hale Williams, to continue its services to African-Americans and others who live in its area.

Mr. Speaker, I express condolences to the Sengstacke family, friends and employees of the Defender newspapers on the occasion of his death.

John Sengstacke worked diligently to end racism, sexism, and anti-semitism. He fought for open housing, to educate children, to provide charitable services to humanity, to defend the U.S. Constitution, and to protect the rights of people throughout the world. John Henry Herman Sengstacke, a man who knew how to use a newspaper to become an influential and powerful American.

PROMOTING VALUES OF DEMOCRACY AND LIBERTY IN CHINA

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

Mr. DREIER. Mr. Speaker, I would like to first thank my colleagues for their forbearance. I rise tonight to respond to the fact that this morning we saw the official beginning of the annual debate on the extension of most-favored-nation trading status for the People's Republic of China. Quite frankly, the term "Most Favored Nation" is, to use what is today the vernacular, I guess, a very inappropriate euponym, e-u-o-n-y-m, to describe the trade relationship between the People's Republic of China and the United

States. I say that because it simply means that we would be continuing with normal trading relations that exist with virtually every other country on the face of the earth.

Like every Member of this House of Representatives, I am very troubled at the human rights violations that we have seen take place in China over the past several years. I am very troubled at the treatment of Tibet. I am very troubled at the saber-rattling which has taken place in the Taiwan Strait. The idea of weapons proliferation and transfer to Pakistan and Iran and potentially other nations troubles me greatly. I will say that, as we look at every single one of these very serious problems, we have to ask ourselves the question: How do we most effectively deal with those problems?

Mr. Speaker, it is extraordinarily obvious to me that the most effective way to deal with those problems is to continue to get our Western values into the most populous nation on the face of the earth. Some are unfortunately trying to equate the People's Republic of China with the former Soviet Union. The differences are very, very important and need to be underscored.

The Soviet Union had a policy of expansionism throughout eastern and central Europe. At this moment we are up in the Committee on Rules talking about the issue of NATO expansion, and obviously, the Chinese have not been involved in that. Look at the expansion that we saw by the Soviet Union into this hemisphere when through the decade of the 1980's we struggled with this continued pattern of assistance that went to the Communist dictatorship in Nicaragua, exporting its revolution into El Salvador and other countries. So the difference is very, very important.

Some people want to create another cold war enemy, Mr. Speaker. We should not do that. It would be irresponsible, a major mistake. The single most powerful force for positive change in the 4,000-year history of China has been the market reforms which have dramatically improved the standard of living. I am convinced that, if we were to in any way cut that off, we would not be isolating China from the United States or the world. What would happen is we would isolate the world's only complete superpower, the United States of America, from the most populous nation in the world.

So looking at the allies in that region, we also have to recognize that Hong Kong, which will revert to China in just about 3 weeks, very strongly supports our continuance of most-favored-nation trading status for the People's Republic of China. We have to look at religious leaders. Many religious leaders have come forward saying that their greatest opportunity to continue expanding their message into China is for us to maintain our engagement there.

So Mr. Speaker, the debate is going to rage on for the next several weeks.

I am very pleased that I am joined by the gentleman from Pennsylvania (Mr. FOX), my friend and colleague, and many others in this House who understand that trade promotes private enterprise, which creates wealth, which improves living standards, which undermines political repression. It has happened in the last decade and a half in South Korea, Taiwan, Chile, and Argentina, and it is not going to happen overnight, but clearly, it will help in China. So let us maintain engagement.

When the resolution of disapproval does come up here on the House floor, I urge my colleagues to join in voting against it so that we can move ahead in our attempt to get our values, our great values of freedom and democracy and liberty throughout the entire world.

TRIBUTE TO EMIL CIAVARELLI

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

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to salute a very special gentleman from my district in Montgomery County, PA, Emil J. Ciavarelli, a funeral director of great renown, a civil leader, an outstanding businessman, a proud father and grandfather, a wonderful husband, who recently died. He was a graduate of Ambler High School, Temple University and the former Eckels College of Mortuary Science in Philadelphia.

Mr. Ciavarelli was a member, organizer, and chartered chairman of the Montgomery County Funeral Directors Association. He was one of the few funeral directors, Mr. Speaker, selected by the U.S. Exchange program to tour the Middle East and Russia, observing funeral practices.

Mr. Ciavarelli was on the board of directors of Progress Federal Bank, the planning commission of Conshohocken and the Conshohocken school board. He has been a sponsor of the Babe Ruth Baseball League of Conshohocken and a church leader at St. Cosmas and Damian Church in Conshohocken, PA. In addition, he was the founder of the Christopher Columbus Civic Association of Philadelphia, PA. He was chosen to be involved in the 500th anniversary celebration of Christopher Columbus and had a special audience with Pope John Paul the Second. He was honored recently by the Italian Government and made a cavalier and member of the Cavaliers Society. He was a member of the Conshohocken Chamber of Commerce and he was given Man of the Year status in 1967.

Mr. Speaker, Mr. Ciavarelli was a former member and organizer of the Kiwanis Club of Conshohocken and he served as its club president. He was a fourth degree member of the Knights of Columbus and he was also a member of the Holy Name Society of St. Mary's R.C. Church, a member of the Washington Fire Company and Conshohocken

Fire Company and a regional representative of the Boy Scouts of America.

But more than all of the activities of Mr. Ciavarelli, he was someone who cared greatly for his community, his family, and for his country, and he was one proud American who really made a positive difference. So to my colleagues, he is someone special as a role model that others can look up to, not only in my community and State, but throughout the Nation.

CONTINUING RESOLUTION BEING HELD HOSTAGE

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

Mr. STEARNS. Mr. Speaker, I rise today to talk about the supplemental appropriations bill; specifically, the provision of the bill known as the automatic continuing resolution, or CR.

Two weeks ago we left Washington without passing the supplemental appropriations measure. This was unfortunate. Unfortunately for all Americans, and in particular for the victims of the recent Midwestern floods, this important and well-meaning legislation has become a hostage because of the President and some Democrats who do not like this CR which was attached to this bill.

During the floor debate on the bill, the House voted overwhelmingly to amend the bill to include an automatic continuing resolution, a failsafe provision that would automatically and fully fund the 13 appropriation measures, should any or all fail to be passed into law. In other words, we added a commonsense provision to an already fair measure.

Mr. Speaker, I would like to call it an insurance policy for the American people. The provision we are talking about that the President and some Democrats object to is quite simple and generous. Should any of the bills fail to become law by the end of the fiscal year, they would be fully funded at 100 percent of this year's funding level. In other words, there are no cuts, no elimination of any programs as a result of passage of the CR.

The President objects to this. Does the President want the opportunity to spend more money? Does he want an increased level? Furthermore, the passage of this simple CR would balance the budget within 5 years set forth in the budget agreement.

□ 1915

It is incredible that we have the claims that supporting a balanced budget could actually impose a problem. But simply, if the President was truly serious about balancing the budget he would support the CR provision and Congress could at long last pass a much-needed disaster relief act.

Nevertheless, Mr. Speaker, the President has promised to veto this impor-

tant legislation. It is a very unfortunate situation we have because the people in the flood-ravaged Midwest need this money. We have set aside money for them but they need this bill. But again, we have a CR attached to it and the President seems more concerned with making sure we do not pass this CR.

The troubling thing about the President's proclaimed opposition to this supplemental is that he claims to support the Republicans' efforts to preclude a Government shutdown. He has often stated publicly his desire to initiate a failsafe mechanism, but when push comes to shove and we present him with an opportunity, he refuses it.

He claims that America needs a solution. The CR is such a solution. I urge the President to support it. It is a simple and reasonable effort to protect the American people from the kind of partisan political battles that shut down the Government and suspended essential Government services 2 years ago, the kind of political battle the President claims he opposes.

Does the President want to shut down the Government? Does he want hardship and inconvenience? I do not think he does.

In other words, as if it were not bad enough to say, I am against a CR, he is also against a simple supplemental to help the flood victims. The proclaimed opposition to the CR has really nothing to do with the supplemental. Rather, the President's opposition is that he wants a fail-safe mechanism itself, and he does not think the CR does it, so he is going to veto it. But, Mr. Speaker, the majority of people on the House floor overwhelmingly supported this CR. It was a very large vote.

Let me conclude by saying to my colleagues, the Republican Party did not shut down the Federal Government in 1995, and we will not be responsible for a shutdown if it happens again. Back then the Congress sent to the President more than adequate appropriations bills, and he simply vetoed them. To preclude this from happening again we have included a simple insurance policy in the supplemental, and yet, Mr. Speaker, he is opposed to it.

In other words, we have included within this bill a provision to ensure the uninterrupted continuation of vital services like Social Security, Medicare, Medicaid, and veterans benefits. We have attempted to remove politics from the appropriations process, and yet the President unfortunately objects.

For the good of our country and the peace of mind of her citizens, we should pass into law this commonsense insurance mechanism, a CR that will keep the Government operational when partisan conflicts arise. I am an original cosponsor of this legislation and a longtime supporter of the ideals behind the CR. I urge the President to reconsider his position, not just for the immediate needs of the flood victims, but for the long-term good of the entire country.

THE INTERNAL REVENUE SERVICE

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

Mr. SESSIONS. Mr. Speaker, tonight I rise to talk, with several of my colleagues, about the Internal Revenue Service. The Internal Revenue Service, through a series of laws that have been passed for many years, has what is called the Internal Revenue Code. What this code is is it consists of two huge books that I am showing the audience tonight that are very thick with very fine print that talk about the tax laws of this country.

Tonight myself and my colleagues stand to talk about not only the Tax Code but the application of that Tax Code by citizens of this country, and also how they are judged in that Tax Code by the Internal Revenue Service.

Tonight we stand to talk about H.R. 1145, the Home-based Business Fairness Act of 1997. It allows self-employed entrepreneurs, which are the fastest growing and most dynamic sector of our economy, and as a simple matter of fairness, to deduct the expenses of a home office and 100 percent of their health insurance costs. H.R. 1145 also provides a clear definition of an independent contractor to help entrepreneurs avoid crippling IRS costs and fines.

This year small business cited the cost of health insurance as the No. 1 concern, and tax demands accounted for 6 of the 10 most severe problems confronting small business.

H.R. 1145 deals with both of these concerns, addressing the high cost of a home office and of health care. Because many small businesses use independent contractors, their business status is critical to the success of entrepreneurs all over this country.

An independent contractor is one who does work with the help of someone but who is not under that person's control. This allows entrepreneurs to work for themselves but with the assistance of a primary contractor, as a primary contractor does not have to withhold taxes for his independent contractors, and that is why this issue is so important.

What we would like to discuss tonight is H.R. 1145 and how this is going to play out. We have any number of issues to discuss, including factors and criteria which the IRS uses to determine these independent contractors. But as I talk tonight, what we would like to do is further examine what is happening in the marketplace. As we talk about the marketplace, what we are talking about is small businesses, men and women who are attempting not only to do work out of their home, but also work in industry and work in business.

What we would like to do is to provide several examples of how the factors that are based upon the 20-point

criteria, the 20 factors, how they play out with the IRS.

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

Mr. SESSIONS. I yield to the gentleman from Montana.

Mr. HILL. Mr. Speaker, I am proud to join with the gentleman and be a co-sponsor of the Home-based Business Fairness Act, H.R. 1145. One of the saddest things I think that we have is the fact that small business owners, people who operate a business out of their home, people who are just trying to get started in business, are discriminated against in the Internal Revenue Service Code.

I think a lot of folks do not realize that today if you are an employee, if you work for someone or if you have a large corporation, you are an employee of your own corporation, you get to deduct health insurance, but if you happen to be self-employed and you want to buy health insurance for you or your family, you do not get a deduction for it. It is a discrimination against small businesses and against small business owners.

The same thing is true of the home office deduction. If you happen to keep your accounts receivable ledger in a file cabinet at home, or if, as when I started my business, if you happen to do your books at night at the kitchen table, you do not get to take a deduction for the business operating expenses that are associated with operating from your home. Again, it is a discrimination against people who are starting a business.

I think a lot of folks do not realize that Bill Gates got started with Microsoft in his garage. Henry Ford built the prototype of the Model A in his garage. Most small businesses today get started in somebody's home or in somebody's garage. The idea is that we want to encourage that, because the energy, the creativeness of our society comes from people with an idea who are willing to take a risk and get started at home.

The same thing is true with this independent contractors issue incorporated into H.R. 1145. The thing is that if you are going to get started in offering services as your business, you offer that service as an independent contractor. That is, I go out or someone would go out and contract with someone to offer a service. But today the Internal Revenue Service Code has so many tests in order to qualify as an independent contractor it is almost an absolute barrier for someone who wants to get started in the service sector of our economy.

What is the fastest growing sector of our economy? It is the service sector of the economy. So just for example, I have a list of the tests that are here, and I do not think all of my colleagues understand all the tests.

Just for example. If a person hires another person or if I wanted to offer my services, and the person I was offering them to wanted to give me some in-

structions on how to do that or wanted me to have some specific training or wanted to provide some of the tools, or wanted to tell me what hours of the day that I might be able to do those services, all of those criteria, any one of them, not in combination but any one of those criteria, would make that person ineligible to offer their services as an independent contractor. The list goes on and on. If the person doing the hiring offers tools or the place of business, it almost makes it impossible today to offer services and in starting a business.

What is worse about that is if someone takes the risk of hiring an independent contractor that has started in business and an audit is conducted 3 years later, the tax penalties can be horrendous, so it creates more risk for that business enterprise who might want to start hiring a new business enterprise.

So H.R. 1145 also redefines independent contractor. It clarifies the definition, and it creates a safe harbor. What a safe harbor means is that if somebody hires an independent contractor to help somebody get started in business and it is later determined that it did not meet all of the tests, there are not any tax penalties in the past. It is prospective.

In other words, we can say that person did not qualify as an independent contractor for the future, but there are no tax penalties going to the past. This is a really good bill, it is a good bill for America.

In Montana I have 26,000 people who are self-employed operating from their homes, trying to get started in business, trying to provide for their families. What this measure will do is it will treat them fairly, like every other business and every other worker in America.

Mr. FOX of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Speaker, I must congratulate the gentleman from Texas [Mr. SESSIONS] and the gentleman from Montana [Mr. HILL] for their leadership on this issue, which is going to help small business and is going to help the economy, frankly. Ninety percent of jobs, as I understand it, are jobs through small business, from the individual talent and enthusiasm and creativity of individuals who are really trying to make a difference.

So I would urge that my colleagues on both sides of the aisle, Republicans and Democrats, support H.R. 1145. This home office deduction and assistance with health care will help more jobs be created, and with our overall goal of having more people employed, stabilizing the tax base, we know small business is the engine of our economy, and I really believe this is a step in the right direction.

Furthermore, I have to applaud the gentlemen again, because frankly, IRS reform is an idea whose time has ar-

rived, not only here as far as the home office deduction, which will create more jobs and create economic growth, but I believe it is a step in the right direction of making IRS more taxpayer-friendly, if that is possible.

I would like to see us actually change the burden of proof, that the taxpayer is presumed to be correct and the IRS commissioner would have the burden of proof. That is probably in another bill. But frankly, the American public would like to see this kind of bill move forward, and on any other sections the gentleman would identify where there is positive change making the Tax Code more clear, and maybe some day even having a flat tax would certainly be an idea we should move forward on as well.

Mr. SESSIONS. Mr. Speaker, I would like to continue this discussion so we can make sure that those people who are at home really understand what we are talking about when we talk about people who are out in the marketplace, people who are trying to comply with the law, honest Americans.

What I would like to do is, if I could, read some statements from congressional testimony that has been given one this year. It is a statement of Dale Frey. Dale Frey is a small business owner. I would like to read from that testimony, if I can.

It says,

D.E. Frey & Company, a full-service broker-dealer, was organized in 1989. The company is privately held with offices in 22 States. The company has approximately 200 registered representatives that are independent contractors. The company provides administrative support for the transactions involving bonds, equities, insurance products, mutual funds, and unit investment trusts that are initiated by registered representatives for their individual clients.

The registered representatives are individual entrepreneur business owners that are financially responsible for their own occupancy, telecommunications, information systems, registration, and all other operating expenses associated with offering their services to clients.

The Internal Revenue Service examined Mr. Frey's records for tax years 1993 and 1994. The company is a broker dealing with the Securities and Exchange Commission, known as the SEC, and a member of the National Association of Securities Dealers, NASD.

The Internal Revenue Service determined that each registered representative is an employee of the company, and that the company failed to withhold or pay taxes imposed by FICA and FUTA and income tax withholding provisions with respect to pay to such individuals. The IRS then assessed employment taxes of \$1,160,884 and \$2,113,614 for 1993 and 1994. This came on the heels of an IRS audit just 2 years earlier that determined that they were following the independent contractor status, that they were following the laws.

I also have a statement that was read by Mr. Raymond Peter Kane. Mr. Kane

gave his testimony before the Committee on Small Business and the Subcommittee on Tax, Finance and Exports on independent contractors on July 26, 1995.

□ 1930

Here is what Mr. Kane said. In August 1991, he received a notice from the IRS that they wanted to conduct an audit for the fiscal year 1989. The audit took place over a period of several months and resulted in a finding on February 18, 1992 of no change, which, as we know, means that the auditor found nothing wrong. During the 6 months that the IRS auditor was in the office, the contacts between his agent, between his agency and those of his independent contractors were carefully scrutinized and found to be in compliance with IRS rules and regulations regarding independent contractor status. However, 2 years later, with no change in IRS rules and no change in any contract that he had with the independent contractors, the IRS decided that these same independent contractors were really not independent contractors all along but that they were employees, and for the years 1992, 1993 and 1994, the IRS then demanded \$274,000 in penalties.

This is the type of egregious action as a result of the IRS that we are talking about, why we have a problem, why we need 1145.

Mr. FOX of Pennsylvania. Mr. Speaker, if the gentleman will continue to yield, will H.R. 1145 ameliorate and solve the problems those two companies faced?

Mr. SESSIONS. We believe that what it will do is put very clearly and, let me get to the language, if I can, that will talk about this instance. What we are going to do is to make sure that codified within the law that we talk about what is an independent contractor, what are those tests that need to be done. How can the IRS, and should the IRS, look at an independent contractor. But what it is going to do is to reaffirm the 20-point test that the IRS has been working along this entire period of time.

Mr. FOX of Pennsylvania. Mr. Speaker, not only will it make sure that jobs are saved but they will not have needless lawsuits with the Federal Government to justify what they have been doing, which is correct to begin with under the original IRS examination; am I correct?

Mr. SESSIONS. This is correct, Mr. Speaker. So what we are talking about tonight, and I thank the gentleman for that insight that he offered, what we are trying to do is to make sure that the IRS gets it. Our independent contractors have already been following the law, people who are out conducting themselves as honest and fair Americans. Unfortunately what we are talking about tonight is an IRS that does not get it and so we are going to codify this into law, critical for the success of not only independent contractors but

all Americans who may have these type of situations where they work out of their home and work as interested contractors.

Mr. HILL. Mr. Speaker, if the gentleman will continue to yield, H.R. 1145 does two things to help those folks that wrote to the gentleman.

First, it clarifies this definition of independent contractor because now it is a very confusing thing. Obviously in the case that my colleague has just described, one IRS agent thought they met the conditions; the next agent says that they did not. But I think that one of the other elements that are so important here is the safe harbor provision, so that if people are acting under the assumption that what they are doing based upon previous decisions or previous audits or previous consultations is the appropriate thing, that someone cannot come along later and not only force them to pay the taxes but impose these dreadful penalties on top of it.

So, it is very important here that folks understand that what we are trying to do in this bill is to make a clear definition of independent contractor so that it will eliminate the confusion but also in that process eliminate a safe harbor where people can be protected from having these huge penalties that would put them out of business.

I make note of the fact that, when you start a business there are two things most important to you. The first is to get customers, to get cash flow, business coming into your business. That is, most businesses fail because they do not get enough customers. The second thing is to generate cash flow. And this bill is in its entirety intended to help those small businesses, the most vulnerable businesses, the ones that are most critical to the future economy of this country to help them secure business by clarifying this independent contractor issue and creating a safe harbor but, in addition to that, helping them with their cash flow by giving them a fair treatment on the Tax Code with regard to business deductions.

Mr. SESSIONS. Mr. Speaker, as we talk about people who are in the marketplace, this growing part of the business, and we talk about the safe harbor, I believe that what we should do as a Congress is deal with problems in America. I believe that there is no problem in America that we cannot solve. But many times, public opinion polls feel like that all Congress is trying to do is to deal with something that would help us or special interest. Do you not believe that this deals with millions of Americans and what we know as the middle class and the guts of the problem where people who are trying to comply with the law, people who are putting their own capital at risk, people who are putting their name on the door, people who are worried about whether they can pay themselves and make that home payment and whether they can pay for their

kids to go to school, this is the essence of what this is all about, that we will codify in law those things that honest, hard-working Americans want to have, wish to have and it is only fair for them to have.

Mr. HILL. Mr. Speaker, to me the American dream is the opportunity to do what you want to do or be what you want to be. And to be in business for yourself is one of those things. But we are in an economy in transition. Companies are downsizing. People are being laid off. People with a lot of skills who, if given the opportunity, can go out and start a business and often it is a service oriented business. And generally speaking they are going to operate that business from their home.

But just think about this, those people who would oppose this are the people who think that those folks ought to go on welfare or those people who think that they ought to collect unemployment benefits rather than to go out and provide for themselves and for their families on an equal basis. I hear a lot of discussion in the Congress about the lack of health insurance for families. Half of the children who are not covered by health insurance have parents who are temporarily unemployed. So what this bill would allow is important, those people who find themselves in that situation to be able to provide for their families by taking a deduction for their health insurance if they want to seek self-employment.

Mr. SESSIONS. Mr. Speaker, this deduction that I believe the gentleman is talking about is one that we would call pretax. This is the exact same pretax tax treatment that is given by corporations. So what we are trying to say is, these people who are self-employed, these people who are honest, hard-working, taxpaying families across this country would then have the advantage, the same tax advantage that would be given by law to someone who worked for a corporation.

Mr. HILL. Mr. Speaker, that is exactly right. Every employee out there whose employer offers health insurance to them receives that health insurance without paying taxes on it. The employer gets a tax deduction for that. We are talking about the self-employed.

The irony of this is that a person can be self-employed and have employees and be able to take a tax deduction for their employees' health insurance but they cannot take that tax deduction for their family's health insurance. What this would do is to make it fair so that those people who are out there taking risks, trying to develop new opportunities in the economy are treated the same as everyone else.

Mr. SESSIONS. Mr. Speaker, further, we find that another part of what this bill is to do is to clarify the definition of a principal place of business. So many times I hear people from Texas as the Representative from the Fifth District of Texas, I hear from people who are working out of their own

home, trying to honestly and legitimately make a living without being on welfare, might we add, people who are trying to contribute something back to their community and what they are asking for is, why can we not have this home mortgage deduction?

What this 1145 would do is it would clarify this place of business, this home, this person, this place or where these people might have their business. What I would like to do is clarify exactly what we are going to codify. We would talk about a principal place of business, and for the purposes we are talking about a home office that would qualify for a business deduction if the office is in the location where the taxpayer did all of their management and business activities and conducted themselves on a regular basis; and that the office is necessary because the taxpayer has no other location for the performance of essential administrative or management duties that they have in their business.

This is what happens every single day by families who by circumstances may have been laid off from their company, by circumstances may have an opportunity because of children, children that they have to take care of and watch on a regular basis. These are the kinds of things that we have got to see the tax code evolve to. We have to see the tax code become responsible, not only as it evolves into the 1990s and the year 2000, but also as we evolve around life as we know it.

Mr. PAPPAS. Mr. Speaker, if the gentleman will continue to yield, I am very encouraged by my colleagues' discussion here tonight about what 1145 would do if enacted into law.

Most of us that are here are members of the Committee on Small Business, and even those that may not be, I know, are very committed to fostering the kind of opportunities for small business men and women in our country. Later this week, on Thursday in fact, the committee that we serve on will be holding a hearing regarding yet another piece of legislation which, if this had been enacted more than 20 years ago, I believe much of what we are talking about here tonight would not have to consume our time and our attention.

The piece of legislation that I speak of is called the Small Business Regulatory Enforcement Fairness Act, [SBREFA], another acronym for us to add to our lengthy list.

What this would do for certainly the public that may not be aware of this, this would require that each Federal agency consider the effect of any proposed regulations that they would write in order to enforce this particular piece of legislation. Had this piece of legislation been in existence prior to even the last year or so, there would be a couple of examples that I would like to give that would have really made a difference in the ability of small business people to survive.

The first, it even received some attention today in some of the periodicals

that we read here, the filing of the payroll taxes electronically. Many small business people do not have the ability to do that. It is an unnecessary expense and I am very glad to see that that is at least being delayed. I certainly hope that it is going to be a permanent delay. The other is the 2.9 percent tax that limited partnerships are being expected to pay for Medicare. Some have referred to this as a stealth tax because of the way in which once again the IRS has interpreted some other actions.

Whether it is through the IRS's interpretation, through determining what an independent contractor is, then certainly the ability of that independent contractor to take a home office deduction is being determined. I would just like to comment on one specific part of this bill that was referred to a number of times that I have been active in the last several months, the home office deduction.

Again, for the benefit of those who are here in the gallery and those that are viewing, it has been just a little over 20 years since the Federal tax code was required to define the home office as a principal place of business and those people could qualify for the deduction. But through a period of time, the IRS's interpretation of what a principal place of business is, and then a subsequent court ruling by the U.S. Supreme Court, which was prompted by a specific case, I would just like to briefly describe it, a physician or an anesthesiologist by the name of Dr. Nader Soliman had obviously serviced his patients not in his home office but in various hospitals in the communities near where he resided. But his billing, the administrative part of his business was conducted from his home office. He believed, as I certainly do, that that was a part of the carrying out of his duties as an anesthesiologist, carrying out the function of his business.

The IRS challenged the interpretation that he made that that was a legitimate home based office, home based business. Through a court proceeding the Supreme Court in my opinion legislated and ruled against his ability to take that deduction. There are many other examples, there are people who are general contractors, painting contractors, that are landscapers, obviously cannot perform what most people or many people would view as their principal, the principal part of their business. Obviously a house painter has to go to someone else's home to paint their house, but who could argue that a part of his or her business is sitting in their office, sitting at their kitchen table, as the gentleman from Montana (Mr. HILL) said, and writing bills out and dealing with other paperwork, whether it is with an accountant. I am certainly hopeful and encouraged that this kind of piece of legislation would restore what I believe was the original intent.

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Mr. HILL. If the gentleman will yield, I think it is really important for our colleagues to understand exactly this point with this physician. Had that physician had an office that he rented somewhere, the cost of the rent of that office, the utilities for that office, the telephone service for that office, the janitorial service for that office all would have been tax deductible, no question. But by virtue of the fact that that physician had that in his home, that is what brought it into question.

The important point here is that we have an economy that is moving toward services, and when we deliver services we go to other places to deliver services. So, in essence, what the IRS ruling is saying is that if we provide services at a place other than our principal office, then we cannot take a deduction for a home office. It discriminates against the greatest sector of new entrepreneurial businesses that are being created out there.

Mr. SESSIONS. If the gentleman would yield, I also believe that from what I have seen in the Fifth District of Texas, that many of the people who are at home, who are operating these home businesses, are women, women who are trying to not only make a go of it with their marriage and family and children and the needs that come upon the business, but they are upstart women who have the ability to get out and to compete in the marketplace. I think this home office deduction really finds that the people that are discriminated against most are women, women trying to do these type of things.

I believe that H.R. 1145 will offer us a clear definition, one that the IRS cannot only understand but also that these taxpayers and these people who wish to make a go of it can have and avoid the IRS coming on them.

Mr. FOX of Pennsylvania. If the gentleman will yield, I think the discussion of my colleagues, the gentleman from New Jersey and the gentleman from Texas, all center on the fact that we want a reality check for IRS when it comes to being reasonable about regulations, which will help more people be employed, to start jobs.

I know from back home in Pennsylvania the chambers of commerce everywhere support this kind of legislation, H.R. 1145, which will in fact make sure the home office deduction is taken care of and that those who are self-employed will be able to have assistance on the health care.

And everyone knows that the best job is a private sector, newly created job. If it is a government job, it will end up, maybe, possibly, not helping our economy. We have seen that in a few instances. Does not mean every job. But I know that all the chambers of commerce, NFIB, every major organization that evaluates new employment, the private sector job is one that is lasting, one that helps the economy.

And like the gentleman from Texas said before, it certainly is with many

of the new entrepreneur female-owned businesses that this will be a definite incentive for new businesses to be started.

Mr. SESSIONS. We also could, I am sure, include in there that they are doing this at their own risk. They are putting their own money right at risk. They think of that as a business. They think of that as an opportunity to go out. And it is incredible that the IRS would not even recognize this; that they would put that at risk.

Which goes back to the point that the gentleman from Montana was speaking about, this safe harbor, that is so important for people who are attempting to not only follow the law without being a tax expert, to follow the law and file complete and accurate tax records, but also to run their business. It is this huge burden that is not only on these types of people but I think upon all Americans to know and understand this magnificent document that is known as the Tax Code, but that yet is a burden to each one of us as Americans.

Mr. HILL. If the gentleman will yield on that point, having been a business owner myself, and starting in my own living room, I have some sense of this. But as the gentleman from New Jersey, Mr. PAPPAS, pointed out about business regulations, the burden of those regulations falls heavier on small businesses than it does on big business.

Big businesses can hire lawyers and C.P.A.'s and they can have full-time bookkeepers and people to understand that. This is just one volume of the Tax Code I am holding right here, and if we are starting a small business out of our living room, we do not have time to commit this to memory. Yet, if we do not, we can be at risk, at risk financially and our whole business enterprise can be at risk.

I want to give my colleagues a couple of statistics to put this in perspective. There are now 9 million, 9 million home-based businesses. Fourteen million Americans are earning their living from home-based businesses. From 1988 to 1994, the IRS retroactively reclassified 438,000 independent contractors as employees, and the fines and penalties totaled \$751 million.

I can tell my colleagues right now that I believe the majority of those businesses were put at risk, perhaps put out of business because of the level of those penalties that nobody could possibly have anticipated.

There are 5.1 million self-employed head of households with 1.4 million children who are uninsured because they cannot take a tax deduction on their health insurance. We are talking about a lot of Americans, hard-working Americans. As the President would say, these are people out there playing by the rules, but the rules are working against them.

Mr. PAPPAS. The gentleman mentioned about families, individuals with children and the pressure that they are experiencing every day. Another bene-

fit to H.R. 1145, and again the home office deduction, and before that maybe determining who is an independent contractor, which then would hopefully make them eligible for that home office deduction, but the cost of day care that so many families in our country are faced with.

The difficulty in finding adequate day care sometimes can be even more of a challenge with the many lengthy waiting lists that people encounter trying to place their children in a safe environment. But having the ability to work out of their homes, getting the deduction that I believe that these folks are entitled to, that it is not the U.S. Government doing them a favor by providing this deduction but doing something that is fair. As was said, if they had their business at another location, they would be entitled to these deductions.

But to have the flexibility to work from our home, a gentleman or a woman working from their home, being there when their kids get home from school, not having to worry about where the young people are going to go, whether there is a place for them to go, having that would be such a benefit.

Mr. SESSIONS. As we talk about these men and women who have their businesses out of their own home, I think it should be mentioned that they have to pay taxes also. They have to pay taxes as a result of being self-employed. They have to, in essence, double down, what I call double down, where they have to pay an employer's side and an employee's side: Social Security, what is known as FICA, unemployment, and all of these things.

So it is not as though this home business that we are talking about is not done within compliance of the law. In fact, there is a huge burden, I would suggest a bigger burden, that is on these people who must maintain records, must be able to run their own business while at the same time trying to survive with an onslaught of agencies and rules and regulations who are coming after them.

Mr. PAPPAS. If the gentleman would yield, just getting back to that, the gentleman from Montana holding up one of the two volumes, and people that may be watching this and contemplating their business and seeing just one of those might be discouraging them, and hopefully people will realize that people like the gentleman from Texas are trying to change that.

By putting in perspective again what it would mean, what a home office deduction could mean, using the scenario I mentioned, having the ability to take that home office deduction and saving the expense of child care, we are literally talking, for even a family or an individual with one child, several hundred dollars a month, conceivably maybe even more than that, with the potential savings from not having to place a child in day care and getting the home office deduction, it could

really make a tremendous difference in someone's ability to start a business and continue over the first year or so when it is so critical for so many businesses that are really on the edge of collapsing.

Mr. FOX of Pennsylvania. I think the gentleman from New Jersey eloquently stated the importance of H.R. 1145 with regard to the home office deduction and raises a very important point; that for many of our families that are trying to make their own businesses, who are sometimes having multiple jobs and taking care of children, that day care becomes very important.

This week we will be introducing legislation which will raise from 30 percent to 50 percent the tax credit for employers that will be providing day care for their employees, and hopefully as well for the self-employed, thus allowing people who have to be working and raising their families to be able to make sure their children are in fact in quality day care.

And this is certainly an idea that has evolved from the leadership of individuals who are sharing the time here with our colleagues this evening, and I appreciate the point the gentleman makes about day care being of great assistance.

Mr. HILL. I think it is important for us to keep in mind that one of the problems, when IRS makes one of these determinations, retroactive determinations, is that this cascades down into some State government decisions too. Because it does not just impact the Internal Revenue Service and the penalties and the taxes that could be due, it also will impact the State revenue departments, which could also then have taxes due and penalties, often the State department of labor, which usually is the mechanism to deal with unemployment insurance premiums and can even go into the workers compensation and general liability problems. So it pyramids down or cascades down on these businesses, the penalties.

One of the interesting things I wanted to point out to my colleagues, coming from Montana as I do, with agriculture our No. 1 industry, this is a particularly interesting issue for folks in agriculture, because we have people like ditch riders, who are out there making sure the irrigation ditches are clear and clean and flowing; we have farriers, those are the people who shoe horses, who often operate as independent contractors; we have what we call calf pullers, that come out in the spring and help folks pull calves during calving season; sheep shearers; custom combiners; custom farmers. Those are all examples, just in the area of agriculture, of folks who often offer their services as an independent contractor.

But under the current test of the IRS, one could hire folks to do that and not meet the test of an independent contractor because the provisions are so narrowly defined. And out of the 20-part test, if an individual misses one

part, that could disqualify them as an independent contractor.

So that is an example of one industry, a very important industry to my State, very important industry to all of America, where this independent contractor issue and the lack of safe harbor today can cause some very serious problems.

Mr. SESSIONS. So when we talk about H.R. 1145, I believe what we are taking about is that we have to codify the law, the law that is being misapplied by the IRS. We have to take into account that America has changed; that we now have not only a great amount of people who are at work either because they have been laid off or downsized or whatever the word might become associated with them leaving their work, or on their own they might have decided to do this.

So H.R. 1145 will take into account the changing climate that we have that will allow a deduction of home business expenses, that will be a safe harbor for those people who believe and expect and are trying to not only follow the law but to do that with the greatest of intent. We are going to have the law say that the IRS now would look at those people and not hit them for back taxes and penalties but rather to acknowledge that they were attempting to follow the law.

We will come in with H.R. 1145 and say that we will allow expenses related to health care to be treated as a pretax expense, which will put these people who are independent contractors and those people who work at home and those people who are self-employed with the opportunity to have health care, to have the opportunity to take care of their families, the opportunity to be able to comply with the tax law that would be consistent with what corporations are allowed.

And then, lastly, that we are going to look at the independent contractor status that would say that the 20-point test that is used by the IRS, that we are going to look at and codify that, or make changes in the law so that the IRS would have to say that what that independent contractor had been doing as they followed the law they would not be liable for taxes and penalties related to their performance under law.

Mr. FOX of Pennsylvania. If the gentleman will yield, what is the status of this legislation now within his committee?

Mr. SESSIONS. The status of this legislation is that, and I am not on the Committee on Small Business, but the status is that we are debating this tonight with the full expectation within the next week and a half or two that we will be debating this on the floor.

Mr. PAPPAS. I think what we are talking about, and was said a number of times, is that we need to be cognizant of the changes that are going on all around us in our economy. The American people certainly are aware, and maybe more than folks in Washington, DC are.

I am very encouraged by the discussion here tonight and proud to tell my colleagues a story about what is going on in my State. In the State of New Jersey, there is a member of the State legislature, the lower house, which is called the General Assembly, a legislator from my district whose name is Joseph Azzolina, a long-time businessman, very successful businessman, and he has recently introduced a bill in the State legislature that would amend the State municipal land use laws which deals with zoning.

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What it would do is recognize that many people work from their homes, and that zoning ordinances not be a hindrance for those that would want to use a very small portion of their home in order to conduct their business from it.

Currently, many municipalities in our State have somewhat restrictive ordinances. With the changes to our economy, Joe Azzolina's initiative I think really goes hand-in-hand, or hand-in-glove, with what we are discussing here tonight. And it was very coincidental that this piece of legislation and another one that I authored dealing with the home office deduction and his introduction in New Jersey were, I think, within a couple weeks of one another.

Back home in New Jersey, people are very, very much encouraged; the chambers of commerce, the NFIB, and just independent business men and women throughout central New Jersey are very encouraged that it seems that those of us that are in Washington and those in our State capital in Trenton really seem to be getting it and coordinating their efforts to really make a difference in the lives of the business owners of our State and our Nation.

Mr. HILL. If the gentleman would yield, he knows, and he serves on the Committee on Small Business, as do I, that we have a lot of programs that we fund, advocacy programs for small business. We have small business development centers where we help people that are thinking about going into business develop business plans and understand the issues associated. We have micro business loan programs. We have got community block grant programs that are loan programs that businesses can participate in to help expand and grow their business. We have procurement provisions and rules with regard to how Government buys things that are oriented to helping small businesses participate. We have programs in the area of research to fund people who are trying to start small research companies.

There are all kinds of things that we are doing on the one hand to try to promote small businesses because it is a good thing to do. Small business, we all know it is the engine of our economy, it is what creates opportunity, it is what renews the American dream. So we have all these programs out here

that we are helping fund, that we are helping to promote small business. Then, on the other hand, we have IRS regulations and a punitive Tax Code that is making it difficult or impossible for those small businesses to succeed and prosper.

What this issue really boils down to, in my judgment, is just one word and that is "fairness." All we are asking here is that small businesses, micro businesses, the most vulnerable businesses but the most important businesses because they are new businesses, be treated fairly, that they be treated like any other business would be treated with regard to tax policy, dealing with the health insurance deduction, the deduction for legitimate business operations.

We are not suggesting here that a business would be able to take a deduction for something that is not a legitimate business expense. We are just saying that a legitimate business expense incurred in the home ought to be deductible, and that they have some clear definition they can offer to their customers and to other contractors that they might associate with or hire so that everybody can feel secure.

Mr. FOX. The fact is that everything that has been discussed certainly is key about how we are going to move forward in this country. I know in Pennsylvania, where our No. 1 business is agriculture, we also have in the Delaware Valley in southeastern Pennsylvania what we call the Ben Franklin partnership, which is the universities, the businesses, and the government working together to have business incubators, entrepreneurship, new jobs. How can we take all of that effort from the universities, the government, and the schools and industry and not save it?

We have to find ways, not only this bill, H.R. 1145, which is going to do a great deal with the business expense for home office, we also need to be looking at things that will help farmers, for instance, be able to pass their business down to the next generation without having to sell the family farm to pay for taxes. So the inheritance tax reduction that my colleague has been fighting for for his residence is going to be going a long way in the right direction, as well as H.R. 1145.

Mr. HILL. If the gentleman would yield, he is absolutely correct about agriculture. The greatest threat to agriculture, the family farm in America, is the death tax. As my colleague knows, many, many farms and ranches today cannot produce the cash flow necessary to pay the tax burden to pass that business on to another generation, whether it be done by selling it or gifting it or the death tax.

This is a tremendous threat to family agriculture in Montana. I know and my colleagues know that part of the budget agreement and part of the effort of our conference has been to put a focus on the importance of bringing the death tax down or eliminating the

death tax so that business enterprises and farms and ranches can continue to stay in business, continue to put people to work, continue to provide important products and services to build our exports, to build the strength of our economy.

Mr. PAPPAS. If the gentleman would yield, the death tax that he referred to is even important to agriculture in a State such as mine. It is the Garden State, and we are very fortunate in central New Jersey to have many very productive and active farms, and farms that are owned by families for generations.

But the elimination of the death tax, I believe, is an environmental issue, certainly in an area such as mine where there is such pressure for development, and that many of these family-owned farms where certainly it is the desire for these farms to be passed from one generation to the next, that the heirs sometimes are not in a position of determining whether they even want to continue to farm because they cannot pay the estate tax bill.

There was an instance in my district just last year that a longtime, very prominent farmer had passed away and his daughter wanted to keep the farm from being developed and she was not able to pay it. But we have a farm preservation program in our State where development rights are purchased by the counties and the State and paid to the landowner, so the farm has been preserved in perpetuity. But that is not always the case and those options are not always available.

I personally just want to conclude my participation here tonight by saying how privileged I am to be serving with these three gentlemen. I know the commitment that they have to fostering an economic environment that can help the little guy and the little gal, and that is what we are talking about here tonight. We are talking about fairness, we are talking about really helping those that just want the opportunity to pursue the American dream in their own way. That is all they are looking for. They are looking to be treated fairly, looking for the chance, and some of these things that we have spoken about tonight would just provide that chance to so many people in our great country.

Mr. HILL. If the gentleman would yield, I just want to compliment him for his work on the Committee on Small Business and his work with regard to the issue of capital gains tax. I do not know about him, but I think I have cosponsored several capital gains and death tax bills. I also am the original sponsor of one bill that would completely eliminate the estate tax and treat estates like a capital gain at a substantially reduced rate.

The key thing here is that we have got to reform our Tax Code so that it is not interfering with the decisions that people make to go into business or stay in business, so it does not discourage people from putting people to work.

One of the things as I travel about Montana, I hear small business people saying to me, "You know, I do not know that I want to hire any more employees." There are too many liabilities, too many obligations. That is the worst thing that we could have happen in this country because it is small businesses that are creating the jobs, and those businesses are growing into bigger businesses and growing into larger businesses, and they are putting millions of Americans to work and they are renewing our economy.

This is just one measure. But I know all four of us, and I want to compliment all of my colleagues here for their work in this area because we all understand that it is those small businesses that we need to help, the businesses that are most vulnerable that we need to work for.

So, as I conclude my remarks here tonight, I just want to thank all three of my colleagues for their work with me and with others in trying to accomplish that in this Congress.

Mr. FOX. If the gentleman would yield, I also want to conclude by saying that H.R. 1145 is key legislation in this Congress. It is bipartisan. It is pro business. It is pro jobs. It is pro family. And it is long overdue to be passed.

I have to give my proper gratitude to the gentleman from New Jersey (Mr. PAPPAS), the gentleman from Texas (Mr. SESSIONS), and the gentleman from Montana (Mr. HILL) for their leadership, not only on this kind of legislation and moving it forward, but as Members of the freshman class and showing real leadership within the whole body in a bipartisan fashion, which I think is going to be the kind of example for having legislation passed which is going to be not only helpful to their constituents but the whole country. I appreciate the work that the gentleman from Texas is doing on the Results Act. I think we need to come back here for further discussion on other changes to the IRS that are going to help businesses, help individuals, and help our families back home.

Mr. SESSIONS. I thank the gentleman from Pennsylvania (Mr. FOX) so much for being here, the people of Pennsylvania are well served, and the gentleman from New Jersey (Mr. PAPPAS) for his participation here tonight, the people of New Jersey have done very well, and also to the gentleman from Montana (Mr. HILL), those voters are well served, also.

I think that what our discussion tonight has been about is that we want to be probably just a beacon, albeit just a small beacon, that is speaking on the floor of the House of Representatives to try to be that voice, that voice to people, Americans, who are out there in the heartland, who are trying to make a go of it, people who do own their own business, who are independent contractors, those people who do have to worry about paying for their health insurance out of their own pocket, those people who are trying to

make a go of it that are not given a home business deduction that they should have.

We stand up tonight as a voice to those people and say, "We hear you in Washington, DC. We know what you are struggling with." I hear it in the fifth district of Texas. H.R. 1145 is not all-encompassing, it is not that magic bullet that will give tax relief to all Americans, but what it is is an opportunity for us to not only clarify and codify law but to give a reintention to the IRS and to these small business owners so that they recognize that someone does hear them in Washington, DC.

I would like to go through this, if I can, just to summarize once again what H.R. 1145 does. It allows for the deductibility of expenses for a home business deduction. It offers a safe harbor, an opportunity for those people who are attempting to comply with the law, that when they do come into contact with the IRS, that they can prove to the IRS that they are attempting to follow the law even if they might have not have done so exactly to the full intent, that they are attempting to do that. It gives them an opportunity to be safe without having these back penalties.

It will also allow for the expenses related to health care to be treated the same on a pretax basis as corporations have. And, lastly, it is going to codify rules that are related to the tax status of independent contractors.

I think this is important for America. I hope that tonight we have talked about things that represent the heart of problems in the heartland, that we are talking about important things, not talking about something that would be good just for a Member of Congress or a special interest but, rather, for the working middle class of America.

HOUR OF MEETING ON TOMORROW

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, that it adjourn to meet at noon tomorrow.

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

There was no objection.

MFN FOR CHINA AND NAFTA

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

Mr. BONIOR. Mr. Speaker, in the coming weeks and months we will be considering two major questions in the House that will reveal a lot about how we, as a Nation, value human rights and the well-being of our workers in America.

The first question that we will answer is whether or not to extend most-

favoured-nation status to China, to give China low tariffs on their exports into our market. But let us be clear, this is not just a simple decision about trade rights. This is a decision that will affect the lives and the jobs and the paychecks of every single American worker for decades to come.

The second question we will answer, probably later this year, is whether or not to provide what is called fast track trade negotiation authority in order to expand NAFTA to new countries. Now, NAFTA, the North American Free Trade Agreement, is no longer a question of theory. It has had more than 40 months to prove itself.

We have seen the effects that NAFTA has had on our families, on our jobs, our wages, and on our country, and I regret to say that the news is not good. NAFTA, by any reasonable measure, has failed to live up to its billing. Many of us believe that before we expand NAFTA, we have got to fix it, and there are a lot of things to fix.

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If a house is on fire, if a basement is flooded, if a roof is caving in, it is fixed before adding a new addition. We need to fix NAFTA. In many respects these issues of most-favored-nation trade status with China and NAFTA are connected. They are both about extending trade rights. They are both about wages. They are both about jobs. They are both about human rights.

The problems with our economic relationships with China and Mexico are much more serious than some people are willing to acknowledge. Let us just draw a quick comparison with our pursuit of the balanced budget which has become an obsession in our Government, and some might say in certain circles, in our country.

Our budget deficit is expected to be a little over \$60 billion this year. It has come down dramatically over the past 4 years because of a tough economic plan that we passed on this side of the aisle in 1993. It brought the annual deficit down from \$300 billion a year to approximately \$60, \$65 billion by the end of this fiscal year. We have a plan that is moving through the Congress now to take us the rest of the way.

But listen to this. Our trade deficit with Mexico and China combined could be \$60 billion this year. We have a deficit, an annual deficit of about \$60 billion, domestic deficit. Our trade deficit could equal that with two countries. Last year was a record \$40 billion with China and \$16 billion with Mexico. This year it could be bigger, as much as our budget deficit. But are we doing anything about it? Is there any attention to address this problem?

We cannot simply cover our eyes and pretend that all is OK and the status quo is working. It is not working. But if we simply pass MFN unconditionally and extend NAFTA, we are going to make this problem much, much worse.

While the trade deficit is important as a statistic, it represents a much

more serious trend in America today that is taking our Nation in the wrong direction. It is driving down the wages of workers and it is also reducing our moral authority to speak seriously about human rights, which both issues, the wages of workers which are being driven down and the human rights issue, are kind of the hallmark of what America has been about these past 100 years.

They do not call it the American century for nothing. It is the American century because people stood up and they fought against tyranny and repression. It is the American century because workers in this country banded together for a decent wage, better working conditions, a sense of dignity, the ability to collectively come together and bargain for their sweat. That is why it is the American century.

And here we have a situation in which those rights, those human rights and those worker rights, are being gobbled up, are being eroded, are being steamrolled by this globalization, free-market, unfettered movement that has nothing in its way. Indifferent government, weak labor, except for America where it is on the rise and a few other places in Europe. Nothing in its way. Multinationals moving forward, looking for the lowest common denominator, the lowest wage nations to move their jobs to maximize their profits.

A study done earlier this year shows that China and Mexico attracted more foreign investment in manufacturing plants than any other developing nations, investment that is taking advantage of favorable trade rules that are provided to China through MFN and Mexico through NAFTA. And instead of creating consumer markets where the workers in those countries earn a decent wage so they can buy the products that they make, or building democracy which is fundamental to a free country, our proponents would lead us to believe that the policy that they have is working and that if we just let it work, these things will happen, democracy and better wages. That is what manufacturing investment means to them. They are taking root in low-cost labor markets.

In Mexico, it is 70 cents an hour. I just came back from Mexico a couple of months ago. I was down to the maquiladoras, the area along the border. I had been there before. Before we were doing NAFTA, about 40 months ago, workers were making \$1 an hour there. Now they are making 70 cents an hour. I saw it with my own eyes, I talked to the workers. They make \$5 and \$6 a day. In China, it is lower than 70 cents an hour, or it is even prison labor.

The most important impact this investment has on American workers is on their wages. People say to me, what does this have to do with my wages here in America, if they are making less than 70 cents an hour in China and 70 cents an hour in Mexico. What does it have to do with me?

What it has to do with Mr. and Mrs. America is that corporations are moving jobs to low-wage developing nations, and they are saying to bargaining units, or those people who are talking for wages or worker rights or safety rights in the workplace, If you do not take a wage that is frozen, or if you do not diminish your wages somewhat or if you do not relax some of the standards that you are demanding on safety, we are out of here, we are gone. This is not just me making this up. There have been studies done and studies recently that I am going to talk about in a few minutes, that indicate this is happening all over America.

It is a drive to the bottom, to the lowest wage, something the economists call downward pressure on wages. It is pitting our workers against the low-wage workers in developing nations. It puts pressure on their paychecks. If workers ask for a pay raise, companies say, "We'll just move our jobs overseas."

They can do that because under MFN for China, they get favorable access to our markets if they relocate in China, and they get a government that does not tolerate workers who stand up for their rights. Under NAFTA, corporations get investment guarantees in Mexico, what is essentially free access to our market, and a system in which the government, the business community, and union officials conspire to hold down wages.

There is nobody who speaks for the worker in Mexico. The government does not. They attract corporations based upon the fact that they can guarantee their investment and guarantee low wages. The union there is corrupt. It is in cahoots with the government and the corporations. When people try to speak out independently, they get thrown in jail.

Some would suggest that the alternative for our current failed policy is protectionism, high tariffs, put walls around our country. We reject that. There is nobody here that wants to go back to those days. That is not where we should go. We do not want to go back to the walls of protection. We want to go forward.

We want a trade policy that values the workers who make trade possible, not just trade itself and the multinationals and the corporate heads, the workers who make it possible not only here but in the developing countries and other countries we trade with. Because it is only when the workers are strong that they have the ability to earn a decent living, that they can purchase the products that are being made. It is a simple lesson that Henry Ford taught us many, many years ago in this country, that if you pay the workers on the line a decent wage, they will be able to buy the car, and he instituted \$5 a day. By the way, the wage that Mexican workers make today, he instituted that 70 years ago.

We will only move forward if we deal honestly with China and Mexico. We

have waited 8 years now since the Tiananmen Square massacre for engagement and MFN to change China. The argument of the supporters from MFN for China goes something like this: "If you just let us into China, just let us go there and trade with them, the economy will grow, human rights will get better and everyone will benefit." But the list of human rights abuses grows longer and uglier every day.

Let me quote something that was in the New York Times today. It was an op-ed piece by A.M. Rosenthal. He, in turn, is quoting from the State Department's human rights report on China. I quote:

All public dissent against the party and the government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end.

I want to repeat that.

No dissidents were known to be active at year's end. Even those released from prison were kept under tight surveillance and often prevented from taking employment or otherwise resuming a normal life.

They do not tolerate dissent. They do not tolerate another opinion. They do not tolerate free speech. It is not a free country. Yet we in this body, in our government, have sanctioned a most-favored-nation policy of trade with China. A most. Not a good, not a better, a most. The best. The best terms.

Clearly things are not getting better in China. They are getting worse. But the corporate lobby, and, boy, they are all over this town. One cannot breathe without running into the large corporate lobby in this city working for the passage of most-favored-nation treatment for China. The corporate lobby and all the establishment tells us that unless we extend MFN and unless we engage, we will get left behind and we will anger China. But by my count, we are already behind. We have got a \$40 billion trade deficit. We have got to engage in a different way, because our current policy is not fostering human rights, it is not helping us economically, we are on the short end of a bad trade deal. The fact is that we have the leverage on this issue. We are the most powerful nation, we have got the biggest megaphone, the highest pulpit and the greatest leverage in the world. Our consumer market is what China wants. It is what everybody wants. They want the American consumer market. More than one-third of China's exports go to the United States. We are one-third of their export markets. Of all the things they make in China and ship it out, one-third of it comes here. China represents only 2 percent of our export market. Two percent. It is not hard to see who has the leverage. We do. They want us. We can barely get in there. Workers who are being forced to compete against prison labor and slave wages and dissidents in China who are struggling to have their voices heard, they deserve better. They deserve to be

heard. The past 8 years since the Tiananmen Square massacre have shown us that extending MFN has not amplified those voices. It has muffled them. If we reject MFN and honestly deal with China, those voices can be heard, democracy can begin to sprout some roots and we can move forward. We can have a dialogue. We can have an understanding. If we do not, we can expect more of the status quo. That is not a winning proposition for any of us. Except for the multinational, transnational corporations who are doing just fine with the current system. They have a record of profits, they have lower labor costs, and they have bigger paychecks for the bigwigs.

I said earlier, it is not just China. If we take a close look at the results of NAFTA after 41 months, we can tell that the ultimate aim of this trade policy is for corporations. It is to maximize their profits, to guarantee their investments overseas and to use these trade agreements to reverse the gains that workers have made. NAFTA is being used as a weapon to dampen the efforts of American workers to earn a decent wage and to seek the right to organize and to collectively bargain.

□ 2030

It has given corporations a license to pursue a race to the bottom strategy to drive down wages, to bust unions, to take away all those rights that your parents and your grandparents worked for, were beaten up for, some even died for. They fought too long and too hard for these rights: the rights to organize, the rights to collectively bargain, the right to earn a decent wage, to be safe in the workplace and the many other things that I could go on and mention here this evening. Corporations are now using NAFTA to erode these rights by pitting workers against each other and by threatening to move jobs to the lowest cost labor markets. NAFTA gives them a license to do that. It does not require them to raise Mexican standards. It gives them an incentive to lower U.S. standards. It practically guarantees them that they will not be caught because NAFTA does not give workers a real voice in that decision making process.

Got a chart here: United States puts downward pressure on wages. Sixty-two percent of U.S. employers threaten to close plants rather than negotiate with or recognize the union, implying or explicitly threatening to move jobs to Mexico.

Now not long ago Cornell University did a study for the Labor Department, a study, by the way, that the Labor Department refused to release. They found that 62 percent of the companies, as this chart shows, are now using Mexico and other low wage nations as a bargaining chip to drive down wages. Sixty-two percent of American companies say to their workers, you all take a pay cut, if you do not hold back on those pension benefits or those health benefits, if you do not take a cut in

them because, you know, we cannot compete here, we got to cut corners, and if you got—we got to take some back, some of those benefits in health and pensions. If you do not do that, we have no choice, we got to go, we got to go to Mexico.

And it is happening every day, and yet when workers, as I said earlier, in Mexico try to organize, try to form unions, try to fight for better pay to take away that bargaining chip, what happens? Well, they get arrested.

I was in Tijuana about 3 months ago, and I saw with my very eyes. I talked to a leader of a colonia village, to a man who went out and stopped the production at a facility located near the village where they were paying 70 cents an hour, \$5 and \$6 a day. They stopped production, got all the people together to stop for 2 hours because they did not have proper safety standards in the plant and people were losing their fingers and their hands. And as a result of that he got fired, and when he tried to form an independent union, he was arrested, and he had very little recourse to the judicial system because the judicial system does not work for average working people there.

So you get thrown into jail, you get thrown into jail when you stand up for this, and 4 years ago on this floor in this body we as a nation put a stamp of approval on all of that by passing the North American Free Trade Agreement, that North American Free Trade Agreement.

Let me cite a passage from this Cornell study because it will show our colleagues exactly how this is working. This passage discusses why companies after an effort by workers to organize in the United States have fled to Mexico at double the rate since NAFTA took effect. Remember NAFTA took effect about 41 months ago, and here is what the study said.

The fact that the post-election plant closing rate has more than doubled since NAFTA was ratified suggests that NAFTA has both increased the credibility and effectiveness of the plant closing threat for employers and emboldened increasing numbers of employers to act upon that threat. In fact, it goes on to say in several campaigns the employer used the media coverage of the NAFTA debate to threaten the workers that it was fully within their power to move the plant to Mexico if workers were to organize.

Now the study's author, Kate Bronfenbrenner, Cornell, concludes, she concludes that plant closing threats have tripled since NAFTA took effect in 1993 and shifts to Mexico have doubled.

Let me now turn to a few examples of how corporations have used NAFTA to drive down wages in the United States or to shift their production to Mexico to do exactly what this Cornell study has suggested, and then I would like to yield to a couple of my colleagues who are always here and are always fighting for working people, the gentleman

from Vermont [Mr. SANDERS] and my friend, the gentleman from Cleveland, OH [Mr. KUCINICH].

A couple of examples: Guess Jeans; you know those are the jeans that you see, little tag on the back. They used to be made in Los Angeles. They are now being made in Mexico and elsewhere because workers in Los Angeles asked for decent wages and a safe place to work. The company knew it could exploit workers in Mexico, where the government and businesses and union officials, as I said, conspire to keep wages low. So it shifts thousands of jobs to Mexico instead of trying to work out a solution with the workers in Los Angeles.

In El Paso, TX, even workers making as little as \$4.75 an hour, which is the minimum wage, are having their jobs shipped across the border to Mexico to multinational corporations in search of the lowest wages possible. Workers making the minimum wage are not even safe because NAFTA has created, as I said, a race to the bottom in search of the lowest wages possible.

In 1994, workers were attempting to organize an ITT automotive plant in my home State of Michigan, and the company was resisting. The company used the threat of moving to Mexico in a very blatant fashion. During the organizing campaign the management took apart an assembly line in the plant; you know, they shrink wrapped it in packaging, and then they took it outside the plant, and they had 13 flatbed trucks. They loaded it all up on the trucks, and on the side of those trucks there was this big bright pink sign that read "Mexico transfer jobs."

Same company flew employees from their Mexican facility to videotape Michigan workers on the production line which the supervisor claimed they were considering moving to Mexico. So you know they bring people in, they intimidate them right in the factory, and needless to say, the union lost the election in that plant, and this type of thing goes on, and on, and on and on.

Let me just show you this one other chart. Companies use NAFTA to drive down wages for American workers. This is a poster that was put up just 2 months ago, a company called NTN Bower used a very provocative flyer right here to try to undermine an organizing drive in a Macomb, IL, plant. The flyer makes a threat. It says if the workers decide to join the UAW, their jobs may go south for more than just the winter. The leaflet notes there are Mexicans willing to do your job for \$3 and \$4 an hour; the free trade treaty allows this.

Well, people do not make \$3 and \$4 an hour down there; I can tell you that. They make 70 cents an hour, and you get a great job if you can find someone who makes \$2, \$2.50 an hour. But the point is these threats are being used against American workers and driving down American wages.

Now, this is perhaps one of the most blatant examples of how companies are

using NAFTA to stop efforts by workers to improve their wages and benefits, but as I said, it is happening every day, and 62 percent of employers are doing the same thing. The author of the study, Kate Bronfenbrenner, made the following conclusion. This is what she concluded after doing her study:

NAFTA has created a climate that emboldened employers and terrified workers. That is what we did here. We emboldened the employer and we terrified the workers, not knowing whether they would be secure in their jobs, whether they would lose their jobs, whether they would have decent pensions or health care benefits or how far their wages would be driven down before their jobs finally left and went to Mexico.

Now, these same companies that promised to create jobs under NAFTA, but who are instead using it as a threat to drive down wages in this country, now want to expand it to other countries without any prediction for workers. This problem is only going to get worse because it is not only Mexico that is being used as a bargaining chip. NAFTA supporters would like next to go to Chile, but the nation of Chile is being used as a bargaining chip as well, and I am not going to go into a long debate about Chile today, but I can cite some examples about the Goodyear Tire & Rubber Co. and some other folks who are using the Chile export strategy as a way to drive down wages and other benefits of workers in Ohio.

So this trend will continue on and on unless we seriously address the issues of wages and workers' rights in our trade agreements and unless we honestly deal with China.

The current system is tragic for working people in this country and Mexico and China and does not have to be permanent, though, does not have to be this way. We need to remember this is not just about markets, trade barriers. This is about jobs and living standards, about human rights, and most importantly it is about human dignity. These struggles are about people, and the struggles we are about to engage in have been fought, as I said, in this country and around the world by an earlier generation of workers.

Turn of the century, the Industrial Revolution brought about massive changes like the changes we are undergoing today, much as the global economy and the technology and information are changing the landscape of today, and the giant corporations then sought to control the process. They exploited the workers, they exploited the land, but people got fed up. They decided they are going to fight back, and they banded together, and together they made a difference. They elected people to office who wanted to break the trust. They elected people to office who wanted to provide a decent wage and decent health conditions. They formed their own unions so they could bargain for their sweat.

That struggle led to the creation of a system of labor and social and health

rules which increased our standard of living beyond which any other nation has been unable to exceed. Hence the American century. But it is that very system that is under attack today, the very system that they created, and we cannot afford to go backward before these protections were in place. And that is where we are going.

Mr. Speaker, we are going back, we are not going forward. The President talks about the bridge to the 21st century. It has got a curlicue at the top because it is going back to the 19th century. The President needs to straighten it out, move forward with the workers, not with the presidents and the CEO's and the multinationals and the transnationals. This debate is about our economic future and whether we want to take our Nation forward or go back to an era in this Nation in which worker rights were not guaranteed and in which a few wealthy corporations controlled the economy and in which people were unable to speak out as they are unable to speak out in China today.

We do not want to see our Nation go back to where we were 100 years ago. We want a trade policy that will move us forward, and that is what we will keep impressing upon our colleagues in the weeks and months to come.

I want to thank my colleagues for their patience, and again I am just very honored to be joined today by the gentleman from Ohio [Mr. KUCINICH] and the gentleman from Vermont [Mr. SANDERS], and the gentleman from New York [Mr. OWENS] has joined us. I would be happy to yield to any of my friends.

Mr. SANDERS. Thank you very much, and I want to congratulate you on the leadership you have shown in fighting for a fair trade policy in this country over the last many years and for the rights of working people.

I think the proof basically is in the pudding. If our current trade policy in terms of NAFTA, in terms of GATT, in terms of MFN with China was a success, then we would see it. We would see it, and how would we see it? Well, we would see that wages for middle class and for working people would have gone up. That is what we would have seen. That is what a success is. People would be making more money.

But what is the reality? The reality is that in 1973 the average American worker earned \$445 a week. Twenty years later, taking inflation into account, that same worker was making \$373 a week. Real wages have declined precipitously.

Now if this trade policy was working so well, then the working men and women of this country would be working fewer hours, they would have more time to spend with their kids and with their families.

Family values; we all remember that expression. But I will tell you something going on in Vermont that I expect all over this country is that the

working families in my State are working longer hours. In the State of Vermont we have many workers who do not have one job, who do not have two jobs; they have three jobs, and many women who would prefer to stay home with the kids are now forced to go out and work because the family needs two breadwinners.

So where is the success of this trade policy? Is it working well? Well, we have to acknowledge, yes, it is working well for some. We were all delighted to read several weeks ago that the CEO's of major American corporations last year saw a 54-percent increase in their compensation. Hey, that is not too bad; a 54-percent increase. The average worker barely kept up with inflation, and some workers went below inflation, continue to see a decline in their standards of living.

□ 2045

The average CEO is now making over 200 times what the workers in the company are earning, which gives us by far the most unfair distribution of wealth and income in the entire industrialized world.

So I think there is a little bit of confusion when our friends in the corporate media tell us how good our trade policy is doing. They hang out at the country clubs with their other rich friends and they all talk to each other and say, "Hey, how are things going, Joe?" "Pretty good. Made 60 percent more this year than last year." Write an editorial, things are going really good.

But they forget to go into the small business community and they forget to go into the factories and into the plants. Talk to workers there and what do the workers say? They say, "They cut back on our health care benefits, they lowered our wages, they are forcing us to work more hours for less pay." But that is the part of America that we do not see reflected here in this Congress very often, we do not see reflected in the editorial pages of America's newspapers.

The whole issue of so-called free trade is not very complicated. Just imagine any community in America, any normal community, and just suddenly see the size of that community double and that the people who came in were prepared and forced to work for 20 cents an hour or 40 cents an hour.

Now, what do we think would happen to wages and benefits in that community? It does not take a Ph.D. in economics to figure it out. Employers would much prefer to pay people 20 cents an hour or 40 cents an hour. I think in Vietnam now they have gone down to 6 cents, that Nike has finally reached the lowest of the low, that in Vietnam they can hire people at 6 cents an hour. So what do you think happens in a community with wages? They go down and benefits go down.

So-called free trade that exists right now, whether it is MFN with China or NAFTA, is an effort by corporate

America to take decent-paying jobs in this country to desperate Third World countries, exploit the people there, rather than pay American workers a decent wage.

It seems to me that our challenge is not only to end the exploitation of Third World workers, but to develop trade policy and tax policies that say to the Nikes and the other major corporations in this country, "Hey, come back to this country. If you want Americans to consume your products, how about giving them a chance to manufacture those products?"

I think this is the crux of the entire economic crisis that we are facing. We have to get a handle on this trade crisis, or else we are going to see the middle class continuing to decline and the standard of living of working people go down and down.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his comments.

I said a little earlier, before the gentleman arrived, that our trade deficit with Mexico and with China together is approximately what our annual deficit in this country is in our Federal budget. The real focus ought to be on our trade deficit, because pretty soon people are not going to have the money to buy the products. Who will buy the products?

If we keep competing to the bottom as we are forced to under this non-system, this unfettered free market process that we are engaged in, we are going to have a hollow shell. The top 20 percent will be there, they will be fine, they will be okay, but the folks underneath will not have the wherewithal to purchase and then we will start to see a decay in our economy slowly.

I yield to my friend from Ohio [Mr. KUCINICH] who has been here, and I thank him for staying this evening and for his contribution to this debate which has been substantial.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Michigan [Mr. Bonior] his leadership that he has shown for this country on this most significant of economic issues. The American people really owe the gentleman a debt of gratitude for being willing, week after week, to come before the people and state the case for the American people to look at this issue and to consider the impact it is having on their lives. I appreciate the chance to be here with my good friends, the gentleman from Vermont [Mr. SANDERS], the gentleman from New York [Mr. OWENS], and the gentleman from Ohio [Ms. KAPTUR].

As the gentleman just stated, we have these raising trade deficits. As a matter of fact, since NAFTA was passed in 1993, our combined trade deficit with Canada and Mexico has gone up about 400 percent, 400 percent. When we see a trade deficit go up, that means that jobs are being created there but we are losing jobs here. It is very simple. We are not finding any way that we can make up for that. It is not happening.

So in Mexico alone, I think in 1993 we had a surplus of trade with Mexico of about \$1.7 billion. The last figures for 1996, we have a trade deficit. The surplus went to a deficit of \$16.2 billion, and that is all due to NAFTA.

Mr. BONIOR. Mr. Speaker, it is a loss of jobs, but what happens often, and we have talked about this before, is that these people get other jobs. They lose their jobs because they move to Mexico or China or Indonesia or elsewhere. The people get other jobs eventually, often, but the studies that we have seen show they get jobs at wages that pay about 60 percent of what they were earning originally.

Mr. KUCINICH. And that is inevitable.

Mr. BONIOR. That is why, as the gentleman from Vermont [Mr. SANDERS] correctly stated, people are now working two and three jobs and they do not have time for their families.

Mr. KUCINICH. Mr. Speaker, when we consider, as we just spoke of, a combined trade deficit increasing by 400 percent over a 3-year period with respect to Canada and Mexico, and now when we consider China, the United States trade deficit with China has grown at a faster rate than that of any other major United States trading partner. The level of imports from China more than doubled between 1992 and 1996, and the United States trade deficit at this point is about \$40 billion. That was in 1996, and of course China is the fourth largest supplier of United States imports.

So what are we taking in from China? I think most people would remember they are toys and games, footwear, clothing and apparel, and telecommunications equipment. That is what we are bringing from China to the United States, and all of those industries, which were very good industries in this country at one time, have been greatly affected. The people who worked the jobs manufacturing those goods have had to go to other areas where, as the gentleman from Michigan points out very correctly, if they are working at all they are working for a greatly reduced wage.

Now get this: What are we sending to China? Because people will say our exports have increased. Sure. Here is what we are exporting. We are exporting aircraft plants and equipment. Aircraft is one of our three major industrial legs that this country stands on. It is like a tripod. We have aircraft, steel and automotive. Well, we are now slowly starting to damage that very significant part of our industrial structure by exporting plants and equipment from the aircraft industry, and we are also exporting automotive plants and equipment, which is the other, which is the second part of that three-part equation.

Now, we wonder why that is happening. Well, as a matter of fact, China is actually demanding, as a term of doing business with them, that we export technology. In effect, we are blindly devoted to trade at all costs.

I am not opposed to trade. I do not think there is anyone here in this Chamber this evening who is opposed to trade, but we should not let free trade mean that we trade away jobs in this country, we trade away the level of wages which people have worked a lifetime for, we trade away our basic political rights, we trade away our environment. That cannot be the kind of trade that we can be involved in. But we are blindly devoted to free trade with nations like China, which at this point the U.S. is involved in giving China high-tech weapons production equipment in order to sell some U.S. aircraft.

My colleague from Vermont [Mr. SANDERS] probably heard about that. According to the Wisconsin project on nuclear arms control, the United States sold to China machine tools which were previously used in Columbus Ohio to produce the B-1 bomber. The tools included high-tech milling and measuring machines and a giant stretch press used for bending large pieces of metal.

Now the Chinese Government insisted on getting the high-tech equipment as an incentive so they would purchase aircraft from an American manufacturer. China promised that once they got the equipment, they would only use it to produce civilian aircraft.

Well, guess what? Once the deal was done, the Chinese Government housed the tools in a missile base. Now, think of what that means in terms of security, let alone the economy. The Commerce Department, when they realized the mistake, advised sanctions on China, but they were overruled by people higher in the government.

I point this out because there are implications which are political, economic, and human rights implications, and I certainly feel that discussions like this give us an opportunity to bring these facts before the American people, because people have a right to know what is going on in the name of free trade, about how their jobs are being traded away, about how our trade deficit increases, how we ask the American people to sacrifice, to sacrifice their jobs and their standard of living, but no one is demanding that other nations involved in these trade relationships shape up with respect to their responsibilities, both to this country as a trading partner and to their own people.

At this time I would be glad to yield back to one of my colleagues, as we are all here to participate in this important discussion.

Mr. BONIOR. Mr. Speaker, I thank the gentleman for those comments, and they are right on target. I would like to yield now to the gentleman from New York [Mr. OWENS], and then to my friend from Ohio [Ms. KAPTUR].

Mr. OWENS. Mr. Speaker, I would just like to comment briefly, because I think I have an hour after this where I will be continuing the discussion of the

downgrading of the wages of American workers, but I want to thank the minority whip and my colleagues for continuing this crusade to educate the American public, to educate American workers.

We have just seen the majority of the masses of France sweep out a government that wanted to take care of the economy on the backs of the people at the bottom. We have just seen in Canada the same kind of phenomenon where the people on the bottom said "No, we're not going to take it any more," and they swept out, they almost swept out a government that insisted that the only way they could make the economy work was by putting one more burden on the people on the bottom, taking away their benefits, lowering their wages, a worldwide movement to press down wages.

We always favored globalization and thought of taking the American standard of living to the rest of the world. We were going to raise the standard of living of the world. We did not know that globalization meant that we were going to have wages brought down to the lowest common denominator.

We can measure this process in the trade balance, the deficit with China, in terms of trade, the deficit with Mexico. We can measure the amount of jobs they are taking, the dollar value and the amount of jobs they are taking. It is not so subtle. Our folks need to begin to understand this, and unfortunately we evidently are never going to have the help of the mass media, so we have to keep the crusade to educate the American public going on.

Mr. Speaker, I will stop at this point because I want to talk about a new factor that has entered into this process, and that is, you push the welfare recipient into the labor market and they are supposed to work at less than minimum wage. So that is a new pressure, in addition to telling the worker, "If you don't shape up, if you join a union, if you do anything I don't like, I'm going to take your job to Mexico." These are to welfare recipients at less than minimum wage, so that is a double threat.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his contribution. That is an important theme. It is really unconscionable when we think about what is happening here. Yes, sure, we want people to work, but we will not even pay them a minimum wage to work, we will not even give them the dignity of a decent wage. That is what is happening.

As I stated a little earlier in my comments, workers are not even safe with a minimum wage job if they live on the border near Mexico. People in El Paso, TX who were making \$4.75 an hour are now losing their jobs to Mexico.

So this effort on the part of governments, per the gentleman's comments with respect to people moving off welfare and not being able to get a decent wage for the work they do, and the international, multinational effort to

drive wages to the bottom, I mean it is amazing what is going on here, and people are picking it up. I mean there is something happening out there. It is slow, but people are figuring it out when they are working two and three jobs to make ends meet; when they get another job after they have been laid off and only at 60 percent of what they have been making; when we are seeing, as the gentleman currently points out, looking at the elections, by the way, last week.

□ 2100

I was sitting there. The NDP, the New Democratic Party, did very well. They doubled their number of seats in the Parliament last night, and a lot of that was based upon these faulty trade globalization policies. Of course, as we know, in France, the people in France were not willing to put up with this unfettered free market with no responsibility to the social cost to people. People are starting to understand that there needs to be some mechanism to stop this unfettered globalization from eating people up and eating all the gains we have made over the last number of years.

I yield to the gentlewoman from Ohio [Ms. KAPTUR], who has some charts I think she wants to share with us this.

Ms. KAPTUR. Mr. Speaker, I want to compliment and thank the gentleman from Michigan [Mr. DAVE BONIOR] for being so vigilant and having these special orders to help educate our Members and the American people to what is happening with trade agreements, jobs and wages in this country.

I am honored to join the gentleman from New York [Mr. MAJOR OWENS], my classmate from the class of 1988, and also the gentleman from Ohio [Mr. DENNIS KUCINICH] who we are so pleased to have here, and my good friend, the gentleman from Vermont [Mr. BERNIE SANDERS] who has been our partner in these efforts over the years. I think, as the gentleman from Michigan has said, we have made headway with the American people, though we still have not made sufficient headway here in Washington, but it is improving. We are making progress.

I just wanted to present a couple of pictures here that I took myself on a trip that we took to Mexico to point out what is really at issue here. We are talking about the ratcheting down of wages and working conditions in our country.

This is one of the companies, it is called Gigante Verde in Mexico, but it is Green Giant as we know it here in this country, a company that moved lots of jobs out of California. We are talking about the wage issue.

If Members look down here, they moved to Irapuato from Watsonville, CA; hundreds of jobs lost in California, where the workers earn \$7.61 an hour in California. It is a State that has a pretty high-living standard. It is expensive. Seven dollars and 61 cents an hour is not a whole lot. In Irapuato, however,

Green Giant, which ships all that product back here, because it is frozen and we have freezers here, and the average homemaker in Mexico does not, they pay \$4 a day to their workers there.

The draw is obvious: Production moving in the agriculture sector out of California into Mexico, workers in the processing plants paid much less than in this country, and Green Giant making huge profits.

The next chart, or it is actually a photo that I took, I had to take it with three pictures because it was so large, this is one of the companies that moved from New York. We will go to the other part of the United States. Trico Corp. makes windshield wiper blades.

This is a picture of the plant relocated from Buffalo into one of the maquiladora areas in northern Mexico. I do not think, unless a citizen has traveled to Mexico and has seen the vastness of these plants, they have any idea of the kind of transplantation that is occurring of United States production down to Mexico; and it is not just the United States, but it is international corporations of all stripes going to the cheapest wage havens of the world.

Mr. BONIOR. They are modern plants, they are huge facilities and they are very modern, as we can see.

Ms. KAPTUR. Completely modern. But if you go with a worker that works in this plant to where they live, it is an abomination. The people who work in these plants do not earn sufficient wages to buy anything they make. Their streets are not good enough to drive cars, anyway. They are bused into these locations, largely women workers. Seventy to 75 percent of the people working in this plant are women workers who earn maybe \$1, \$1.20 an hour compared to what the workers in Buffalo used to make.

None of that production is used by the people of Mexico. It is sent back here on vehicles that are assembled down there. One of the largest components of the trade deficit are assembled vehicles now, cars and trucks that are coming back to the United States.

The last chart, and this is sort of the frosting on the cake, but it makes me so angry I sometimes cannot contain myself, this is the street sign next to that plant. It is called Calle Ohio, Calle Michigan. They have actually renamed the street. You feel like you are living in a surreal world of Hollywood, where they just move the street signs around. It is the intersection of Ohio and Michigan Avenues. The problem is it is a maquiladora in Mexico, and the workers there have none of the rights of the workers in Ohio and in Michigan to earn a decent living, to earn decent benefits.

Mr. KUCINICH. Mr. Speaker, I think I figured out why they call it Calle Ohio, anyhow, Ohio Street; because listen to the cities in Ohio who have lost jobs to NAFTA: Bethesda; Bucyrus; Cambridge; Canal Winchester; Colum-

bus; Dayton; Delaware; Galion; Green; Greenfield; Greenville; Grove City; Hebron; Kent; Marion; North Baltimore; Piqua; Prospect; Sidney; Strongsville; Tipp City; Troy; Willard; and Zanesville. Calle Ohio, indeed.

Ms. KAPTUR. We could go and find those companies down there. In fact, we need lots of missions by church groups and interested organizations around our country connecting the workers who have lost their jobs in this country and then going and finding those jobs. Remember the games we used to play as children, you would follow the string? We need to follow the string, whether it is Vermont, Ohio, California, Florida.

I wanted to place another company in the RECORD tonight that started layoffs this May, just this past month, in the State of Massachusetts, Osram Corp. And when the gentleman from Michigan talked about global production and global sourcing, this company is owned by Sieman's Corp. out of Germany. They are laying off an initial 160 workers at this company in Danvers, MA, starting this past May, just last month, and they do not know how many more they are going to lay off, but they are moving the workers to Juarez, which is in one of the maquiladora areas, and to Mexico City.

If I could just take 1 extra minute to read from one of the articles in the local weekly newspaper up in Massachusetts, it says that the layoffs are significant because they mark the first time NAFTA has impacted the labor force north of Boston. The President of the company said that it had a relationship to NAFTA, which was approved by Congress 4 years ago, but here is what he says in the article.

He says that aggressive pushes by competitors General Electric and Philips BV of the Netherlands into Mexico, where labor is cheap and environmental laws lax, forced Sylvania to reexamine labor costs. He says, "My competitors are selling products at prices lower than my costs." And at that particular plant workers earn \$13 an hour, while workers in Mexico earn less than \$2 an hour. So they can rake off a lot more profits, whether the multinational is based in Germany and has a subsidiary in Massachusetts, or whether it is located in Ohio and it moves down to Mexico, or to any low-wage haven. That is really what we are fighting for.

Mr. BONIOR. It is not just the low wages, as the gentlewoman has just mentioned. They go down there, and you know, \$13 up here, and they pay less than \$2 to workers down there, and they do not have to do anything about the environmental standards.

The American Medical Association, a conservative organization by I think anyone's standards, labeled the maquiladora area as a cesspool of infectious disease. That is their words. These multinational corporations do not have the decency to put in sewers, clean water, the infrastructure that is

needed for people that make their products, that make that company work down there, to live decently. That is another piece of the tragedy of all of this.

Mr. SANDERS. Mr. Speaker, if I may, the outrage, while all of this goes on, while they do not have enough money to clean up the environment, I was down in Mexico and we talked to women who were having miscarriages because they were working in such unhealthy environments. Children were being born with major birth defects.

They do not have the money to do that, but they do have the money to pay their CEO's 54 percent more this year than last year. They do have the money to hire all kinds of lobbyists to come here to Washington to tell Members of Congress how good this policy is that makes the rich richer and everybody else poorer.

They do have the money to put ads in newspapers all over America telling us how we have to cut back on Medicare and Medicaid and education and give tax breaks to the rich as part of a budget agreement several years ago. They suddenly have the money for those things, but when working people in this country and in Mexico ask for decent wages, gee, there is just no money available. I think this is the untold story of the last 30 years.

What saddens me very much is the corporate media, which is owned by these very same people, is not going to tell the story, but what we are seeing is a situation of unparalleled greed in the modern history of this country, where the people on top are making huge amounts of money, pushing down the American workers, pushing down the Mexican workers, forcing people to compete against each other, destroying the environment so they can sit up with their billions and billions of dollars. It is an outrage, and it is an outrage that this Congress has not effectively dealt with that issue.

Mr. OWENS. Mr. Speaker, the corporate greed we are seeing has absolutely no common sense. What history has clearly demonstrated over the past 50, 75 years is that the locomotive, the engine of the locomotive that drives the economy of America, and the American economy drives the economy of the whole world, is the middle-class consumer. Who are the middle-class consumers but the workers who earn decent wages in the factories?

Henry Ford did not automatically understand it, but he got around to understanding that folks need to have higher wages in order to buy my cars. It is only a matter of time. Nobody believes that what we have in motion is going to kill our economy, but it is only a matter of time when, as the rich get richer on top and they take away the power of the consumers in the middle and the bottom, there will not be anybody to buy these products and the great engine of the locomotive will go dead, and we will all be in a morass in terms of the economy.

The common sense of the American people has to come into this situation. Millionaires want to be billionaires. Billionaires want to be multi-billionaires. It is greed totally out of control and greed that is going to be self-destructive. They are going to destroy themselves as well as the whole American economy.

Mr. KUCINICH. Mr. Speaker, human rights is not just an international issue, something we should be concerned about happening in other countries. Human rights is a domestic issue, too. If someone does not have a job, if someone does not have decent wages, if someone cannot have decent benefits to protect their family's health, if people cannot get a good education, if they do not have rights on the job, their human rights are undermined. That is why these trade issues, GATT, NAFTA, most favored nation, all have relevancy to this country, because it is about our human economic rights in America.

We need to be, and it is good that we are, Congressmen and Congresswomen, standing up for the American people and for their economic rights and insisting that the human economic rights of the people in this country need to be protected, and we do that every time we raise questions, as we are doing this evening.

Mr. SANDERS. In terms of human rights what I get a kick out of is not so many years ago we were told that China was a Communist authoritarian society where people did not have any rights, where people did not have religious freedom. Unless I am not hearing what is going on, not only have things not changed, they have gotten worse.

The State Department last year announced that the situation in China in terms of human rights is worse. With over 1 billion people, they said there are no dissenters. In all of China, nobody, not one person, according to the State Department, is out on the street able to dissent against their authoritarian country.

But what has changed in America? What changed in America is corporate America has said, gee, maybe that is not such a bad place to do business. Hey, why were we attacking these people? No unions, no freedom to stand up and fight back? Sounds like a good place to do business.

So where 20 years ago we were told how terrible Red China is, suddenly these same corporations are now spending millions of dollars to convince us that it is really a very fine place and it is a wonderful place to do business. What better place can you have? You pay people 20 cents an hour. If they stand up and fight back they are fired, put in jail. You have slave labor over there in the prisons. What a good place to do business. Let us continue MFN with China, say our corporate friends.

Fortunately, some of us do not agree with that.

Mr. BONIOR. I thank my colleague. I think that is a good summation to end with tonight. I thank the Speaker for

his patience with us this evening, and his indulgence in the last minute or so. I thank all of my colleagues for coming this evening and sharing their thoughts. We look forward to continuing this debate.

REPORT ON H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998-1999, AND H.R. 1758, EUROPEAN SECURITY ACT OF 1997

Mr. DIAZ-BALART (during special order of the gentleman from New York, Mr. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 195-115) on the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999 and for other purposes, and for consideration of the bill (H.R. 1758) to ensure that the enlargement of the North Atlantic Treaty Organization [NATO] proceeds in a manner consistent with the United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DESTROYING ORGANIZED LABOR AND MAKING WORKERS POWERLESS IN THIS COUNTRY

The SPEAKER pro tempore [Mr. GIBBONS]. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] IS RECOGNIZED FOR 60 MINUTES.

Mr. OWENS. Mr. Speaker, I would like to make it clear that my colleagues are welcome to stay. The issue I am about to discuss is quite relevant and related to the previous issue.

Mr. Speaker, we are in a situation where, as I said before, there is a drive on to drive the workers' wages down to the lowest levels, and the process of globalization is being used to do that, where corporate powers are moving the jobs and their manufacturing processes to the areas that have the lowest wages, and there is a continual search that goes on and on perpetually for the lowest wages.

At the same time, we have a situation in our borders here in America where every effort is being made to destroy organized labor, to take away the power of the workers to speak for themselves and to drive the work force here down to lower levels at the same time you are taking away their jobs and forcing them to bargain for lower wages because of the globalization.

□ 2115

We have with the welfare, so called, reform. It was not welfare reform. It was welfare liquidation. We destroyed the entitlement, for that has been in the law for 65 years, that was not re-

formed. That is elimination, liquidation.

We gave to the States certain powers, and we give them money, but the right for a poor person to expect his government to help to keep him alive is gone. The welfare reform was driven by a call to put people to work. Work was a necessity in order for human dignity to be encouraged. Work was desirable and work was available. We insisted that the work was available in spite of the fact that we had high unemployment in all of those areas where you had a large welfare case load, large numbers of people are on welfare in the areas where you have the biggest unemployment problems.

So now we have a situation where we have pushed and are pushing people off the welfare rolls. We are insisting that there are jobs, and as we mobilize to put more and more people to work, what is happening is that we have created a situation where people are being forced to work for less than the minimum wage. And when accusations are made that this is a movement toward slavery, people are upset. They say how dare you use the word slavery.

Let us stop for a moment and consider the fact that on the plantation everybody had a job. There was no unemployment on the plantation. You might have great varieties in terms of fringe benefits in terms of housing provided or decent food, but everybody had a job. You can have a situation where everybody has a job, and you can take away the dignity of people through the job but not paying them a decent wage, you can drive down the wages to the point where we have a new class of people, what you might call urban serfs or suburban peasants.

Mr. Speaker, they are in a situation where they are locked into accepting whatever is given them, but it has nothing to do with the relationship with what they need and what the standard of living is in our particular society. So we are driving down wages now by introducing into the labor market a new class of people, putting them in jobs and paying them less than even the minimum wage which is totally inadequate.

We have had previous discussions about how inadequate the minimum wage is. It is going to go up to 5.15 an hour, it is now at 4.75. If you look at what it takes to maintain a family, you can make the minimum wage and work every eligible hour during the year, and still you are in poverty according to our own standards.

So I want to open the discussion in terms of the new threat, the additional threat in addition to most-favored-nation status for people for countries like China in addition to NAFTA and in addition to GATT. We now have a drive on within our own society to finish the job and it is not unrelated, what is happening to welfare recipients and workfare and the movement to try to force people to work for less than the minimum wage is not unrelated to the

total Republican attack on organized labor.

Unprecedented, an unprecedented attack has been launched in this Congress, the 105th Congress, a Congress that prides itself on seeking some new bipartisan options and wanting to be more civil. In no way is it acting civilly or behaving in a civil way toward organized labor. They have come out pushing very hard to destroy organized labor.

There is a thorny campaign on to promote union democracy which would take away the rights of labor unions to finance the political education of their own members. There are new ambushes of Davis-Bacon, the prevailing wage requirements, new ambushes that are being prepared, riders on bills unrelated to work force issues. There is the whole cash for overtime swindle where, instead of giving people cash for overtime, they are going to take it away and give them time off at the boss's discretion and convenience.

There is a continuing drive to gag the Occupational Safety and Health Administration. There is a continuing refusal to recognize ergonomics, what that means in terms of repetitive motion disorders to workers. There is a new drive to pass the union busting law called the Team Act, which allows the bosses almost to hand pick the shop stewards. And there is a new slashing of the budget for the National Labor Relations Board which is being threatened. And they are harassing the National Labor Relations Board. And then there is NAFTA, GATT, most-favored-nation treatment trading status for China that we have been talking about here previously.

Mr. Speaker, I yield to the gentleman from Vermont [Mr. SANDERS], who might want to comment on this, which is a continuation of what we were talking about before, the drive to push the wages of labor, of the working class down to the very lowest level.

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding to me. The issue that he is talking about is the most important issue facing our society, and that is that never before in American history, at least the modern history of this country, have the people on top had so much wealth and have had so much power. What they are doing with that wealth and power is using it to make themselves ever more rich while they are squeezing and shrinking the middle class and creating a new class, urban serfs.

Mr. OWENS. And suburban peasants.

Mr. SANDERS. What you are talking about are the millions and millions of people who are desperate, who have no place to go and that is what is going on in this country.

There is one point that I want to add to what my colleague was saying. And that is my very great fear that the American people are not reading or seeing on their TV's or hearing on their radios much about this reality, which is the most important develop-

ment that has taken place in modern American history. This is the story of the century, that the American middle class is shrinking, that the gap between the rich and the poor is growing wider, that people are working longer hours for low wages. But somehow when we turn on the TV in the evening, we do not see that story. We see O.J. Simpson and we see everything else in the world, but we somehow could not see that story. How come we do not see that story? It is tied into everything else that we are talking about.

Who do we think owns the media? When we talk about sweatshops in desperate Third World countries, when we talk about companies downsizing and throwing American workers out on the street, we are talking about companies like Disney who, among other things, owns ABC. When we are talking about companies going to Mexico to pay people substandard wages or going to China, we are talking about General Electric, who happens to own NBC. And Westinghouse happens to own CBS, and Rupert Murdoch happens to own Fox, multibillionaire who is extremely right wing.

So it is no great secret that the American people do not see the most important realities facing their lives on the television. They turn on the TV, they see everything else in the world except what is going on in their own lives.

I think one of the issues that I would add to the discussion is the need to tackle the very important issue of corporate control over the media. It is not just television. It has to do with newspapers as well. Let me mention a very wonderful book written several years ago by a former journalist named Ben Bagdikian, the Media Monopoly. Let me quote from Mr. Bagdikian or paraphrase what is going on in newspapers in America.

Eighty percent of the daily newspapers of this country were independently owned at the end of World War II. They were owned by people, not huge corporations. Today, 80 percent of daily newspapers are owned by corporate chains. Just 11 companies control more than half of the dailies, half of the Nation's daily newspaper circulation. And then we wonder when we have this NAFTA debate, gee, is it not a great shock that every major newspaper in America ends up being pro-NAFTA. In fact, 98 percent of the daily newspapers in America have a monopoly as the only paper in town. You have a one-newspaper town.

Although there are more than 11,000 magazines published in the United States, today just two corporations control more than half of all magazine revenues. When you go to the newspaper stand and you see all of those magazines, what you end up finding out is that these magazines, many of them are owned by a relatively small number of corporations. Although there are 11,000 local cable television systems, only 7 companies have a ma-

majority of the 60 million cable TV subscribers.

Three companies own more than half the television business, four companies own more than half of the movie business, five companies rake in more than half of all book revenues.

So there is a reason why people do not feel engaged in the political process. There is a reason. My colleague mentioned, I think very perceptively, what has been going on politically around the world in the last month. The change in England with the victory of the Labor Party, the change in France with the victory of the Socialist Party, the fact that the NDP did very well in Canada. What we are seeing is people all over the world saying, no, we do not have to deal with the absurdities of the global economy which lower our wages. But in this country it is very hard for people to learn about what is going on because of corporate control over the media. I think that is one of the reasons why we end up having by far the lowest voter turnout.

In England, I think they were disappointed. Their voter turnout was perhaps 70 percent. They were disappointed. It was a low turnout. Canada, it is usually above 70 percent. My guess is in the next congressional elections, probably 35 percent of the people will vote. Low-income people, working people have given up on the political process. One of the reasons I would suggest is that, when they read the papers and they read the magazines and they see the television, their lives and the pain of their lives is not being reflected in what they are observing. I think that is an issue we have to discuss.

Mr. OWENS. I think the fact that the British economy in general was performing very well, they say we have prosperity. What the common ordinary people in Britain understood was that more and more people at the top were getting more and more of that economy, and they were getting less and less. The great shock was they swept overwhelmingly, they swept out a party at a time when prosperity, so called, was very much in motion there.

Mr. SANDERS. If the gentleman will continue to yield, the gentleman raises an interesting point, because there are strong similarities between the economy in England and the economy in the United States. And that is our unemployment. England's unemployment is lower than western Europe, but what they forgot to tell us was interesting. Do you know what the wages in England were compared to Western Europe? They were, according to the New York Times, 40 percent less, 40 percent lower. So what they sacrificed were decent wages, and they created a whole lot of low wage jobs, which is what we are doing in this country.

In this country, 20 years ago the United States led the world, we were No. 1 in terms of the wages and benefits, highest wages in the world, we were No. 1. I know that we do not see it on CBS too often. Rupert Murdoch

does not talk about it too often, but today we are 13th in the world. German manufacturing workers make 25 percent more than our workers. These people have 6 weeks paid vacation. They have a national health care system. Their kids can often go to college for free. We do not talk about that too much.

Mr. OWENS. We have traded places with Great Britain where the gap between the rich and poor used to be the greatest. We are now, democratic America has now the greatest gap between the rich and the poor. It is the phenomenon that has taken place. It has nothing to do with capitalism per se. The argument about capitalism and what it does to an economy is an argument, I think, that is just about over.

It appears that humankind prefers a capitalist system. It seems to be compatible with the way human beings are built. We are not talking about capitalism automatically creating this kind of condition. Capitalism can be compassionate. Capitalism can be more creative. They have a capitalist system in Sweden. They have a capitalist system in a number of other places. Norwegian workers do very well. There are a number of places where they choose to use their resources in certain ways and they choose to throttle the runaway spirit of greed which creates more and more billionaires and multi-billionaires. We ought to see ourselves differently.

Mr. Speaker, President Clinton has said that America is the indispensable Nation in today's global society. I agree. I think capitalism has, in fact, demonstrated that perhaps capitalism is an indispensable economic system of humankind. There are all kinds of capitalism. Chinese capitalism uses slave labor in prisons, and we are buying into a system with China where we are willing to buy the products of slave labor.

More and more of those products are flowing into this country. We have an enormous trade deficit with China. It took over a very short period of time. The Japanese deficit grew slowly over the years, but the deficit, by deficit I mean we are buying so much more from China than China is buying from us. If you want to know what these deficits are about, a trade deficit is when you are buying so much more from one country, from a country than they are buying from you. We are buying many products that should be manufactured in our own country. We are buying products that our workers here used to make. We are buying those products from the Chinese. We are doing all of that in terms of the globalization that we talked about in the previous hour, driving down the wages by moving from one country to another to find the lowest wages.

□ 2130

But here in this country the attack on organized labor is an attack which seeks to drive down the wages of the

workers. And the latest development is the fact that we have had new low-wage workers introduced into the labor pool via welfare recipients.

In my city of New York, workfare they call it, is expanding. We have one of the biggest workfare programs in the country, where welfare workers go to work for city agencies. Now, we also have one of the biggest reductions in the number of workers on city payroll at the same time. They say, well, this is being done by attrition. After all, the mayor of the city is running for reelection this year. He is not laying off anybody. But they are not hiring anybody. They have not hired anybody for the last 3 years. And they had a process of encouraging workers to retire in various ways, pressing them to take packages to retire.

So the civil service work force in New York has been reduced while the workfare work force has gone up. The workfare people, who are welfare recipients while they are on workfare, are working for less than minimum wage. They have to work a certain number of hours in order to get their grant. And if we divide the number of hours into the grants, we will find the amount of money per hour is lower than minimum wage. Add to that that there are no fringe benefits attached to that work. Of course, they are still on welfare so they are fortunate enough to be able to continue to get Medicaid for health care.

So we have a situation where from within the country pressures are now on to drive down the wages by forcing more and more low-wage workers into the market. The White House has reached to call for a minimum wage in workfare plans. They say we must pay welfare workers a minimum wage. That set off a whole chain reaction. That chain reaction, we understand, may culminate in a bill on the floor of this House very soon.

There is one rumor that Ways and Means is preparing it now, which will make it clear that by order of this government, people must work for less than minimum wage. We are going to put that into a law. There is a great deal of alarm about it. We have been meeting today among members of the Congressional Black Caucus. We want to call this to the attention of our fellow members of the Democratic Party, we want to call it to the attention of all of the Members of the House and to the attention of the American people.

We want to sound the alarm right now, let us not sit here in Washington and make laws which will create a new class of workers, urban serfs, suburban peasants, whatever we want to call it, people working for less than minimum wage. Minimum wage is already inadequate. We will not accept anything below the minimum wage.

Mr. Speaker, I yield to the gentleman from Vermont.

Mr. SANDERS. The point the gentleman is making is that many people out there may say, well, that is too

bad, but it does not affect me. But it does affect us, because what is going on, if an employer can hire somebody for \$3 an hour, for \$3.50 an hour, that means all wages will go down as well. That is what this effort is about. It is not only to save money by hiring people below the minimum wage, it is to push everybody's wages down in exactly the opposite way that when we raise the minimum wage working people's wages will go up.

The gentleman before made an interesting point, and I want to pick up on that because, again, it is an issue that is not discussed very much on the floor of the House. He said, quite correctly, that the United States now has the most unfair and unequal distribution of wealth and income in the entire industrialized world. They used that dubious distinction that used to accrue to Great Britain, with all their dukes and queens and kings.

The point is that today the United States has claimed what England used to have and that we now have, the most unfair distribution of wealth and income.

When we talk about economics, ultimately, like a football game or a basketball game, it is about who wins and who loses. And what is going on in the United States today is that we know who is winning. We know the wealthiest 1 percent of the population now owns over 40 percent of the wealth, which is more than the bottom 90 percent. So we have 1 percent owning more wealth than the bottom 90 percent.

When we hear about the booming economy, we should know that between 1983 and 1989, 62 percent of the increased wealth of this country went to the top 1 percent and 99 percent of the increased wealth went to the top 20 percent. Meanwhile, the middle class shrank and poor people were working at lower wages than for many, many years.

And when we see the unfair distribution of wealth in general, we also see recently the outrageous situation that CEO's in the United States of America, the heads of large corporations last year had a 54 percent increase in their income while many working people saw a decline in their real wages. And CEO's now earn, on average, more than 200 times what the worker in their company earns, which is by far the largest spread in the industrialized world.

So I think when we talk about the state of the economy, it is important to understand who is winning and who is losing, and the reality is that the people on top have never had it so good, the middle class is shrinking, and working people all over this country are working longer hours for lower wages and barely keeping their heads above water.

Mr. OWENS. I thank the gentleman. The story is that we are the wealthiest nation that ever existed on the face of the Earth. The wealth of America is

constantly increasing and the wealth of wealthy people throughout the world is constantly increasing.

There is no reason why minimum wages cannot be provided. There is no reason why health care cannot be provided for everybody. There is no reason why we cannot have a totally different kind of society even within the structure of capitalism. There is no reason why it cannot happen. It is the blindness, the shortsightedness of the people in power and that have the money that continues this condition.

And the fact we went to great lengths to push people off welfare and with the myth that there were jobs out there, and now we are pushing them into the work force to undercut the lowest paid workers and compete with those that have jobs.

Mr. Speaker, I yield to the gentleman from Illinois.

Mr. DAVIS of Illinois. Let me first of all thank the gentleman from New York for yielding. It is certainly a pleasure to join here this evening with the gentleman from Vermont and the gentlewoman from California as we discuss what I think is one of the most serious issues facing America.

It seems to me that right now, as we prepare to implement welfare reform, as it is being called, or as we prepare to implement the right for people to go from welfare to work, or the enforcement of people going from welfare to work, that rules are being changed.

We have just seen the rule changed in the meaning where volunteerism in one place means mandatory in another place. Now we see an attempt to change another set of definitions and another set of rules. Individuals who work have the right to be protected by Federal standards. Now we are being told, or it is being suggested, that individuals who may be welfare recipients and have the opportunity or get the chance to work under some Government-sponsored program, that they will not be defined as workers, they will not actually be defined as having a job because they will not have the same protection.

Well, work, to me, seems to be work. And so there is something sinister happening in America. There is something that is difficult to define. It seems as though we are bent on moving backwards rather than moving forward; that there are those who are attempting to take us back to the dark ages. And I think that if there was ever a message being sent to low-income people, if ever a message was being sent to individuals who have need for public resource, if there was ever a message being sent to the physically challenged, to those who suffer with disabilities in our society, then that message is to organize, to come together, to educate, agitate and activate, to stimulate real movement so that all of the forces that are being attacked will have an opportunity to protect themselves. There is unity in strength and there is strength when groups are unified.

So this is a time when all of America really should unify to protect the rights of those at the very bottom. I thank the gentleman from New York and yield back to him.

Mr. OWENS. I thank the gentleman from Illinois and I yield to the gentlewoman from California.

Ms. MILLENDER-McDONALD. Mr. Speaker, I thank so much my dear colleague from New York and also my colleague from Vermont and from Illinois. I could not help but to come to this floor when I heard the gentlemen speaking about the issue of minimum wage.

Certainly I was one of those who cast a vote in favor of that last year, but as I look at an article in *The Washington Post*, and it speaks to one of our colleagues, Republican colleagues, who is suggesting that a solution with reference to persons being paid below the minimum wage would be to pass legislation that would say the minimum wage would not apply, and another would be to say that all of the benefits that people are receiving would count toward calculating the minimum wage.

I think this is absolutely deplorable. As I looked at my colleagues last year, those who voted on this minimum wage, I was encouraged that perhaps we were moving forward, as the gentleman from Illinois said. But then as I went back home to my district of Watts and Willowbrook, Compton and Lynwood, Wilmington, and had to meet the welfare recipients of my district to tell them of a welfare bill that was passed that said that they had to move from welfare to work, though they were discouraged, they thought, well, maybe, just maybe, jobs can come where we can get off of welfare. They do not want to be there. Maybe, just maybe, job training will come that will allow us to go from job training to jobs and then have a job where the wages will be as such where we can sustain ourselves and our families.

So last year this body passed and the President signed this welfare reform bill that commanded welfare recipients to go to work. This bill did not tell them how to find a job, how to work, where to work, who would train and hire them, or how to get to work. The bill, nonetheless, ordered them to get out and seek employment. In essence, the bill commanded them to swim or sink.

If there was an upside to that legislation, it was the fact that early in the session, as I said, we voted to raise the minimum wage in this country from \$4.25 an hour to \$5.15, giving the low-wage earners in this country, many of whom are welfare recipients and former welfare recipients and current welfare recipients, a much needed lift.

When I cast my vote in favor of raising the minimum wage, which was supported by over 80 percent of the American public, I was under the impression that I was doing so for all Americans, including welfare recipients. We are not creating new laws, but rather ap-

plying current laws to those employees who are making the transition from welfare to work. So how can some Republican Members of this body demand that a citizen of this country leave the welfare rolls and go to work, then in the same breath deny them the minimum wage for an hour of work?

Workfare employees not only should but need to be treated the same as any other employee. To do otherwise is unfair to them and the employees they work with. Welfare recipients in workfare programs should be entitled to the same protections under Federal labor and antidiscrimination laws as other employees. The work participation rules of the new welfare law require a single parent to be engaged in a job activity for 20 hours per week in fiscal year 1997.

□ 2145

For an adult in a two-parent family, 35 hours a week are required, and a single parent is required to work 25 hours in fiscal year 1999 and 30 hours in fiscal year 2000. How can a mother afford child care for her children in addition to the basic needs of food, shelter, and clothing with an income well below the minimum wage?

Mr. Speaker, I think it is deplorable. I ask my colleagues, why are we doing this to persons who recognize that they must leave welfare to go to work and yet they are being told that now, if they should find a job, there is a possibility that they will not get minimum wage?

I do not know where we are going in this country, because the very fundamental rights are being stripped from the people, not only those whom I serve, but all of us; and yet, we have some of our Republican colleagues who do not share our beliefs of opportunity and fairness.

Under the proposal that I have just read, they plan to introduce workfare participants with a plan that may deny the same minimum wage that is provided to other workers, may be required to perform the same work as other employees, including hazardous work, at a lower rate of pay and without any OSHA protection, have no title 7 protection against sexual harassment or racial discrimination, and would not be entitled to the provisions of the Family Medical Leave Act. It is preposterous.

I am concerned about how this proposal will affect the State of California and my district, the 37th Congressional District. One in twelve Californians receive welfare benefits, and 10 percent of Los Angeles residents receive welfare benefits. The only way to make the transition from welfare to work is through obtaining quality job skills and minimum wage.

The State grants under the Temporary Assistance for Needy Family Programs are set at the 1994 levels. Caseloads have fallen to 4.1 million, yet the States receive funding for 5 million families. This difference creates the opportunity to pay workfare

workers at the minimum wage they deserve and need.

I say to my colleagues, I am ready for the fight. I cannot believe that anyone in this body would now try to slip not only the rug from under people but the very basic principles of fairness and opportunity. Providing minimum wage to workfare employees is not only the fair and right thing to do but the necessary step to end welfare dependency.

Mr. Speaker, I am with my colleague on whatever he proposes. I am here for the fight and the long haul to ensure that fairness to my constituents and to all constituents throughout this country who are trying their best to move from welfare to work get the respect, the fairness, and the opportunity they deserve.

Mr. OWENS. I want to thank my colleague, the gentlewoman from California [Ms. MILLENDER-MCDONALD], and say that she is ready to fight. And I want her to know there are a number of other people in this country who are now quite alarmed by what is happening and they, too, are ready to fight.

There has been a recent set of mobilizations proposed by the religious community. They think this is immoral, that we cannot talk about welfare reform, meaning the people must go to work and we start defining jobs as something less than a job.

When we operate in America, we operate under the Fair Labor Standards Act. A job must pay minimum wage, must provide benefits, must protect you from discrimination, it must give you safety. Everything under the Fair Labor Standards Act must be there in order for a job to be a job in America.

And the people are upset. A coalition of 18 of the Nation's most prominent civil rights, labor and welfare and civil advocacy groups have urged President Clinton to grant welfare recipients rights to a broad array of legal protections against discrimination and unjust treatment on the job. The Leadership Conference on Civil Rights and 17 other groups asked President Clinton in a May 15 letter to make the civil rights and economic security of low-income individuals and families a higher national priority as States implement the new welfare law.

The Lutheran services in America have issued a proclamation that in none of the various organizations where they employ people or that they are affiliated with that employ people may any organization pay welfare recipients less than the minimum wage or provide less than fringe benefits that are provided to other workers.

So we should sound the trumpet. I think the Congressional Black Caucus have made it quite clear that we intend to appeal to our colleagues in the Democratic Party here in the Congress, we intend to make appeals to the entire Congress, Members of both parties.

Remember that the minimum wage was a very popular issue in the last Congress, that there were people that said they would never permit it to

pass, that it would only pass over their dead body. But the American people let it be known, they thought it made sense. They thought it was the right kind of morality for America. They thought it was fair and just. Eighty percent of the American people said they wanted an increase in the minimum wage. We got an increase in the minimum wage.

Mr. Speaker, I think what has to happen now is the American people, the workers out there, the people who belong to the caring majority and believe in doing the right thing, even though they are all right by themselves, they do not want to turn their backs on other people who ought to have a fair opportunity to earn a living under right working conditions with a minimum wage.

All that is in motion now, and I think we should go forward to see to it that nothing is passed on the floor of this House that begins to roll back the clock, that takes away the right of workers who happen to have been or are present welfare recipients. A worker means that you are under American FLSA, Fair Standards Labor Act, under all the added discrimination laws, under the OSHA laws for safety. That is what it means to be a worker in America.

Ms. MILLENDER-McDONALD. Mr. Speaker, my colleague, the gentleman from New York [Mr. OWENS] is absolutely right.

I am encouraged, though, as we have read this information and this proposal is now being put into print, that the religious communities are coming forth now with us, educators, parents, college students. They have now seen the disingenuous nature by which this proposal is being brought forth.

I say to my colleagues that we will not stop the Congressional Black Caucus, and I am sure the Democratic Caucus and all other fair-minded people will not stop until we defeat this proposal. If we are going to insist that people move from welfare to work, we must do so in the fairest, the most sensitive way that we can.

I again thank my colleague so much for bringing this to the floor so early so that I can get my quest in and my position on this issue right up front. I will be meeting with people tomorrow, women's groups, religious groups, and I will not stop until we defeat such a very contentious proposal as this.

Mr. OWENS. I thank the gentlewoman from California. We do not know how late the hour is really. We may have on the floor this week or early next week an attempt to codify the denial of the payment of minimum wage and other worker benefits to welfare recipients.

Mr. DAVIS of Illinois. I thank my colleague very much, and that is why I think that the whole concept of eternal vigilance is so important. That is, we have to be watchful all the time. We also have to be real about the whole business of how many jobs are there

really, how many jobs are there really for many of the people that we are talking about, people who in many instances do not have the skills, have not been trained.

As a matter of fact, I am reminded of an incident that took place the other day where a fellow that I know went out looking for a job and he looked every place that he could possibly look. Finally, he ended up at the zoo. He talked to the zoo keeper, and he said, "I really do not have anything." Then he remembered. He says, "You know, my gorilla got sick. I have got a group of kids coming in. They want to see a gorilla. I will give you \$100 to be the gorilla." So the fellow said, "Look, I am from the west side of Chicago. For \$100, I will be anything you want me to be because I want to work, I want a job." He put the suit on. The kids came in, and he kind of beat his chest a little bit and the kids clapped. Then he jumped up on a trampoline and did a flip. The kids clapped again. So he decided to do a double somersault. And he flipped over into the lions' cage, fell on his back laying prostrate. The lion starts to come toward him, and he looks over at the zoo keeper and says, "Help."

The guy did not respond. The lion is still coming. He says, "Help." Still no response. The lion decided that he would then take advantage of the situation, so he got ferocious, began to growl and made a charge. The guy says, "Help." The lion says, "Shhh, you are going to blow both our covers."

And, so, my point is that the availability of jobs is not nearly what we are led to believe. I hear us talk about 4.9 percent unemployment. It is not 4.9 percent unemployment in inner city America. It is not 4.9 percent unemployment in the neighborhood and community where I live. And, so, we need economic policies that will also create jobs for which people can actually work and earn a decent wage, a livable wage. And there is only one way to do it, and that is to keep the action up, keep the heat on, keep pressing forward, keep moving. I believe that the American people will, in fact, respond.

Mr. OWENS. Mr. Speaker, I want to point out that the problem of putting people to work on welfare and the problem of providing decent jobs and wages for workers is not unrelated to the overall scene here in this House.

The budget drives everything. We have certain developments in the budget which automatically take away job opportunities. We have a great decrease in the amount of public housing construction and repair. We have a great decrease in terms of money available for school repair and renovation. In fact, they took the whole Presidential initiative of \$5 billion, which would have gone into repair and renovating and building new schools, providing jobs for people in inner cities.

We had a big fight over the transportation bill which in the inner city communities would provide jobs for people

who work for mass transit and for the construction and repair of subways and bus systems, et cetera, as well as provide jobs for people who work on highways. So the job creation part of the budget is given away to tax cuts.

We have large tax cuts to the same categories of people that the gentleman from Vermont [Mr. SANDERS] was talking about earlier. They are already the richest people in America. Our budget is dedicated to giving them more to take capital gains cuts and inheritance cuts. They will get more, while at the other extreme we are cutting down on the transportation budget that would have provided jobs, on the school construction budget that would have provided jobs, and we are cutting programs like Medicare and Medicaid.

So our common sense here has gone out of the window. It is up to the American people, the voters out there, to bring back the leadership, bring the leadership here back to their senses. That budget was negotiated at the White House. I guess we have got to bring the President back to his senses too and have him stand up to that kind of negotiation, not agree to make those kinds of cuts in areas which create jobs, which take care of people, and at the same time you are bolstering the pocketbooks and the bank accounts of the people who need it the least.

We got it all topsy-turvy, and that is why this country is the country that has the greatest gap between the rich and poor. Great Britain, with all its lords and aristocracy and very rich people and very poor people in the slums of London and various great cities, Great Britain used to be the place where you had the greatest gap between the very rich and the very poor. Now it is America, the home of the brave and the land of the free, the place where everybody assumed they had the opportunity to make it, and a lot of the creation of the world's modern economy was built on the backs of consumers, ordinary people, who had the money to go out and buy refrigerators and buy cars and buy homes. All that is being slowly squeezed to death by catering to the very people at the very top. It begins right here at the House of Representatives.

□ 2200

At the same time they are taking the money away from those who need help the most from their government.

Ms. MILLENDER-McDONALD. Indeed as my colleague from Illinois just said, we hear all the time this 4.9 to 5 percent unemployment. They are not talking about our constituents. The unemployment rate in my district is close to 50 percent. Yet there are not any jobs. No jobs are rushing into my district. When this budget came to the floor and they had taken out the \$5 billion for school construction that would have provided jobs and create the type of climate where children can learn, that was taken out. It just appears to me that every day we see a group of

Members here who do not wish to foster an agenda that will help to move people from this welfare to work as so stated in their budget.

Also, the transportation provision of the budget was underfunded. That then parlays into the lack of our getting roads and highways built whereby we can advance international trade that creates the jobs in our district, that really boosts the economy.

Again, I say to the American people, watch this House. Because this is not a House that seems to suggest that we are fundamentally trying to move people from welfare to work in a fair and equitable way. I will suggest to those who are listening, call us, either the Members you see on this floor or your own Member, and share your thoughts on the proposal that is being presented, that persons whom we are asking to move from welfare to work should get below minimum wage. You call us and answer to whether that is a fair way and an American way and will be conducive to opportunities for those who are less fortunate. I think not. I will fight until we find the justice in this House that is supposed to be the people's House.

Mr. OWENS. I think it is important to point out that we are not alone, as the gentlewoman said before. The churches are mobilizing to take the facts to the American people and to try to get people to understand the unfairness in this whole attempt to push people out there, make them work for less than the minimum wage, with no benefits. The Washington Post and the New York Times and a number of other newspapers have come out in support of the President's position. I just want to read a couple of paragraphs from the Washington Post editorial that appeared on Monday, May 19.

"Wages of Welfare Reform", it is called.

The President was right to order that welfare recipients put to work under the terms of last year's welfare bill be paid the minimum wage. The objecting governors and other critics are likewise right when they say that his decision will throw the bill even further out of whack than it already was. What the President basically proved that in doing the right thing on the wage was how great a mistake he had made in caving in to election year pressures, some of them of his own making, and signing the bill to begin with. The problem with the welfare part of this legislation as distinct from the gratuitous cuts that it also imposed in other programs for the poor is the mismatch that exists between its commands and the resources it provides to carry them out. The basic command is that welfare recipients work, but that's not something that can be achieved by the snap of a finger or the waving of a wand or it would have happened long ago. A lot of welfare recipients aren't capable of holding down jobs without an enormous amount of support. Nor in many cases are there jobs enough in the private sector to accommodate them even if they could hold those jobs down.

That is just a section from an editorial that appeared in the Washington Post. There was one also similar in Newsday in New York which called for

supporting the President as he attempts to enforce the Fair Labor Standards Act in respect to welfare recipients.

I think I said before that one of the churches that has set an example is the Lutheran Church where they say that they will not allow any of their units that employ people to engage welfare workers for less than the minimum wage. There is a statement they issued on May 1, at the Workfare Media Conference of the Lutheran Services in America. I will quote just a few sections from that:

The Lutheran Services in America organizations spend \$2.8 billion serving 2 million people and includes over 3,000 locations across the United States. We employ workers at all levels and seek to serve those who are in need.

When Congress passed welfare reform legislation which was signed into law on August 22, 1996, we all knew that we would have to move beyond the rhetoric of personal responsibility to work opportunity and responsibility by the employer. If welfare reform is to happen in this country, then work opportunity that includes at the very least the minimum wage must happen. Rather than pitting personal responsibility and structural change against one another, we realize that both kinds of efforts are needed.

As employers, our umbrella alliance of service organizations has endorsed the fair work campaign so that workers have both sufficiency and sustainability in their lives. We know from our experience that work that is a job must include sufficiency which means adequate levels of income support so that people can live dignified lives. It must also include sustainability. Workers cannot live in fear of taking other people's jobs nor be treated differently than others by wages, benefits or personnel policies. Without sufficiency and sustainability, welfare legislation becomes nothing more than rhetoric.

Lutheran Services in America organizations face the same issues that every nonprofit and corporate employer in America faces. We are working within a budget and providing services for our clientele. We are well aware of what it means to be an employer and because of this we believe that workfare recipients need positive learning and training experiences as well as new jobs and that workfare recipients perform important work that should be valued fairly.

We in Lutheran Services in America challenge other employers to join us to be involved and become responsible in the opportunities we give to workers. It is reform for all of us and it requires all of us to become a part of this if we ever intend to see the face of poverty change.

I think that is a forthright statement by the Lutheran Church and it is a challenge to all other religious organizations and nonprofit organizations and to corporate America. If we want to really move people from a situation of dependency into the mainstream and provide jobs, then let us define a job as being a thing that pays the minimum wage and has all the other benefits that go with being a worker in America.

Ms. MILLENDER-McDONALD. I might add that the Lutheran Church seems to be a very new group that is coming aboard now. It is very healthy that they do this. But I am sure that they see this, as we do, as a really

moral issue, an issue that smacks in the face of unfairness. We cannot afford to allow this type of proposal to come to American people who are trying their best to raise their families, to provide shelter for their children, and to provide an education for them. To move from a below-subsistence level to self-sufficiency, we must couch this as the moral issue it really is. For those who are spiritual-minded Members, for those who want to do the right thing, well, then fight with us to defeat this very egregious proposal that does not speak to the fundamental rights of this country.

Mr. OWENS. I am sure that both of my colleagues know well that phrase that they have heard repeated often, that in slavery everybody on the plantation had a job, because a job was then defined as work that the master wanted you to do. You did not get paid for it. For 232 years there was free labor. You did not get paid for it, but people had jobs. They were on the plantation and they had jobs. In order to satisfy those who again move out of racist motivations, when you say people should go to work and you create a situation through a bill you call welfare reform that pushes people off welfare and help from the government into situations where there are no jobs, no effort is being made to create those jobs. No effort is being made to create real jobs. So they want to push people into situations where they will work for something that is not a job. They will work for less than minimum wage. They will work under extraordinarily harsh conditions to do something that other workers were being paid to do before. So we are not only not creating jobs for welfare recipients, we are displacing workers who had jobs before.

As I said at the beginning, this is happening in no more evident way than it is happening in New York City. We have a large workfare program. The workfare program as it expands, we see the city employees, the municipal payroll, decreasing at the same rate as the workfare program is increasing, a definite correlation. You take away the jobs from the people who were being paid to do them before, with fringe benefits, with a retirement plan, all the things that go into a real job, you take that away and you put people to work who have nothing except to work off the cash value of their welfare grant, you get a lot of work done for very little. If you can institutionalize that and get it going full steam, you are back into a condition which is close to slavery because you are forcing people to work in a situation where it has no relevance to really what they need, you are not paying them, they are involuntary servitude. It is that bad. We are not exaggerating when we say that that is where you are going. If you rule out paying people what we call minimum wage and providing the benefits that we call a job, then you are creating something that is not a job. You are creating servitude and forcing people into that pattern of servitude.

Mr. DAVIS of Illinois. When the gentleman mentioned New York, I could not help but smile to myself and think of how fortunate the people of New York are that they have the gentleman as their advocate, that they have the gentleman working in their behalf. I want to thank the gentleman for organizing this evening and for giving us the opportunity to share it with the gentleman.

The last thing that I would want to say is the gentleman mentioned the whole business of slavery. I remember the words of the great abolitionist Frederick Douglass who suggested that if you would find the level of oppression that a people will accept, that is exactly what they will get. I do not believe that the people are going to accept this level of oppression. I certainly thank the gentleman for the opportunity.

Ms. MILLENDER-McDONALD. May I please add to those thanks, too. Because I thank the gentleman for taking the leadership on such a very important issue as this, early on, before we see this so-called proposal. But it is suspect to me that this is a proposal that is coming when I was told at the first of the year that we should not do anything about this welfare reform bill, to allow it to percolate for 1 year to see whether it really works. And now, before a half year is gone, here is a so-called proposal to revisit the minimum wage with the express consent to try to do something to harm those who are trying to move from welfare to work and to not give them a leg up.

I thank the gentleman. I agree with the gentleman from Illinois that New Yorkers are all the better because they have the gentleman to tout for them, to address their needs and to certainly bring very critical issues like this early on to the forefront. Again, I am ready for the fight.

Mr. OWENS. I thank my colleague from California and my colleague from Illinois for joining me.

Mr. Speaker, in closing, let me just say there is an effort to divide and conquer welfare recipients who are put over here and workers who are put over there. The workers of America must understand this is a threat to all of us. If you did not understand it before, I hope you understand it now, that whatever happens to one group of workers, welfare workers, is going to have an impact on the quality of life and standard of living of all workers. We must fight to protect all workers by stopping this effort to make welfare recipients work in conditions that are not conditions acceptable to other American workers.

□ 2215

COMMUNICATION FROM THE HONORABLE FRANK A. LOBIONDO, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. GIBBONS) laid before the House the follow-

ing communication from the Honorable FRANK A. LOBIONDO, Member of Congress:

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

Hon. NEWT GINGRICH,
Speaker of the House,
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 Superior Court of New Jersey, Cape May County.

After consultation with the General Counsel, I will make the determinations required by Rule L.

Sincerely,

FRANK A. LOBIONDO,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FARR (at the request of Mr. GEPHARDT), for today, on account of a family emergency.

Mrs. CLAYTON (at the request of Mr. GEPHARDT), for today and Wednesday, June 4, on account of family illness.

Mr. PICKERING (at the request of Mr. ARMEY), for today and the balance of the week, on account of a death in the family.

Mr. BACHUS (at the request of Mr. ARMEY), for today, on account of attending his son's high school graduation.

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. MCHALE) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

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

Mr. HULSHOF, for 5 minutes each day, on June 4 and 5.

Mr. PAPPAS, for 5 minutes, on June 4.

Mr. SHIMKUS, for 5 minutes, on June 4.

Mr. PITTS, for 5 minutes, on June 4.

Mr. JONES, for 5 minutes each day, on June 4 and 5.

Mr. KINGSTON, for 5 minutes, today.

Mrs. NORTHUP, for 5 minutes, on June 4.

Mr. SMITH of Michigan, 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. MCHALE) and to include extraneous matter:)

Mr. CONYERS.
 Mr. HAMILTON.
 Mr. SKELTON.
 Mr. HASTINGS of Florida.
 Mr. PASCRELL.
 Mr. DEUTSCH.
 Mr. BONIOR.
 Mr. KILDEE.
 Mr. SERRANO.
 Mr. LANTOS.
 Mr. MCGOVERN.
 Mr. STARK.
 Mrs. MEEK of Florida.
 Mr. LIPINSKI.
 Mr. SANDERS.
 Mr. KUCINICH.
 Mr. TORRES.
 Mr. MANTON.
 Mr. SHERMAN.
 Ms. RIVERS.
 Mr. FARR of California.
 Mr. FOGLIETTA.

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

Mr. SAXTON.
 Mr. DELAY.
 Mr. PORTMAN.
 Mr. EVERETT.
 Mr. BONO.
 Mr. EHRlich.
 Mr. GOODLING.
 Mrs. MORELLA.
 Mr. GEKAS.
 Mr. SOLOMON.
 Mr. CUNNINGHAM.
 Mr. SHUSTER.
 Mr. DREIER.

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

Mr. BUNNING.
 Mr. PAUL.
 Mr. GEPHARDT.
 Mr. BROWN of California.
 Mr. WAXMAN.
 Mr. SHADEGG.
 Ms. LOFGREN.
 Mr. FELINGHUYSEN.
 Ms. WOOLSEY.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5. An act to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements to that Act, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 5. an act to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements to that Act, and for other purposes.

ADJOURNMENT

Mr. DAVIS of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, June 4, 1997, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

3550. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Gypsy Moth Generally Infested Areas [Docket No. 97-038-1] received May 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3551. A letter from the Acting Administrator, Farm Service Agency, transmitting the Agency's final rule—1997 Marketing Quota and Price Support for Burley Tobacco [Workplan Number 96-055] received May 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3552. A communication from the President of the United States, transmitting a fiscal year 1998 budget amendment to cover a shortfall in the Department of Defense Health Program, pursuant to 31 U.S.C. 1106(b); (H. Doc. No. 105-90); to the Committee on Appropriations and ordered to be printed.

3553. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans, Tennessee; Approval of Revisions to Permit Requirements, Definitions, Exemptions, and Internal Combustion Engines Regulations [TN-160-9624a; FRL-5831-7] received May 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3554. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Plans, Texas; Alternate Reasonably Available Control Technology Demonstration for Bell Helicopter Textron, Incorporated; Bell Plant 1 Facility [TX-73-1-7316a, FRL-5830-7] received May 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3555. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Regulations of Fuels and Fuel Additives: Extension of the Reformulated Gasoline Program to the Phoenix, Arizona Moderate Ozone Nonattainment Area [FRL-5834-4] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3556. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN67-1a; FRL-5827-5] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3557. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NOx RACT Determinations for Individual Sources [SIPTRAC No. PA-4058a; FRL-5832-3] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3558. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling; Timeframe for Final Rules Authorizing Use of Health Claims [Docket No. 97N-0075] received May 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3559. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of Lubbock, TX, Nonappropriated Fund Wage Area [5 CFR Part 532] (RIN: 3206-AH88) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3560. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Allocation Among Nontribal Sectors [Docket No. 970403076-7114-02; I.D. 030397B] (RIN: 0648-A180) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3561. A letter from the Assistant General Counsel, United States Information Agency, transmitting the Agency's final rule—Exchange Visitor Program [22 CFR Part 514] received May 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3562. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Athens, TX (Federal Aviation Administration) [Airspace Docket No. 97-ASW-07] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3563. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives: The New Piper Aircraft, Inc. Models PA31, PA31-300, PA31-325, PA31-350, and PA31P Airplanes (Federal Aviation Administration) [Docket No. 96-CE-29-AD; Amendment 39-9976; AD 97-07-03] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3564. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and A300-600 Series Airplanes (Federal Aviation Administration) [Docket No. 94-NM-196-AD; Amendment 39-9991; AD 97-08-03] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3565. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100, -200, and -300 Series Airplanes (Federal Aviation Administration) [Docket No. 96-NM-239-AD; Amendment 39-9993; AD 97-08-05] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3566. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB.211 Trent 800 Series Turbofan Engines (Federal Aviation Administration) [Docket No. 97-ANE-09; Amendment 39-9970; AD 97-06-13] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3567. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 Series Airplanes (Federal Aviation Administration)

[Docket No. 96-NM-116-AD; Amendment 39-9949; AD 97-05-05] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3568. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-26-AD; Amendment 39-9954; AD 97-05-10] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3569. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes (Federal Aviation Administration) [Docket No. 96-NM-11-AD; Amendment 39-9948; AD 97-05-04] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3570. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Auxiliary Power International Corporation Model APS3200 Auxiliary Power Units (Federal Aviation Administration) [Docket No. 96-ANE-42; Amendment 39-9912; AD 97-03-06] (RIN: 2120-A64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3571. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pacific Scientific Company, HTL/Kin-Tech Division, Fire Extinguisher Bottle Cartridges (Federal Aviation Administration) [Docket 97-NM-27-AD; Amendment 39-9940; AD 97-04-15] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3572. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Schempp-Hirth K.G. Models Standard-Cirrus, Nimbus-2, Nimbus-2B, Mini-Nimbus HS-7, Mini-Nimbus B, Discus a, and Discus b Sailplanes (Federal Aviation Administration) [Docket No. 96-CE-19-AD; Amendment 39-9990; AD 97-08-02] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3573. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Louis L'Hotellier, S.A., Ball and Swivel Joint Quick Connectors (Federal Aviation Administration) [Docket #92-CE-41-AD; Amendment 39-9994; AD 97-08-06] (RIN:2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3574. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 Series Airplanes (Federal Aviation Administration) [Docket 96-NM-43-AD; Amendment 39-10032; AD 97-11-03] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3575. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Hiller Aircraft Corporation Model UH-12, UH-12A, UH-12B, UH-12C, UH-12D, UH-12E, CH-112, H-23A, H-23B, H-23C, H-23D, H-23F, HTE-1, HTE-2, and OH-23G Helicopters (Federal Aviation Administration) [Docket No. 96-SW-06-AD; Amendment 39-

10029; AD 97-10-16] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3576. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes (Federal Aviation Administration) [Docket No. 96-NM-106-AD; Amendment 39-10030; AD 97-11-01] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3577. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft-Manufactured Model S-64F Helicopters (Federal Aviation Administration) [Docket No. 95-SW-34-AD; Amendment 39-10028; AD 97-10-15] (RIN: 2120-AA64) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3578. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Plattsburgh, NY (Federal Aviation Administration) [Airspace Docket No. 95-AEA-13] (RIN: 2120-AA66 (1997-0190)) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3579. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Ponca City, OK (Federal Aviation Administration) [Airspace Docket No. 97-ASW-06] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3580. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; South New Castle, PA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-001] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3581. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class D Airspace and Class E4 Airspace; Plattsburgh, NY (Federal Aviation Administration) [Airspace Docket No. 95-AEA-09] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3582. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airport Name Change; JOHNSON County Industrial Airport, Olathe, KS (Federal Aviation Administration) [Airspace Docket No. 97-ACE-3] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3583. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class D and E Airspace; Sacramento, CA (Federal Aviation Administration) [Docket No. 97-AWP-13] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3584. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace Areas (Federal Aviation Administration) [Airspace Docket No. 97-AGL-11] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3585. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Amendment of Class E Airspace; Montrose, Colorado (Federal Aviation Administration) [Airspace Docket No. 96-ANM-027] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3586. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace, Wahoo, NE (Federal Aviation Administration) [Docket No. 97-ACE-4] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3587. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Frostburg, PA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-007] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3588. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Marion, VA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-18] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3589. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Jeannette, PA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-010] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3590. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Uniontown, PA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-005] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3591. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Thiel, PA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-006] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3592. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Olean, NY (Federal Aviation Administration) [Airspace Docket No. 97-AEA-16] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3593. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; East Butler, PA (Federal Aviation Administration) [Airspace Docket No. 97-AEA-002] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3594. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class D Airspace and Class E5 Airspace; Calverton, NY (Federal Aviation Administration) [Airspace Docket No. 95-AEA-11] (RIN: 2120-AA66) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3595. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Revision of Class E Airspace; Altus, OK (Federal Aviation Administration) [Airspace Docket No. 97-ASW-09] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3596. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Carlisle, AR (Federal Aviation Administration) [Airspace Docket No. 97-ASW-03] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3597. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class E Airspace; Alice, TX (Federal Aviation Administration) [Airspace Docket No. 97-ASW-05] received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3598. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4164 and PW4168 Series Turbofan Engines (Federal Aviation Administration) [Docket No. 97-ANE-10; Amendment 39-10035; AD 97-11-06] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3599. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes and Model MD-88 Airplanes (Federal Aviation Administration) [Docket No. 97-NM-61-AD; Amendment 39-9995; AD 97-08-07] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3600. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL-215T Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-33-AD; Amendment 39-10038; AD 97-11-09] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3601. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream Model 4101 Airplanes (Federal Aviation Administration) [Docket No. 96-NM-85-AD; Amendment 39-10031; AD 97-11-02] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3602. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AlliedSignal Inc. ALF502 and LF507 Series Turbofan Engines (Federal Aviation Administration) [Docket No. 96-ANE-26; Amendment 39-10034; AD 97-11-05] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3603. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospace Technologies of Australia Pty Ltd. (formerly Government Aircraft Factory) Models N22B, N22S, and N24A Airplanes (Federal Aviation Administration) [Docket No. 96-CE-57-AD; Amendment 39-10040; AD 97-11-11] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3604. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness

Directives; Aerospace Technologies of Australia Pty Ltd. (formerly Government Aircraft Factory) Models N22B, N22S, and N24A Airplanes (Federal Aviation Administration) [Docket No. 96-CE-98-AD; Amendment 39-10041; AD 97-11-12] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3605. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft SA226 and SA227 Series Airplanes (Federal Aviation Administration) [Docket No. 95-CE-34-AD; Amendment 39-10042; AD 97-11-13] (RIN: 2120-AA64) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3606. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28914; Amdt. No. 1799] (RIN: 2120-AA65) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3607. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28915; Amdt. No. 1800] (RIN: 2120-AA65) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3608. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, First-out Inventories [Rev. Rul. 97-26] received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

109. The SPEAKER presented a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution 97-1038 supporting full funding of the federal PILT program as authorized by the passage of S.455 in 1994; to the Committee on Resources.

110. Also, a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution 97-1006 showing that the State of Colorado supports policies that balance the social, economic, and environmental needs of people and communities with the needs of environmental preservation in federal decision-making processes; to the Committee on Resources.

111. Also, a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution 97-1032 showing that the State of Colorado supports the legislation, which reaffirms the Constitutional Authority of Congress as the elected representatives of the people, and urges the "American Land Sovereignty Protection Act" be introduced and passed by both the House of Representatives and the Senate as soon as possible during the 105th Congressional session; to the Committee on Resources.

112. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution 32 requesting the President and the Congress of the United States to meet and to confer with the Red River Boundary Commission and the representatives of the State of Oklahoma and to assist in carrying out the purposes of this resolution; to the Committee on the Judiciary.

113. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution 94 commending the United States Congress for recognizing the threat to public health and security from the misuse of explosives; to the Committee on the Judiciary.

114. Also, a memorial of the General Assembly of the State of Delaware, relative to House Concurrent Resolution No. 6 memorializing the U.S. Congress to propose and submit to the several states an amendment to the Constitution of the United States providing that no court shall have the power to levy or increase taxes; to the Committee on the Judiciary.

115. Also, a memorial of the Legislature of the State of Texas, relative to House Concurrent Resolution 109 urging the Congress of the United States to request that the Federal Emergency Management Agency update community flood maps every 10 years; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STUMP: Committee on Veterans' Affairs. House Joint Resolution 75. Resolution to confer status as an honorary veteran of the U.S. Armed Forces on Leslie Townes (Bob) Hope (Rept. 105-109). Referred to the House Calendar, and ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 79. A bill to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe; with an amendment (Rept. 105-110). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 985. A bill to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, CO, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States; with an amendment (Rept. 105-111). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1019. A bill to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, CO, to correct the effects of earlier erroneous land surveys (Rept. 105-112). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1020. A bill to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, CO, which are currently part of the Dillon Ranger District of the Arapaho National Forest (Rept. 105-113). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1439. A bill to facilitate the sale of certain land in Tahoe National Forest, in the State of California to Placer County, CA; with an amendment (Rept. 105-114). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 159. Resolution providing for consideration of the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department

of State and related agencies for fiscal years 1998 and 1999 and for other purposes, and for consideration of the bill (H.R. 1758) to ensure that the enlargement of the North Atlantic Treaty Organization [NATO] proceeds in a manner consistent with the United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes (Rept. 105-115). Referred to the House Calendar.

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. METCALF (for himself and Mr. STUMP):

H.R. 1754. A bill to require that a portion of the amounts made available for housing programs for the homeless be used for activities designed to serve primarily homeless veterans, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. OBEY:

H.R. 1755. A bill making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including Bosnia, for the fiscal year ending September 30, 1997, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, 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.

By Ms. VELÁZQUEZ (for herself, Mr. LEACH, Mr. GONZALEZ, and Mr. BACHUS):

H.R. 1756. A bill to amend chapter 53 of title 31, United States Code, to require the development and implementation by the Secretary of the Treasury of a national money laundering and related financial crimes strategy to combat money laundering and related financial crimes, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on the Judiciary, 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.

By Mr. GILMAN (for himself and Mr. SMITH of New Jersey):

H.R. 1757. A bill to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes; to the Committee on International Relations.

By Mr. GILMAN (for himself, Mr. ARMEY, Mr. SOLOMON, Mr. GOSS, Mr. WELDON of Pennsylvania, and Mr. COX of California):

H.R. 1758. A bill to ensure that the enlargement of the North Atlantic Treaty Organization [NATO] proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes; to the Committee on International Relations.

By Mr. GILMAN:

H.R. 1759. A bill to reform foreign assistance programs and to authorize appropriations for foreign assistance programs for fiscal years 1998 and 1999, and for other purposes; to the Committee on International Relations.

By Mr. BURTON of Indiana:

H.R. 1760. A bill to amend the Communications Act of 1934 to provide for the imple-

mentation of systems for rating the specific content of specific television programs; to the Committee on Commerce.

By Mr. DAVIS of Florida:

H.R. 1761. A bill to provide for improved coordination, communication, and enforcement related to health care fraud, waste, and abuse, to create a point of order against legislation which diverts savings achieved through Medicare waste, fraud, and abuse enforcement activities for purposes other than improving the solvency of the Federal Hospital Insurance Trust Fund under title XVIII of the Social Security Act, to ensure the integrity of such trust fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and the Judiciary, 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.

By Mr. ENSIGN:

H.R. 1762. A bill to amend title XVIII of the Social Security Act to provide for coverage of outpatient parenteral antimicrobial therapy under part B of the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, 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.

By Mr. GILCHREST (for himself, Mr. FARR of California, Mrs. MORELLA, Mr. CASTLE, Mr. TOWNS, Mr. BOEHLERT, Mr. FAZIO of California, Mr. EHLERS, Mr. GORDON, Ms. WOOLSEY, Mr. MARTINEZ, Mr. TAYLOR of Mississippi, and Mr. ROMERO-BARCELO):

H.R. 1763. A bill to amend the Internal Revenue Code of 1986 to provide an election to exclude from the gross estate of a decedent the value of certain land subject to a qualified conservation easement, and to make technical changes to alternative valuation rules; to the Committee on Ways and Means.

By Mr. HILL (for himself, Mrs. CHENOWETH, and Mr. HUTCHINSON):

H.R. 1764. A bill to amend title XIX of the Social Security Act to restrict imposition of Medicaid liens and Medicaid estate recovery for long-term care services, in the case of certain individuals who have received benefits under long-term care insurance policies for at least 3 years, and to amend the Internal Revenue Code of 1986 to allow the carryover of reimbursement maximums for flexible spending arrangements, to allow the reimbursement of long-term care insurance premiums of FSA's, and to repeal the inclusion in income of long-term care coverage provided through FSA's; to the Committee on Commerce, and in addition to the Committee on Ways and Means, 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.

By Mr. MINGE (for himself, Mr. SHAYS, Mr. BARRETT of Wisconsin, Mr. MCHALE, Mr. POMEROY, Mr. KLUG, Mr. DEAL of Georgia, Mr. DICKEY, Mr. COLLINS, and Mr. LOBIONDO):

H.R. 1765. A bill to amend title 5, United States Code, to provide that, for purposes relating to retirement, Members of Congress and congressional employees shall be treated in the same manner as are employees in the executive branch generally; to the Committee on House Oversight, and in addition to the Committee on Government Reform and Oversight, 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.

By Mr. MORAN of Virginia:

H.R. 1766. A bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal employees health benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system; to the Committee on Government Reform and Oversight, and in addition to the Committee on National Security, 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.

By Mr. PETERSON of Minnesota:

H.R. 1767. A bill to consolidate in the Administrator of General Services authorities relating to the control and utilization of excess and surplus property, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on National Security, Small Business, Science, and International Relations, 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.

By Mrs. LINDA SMITH of Washington (for herself, Mr. KLUG, Mr. SHAYS, Mr. COBLE, Mr. ENSIGN, Mr. SANFORD, Mr. FRANK of Massachusetts, and Mr. BACHUS):

H.R. 1768. A bill to terminate certain entitlements of former Speakers of the House of Representatives; to the Committee on House Oversight.

By Mr. STARK:

H.R. 1769. A bill to provide for the imposition of administrative fees for Medicare overpayment collection, and to require automated prepayment screening of Medicare claims, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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.

By Mr. STARK (for himself, Mr. MCDERMOTT, and Mr. WEYGAND):

H.R. 1770. A bill to prevent fraud, abuse, and waste in the Medicare and Medicaid Programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and the Judiciary, 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.

By Mr. WAXMAN (for himself, Mr. HANSEN, and Mr. MEEHAN):

H.R. 1771. A bill to amend the Public Health Service Act to protect the public from health hazards caused by exposure to environmental tobacco smoke, and for other purposes; to the Committee on Commerce, 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.

H.R. 1772. A bill to provide for the reduction in the number of children who use tobacco products, and for other purposes; to the Committee on Commerce.

By Mrs. THURMAN:

H.R. 1773. A bill to amend title 10, United States Code, to expand the National Mail Order Pharmacy Program of the Department of Defense to include covered beneficiaries under the military health care system who are also entitled to Medicare; to the Committee on National Security.

By Mr. WEYGAND:

H.R. 1774. A bill to amend the Internal Revenue Code of 1986 to provide for a deduction

for qualified higher education expenses; to the Committee on Ways and Means.

By Mr. SOLOMON (for himself, Mr. GEPHARDT, Mr. COX of California, Mr. BONIOR, Mr. PAXON, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. MARKEY, Mr. BUNNING of Kentucky, Ms. KAPTUR, Mr. WOLF, Mr. HUNTER, Mr. ROHRBACHER, Mr. SCARBOROUGH, and Mr. TRAFICANT):

H.J. Res. 79. Joint resolution disapproving the extension of nondiscriminatory treatment, most-favored-nation treatment, to the products of the People's Republic of China; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 15: Mr. FILNER and Mr. GILMAN.
 H.R. 38: Mr. BILBRAY and Mr. CLEMENT.
 H.R. 43: Mr. BILBRAY.
 H.R. 44: Mr. BILBRAY and Mr. STRICKLAND.
 H.R. 51: Mr. PICKERING, Mr. ROHRBACHER, Mr. BERRY, Mr. POSHARD, and Mr. TAYLOR of Mississippi.
 H.R. 58: Mr. WEYGAND, Mr. ROTHMAN, and Mrs. CHENOWETH.
 H.R. 65: Mr. SPENCE, Mr. BILBRAY, Mr. CLEMENT, and Mr. SKEEN.
 H.R. 66: Mr. HILLIARD, Mr. WISE, and Mr. RIGGS.
 H.R. 96: Mr. MANTON and Mr. THOMAS.
 H.R. 135: Mr. BAKER.
 H.R. 192: Mr. CHAMBLISS, Mr. MEEHAN, Mr. FOX of Pennsylvania, Ms. CHRISTIAN-GREEN, and Mrs. FOWLER.
 H.R. 195: Mr. FAZIO of California.
 H.R. 216: Mr. STRICKLAND and Mr. NEAL of Massachusetts.
 H.R. 230: Ms. CHRISTIAN-GREEN.
 H.R. 303: Mr. BILBRAY, Mr. CLEMENT, Mr. SANDLIN, and Mr. SKEEN.
 H.R. 304: Ms. CHRISTIAN-GREEN.
 H.R. 306: Mr. LEVIN and Mr. KLECZKA.
 H.R. 322: Mr. GREENWOOD.
 H.R. 335: Mr. MCHALE.
 H.R. 339: Mrs. MYRICK.
 H.R. 367: Mr. HOLDEN.
 H.R. 399: Mr. RIGGS.
 H.R. 404: Ms. WOOLSEY, Mr. MANTON, Mr. DAVIS of Illinois, Mr. VISCLOSKEY, and Mr. BILBRAY.
 H.R. 407: Mr. SHADEGG and Mr. CALVERT.
 H.R. 411: Mr. MALONEY of Connecticut, Mr. ROTHMAN, and Mrs. ROUKEMA.
 H.R. 414: Mr. CHAMBLISS, Mr. MEEHAN, Mrs. CHENOWETH, and Mr. FOX of Pennsylvania.
 H.R. 457: Mrs. MYRICK.
 H.R. 519: Mr. RUSH.
 H.R. 556: Ms. DEGETTE.
 H.R. 598: Mr. DAVIS of Virginia.
 H.R. 616: Mr. MANTON, Mr. HINCHEY, Ms. DANNER, Mr. BOUCHER, Mr. CAPPS, Mr. FOGLETTA, and Mr. FRANKS of New Jersey.
 H.R. 622: Mr. CALVERT.
 H.R. 630: Mr. CAPPS, Mr. DIXON, Mr. POMBO, and Ms. LOFGREN.
 H.R. 633: Mr. BRYANT.
 H.R. 634: Mr. PAXON, Mr. MCINTOSH, Mr. HAYWORTH, Mrs. MYRICK, and Mr. PORTER.
 H.R. 681: Mr. DOOLITTLE, Mr. MATSUI, Ms. PELOSI, Mr. BONO, Mr. FARR of California, Mr. ROHRBACHER, Mr. BROWN of California, Mr. FILNER, Ms. ROYBAL-ALLARD, Mr. HORN, and Mr. STARK.
 H.R. 715: Mr. WAMP and Mr. GORDON.
 H.R. 716: Mr. HASTINGS of Washington.
 H.R. 761: Mr. DELLUMS.
 H.R. 789: Mr. GUTKNECHT.
 H.R. 795: Ms. WATERS, Mr. KUCINICH, Mr. QUINN, and Mr. DELAHUNT.
 H.R. 805: Mr. WATTS of Oklahoma and Mr. PETERSON of Pennsylvania.

H.R. 813: Mr. LUCAS of Oklahoma.
 H.R. 847: Mr. FROST, Ms. NORTON, Mr. MCDERMOTT, Mr. DAVIS of Illinois, Ms. RIVERS, Mr. ACKERMAN, and Ms. KILPATRICK.
 H.R. 869: Mrs. MALONEY of New York, Mr. CUNNINGHAM, Mr. ENGLISH of Pennsylvania, and Ms. MOLINARI.
 H.R. 872: Mr. CALVERT, Mr. COOK, Mr. DREIER, Mr. FAZIO of California, Mr. HOEKSTRA, Mr. OBERSTAR, Mr. PICKETT, Mr. ROYCE, Mr. SOLOMON, and Mr. THORNBERRY.
 H.R. 875: Mr. MCCOLLUM, Mr. GEJDENSON, Mr. BLAGOJEVICH, Mr. TURNER, and Mr. CANNON.
 H.R. 893: Mr. SABO, Mrs. KENNELLY of Connecticut, Mr. ENGEL, Mr. RAHALL, and Mr. FOGLETTA.
 H.R. 894: Mr. ENGEL.
 H.R. 950: Mr. YATES.
 H.R. 955: Mr. HYDE, Mr. SCARBOROUGH, Mr. HAYWORTH, Mr. DELAY, Mr. MICA, and Mr. SESSIONS.
 H.R. 977: Mr. BLILEY.
 H.R. 979: Ms. DEGETTE, Mr. PICKERING, Mr. DAVIS of Virginia, and Mr. BLUMENAUER.
 H.R. 988: Ms. SLAUGHTER.
 H.R. 991: Mr. CUMMINGS.
 H.R. 1023: Mr. LAZIO of New York, Mr. BACHUS, Mr. DEAL of Georgia, Ms. WATERS, Mr. DOYLE, Ms. VELÁZQUEZ, Mr. TURNER, and Mr. MCCREERY.
 H.R. 1038: Mr. MCDERMOTT.
 H.R. 1047: Ms. JACKSON-LEE and Mr. WAXMAN.
 H.R. 1059: Mr. LAHOOD, Mr. MCINNIS, and Mr. LATOURETTE.
 H.R. 1061: Mr. ABERCROMBIE and Mr. FILNER.
 H.R. 1062: Mr. CHABOT, Mr. CUNNINGHAM, and Mr. SPENCE.
 H.R. 1063: Mr. NEUMANN, Mr. ETHERIDGE, Mr. MCINTYRE, Mr. MORAN of Virginia, Ms. MCCARTHY of Missouri, Mr. FOLEY, and Mr. RAHALL.
 H.R. 1108: Mr. CANADY of Florida, and Mrs. NORTHUP.
 H.R. 1126: Ms. ESHOO and Mr. PAYNE.
 H.R. 1134: Mr. UNDERWOOD, Mr. CAPPS, Mr. WEYGAND, Mr. RUSH, Ms. KILPATRICK, Mr. SABO, Mr. DEFAZIO, Mr. PARKER, Mr. MCGOVERN, and Mr. MCDERMOTT.
 H.R. 1161: Mr. TIAHRT.
 H.R. 1165: Mr. LATOURETTE and Mr. STARK.
 H.R. 1168: Mr. BUNNING of Kentucky, Ms. KAPTUR, Mr. BUYER, Mr. CANADY of Florida, Mr. GOODLATTE, Mr. PRICE of North Carolina, Mr. GOODLING, Mr. UPTON, Mr. BACHUS, and Mr. DUNCAN.
 H.R. 1205: Mr. WELLER.
 H.R. 1215: Mr. KILDEE.
 H.R. 1218: Mr. FILNER, Ms. JACKSON-LEE, Mr. OBERSTAR, Mr. OLVER, and Mr. FROST.
 H.R. 1263: Mr. MARTINEZ.
 H.R. 1279: Mr. GOODE, Mr. CANADY of Florida, and Mrs. MYRICK.
 H.R. 1285: Mr. LUCAS of Oklahoma.
 H.R. 1288: Mr. RUSH, Mr. JACKSON, and Mr. STRICKLAND.
 H.R. 1300: Mr. WATTS of Oklahoma.
 H.R. 1320: Mr. LIPINSKI and Mr. DELLUMS.
 H.R. 1350: Mr. WELLER, Mr. MICA, and Mr. RAMSTAD.
 H.R. 1353: Mrs. ROUKEMA.
 H.R. 1371: Mr. PICKERING.
 H.R. 1375: Mr. LATOURETTE, Ms. WOOLSEY, Mr. BROWN of California, and Mr. ALLEN.
 H.R. 1383: Mr. CARDIN, Ms. JACKSON-LEE, Mr. ROTHMAN, and Mr. TORRES.
 H.R. 1398: Mr. WELDON of Florida, Mr. HUTCHINSON, and Mr. MANTON.
 H.R. 1425: Mr. PORTER and Mr. FORD.
 H.R. 1427: Mr. MCCOLLUM.
 H.R. 1450: Mr. RUSH and Ms. CARSON.
 H.R. 1464: Mr. ABERCROMBIE.
 H.R. 1480: Mr. ACKERMAN, Mr. DELLUMS, and Ms. NORTON.
 H.R. 1481: Mr. BONIOR and Mr. WALSH.
 H.R. 1493: Mr. SHERMAN.

H.R. 1496: Mr. BAKER.
 H.R. 1500: Mr. ALLEN.
 H.R. 1507: Mr. FOX of Pennsylvania, Mr. SABO, Mr. TRAFICANT, Mr. PRICE of North Carolina, Mr. TOWNS, Mr. RUSH, Ms. CARSON, Mr. FALEOMAVAEGA, and Mr. FOGLETTA.
 H.R. 1526: Mr. NEUMANN, Mr. MCINTOSH, Mr. CALVERT, Mr. MANZULLO, and Mr. DELAY.
 H.R. 1531: Mrs. MEEK of Florida, Mr. HASTINGS of Florida, Mr. SAXTON, Mr. FROST, and Mr. FILNER.
 H.R. 1532: Mr. DIAZ-BALART, Mr. BATEMAN, Mr. SANDLIN, Ms. SLAUGHTER, Mr. FARR of California, Mr. HERGER, Mr. CHRISTENSEN, Mr. DELAHUNT, Mr. HINCHEY, Mr. HULSHOF, Mr. KLING, Mr. GOSS, Mr. DINGELL, Mr. FILNER, Mr. DAVIS of Virginia, Mr. ANDREWS, Mr. HAMILTON, Mr. WELDON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. THURMAN, Mr. GIBBONS, Mr. HALL of Texas, Ms. DUNN of Washington, Ms. SANCHEZ, Ms. CHRISTIAN-GREEN, Mr. LOBIONDO, Mr. BENTSEN, Mr. GEJDENSON, Mr. TRAFICANT, Mr. HOBSON, Mr. HALL of Ohio, Mr. FALEOMAVAEGA, Mr. ARCHER, Mr. KIND of Wisconsin, Mr. JOHN, and Mrs. MORELLA.
 H.R. 1570: Mr. BERMAN, Mr. MARKEY, Mr. KENNEDY of Massachusetts, Mr. NADLER, and Ms. NORTON.
 H.R. 1609: Mr. MCNULTY, Mr. EVANS, Mr. LAFALCE, Mr. OLVER, and Mr. ACKERMAN.
 H.R. 1612: Mr. RADANOVICH.
 H.R. 1670: Mr. FRANK of Massachusetts and Ms. JACKSON-LEE.
 H.R. 1673: Mr. LOBIONDO and Mr. FRANKS of New Jersey.
 H.R. 1679: Mr. SKAGGS and Ms. LOFGREN.
 H.R. 1683: Mr. PETERSON of Minnesota.
 H.R. 1684: Mr. CHAMBLISS.
 H.R. 1689: Ms. PELOSI and Mr. BURR of North Carolina.
 H.R. 1712: Mr. BARRETT of Nebraska and Mr. SALMON.
 H.R. 1716: Mr. MALONEY of Connecticut, Mr. LUTHER, and Mr. HYDE.
 H.R. 1729: Mr. CARDIN and Mr. FATTAH.
 H.R. 1741: Mr. WATTS of Oklahoma, Mr. CUMMINGHAM, and Mr. OBERSTAR.
 H.J. Res. 54: Mr. FAWELL.
 H.J. Res. 75: Ms. JACKSON-LEE.
 H.J. Res. 76: Mr. DOYLE, Mr. HORN, and Mr. RUSH.
 H. Con. Res. 6: Mr. VISCLOSKEY.
 H. Con. Res. 10: Ms. KAPTUR, Mr. KNOLLENBERG, and Mr. UPTON.
 H. Con. Res. 13: Ms. MCKINNEY, Mr. DELAHUNT, Mr. MARKEY, Mr. DEAL of Georgia, Mr. BENTSEN, Mr. BLILEY, and Mr. HULSHOF.
 H. Con. Res. 52: Mr. SOLOMON and Mr. CUMMINGS.
 H. Con. Res. 55: Mr. DEFAZIO, Mr. ENGEL, and Ms. VELÁZQUEZ.
 H. Con. Res. 65: Mr. HOLDEN, Mr. DUNCAN, Mr. FAZIO of California, Mr. SKEEN, Mr. BOEHLERT, Mrs. MALONEY of New York, Mr. CHAMBLISS, Mr. ACKERMAN, Mr. KLING, Mr. FOX of Pennsylvania, Mr. SESSIONS, Mr. PAXON, Mr. WICKER, and Mr. ROHRBACHER.
 H. Con. Res. 75: Ms. LOFGREN.
 H. Con. Res. 80: Mr. QUINN, Mr. DUNCAN, Mr. NEY, Mrs. MYRICK, Mr. KLECZKA, Mr. SPRATT, Mr. BARRETT of Wisconsin, Mr. VISCLOSKEY, Mr. BERRY, Ms. DEGETTE, Mr. LEVIN, Ms. RIVERS, Ms. SLAUGHTER, Mr. POSHARD, and Mr. FORBES.
 H. Con. Res. 91: Mr. BONIOR and Mr. RUSH.
 H. Res. 83: Mr. GOSS, Mr. BILBRAY, Ms. LOFGREN, Mr. GONZALEZ, and Mr. FRANK of Massachusetts.
 H. Res. 139: Mr. DEAL of Georgia, Mr. FORBES, Mr. BAKER, Mr. BOEHNER, and Ms. DUNN of Washington.
 H. Res. 151: Mr. LAFALCE, Mr. PALLONE, Mr. WATTS of Oklahoma, Mr. SMITH of New Jersey, and Mr. STARK.

DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1438: Ms. CHRISTIAN-GREEN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1757

OFFERED BY: MR. PALLONE

AMENDMENT No. 1. At the end of title XVII (relating to foreign policy provisions) insert the following new section:

"SEC. 1717. CONGRESSIONAL STATEMENT REGARDING PRIME MINISTER GUJRAL OF INDIA.

"(a) FINDINGS.—The Congress makes the following findings:

"(1) Prime Minister Gujral of India has recently received a vote of confidence from the Indian parliament.

"(2) Prime Minister Gujral is committed to strengthening ties between the United States and India through the continuation of free market reforms and initiatives.

"(3) The Gujral government is on the verge of passing a budget package that will carry forward economic reforms initiated in 1991 that have opened India to foreign investment and trade.

"(4) Prime Minister Gujral has made it a priority to improve relations with Pakistan and has recently met with the Prime Min-

ister of Pakistan, Nawaz Sharif, to better relations between the two countries.

"(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Clinton Administration should support and work closely with Indian Prime Minister Gujral in strengthening relations between the United States and India and improving relations in the South Asia region."

H.R. 1757

OFFERED BY: MR. PALLONE

AMENDMENT No. 2: At the end of title XVII (relating to foreign policy provisions) insert the following new section:

"SEC. 1717. SENSE OF CONGRESS REGARDING THE CONFLICT IN NAGORNO-KARABAGH.

"(a) SENSE OF CONGRESS.—It is the sense of Congress that—

"(1) the United States, in its capacity as a co-chair of the OSCE'S Minsk Group, reaffirms its neutrality in the Nagorno-Karabagh conflict and commits itself to a negotiated settlement; and

"(2) the United States strongly supports the May 12, 1994, cease-fire agreement signed by Azerbaijan, Armenia and Nagorno-Karabagh, and condemns all violations of the cease-fire by the conflicting parties.

"(b) CONGRESSIONAL STATEMENT.—The Congress urges the President and the Secretary of State to encourage direct talks between the parties to the conflict in Nagorno-Karabagh."

H.R. 1757

OFFERED BY: MR. PALLONE

AMENDMENT No. 3: At the end of title XVII (relating to foreign policy provisions) insert the following new section:

"SEC. 1717. SENSE OF CONGRESS REGARDING DEVELOPMENT OF AZERBAIJAN'S CASPIAN SEA PETROLEUM RESERVES.

"It is the sense of the Congress that—

"(1) the President should seek cooperation from the governments of Armenia, Azerbaijan, and Turkey, as well as private companies with an interest in developing Azerbaijan's Caspian Sea petroleum reserves, to encourage the construction of a pipeline route from Azerbaijan through Armenia that could reach Turkey and Mediterranean sea ports; and

"(2) such a route for a pipeline should in no way prejudice other trans-Caucasus pipeline routes, but would help to promote stability and economic growth in the Caucasus region, improving relations between neighboring countries and the United States."

H.R. 1757

OFFERED BY: MR. PALLONE

AMENDMENT No. 4: At the end of title XVII (relating to foreign policy provisions) insert the following new section:

"SEC. 1717. SENSE OF CONGRESS REGARDING THE SOVEREIGNTY OF BELARUS.

"It is the sense of the Congress that the President should strongly urge the Government of President Aleksandr Lukashenka of the Republic of Belarus to defend the sovereignty of Belarus, maintain its independence from the Russian Federation, abide by the provisions of the Helsinki Accords and the constitution of the Republic of Belarus and guarantee freedom of the press, allow for the flowering of the Belarusan language and culture, and enforce the separation of powers."