

\$38 billion in spending, if we will shake up departments like HUD, like Veterans, there is little question that we can improve the way we deliver these services to Americans across the country.

If the gentleman from Massachusetts is satisfied with the way many veterans are served by standing in lines half the day, then the gentleman is welcome to that satisfaction. It is my view that it is time we shake these departments in a fashion that causes them to pay attention to those we want to serve as human beings, not just as people with numbers on their forehead.

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

The CHAIRMAN. The committee will rise informally in order that the House may receive a message from the President.

#### MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. THOMAS) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

#### MESSAGE FROM THE PRESIDENT

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

The SPEAKER pro tempore. The Committee will resume its sitting.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE AND RESCISSIONS FOR FISCAL YEAR 1995

The Committee resumed its sitting.

Mr. OBEY. Mr. Chairman, I yield 45 seconds to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I rise in support of the amendment, but opposed to the choices.

Greek history gives us the term pyrrhic victory, meaning that one army found against another and won but was so weakened by the time that it won that it could not go on to fight other battles.

This choice pitting veterans programs which we need to fund, and I will support, and I hope we accept this amendment, pitted against AmeriCorps, which does not have pork, which is at the grassroots, which Speaker GINGRICH signed a letter supporting AmeriCorps, a program run out of the University of Notre Dame last year.

We should not be pitting these programs against each other. Why not cut the CIA's \$28 billion budget \$206 million? Why not section 936 of the Tax Code? Better choices should be in order.

Mr. OBEY. Mr. Chairman, I yield 45 seconds to the gentleman from California [Mr. FILNER].

Mr. FILNER. I thank the gentleman for yielding me the time.

Mr. Chairman, I ask unanimous consent to substitute for the amendment the restoring of the full \$206 million for the Veterans budget without any offsetting cut.

The CHAIRMAN. The Chair has no amendment in writing.

Mr. FILNER. Do you want to force us to choose between—

Mr. SOLOMON. Regular order, Mr. Speaker. Let's get some order around here.

Mr. FILNER. I have the time.

The gentleman from California [Mr. CUNNINGHAM] wants to force us to choose through his objection between the veterans and service opportunities for our young people.

□ 1630

I think this is hypocrisy.

The CHAIRMAN. The gentleman's unanimous-consent request was out of order. The gentleman is recognized for debate only.

Mr. FILNER. Mr. Chairman, there is obviously a new game being played in Washington. It is called bait and switch. The rules are simple. Propose massive and irresponsible budget cuts and then 2 weeks later stand up in front of the TV cameras and claim you are fighting to restore the very cuts you have initiated.

I am tired of this hypocrisy, Mr. Chairman. We should not be having choices between our veterans and our opportunities for our young people.

Regular order in this Nation is not being followed by this budget.

#### PARLIAMENTARY INQUIRY

Mr. SOLOMON. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SOLOMON. Mr. Chairman, if Members are going to be yielded 45 seconds at a time, are they not supposed to stick to the 45 seconds and not carry it to a minute and one-half?

The CHAIRMAN. The gentleman is correct.

Mr. SOLOMON. Then let us abide by the rules of the House.

Mr. OBEY. Mr. Chairman, I yield three-quarters of a minute to the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ].

Mr. ROMERO-BARCELÓ. Mr. Chairman, I move to restore the rescission of \$206 million for veterans affairs, but I question the wisdom of trying to take the money away from a program that is a yearly program, an expenditure program. When we take \$206 million out of Americorps we are actually taking \$1 billion away in 5 years.

I think the reasonable proposal was made here by the gentlewoman from Connecticut who proposed that capital expenditure programs be substituted by another capital expenditure program in NASA for projects that have not even been authorized.

I ask the leadership of the other side of the aisle to reconsider on their conditions. It is unfair to take a capital expenditures program and offset it with expenditures in the regular pro-

gram because it is 5 times in 5 years the savings that you take.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. MONTGOMERY].

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

Mr. Chairman, I say to my colleagues whether they like it or not this is a raid on veterans programs. And what concerns me is later on the budget will be coming out; how much are they going to cut the veterans programs? How much is the appropriations going to come back and cut veterans programs gain?

I reluctantly will support the amendment, but I do not think this is the right way to do it. I asked for a clear amendment earlier and I did not get it, so I thank the gentleman for giving me this time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] has 1 minute remaining and the gentleman from California [Mr. LEWIS] has 1 minute remaining.

Mr. OBEY. Mr. Chairman, I yield myself my remaining time, and I would simply say this in closing: I urge Members to vote for this amendment. But I would also urge Members to recognize the cynical situation that is presented to us by the majority party. The fact is that it is their party who proposed the \$200 million cut in veterans funding in the first place. They have now chosen to prevent us from restoring that money by going to a more benign source such as the bloated NASA budget. Instead they want to go after the domestic volunteer program.

It is a lousy choice but I think the record is clear that the Democratic Party intends to keep its commitment to veterans no matter what the political machinations on the other side of the aisle.

I urge support for the amendment, misguided though half of it is.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

Mr. LEWIS of California. Mr. Chairman, I yield the final 45 seconds to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Chairman, the last comment of the gentleman from Wisconsin [Mr. OBEY] was probably the most correct one. This is an issue of policy. Do not allow politics to overtake policy and try to think of other reasons. I am one who gave the suggestion that this should be taken out of Americorps.

Listen to some of the testimony before the Readiness and Personnel Subcommittees of the House National Security Committee.

The Marine Corp Sergeant Major testified that for the first time since 1980 the Marine Corp missed its fiscal year 1994 recruiting goals.

If we look at DOD's fall 1994 Youth Attitudes and Awareness Survey, after hearing about Americorps, 47 percent

of the prospects would rather consider Americorps over service in the United States military.

Just yesterday Lieutenant General Shoup testified the propensity to enlist now is the lowest it has been in 10 years and it has fallen 39 percent amount 16- to 21-year-olds.

The facts speak for themselves.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] has 15 seconds remaining.

Mr. BONIOR. Mr. Chairman, in a year when our nation is recognizing the great contribution of our World War II veterans, we must redouble our commitment to those who have served our country—not renege on the promises we made to them.

America owes a tremendous debt to all of our veterans and their families. At a time when many of our veterans need more health care services, the House is considering a rescission package that originally would have cut \$206 million for medical equipment and medical facilities for veterans. Specifically, there were proposed cuts of \$50 million from medical equipment for our ill-equipped Veterans Hospitals, and \$156 million from construction projects for veterans facilities. Those cuts say to our veterans: "You were there when we needed you, but now that you need us we've forgotten you."

In order to restore the \$206 million, the Republicans are forcing cuts to be made in other programs. This Nation's veterans should not be arbitrarily placed in competition with other federal programs in order to fund new spending initiatives. Veterans are entitled to advanced medical care, compensation for disabilities, benefits for families and freedom from government redtape—they must not be forced to compete for scarce federal resources.

We must never forget the promises remade to our veterans and their families. We must maintain and improve the quality of care they receive. Our nation is proud of our veterans, and they have earned our gratitude and respect. We must keep the commitment our country has made to them.

Mr. FLANAGAN. Mr. Chairman, I rise in support of the Stump amendment to H.R. 1158.

This amendment provides us with a chance to maintain the commitment to our veterans that we entered into when they chose to give of themselves for us.

The \$206 million this amendment would restore to the Veterans' Affairs budget is vital to providing our veterans with more modern outpatient care and catching up with the current backlog of essential medical equipment purchases. Without this money, the VA would not be able to provide improved, more cost-effective outpatient-based medical services to areas servicing over 1.2 million veterans. Furthermore, the VA would not be able to meet existing healthcare system equipment needs.

Our Nation's veterans deserve our highest priority. It is hardly fiscally irresponsible to oppose this rescission. In fact, the funds in the Stump amendment promote fiscal responsibility.

Last year, VA hospitals provided care for 26.3 million outpatients. This amendment would allow for the construction of six desperately needed outpatient clinics. Without them, the VA would have to continue to rely on expensive inpatient care, when outpatient

visits can provide our veterans more modern and cost-effective assistance. These clinics are fundamental to our commitment of providing our veterans with the best care available. Outpatient clinics provide better care to a larger number of veterans for maximum return on the dollar.

This \$206 million recession is not in the best interest of America's veterans. I urge my colleagues to support the Stump Amendment and show America's veterans that we are committed to providing them with the care they deserve.

Mr. MINETA. Mr. Chairman, I must rise in opposition to the amendment.

The choice presented to us in this amendment is unnecessary, unwise and, in my opinion, represents a distortion of the debate over our Federal budget priorities. Beyond the requirements of the current rule of debate, there is no reason for this House to pit health services for our Nation's veterans against a program to encourage our young people to devote themselves to community service.

It is a false choice, dictated by the unjust rule under which we are considering this bill, and I will vote "present" on the amendment.

Mr. EVERETT. Mr. Chairman, I rise in strong support for the Stump amendment to restore funding to the veterans programs that have been cut in this bill. As a nation, we have asked veterans to put their lives in harms way to preserve our freedom. Many have given the ultimate sacrifice, and many more have suffered severe and debilitating injuries that they carry with them each and every day. As a nation, we have also asked these veterans to take cut, after cut, after cut to fund the modest programs to provide adequate health care. They have always responded "we'll do our fair share." Mr. Chairman, there is enough fat existing in the Federal Government that other programs should be cut before we ask the veterans of America to make yet another sacrifice.

The amendment before us restores \$206 million needed for VA outpatient clinics and essential medical equipment purchases. These clinics will provide outpatient services at a much lower cost than if these services were delivered from a large hospital. The medical equipment cut of \$50 million would only add to the \$800 million backlog in needed medical equipment that already exists.

In order to restore these funds to the VA, the amendment reduces funding from Americorp. In my opinion, Americorp shouldn't be in existence at all. It's another example of a big, unnecessary Federal program that is a nice idea, but unwarranted in the wake of our budget problems. Furthermore, Americorp, which was created by the National Service Act, undermines and trivializes military service as a form of duty to country. Not only does Americorp provide these paid-volunteers the same educational benefits as military personnel under the GI bill, but the military member must pay \$1,200 into this fund. The paid volunteer pays nothing into the Americorp fund.

Mr. Chairman, this amendment restores necessary and important funding to the VA and offsets these costs with prudent cuts from an unnecessary Federal program. Let's do the right thing and support the veterans of America; vote yes on the Stump amendment.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in support of the Stump amendment to this rescission package.

Let me explain why. First of all, the Stump amendment does not lessen this package of much-needed reductions. We'll pay for it by reducing what American taxpayers are forced to shell out for a Federal volunteer program, AmeriCorps.

The rescissions bill is still a \$17 billion blow to big government—and a \$17 billion victory for the American taxpayer.

Mr. Chairman, a conservative view of the Federal Government's role holds that there aren't really that many things the Federal Government needs to be involved in.

Most Americans don't believe that everything good has to come from a Washington politician or bureaucrat.

We should all realize that a monstrous, expensive Federal Government is threatening our way of life.

But among the chief missions only the Federal Government can fulfill is that of national security. And Mr. Chairman, an effective military demands that we take proper care of the men and women who have put their lives on the line for our country.

It also happens to be the honorable thing to do. But we have not always done so in the past.

The military is not an easy way of life—even in peacetime.

Service men and women usually have little choice over their duty station. They spend months at sea, or in a tent—away from their loved ones.

And if we go to war, they can be ordered to the front lines to possibly lay down their lives for our country.

Of course, even in peacetime, the military can be a dangerous profession.

Mr. Chairman, the 104th Congress must do a better job of taking care of our active duty and retired military personnel.

We began to address the needs of our active duty service men and women with the National Security Restoration Act.

The Stump amendment will save \$156 million for veterans and help us address their needs.

The sad fact is that America has often betrayed its veterans in the past. How many of the brave men and women of Operation Desert Storm are sick and don't know why?

Thousands of young men and women in the prime of their lives—many of them reservists—don't have the energy to return to work.

We owe it to them to see that they're taken care of.

We are cutting dozens of big government programs today, Mr. Chairman—many of which are duplicated elsewhere, or filled with waste, fraud and abuse.

But I suggest now is not the time to turn away from the needs of our men and women in uniform.

Mr. Chairman, I will vote "yes" for the Stump amendment today. And I urge my colleagues to devote some of their energy in the future to taking better care for those who have taken care of us.

Mr. PETRI. Mr. Chairman, I rise in support of this amendment. It came as no surprise to anyone that one of the few programs President Clinton proposes to increase in his recently released budget is his pet project, AmeriCorps. But does this program really warrant the kind of unwavering support the President would have us give it?

We keep hearing that this is one program that works because the volunteers themselves and the communities they assist seem happy with it. But why shouldn't they? The communities receive services that are paid for by the Federal Government rather than local taxpayers. As for the AmeriCorps participants, they receive a stipend of \$7,500 and \$4,700 in educational credits for 1,700 hours of work which is a little more than 10 months at 40 hours a week for—quote—volunteering. In 1995 the program is expected to spend over \$24,000 per volunteer. Supporters will cry foul at the use of that number since it includes administrative costs and the average participant doesn't receive that amount. But the President claimed in his State of the Union Address that the program is "changing the way government works because there's no bureaucracy at all." We are spending \$24,000 per volunteer. If there is no bureaucracy and the volunteers don't get it all where is the money going?

Clearly the fact that those who benefit from a Federal program are happy with it does not prove its worth to the taxpayers. So what other ways do we have to evaluate the program? The President says that the program will rekindle the spirit of community and mutual cooperation. This is a example of the belief that if the Government doesn't do it, it doesn't happen. The President ignores the 80 million Americans—about a third of the population—who currently volunteer their time for no compensation. I assert that they represent a spirit of community or sacrifice more than do the 47,000 AmeriCorps volunteers who are compensated. The volunteers across this Nation didn't & don't need a Government program to encourage them to give of their time to make their community a better place.

Another problem with taxpayer financed volunteerism is that many activities which are just fine for someone truly volunteering his or her time, are inappropriate when Government funding is involved. That's surely true of political protest and advocacy—activities which are supposedly prohibited for AmeriCorps by law. We have probably all heard by now about the protests sponsored by the Association of Community Organizations for Reform Now—ACORN—which prevented our Speaker from addressing a lunch sponsored by the National Association of Counties. The National Service program has hired 42 volunteers for ACORN at a cost of over \$1 million. National Service supporters point out that the volunteers were not involved in the protest, but we must ask why a service program is giving money to an organization the main function of which is political advocacy in the first place. Furthermore, according to the Los Angeles Times, Americorps volunteers in San Francisco's Summer of Safety program were used to organize a protest against last year's crime bill's "three strikes and you're out" provision. Americorps denies that this happened but the journalist who wrote the article stands behind her story. Is this a proper use of federally funded volunteers?

Proponents also like to paint the program as a way to help young people pay for college. But the cost of one Americorps participant would pay for seven Pell grants. Moreover, you don't have to be in economic need to participate in Americorps. Why are we paying for the education of students whose parents may be wealthy or who themselves may have high after-school incomes while many low-income

people cannot afford to send their kids to college? If our current student aid programs are not meeting the need, we should change those programs, not try to do it through the back door of Government jobs program.

The President is ignoring the obvious; Government cannot program true volunteerism and cannot mandate acts of charity. This program undermines the volunteer spirit it was intended to foster.

We have heard a great deal about the importance of the veterans programs this rescissions bill seeks to cut. Well, we would all like to increase funding for any justifiable program. I don't want to cut veterans either. But it is time to be responsible. If veterans programs are to be restored we should make the cuts elsewhere and the national service program, which duplicates other Government programs and private efforts, compromises true volunteerism, and puts Federal tax dollars to questionable uses, is a good place to start.

Mr. JONES. Mr. Chairman, the fiscal year 1995 rescissions bill cuts approximately \$206 million from the Department of Veterans Affairs. The money will be taken from the Veterans Health Administration, which provides important services to our Nation's veterans. American veteran's have earned their health care through blood and sacrifice and deserve better. Mr. Speaker, our Nation's veterans should be honored for their heroic deeds, not punished. How can we expect the military to protect us when we don't honor the contract we made with our veterans? I support the Stump amendment which would restore the \$206 million to the Department of Veterans Affairs.

Mr. LEWIS of California. Mr. Chairman, I simply rise to ask the Members to support what is now the Stump-Lewis-Young-Solomon—and even Obey—amendment.

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

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. YOUNG].

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 382, noes 23, answered "present" 27, not voting 2, as follows:

[Roll No. 239]

#### AYES—382

Ackerman  
Allard  
Andrews  
Archer  
Armed  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton

Bass  
Bateman  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boucher  
Brewster

Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Brownback  
Bryant (TN)  
Bryant (TX)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Cardin

Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Coburn  
Coleman  
Collins (GA)  
Combest  
Condit  
Cooley  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Cremins  
Cunningham  
Danner  
Davis  
de la Garza  
Deal  
DeFazio  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Dooley  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Evans  
Everett  
Ewing  
Fawell  
Fazio  
Fields (TX)  
Filner  
Flanagan  
Foglietta  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green  
Greenwood  
Gunderson  
Gutierrez  
Gutknecht  
Hall (TX)  
Hamilton  
Hancock  
Hansen

Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hinchey  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson-Lee  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kanjorski  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Klecza  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
Livingston  
LoBiondo  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDade  
McDermott  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Minge  
Mink  
Moakley

Molinari  
Mollohan  
Montgomery  
Moorhead  
Morella  
Murtha  
Myers  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (VA)  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Royce  
Salmon  
Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shuster  
Siskiy  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Spratt  
Stearns  
Stenholm  
Stockman  
Stokes  
Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas

Thompson	Waldholtz	Wicker
Thornberry	Walker	Wilson
Thornton	Walsh	Wise
Thurman	Wamp	Wolf
Tiahrt	Ward	Wyden
Torkildsen	Waters	Wynn
Torricelli	Watts (OK)	Young (AK)
Towns	Weldon (FL)	Young (FL)
Traficant	Weldon (PA)	Zeliff
Upton	Weller	Zimmer
Volkmer	White	
Vucanovich	Whitfield	

## NOES—23

Abercrombie	Hall (OH)	Sabo
Bentsen	Johnston	Serrano
Conyers	Mfume	Shays
Dellums	Miller (CA)	Stark
Doggett	Moran	Torres
Fattah	Owens	Visclosky
Frank (MA)	Payne (NJ)	Watt (NC)
Gonzalez	Pelosi	

## ANSWERED "PRESENT"—27

Becerra	Hilliard	Schroeder
Beilenson	Kaptur	Studds
Berman	Lofgren	Tucker
Clay	Markey	Velazquez
Collins (IL)	Martinez	Vento
Eshoo	Mineta	Waxman
Farr	Reynolds	Williams
Fields (LA)	Roybal-Allard	Woolsey
Flake	Rush	Yates

## NOT VOTING—2

Collins (MI)	Cubin
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□ 1657

Mr. STARK and Mr. HALL of Ohio changed their vote from "aye" to "no."

Mr. UPTON changed his vote from "no" to "aye."

Mrs. SCHROEDER, Messrs. MARTINEZ, REYNOLDS, and RUSH, Mrs. COLLINS of Illinois, and Messrs. CLAY, HILLIARD, VENTO, and YATES changed their vote from "aye" to "present."

Mr. DEFAZIO and Mr. WARD changed their vote from "present" to "aye."

Ms. PELOSI changed her vote from "present" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment, amendment No. 13, which is made in order by the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. YATES: Strike section 307 (page 14, line 17 and all that follows through line 24 on page 27).

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] is recognized for 15 minutes.

Mr. YATES. Mr. Chairman, I yield myself 3 minutes.

Mr. LIVINGSTON. Mr. Chairman, I rise in opposition and ask for time on the amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 15 minutes in opposition.

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

□ 1700

Mr. YATES. Mr. Chairman, this is an amendment to strike the so-called

Taylor amendment. The Taylor amendment is a timber lobbyist's dream. It deals with salvage sales, and under its definition the salvage amendment will salvage our forests. Among the phrases in the amendment's definition of salvage are the following: the removal of associated trees imminently susceptible to fire, insect attack.

The Bureau of Land Management noted in a recent memo, quote, the definition of salvage timber sale is too broad; speaking of the Taylor amendment it is too broad, and is more or less a license for unregulated timber harvest.

What does this amendment do? It almost doubles the cutting of timber from our national forests over the amount cut last year. At the same time it suspends all environmental laws protecting the preservation of our forests.

On the question of how much will this cost the government, Mr. Chairman, the sky is the limit. As stated in the amendment, the language of the amendment itself, quote, salvage timber sales undertaken pursuant to this section shall not be precluded because the costs of such activities are likely to exceed the revenues derived from such activities. This could mean the government is required to unload much of the new timber even if it has to give it away. These sales are called deficit timber sales, money losers which are most frequently salvaged timber sales.

I say to my colleagues, once you peel away the misrepresentation of rhetoric, you realize that this amendment literally suspends every law governing management of the public forests, including those that protect fish, wildlife, water quality, and recreation and the jobs that depend on such critically important forest resources.

But this amendment does not stop there. It turns off judicial due process in standing court cases by overturning every past court decision in the country that protects timber sales. It bars public comment on these timber sales and eliminates administrative appeals.

Legislative committees in both the house and the Senate are now considering this question: Why should we permit a quick fix in an appropriations bill for a 13-page legislative amendment? The rules of the House which prevent legislation from being included in the appropriations bills should be sustained in this instance.

Mr. Chairman, I urge support of my amendment which will strike the Taylor amendment from the bill.

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

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. REGULA], chairman of the subcommittee of the Committee on Appropriations.

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

Mr. REGULA. Mr. Chairman, members of the committee, in 1989 a 2-by-4,

8 feet long, was \$1.75. Today that same 2-by-4 is \$3.02

Now what that means is that as young people in America want to achieve the American dream of owning a home, they are going to pay an extra 5 to \$7,000 more for timber.

The point of that is that let us take advantage of this salvage. It is salvaged timber. It is diseased, burned; it is not live trees.

There are three reasons we need to do this, and one is that these trees are a threat and fire hazard because, if they stay there, they fall over and become fuel for a forest fire that will hit living trees.

Second, we need to clean the land so that it can be regenerated. Part of the money that is earned by these salvage sales will be used to replant, reforest, the land so that the wildlife will have habitat in the future and there will be timber available in the future. Timber is a resource, but it is also a crop.

Third, Mr. Chairman, it is important that we salvage these burned and diseased trees that can be made into lumber like this if we do it within 2 years. Otherwise it rots, and it is no longer useful, no longer in the condition that can be made available for home building and for the things that we use timber for.

For all of those reasons I think it is important that we get this salvage, harvest it, clean up the land, regenerate it for future generations, and I would point out that this is only a 2 year bill. It terminates at the end of 2 years for the simple reason that we have to do it or the trees will no longer be of the quality that can be used for saw logs.

So I urge the Members to reject this amendment, leave the language in that is in.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, for too long the extremes in the debate over western forest management have dominated the stage. On one side there are those who oppose any timber harvests in our public lands, even if it is necessary to improve forest health and reduce the risk of catastrophic fires. On the other side there are those who would treat our national forests as little more than industrial tree farms, sacrificing even the most basic environmental protections in the interests of short-term profit.

Last summer's western fires provided a hint of what may lie ahead. Catastrophic fires, unlike the low intensity fire regime that has been the historical norm, could devastate habitat for many declining and threatened species, including Columbia Basin salmon populations. An ecologically sensitive program of thinning. Controlled burning and salvage logging is essential to restore forest health across millions of acres in the West. If done with care, such a program could improve forest

conditions while providing the secondary benefit of increased fiber supplies for our region's mills.

Mr. Chairman, I would have liked to offer a balanced alternative to this proposal today, but the Republican leadership would not allow it. The issue should never have been brought to the floor in this fashion. Salvage and forest health should be properly debated in the committees with jurisdiction and expertise and not written by special interests in the back rooms out of the public eye.

This proposal lacks even the most basic environmental protections for steep, unstable slopes, fragile soils, critical riparian habitat, even wild and scenic rivers. It defines what is to be harvested as dead, dying, diseased or associated with the large stands of green timber to be harvested.

I have legislated salvage before, but I did it properly in my first term in Congress. I played a major role in resolving a salvage controversy at least as contentious as the forest debate now raging here in Congress. The Silver Fire burned and erodes this area of the Siskiyou National Forest, long defended by environmental activists. That salvage was successfully done without harm. We could do the same across the Western United States if we were given the chance to offer a proper amendment.

Mr. Chairman, for too long, the extremes in the debate over western forest management have dominated the stage. On one side, are those who oppose any timber harvest on our public lands, even if it is necessary to improve forest health and reduce the risk of catastrophic fires. On the other side, there are those who would treat our National Forests as little more than industrial tree farms, sacrificing even the most basic environmental protections in the interests of short-term profit.

In my first term in Congress, I played a major role in resolving a salvage controversy at least as contentious as the forest health debate now raging in Congress. The Silver Fire burned in a roadless area of the Siskiyou National Forest long defended by environmental activists. The industry wanted to extend a road into the area and engage in wholesale salvage of dead and green timber. I was able to mediate an agreement that prevented new road building and green timber harvest, but allowed a significant amount of helicopter salvage of burned timber.

Neither the industry nor the environmental community were entirely happy with the agreement we reached. But today the Silver Fire salvage stands as an example of environmentally sound salvage that had the additional benefit of providing a significant volume of timber.

Today, I once again find myself somewhere between the extremes. On one side are those who oppose any thinning and salvage logging in the fire and pest-stricken forests of the West. On the other side are those who would throw all environmental protection out the window, and maximize timber production under the guise of a sound salvage program. Neither side has it right.

Forests across the West are in the grip of an ecological crisis of unprecedented propor-

tions. The forest health crisis is the result of long term drought and a century of human impacts in the form of fire suppression, timber harvesting, and the introduction of foreign pests, to name a few. The result is that millions of acres of public forest are in the worst shape they've ever been, victim to disease, insect infestation, and fire.

Fire suppression has played a big part in undermining forest health. Controlling wildfires in forests where frequent, low intensity fires historically kept vegetation sparse has allowed a huge build-up of dense understory vegetation to take place. One study on the Boise National Forest in Idaho found that tree density on one site was about 29 trees per acre for the 300-plus years before 1906. Today on the same site, tree density has increased to 533 trees per acre and the species composition has changed from predominantly Ponderosa pine to predominantly Douglas Fir.

Last summer's Western wildfires provided a hint of what may lie ahead. Catastrophic fires, unlike the low-intensity fire regime that has been the historical norm, could devastate habitat for many declining and threatened species, including Columbia basin salmon populations.

An ecologically sensitive program of thinning, controlled burning and salvage logging is essential to restoring forest health across millions of acres in the West. If done with care, such a program could improve forest conditions, while providing the secondary benefit of increased fiber supplies for the region's mills.

We need legislation to help expedite a response to the forest health crisis in the West. But a sound salvage and forest health program needs some environmental safeguards. Unfortunately, the Taylor-Dicks amendment contains none. The Taylor-Dicks amendment would allow logging in Wild and Scenic River corridors and sensitive riparian and roadless areas, with no restrictions based on slope or soil conditions. Its definition of salvage is so broad that it opens the door to wholesale logging in the region's remaining old growth forests and roadless areas. This is not the balanced approach to forest management that most Oregonians want to see.

By setting an arbitrary minimum timber sale level, while prohibiting any environmental considerations on the part of the Forest Service, the Taylor-Dicks salvage amendment guarantees that sensitive salmon streams will be damaged, roadless areas will be opened up to commercial timber harvest, and areas that are simply unsuitable for timber management will be logged. This is a proposal that lurches from one unacceptable extreme to the other. That's why I will vote against this proposal and hope we have the opportunity to craft a salvage bill that gets the job done while protecting the values that Oregonians share.

I would have liked to offer a balanced alternative to this proposal today, but the Republican leadership wouldn't allow it. The issue should never have been brought to the floor in this fashion. Salvage and forest health should be properly debated in the committees with jurisdiction and expertise, not written by industry lawyers in backrooms out of the public eye.

So I am faced with two unacceptable choices—an extreme salvage program with no environmental safeguards or the status quo, which is simply not getting the job done.

It bears stating that the Forest Service is moving ahead with a salvage program, though slowly. The agency plans to offer at least 1.4 billion board feet of salvage in each of the next 2 years. Assistant Secretary Lyons tells me they could offer even more if Congress would appropriate more money for sale preparation and other related activities. But this salvage bill contains no additional money for sale preparation.

Oregonians, by and large, support policies that protect our environment and quality of life, without sacrificing our state's economic well-being. I hope to have an opportunity in the weeks ahead to offer a balanced Oregon alternative to the extreme log-it-at-all-costs salvage approach offered here today. I believe I'll have the support of most of my state's citizens when I do so.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. TAYLOR], the sponsor of the amendment and a distinguished member of the subcommittee.

Mr. TAYLOR of North Carolina. Mr. Chairman, in 2 minutes I can tell my colleagues several things about this. First of all, it will restore forest health. Most of the things that have been said about it so far just are not true. Scientists recognize that the forests are undergoing a serious ecological decline because of a lack of management. Fire disasters, unnatural species compositions, disease, insect infestation; all of these are threatening the forest health, and this legislation which has been worked out with professionals, it has been worked out in consulting with the Forest Service, as many people as we could find to try to alleviate this emergency were brought in in this short period of time, and it is an emergency. Even the chief of the Forest Service, Mr. Chairman, has said we need to increase our salvage cutting for forest health.

Second, there are tens of billions of dollars of revenue coming to the Treasury, or millions of dollars of revenue coming to the Treasury. It is not a loss. CBO scored it \$37 million last year. FPA says it could be as much as \$650 million. So it is a very positive revenue producer.

Third, it will stabilize the cost of homes. It will create jobs, and that is why the home builders, and realtors and many others are supporting this. It will create thousands of jobs all across this country in a much needed area, putting timber in the pipeline, and that is why the Teamsters Union supports it. It is why the Western Council of Industrial Workers supports it, the United Paperworkers International Union supports it, the United Brotherhood of Carpenters supports it, the International Association of Machinists and the Association of Western Paperworkers, because these are men and women who make the livings of this country and recognize that this will produce jobs, and they are endorsing this amendment in this legislation.

Mr. Chairman, it is an opportunity for us. It is an opportunity for us to

provide forest health and to provide a good amendment to this bill.

Mr. Chairman, I rise to address the provisions of section 307 of H.R. 1159, a measure co-authored by myself and Mr. DICKS, and supported strongly by a number of our colleagues on the Appropriations Committee and on the authorizing committees with jurisdiction.

I wish to outline the intent of the provision, and the direction we have provided to the agencies affected for two reasons. First, I wish to be sure that the requirements of the provision are not misrepresented as the debate over this bill continues to the other body. Second, and perhaps more importantly, I wish to provide clear direction to the implementing agencies, and do everything possible to assure that the agencies understand, and can execute the direction we have provided.

To this latter end, the authors of section 307 have met several times with U.S. Forest Service Chief, Jack Ward Thomas, and his staff since the provision imposes most of its requirements on the Forest Service. The Chief and his staff have been quite helpful in reviewing the terms of section 307, suggesting modifications to assure that these requirements are technically correct, and evaluating the Forest Service's technical and operational capability to meet the requirements of section 307, including the volume targets for timber salvage. As a forester by training, I am very sensitive to saddling our Federal agencies with mandates that they are not able to implement.

Based upon our discussion with Chief Thomas it is the clear understanding of the authors of section 307 that—aside from the question of whether the Clinton administration agrees with the goals of section 307 as a matter of politics and policy—the Forest Service can implement the provision of section 307 in a fashion that meets the timber salvage targets contained in this section. Today, I have sent a letter to Chief Thomas which I will include in the RECORD at the end of this statement. In this letter, I review with the Chief the intention of the authors of section 307 and our expectations about Forest Service implementation of the measure. I have asked the Chief for a prompt response so that, if there is any difference in interpretation, this can be reviewed during Senate consideration of the bill and any necessary adjustments can be made. If the measure passes both bodies and is signed into law, we expect appropriate implementing actions to carry out a clear congressional intent which is, itself, grounded in an understanding of agency capabilities.

Now let me review the terms of section 307. Section 307 would provide authority and direction to the Secretaries of Agriculture and the Interior to conduct a 2-year emergency salvage timber sales program on lands of the Forest Service and the Bureau of Land Management [BLM]. The purpose of this one-time, short duration congressional mandate is to eliminate the extraordinary backlog of dead and dying trees on Federal lands in all regions of the country. This backlog has been created by the alarming decline in forest health and the unprecedented scale of wildfires over the last 2 years. Without an accelerated and dedicated response from the land management agencies in planning and conducting these emergency salvage timber sales, the decaying trees will soon lose any commercial value, thereby preventing harvesting and the timely

accomplishment of reforestation and other restoration activities on the affected lands.

The two Secretaries are directed to offer a sufficient number of salvage timber sales during the 2-year emergency period following enactment to ensure that a minimum of 3-billion board feet is sold each year on Forest Service lands and 115-million board feet is sold each year on BLM lands (subsec. (b)(2)).

These volume targets were derived after extensive discussion with the Forest Service and BLM. The Forest Service targets were established after consultation with the Agency's field offices. They are statutory mandates that represent reasonable progress toward reducing the backlog of dead and dying timber on our Federal forests. The agencies have indicated that it is within their capability to achieve these targets and thereby improve the health of our Federal forests under the terms of section 307.

A timber sale qualifies as a salvage timber sale that can be offered under the provisions of section 307 only if an important reason for the sale is the removal of diseased or insect-infested trees; dead, damaged, or down trees; or trees affected by fire or imminently susceptible to fire or insect attack. Removal of associated trees for the purpose of ecosystem improvement or rehabilitation can occur if the sale has an identifiable component of trees to be salvaged. (Subsec. (a)(4).)

Salvage timber sales are to be offered whether or not revenues derived from the sales are likely to exceed the sales' costs (subsec. (c)(5)). In conducting the sales, the Secretaries are authorized to use salvage sale funds otherwise available to them (subsec. (b)(3)). But the Secretaries are not to substitute salvage timber sales under section 307 for planned non-salvage sales (subsec. (c)(7)).

Section 307 does not permit any salvage timber sales on specifically protected lands, namely areas designed by Congress as units of the National Wilderness Preservation System, any roadless areas in Colorado or Montana which were specifically designated by acts of Congress by geographical name or map reference as Wilderness Study Areas, any roadless areas recommended by the Forest Service or BLM for wilderness designation in their most recent land management plans, and areas where timber harvesting for any purpose has been specifically prohibited by a specific statutory provision. This proscription does not include any prohibition in any regulation, land management plan, agency guidance, research study, or settlement agreement which purports to rely on general statutory authority (subsec. (g)(2)).

This last distinction is important because we do not, even by inference, want to prohibit application of this section in areas where the agencies on their own have restricted timber harvesting. This includes agency initiatives such as the timber sale screens on the East-side of the Cascades and the California Spotted Owl Report, the following environmental assessment, and the pending draft Environmental Impact Statement. Whether and to whatever extent the agencies choose to restore the forest health by scheduling salvage sales in such areas, they are still bound to meet the salvage targets in subsection (b)(2) of this section.

In order to ensure that the sales are conducted in a timely manner, section 307 requires the two land management agencies to

follow certain schedules, expedited procedures, and reporting requirements. The schedule for offering timber sales requires that sales for at least 50 percent of the volume each agency is directed to make available in the first year must be offered in the first 3 months after enactment, and sales for at least 50 percent of the volume each agency is directed to make available in the second year must be offered within 15 months after enactment. Sales for the remaining 50 percent of the volume required each year can be spread evenly throughout the remaining 9 months of the year. (Subsec. (c)(2).) To track compliance with this schedule, the Secretaries are required to report to Congress every 3 months throughout the 2-year emergency period on the sales and volumes offered during the last 3-month period and expected to be offered during the next 3-month period (subsec. (b)(2)).

To meet this schedule, the Secretaries are admonished to use all available authority in preparing and advertising the salvage timber sales. This includes use of private contractors, and applying the type of expedited contracting procedures used to fight fires to the tasks of advertising and preparing salvage sales. To augment the available personnel, section 307 authorizes employment of former employees who received voluntary separation incentive payments under the Federal Workforce Restructuring Act of 1994 (P.L. 103-226) without applying the provisions of Section 3(d)(1) of P.L. 103-226. (Subsec. (c)(4).)

Salvage procedures are expedited by the requirement that each Secretary prepare a single document analyzing the environmental effects of each salvage sale. The level of analysis in this consolidated environmental analysis document is to be that normally contained in an environmental assessment (not an environmental impact statement) under the National Environmental Policy Act [NEPA] on the environmental impacts of the sale generally and in a biological evaluation under the Endangered Species Act [ESA] on any specific effects the sale may have on any endangered or threatened species. (Subsec. (c)(1).) The language of this provision is explicit that these are the only document and the only procedure required from an environmental standpoint to comply with existing laws and regulations (subsec. (c)(6)). For example, the agency does not have to prepare a Finding of No Significant Impact under NEPA, nor consult with the Fish and Wildlife Service or National Marine Fisheries Service under the ESA after completing the consolidated environmental analysis document. Nor is an agency bound by any existing documents. On the other hand, if a NEPA document or a biological evaluation is already prepared for any particular sale by the date of enactment, a consolidated environmental analysis document need not be prepared for that sale. (Subsec. (c)(1).)

Each Secretary is to make the decisions on a sale's configuration and whether to offer the sale on the basis of the consolidated environmental analysis document. The Secretary may decide to not offer the sale or to reduce the size of the sale for an environmental reason grounded in the consolidated environmental analysis document, but he must then determine if he can meet the applicable volume requirement on schedule. If he determines he cannot, he must substitute another sale or

sales with volume equal to the shortfall. (Subsec. (c)(3).)

The Secretary's decision, based on that consolidated environmental documentation, is deemed to satisfy all applicable environmental and land management laws (subsec. (c)(6)). This means, for example, that the Secretary cannot be sued for violation of the Clean Water Act, the provisions of the National Forest Management Act concerning species' viability, unsuitability, or consistency with the resource management plans, or the jeopardy or take standards of the Endangered Species Act. Furthermore, as indicated, a sale can be offered that does not comport with a resource management plan, or interim guidelines, or management directives. This provision is both reasoned and consistent with the one-time, emergency nature of section 307. Few if any such plans, guidelines, screens, or other agency guidance contemplated the dramatic decline in forest health and consequent unprecedented wildfires. Section 307 does not excuse long-term compliance with such agency guidance; instead, it permits only a one-time divergence therefrom. Without such temporary divergence, the very wildlife and other resources that the guidance is intended to protect may be destroyed or damaged, thereby rendering the guidance ineffective for the longer term. Finally, a sale can be offered even if it would be barred under any decision, injunction, or order of any federal court (subsec. (c)(8)).

Expedited procedures continue to apply after the decision to offer a salvage timber sale. Section 307 bars an administrative appeal of any sale decision (subsec. (e)). This allows challengers to go directly to court and hastens a final disposition of the challenge—a disposition timely enough to permit the sale and harvesting of dead and dying timber if the court ultimately determines that the sale is legally valid.

Finally as to expedited procedures, in language borrowed verbatim from previously enacted law (section 318 of Public Law 101-121), section 307 sets deadlines for challengers for filing and appealing lawsuits challenging salvage timber sales (15 days and 30 days, respectively) (subsec. (f)(1) and (7)) and for the district courts to decide the lawsuits (45 days, unless the particular court decides a longer period is necessary to satisfy Constitutional requirements) (subsec. (f)(5)). To protect challengers, the section requires that each challenged timber sale must be stayed by the appropriate agency for the same 45-day period in which the court hears and decides the case (subsec. (f)(2)). With a mandated automatic stay, restraining orders or preliminary injunctions are unnecessary and, therefore, are barred (subsec. (f)(3)).

A court is free to issue a permanent injunction against, order modification of, or void an individual salvage timber sale if it determines that the decision to prepare, advertise, offer, award, or operate the sale was arbitrary and capricious or otherwise not in accordance with law (subsec. (f)(4)). As the sale is deemed by law to satisfy the environmental and land management laws (subsec. (c)(6)), the challengers must allege and prove to the court under this standard that the sale was arbitrary or capricious under, or violates a specific provision of section 307.

The Secretaries' duties do not stop after the salvage timber sales are sold; they are directed to complete reforestation of the lands

as expeditiously as possible after harvesting but no later than any periods required by law or the agencies' regulations. This last requirement is every bit as important as the rest of the section because it completes the forest restoration process and highlights the authors' commitment to sound forest stewardship.

Section (i) of section 307 addresses another related timber supply problem of an emergency nature. In this case, the emergency involves government liability for failure to perform the terms of a contract.

Previously-offered timber sales in the Northwest cannot be operated due to administrative delays and reviews. Many of these sales were mandated by Congress in Section 318 of the Department of Interior and Related Agencies Appropriations Act, Fiscal Year 1990, Pub. L. 101-121; others were offered in fiscal year 1991 and some more recently. Many of these sales were awarded to purchasers years ago; the government will have to pay tens of millions of dollars in contract buyouts if these sales were cancelled. Other sales were auctioned years ago but never awarded; in some cases the agencies rejected bids well after the auction due to administrative reviews and delays and changing standards. This is the case even though the preponderance of these sales were approved for harvest in the Record of Decision accompanying the President's Pacific Northwest Forest Plan, as not jeopardizing the continued existence of any of the numerous species of wildlife considered by that plan. The government will forego \$207.8 million in timber receipts if these sales are not operated.

Subsection 307(i)(1) frees up all these sales, saving the government over one hundred million dollars in buyout claims, generating the \$207.8 million in revenues and immediately providing substantial amounts of timber for mills hurt by Federal supply reductions. It applies to all national forests and BLM districts that were subject to section 318 of the Department of Interior and Related Agencies Appropriations Act, fiscal year 1990, Pub. L. 101-121; it applies throughout fiscal years 1995 and 1996, or longer as necessary, notwithstanding any other provision of law; and it requires full compliance by the agencies within 30 days of the date of enactment of the section. It directs the award of all unawarded sales as originally advertised, whether or not bids on a sale previously rejected, and it directs the release of these sales and all other awarded sales in the affected area so that all the sales can be operated to completion, on their original terms, in fiscal years 1995 and 1996.

Subsection (i)(2) provides that agency compliance with this section will not provide a legal basis for a court to block an existing agency management plan, or to order an agency to change an existing plan. It leaves in place all other grounds unrelated to this section that may exist for any person to challenge an agency plan for any reason. It does not affect pending cases challenging agency plans for reason unrelated to this section.

CONGRESS OF THE UNITED STATES,  
Washington, DC, March 15, 1995.

Dr. JACK WARD THOMAS,  
Chief, U.S. Forest Service,  
Department of Agriculture,  
Washington, DC.

DEAR CHIEF THOMAS: We write to continue our important dialogue on the emergency forest health amendment contained in Sec-

tion 307 of HR 1159. This amendment has bipartisan support in the House, and will shortly be considered in the Senate when that body takes up HR 1159.

We thank you and your staff for the technical assistance you provided to us as we developed the provision. While we understand the Administration has yet to take a position on the measure, we nevertheless appreciate the nonpartisan assistance the Forest Service provided to make sure that the amendment is drafted in a technically and legally sound fashion. We are sensitive to the need to avoid saddling our federal resource management agencies with mandates that cannot be implemented on the ground.

To this end we request one more review by your resource specialists and attorney advisors of the final language of Section 307. Enclosed is the final language and a floor statement we made during House consideration explaining our intent in writing this amendment. We want to ensure that the amendment can be implemented in a manner that brings salvage timber to the marketplace as quickly as possible within the environmental process provided.

We would like your review to assure that your specialists agree that the language would have the on-the-ground effect that we intend. Alternatively, if this is not the case, we would like to know which provisions are problematic, why this is the case, and what technical changes would better accomplish our purposes.

Let me be clear that we are not asking whether the Administration, the Agency, or you support the amendment or agree with its intent. We respect any difference of opinion you might have with specific requirements. Nevertheless, we need to be sure that we have a common understanding that our intent is implementable under the term of amendment. If the amendment is passed by both Houses of Congress and signed by the President we will expect full implementation of its terms.

Since the bill is being taken up in Subcommittee in the Senate next Wednesday, we will need your response by Monday, March 20. We apologize for the short notice, but we are victims of the legislative schedule.

We appreciate your continuing assistance and cooperation on this matter.

Sincerely,

CHARLES H. TAYLOR,  
Member, U.S. Congress.

DON YOUNG,  
Chairman.

Mr. YATES. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Chairman, I rise in strong support of the Yates amendment to strike the Taylor Timber Salvage Language. We have all heard the old adage that you have to spend money to make money but the timber salvage provisions of H.R. 1159 turn this into a case where we will be spending money to lose money. Nominally, CBO shows that such sales will bring in \$134 million, a far cry from the \$1 billion in receipts proponents were touting just 2 weeks ago. The other side of the CBO analysis which bill proponents will not be speaking about is that salvage is direct spending, and thus the money goes right back out.

The taxpayer loses under the Taylor Salvage Language because whatever profitable



sales there are will subsidize the many below cost sales that are not only needed but required to achieve the unrealistic cut in excess of 6 billion board feet called for in the bill. Further, since the estimates of revenue do not even count such significant costs as purchaser road credits the treasury will never see a dime from these sales.

Looking at salvage from the question of forest health, what kind of perverse logic says that to make our forests healthy, we have to suspend not just every environmental law but every law dealing with forestry management and administrative procedure. What little judicial review there is in the bill, is made meaningless since all salvage actions are deemed to satisfy APPLICABLE LAW. Not content with this the Taylor Language goes on to USURP the role of the judiciary by lifting existing injunctions, prohibiting future injunctions, and dictating to the court when and how it may consider appeals.

Proponents of the salvage provisions have taken a complex forestry issue and boiled it down to a simple solution. That is to fight fire and insects with chainsaws. It is a discredited policy that is being resurrected under the guise of an emergency.

Is the Taylor Salvage Language forest health or hype? If proponents are truly interested in forest health, why are they mandating a specific, but unrealistic, cut? The answer is that this amendment is all about the cut and the notion that a dead tree is a wasted tree. Proponents both inside and outside of Congress who for years advocated fire suppression at any cost are now seeing that cost. But instead of owning up to it, they view it as an opportunity to bypass sound science and management and embark on a cutting frenzy. The use of thinning, pruning and prescribed burns are not even considered because that would diminish the all-driving cut.

This whole notion reminds me of the General in the Vietnam War who said they had to destroy a village to save it. That is what we are dealing with here. Look where this cut will come from. In their rush to get the Taylor Language out, proponents would open designated national wild and scenic river corridors to logging. In what appears at a minimum to be a serious oversight but perhaps is a devious design, wilderness study areas in Montana and Colorado are protected but not in Idaho.

The vast amount of logging will occur in roadless areas and we are not talking about helicopter logging here. No, the widely scattered nature of fire and infestation means that heavy equipment will be brought in to punch scores of new roads with machinery roaming over a forest floor disturbed by fire and highly susceptible to damage.

If we are serious about forest health, and we should be, the Taylor amendment is the wrong answer. It has no place in this bill both from a procedural and policy standpoint. The Taylor Salvage Language is a bad deal for the taxpayer and the environment. I urge adoption of the Yate's amendment to strike this ill-conceived language from the bill.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, let me draw your attention to something that I do not think the sponsors of this legislation intended, but it will happen

under this salvage sale. As my friends know, timber harvest and road building is not allowed in wilderness areas. In the last Congress this House voted by 300 votes in favor of a bill to designate a million and a half acres of wilderness in Montana. Now although that bill did not become law, although the Senate went along with most of it, there just were not enough days left in the session for it to become law. Although it did not become law, this bill before us today allows timber harvesting and road building in one million of those acres.

Mr. Chairman, neither Republicans, nor Democrats, would intend that, that one million acres in Montana, the last best place that we all agree should be wilderness, is now going to be harvested if this bill becomes law. The bill is poorly written.

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Mr. LIVINGSTON. Mr. Chairman, I am happy to yield two minutes to the gentleman from Washington [Mr. DICKS], a distinguished member of the committee.

Mr. DICKS. Mr. Chairman, I want to stand and strongly support this legislation. In the Pacific Northwest, we have seen harvest levels reduced by almost 95 to 100 percent over the last 4 years. We have been under a court injunction. At the same time, we have had blow-down, we have had burned timber, bug-infested timber that could be salvaged, and we could take that and sell it and bring money into the Treasury at a time when housing prices for lumber are sky high. It has added \$5,000 to \$7,000 per house because of the shortage of lumber.

Mr. Chairman, I would urge my colleagues to stick with the committee. The committee almost unanimously approved this amendment, and we did it with environmental sensitivity. Every sale has to have an environmental assessment. Every sale has to have a biological opinion. If they violate that, you can still go to the Federal Court for an injunction.

What we tried to do was expedite the process. Why? Because dead, diseased, dying, bug-infested logs only last for 2 or 3 years, and then they are gone. So if we went with the normal process, we would simply not get to it.

What are we doing here? We are not raping anything or tearing anything apart. We have said we will not go into wilderness areas. What we are doing is doing this in a very responsible way, that will restore forest health. The ecologists have looked at this and said this is a good way to go. There are 18 to 21 billion board feet of it laying out there over the country. The administration wants to do 3 billion. We are saying go out there and try to do 3 additional billion, or one-third. So two-thirds of it is going to be left, dead, dying, diseased on the ground for the ecosystem, for the bugs, to help the spotted owl recover, and all those other good things.

But this is good common sense. We need the lumber, we need the chips for our pulp and paper mills. This is an amendment that makes sense. We ought to bipartisanly back it and help out an industry that has been badly hurt over the last 4 years.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I have the highest respect for the gentleman from North Carolina, but this is simply not the way to do business. When we walked into the full Committee on Appropriations markup, we received a copy of the Taylor amendment for the first time. The amendment was over one dozen pages long and included portions that were handwritten. There were no hearings on the amendment by the authorizing committee nor the Committee on Appropriations. For years we Republicans have told Democrats who did this often that this was not something that we would countenance. Here we are, in power, and now doing it on our side.

This is not part of the Contract. We do not have to vote on it in the first 100 days. It ought to go to hearings. It ought to be considered very carefully. It is not simply a good way to do business.

I am also concerned about the substance of the amendment. The amendment overturns past court decisions, limits the power of courts to review Federal agency actions, and waives or puts on a fast track necessary environmental studies or surveys.

If the Taylor language truly promotes the long-term health of the forest, why must we waive the ability of the courts and the public to guarantee that our environment enforced management laws are being upheld. This is going to cost the taxpayers hundreds of millions of dollars. I urge Members to oppose the Taylor language and to support the amendment of the gentleman from Illinois [Mr. YATES].

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Alaska [Mr. YOUNG], the distinguished chairman of the Committee on Natural Resources, the authorizing committee, to speak to the emergency nature of this bill.

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

Mr. YOUNG of Alaska. Mr. Chairman, let us look at this amendment. This is the amendment to try to harvest dead, dying, dead trees. Double adjective. These trees burned last year. If we do not harvest them, they are rotted, they cannot be used, they are a waste. And it appalls me when I hear Mr. PORTER saying this overturns court decisions, et cetera, et cetera. These are not live trees. These are burnt trees, 16 billion board feet standing, and all we are asking is for 3 billion board feet this year and 3 billion board



feet next year. That is all we are asking, to keep some of our American people working. There is no work for these mills, for the sawmills, for the people that make their living here, if we cannot have trees, and we stopped cutting live trees because of action of this Congress and the courts.

It is time that we pass this Taylor amendment and this legislation. We did have hearings. There was a long, protracted hearing of a whole day. We heard from those people who are not only working, but from the biologists, that said for the health of the forest we must harvest these trees. Let us stand with the committee.

Mr. YATES. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. STUDDS].

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

Mr. STUDDS. Mr. Chairman, I rise in support of the Yates amendment to strike section 307 or H.R. 1159. This provision is legislation and should never have been included in an appropriations bill.

Section 307 would double the amount of salvage timber cut on Federal lands and increase total logging on Federal lands by more than one-third. Salvage timber is ostensibly harvested to prevent dead and dying timber from rotting and going to waste, while reducing the risk of disease and fire. But this amendment goes well beyond that. It will condemn healthy timber because it sets a salvage quota that is twice the amount requested to be harvested by the Forest Service, broadens the definition of what constitutes salvage timber, and will allow logging on thousands of acres of old growth timber set aside by court order. This undermines forest health and rational timber lands management.

If the proponents of section 307 are as concerned about forest health as they claim, why does this legislation waive numerous environmental laws and administrative review, and severely restrict judicial review of timber sales? The answer is that many of these sales would not pass muster under the appropriate review. In a rush to sell off public assets and under the guise of forest protection, the proponents will run roughshod over the Constitution and the law. Of course by now, this is becoming somewhat mundane.

Proponents argue that this provision raises revenue. But under the peculiarities of scoring, the value of the assets is not considered. The Government can sell a tree worth \$100 for \$5 and that is counted as a receipt of \$5. Moreover, the Congressional Budget Office's scoring of this provision does not include the millions spent yearly to build roads and to prepare timber sales. The scoring process notwithstanding, salvage sales do not benefit the taxpayer because most of the receipts that they do produce go to mandatory spending programs, much of it to hold even more salvage sales.

Rising interest rates always depress new home starts. This in turn depresses timber prices. Timber prices are driven by home sales, not the other way around. So tying the ability of Americans to own homes to the price of lumber is at best misleading. Dumping billions of board feet of timber onto the market

under these conditions will further depress timber prices and will guarantee a poor return for the taxpayer on the sale of their assets.

Behind the rhetoric, section 307 is a subsidy for special interests that will harm the environment, and it has no place on a rescission bill. I urge the House to support the Yates amendment.

Mr. YATES. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the distinguished gentleman for the time.

Mr. Chairman, it is really a shame that this issue is having to be debated in this way before the House of Representatives, because had we wished to put together a thoughtful, well-considered, informed piece of legislation to deal with what is a real problem, I am sure we could have done it. This is not such a piece of legislation.

Salvage. We incant that word as if it can be used to finesse fundamental definitional and practical problems in this bill. This is not just about salvage timber. It goes far beyond that. There was no attempt to frame a bill that really fits both reality and practicality.

Where did the 3 billion board feet a year number come from? We have no evidence that BLM or the Forest Service is really going to be able to accommodate that. The gentleman from Illinois already pointed out this was dropped on us in appropriations with no warning and no ability to really engage in thoughtful consideration.

But, above all, the other gentleman from Illinois, the chairman of the Committee on the Judiciary who is sitting in the back of the Chamber, ought to be particularly exercised. This provision completely runs over regular judicial process. It did not go through the gentleman's committee for any kind of review. Although it pays lip service about availability of judicial review, as a practical matter, there is absolutely no way any citizen in this country will have access to any process that enables a review of these timber cuts.

All environmental review, all judicial review, for all practical purposes, is gone. It cannot be accomplished, given the constraints that have been put in this amendment.

This is going to cost this country in untold ways. Among others it has a below-cost timber sale provision in it, notwithstanding CBO scoring. I would predict we are going to come back in a couple of years and find that, again, the harvest has cost more than it has brought in by a large measure.

This provision is an affront to sound environmental policy, it is an affront to sound forest management, it is an affront to sound judicial process.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH], a valiant member of the Interior Subcommittee.

Mrs. VUCANOVICH. Mr. Chairman, I rise in opposition to the amendment offered by Mr. YATES.

In my own State of Nevada, 6 years of drought have produced large areas of dead and dying trees and other accumulated fuels in Nevada's forested lands. Last summer's wildlife season was the worst in history, and extreme wildlife danger still exists in many of the forested lands in Nevada.

The Lake Tahoe area, for instance, in addition to the drought, has suffered years of insect infestation, resulting in a dangerous overloading of fuels.

The bill before us includes emergency timber salvage provisions that are vital for the health of Nevada's forests, and forests across the West. Unless we take immediate action, the dangerous build-up of fuel for forest fires will continue unchecked, and the 1995 wildfire season may well be the worst yet.

I oppose the amendment offered by Mr. YATES, which would strip these necessary provisions from the bill.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. NETHERCUTT], another distinguished member of the committee, who is also a member of the Interior Subcommittee.

Mr. NETHERCUTT. Mr. Chairman, I thank the chairman for yielding.

Mr. Chairman, I am happy to rise in opposition to the Yates amendment and in support of the Taylor amendment. This is a common sense solution to a very difficult problem that we face out west. I wish that every Member of this body could come through the Copper Butte area of my State and my district and see the devastation of the forest fires that occurred last summer. You would see the timber rotting in the forest and you would see the necessity for this emergency measure.

It is an emergency measure. This is an expedited treatment of the environmental laws and an expedited treatment of an ability to get in and salvage timber that is dying and diseased in the forest, and it is absolutely necessary to protect the areas of my district. It will provide jobs, it will provide money to the Treasury, and it will provide a common sense environmentally sensitive solution to this very grave problem.

I ask the support of this body to oppose the Yates amendment and support the Taylor amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Washington [Ms. DUNN].

(Ms. DUNN of Washington asked and was given permission to revise and extend her remarks.)

Ms. DUNN of Washington. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Emergency Timber Salvage Program in the rescissions bill.

Last year, devastating fires burned almost 1 billion board feet of timber in Washington State. I remember flying home last summer

and seeing the clear blue sky at 40,000 feet clouded with smoke from these fires. As soon as I landed, I contacted friends in eastern Washington who were trying to protect their homes and orchards from fires burning less than a quarter of a mile away from their properties.

Thankfully, the western part of my State did not suffer from those fires. However, we do know about the effect of fires on private lands. Just this year there was a fire in Carbanado, a small community in my district. And the Forest Service representative in the Mount Baker/Snoqualmie National Forest informs me that there is a strong possibility that a fire similar to the ones in eastern Washington could be in our future because of the 200-year fuel load on the ground.

On my side of the mountains, we also have millions of board feet of blown-down timber in need of salvage. Salvage work that could put families back to work doing what they have been doing for generations.

Mr. Chairman, this is not just about salvaging timber. It is about salvaging families, communities, and human dignity. We have the opportunity to give a hand up to people in need, not the mere handout of public assistance.

Further, this issue is also about the health of our forests. Ignoring that concern now will result in larger and more catastrophic environmental tragedies later.

If we do not remove a significant amount of the fire-killed timber, we increase the likelihood that the area will burn again in the very near future. Another burn would destroy more valuable forest resources and wildlife habitat. And once again, we would place human lives and property at risk.

With that in mind, this language simply directs the Forest Service to perform emergency salvage sales during a 2-year period and directs the Bureau of Land Management to perform salvage sales each year for 2 years. These sales would be conducted on Federal lands managed by these two agencies.

The salvage program only involves less than one-third of the total estimated volume of dead, dying, and diseased timber on suitable Federal lands.

Unfortunately, Mr. Chairman, there has been some misinformation accusing the supporters of this program of ignoring, or trying to bypass, the administrative review process required before a sale goes to market.

Nothing—I repeat, nothing—could be further from the truth.

This language streamlines the process in order to allow the agencies involved to expedite these sales over a period of months, instead of years. Right now, many of these sales are locked up in litigation, appeals, and other roadblocks.

What this salvage program provides is the predictability that this process has so sorely missed.

Last and certainly not least, this salvage program will also return money to the Federal Government, up to \$620 million.

The timber salvage program presents an opportunity to begin cleaning up our national forests, generating Federal revenues and providing family-wage jobs in affected communities. I strongly support this Timber Salvage Program.

Mr. YATES. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. ESHOO].

(Ms. ESHOO asked and was given permission to revise and extend her remarks.)

Ms. ESHOO. Mr. Chairman, I rise in strong support of the Yates/Vento amendment which would strike the timber salvage sales provision in H.R. 1159.

Under the guise of forest health, the salvage timber sale provision would savage our Nation's forests. Not only would the measure throw out all existing environmental safeguards and public oversight, it would result in significant losses to the Federal Treasury.

The provision mandates a minimum cut of 6.2 billion board feet over 2 years—almost doubling the current annual yield from the entire forest system. Even areas studied and proposed as wilderness would be open to logging.

The salvage timber sale provision would negate decades of effort by Congress and the Forest Service to ensure that national forests are managed in an environmentally, socially, and fiscally responsible manner.

And it wouldn't even provide any real savings. According to the Congressional Research Service, "Salvage timber harvesting generally costs more than the revenues they generate because of lower timber quality and higher operating costs for buyers."

In fact, this provision would likely cost the Federal Treasury at least \$220 million more than the revenues salvage logging would bring in.

Put simply, salvage timber harvesting makes no sense. I urge my colleagues to join me in supporting the Yates/Vento amendment to stop this far-reaching assault on our public forestlands.

Mr. YATES. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon [Ms. FURSE].

(Ms. FURSE asked and was given permission to revise and extend her remarks.)

Ms. FURSE. Mr. Chairman, I rise in strong support of the Yates amendment. I want to quote from a letter I received from the two largest Northwest sports and commercial fishing groups. They represent 100,000 jobs in my area and billions of dollars. They say, "We oppose the effort to approve sufficiency language and mandate minimum timber harvest levels in the northwest." They say, "It makes no economic sense to harvest timber on the backs of fishermen and the expense of jobs and coastal communities which salmon support. This would be a form of economic suicide."

Mr. Chairman, I understand that there is a forest health program. It needs to be fixed, but not by bypassing our laws and sacrificing good science. I urge my colleagues to support the Yates amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield one-half minute to the gentleman from Oregon [Mr. BUNN], a member of the Interior Subcommittee.

(Mr. BUNN of Oregon asked and was given permission to revise and extend his remarks.)

Mr. BUNN of Oregon. Mr. Chairman, I think it is about time we bring common sense back into the formula. I have listened to the extremists say if lightning strikes, let the trees burn and ignore the jobs. I think it is totally absurd when we are trying to find a balance, we are trying to maintain a sustainable yield, that we will not take the pressure off the green timber, but instead we have an opportunity to salvage trees that are going to rot if we do not do it. We are simply going to lose 22,000 jobs and deny the opportunity to maintain a sustainable yield. I urge a "no" vote on the Yates amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Mr. Chairman, I rise in opposition to the Yates amendment and associate myself with the remarks of the gentleman from Oregon.

Mr. YATES. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Chairman, I urge you to use some common sense here and ask yourself a question: If this bill only relates to burned timber and rotting timber, why was it necessary to suspend every single environmental law which applies to forest, to fish, and to wildlife and recreation in order to pass it? If it applies only to burned and rotting timber, why was it necessary to provide in the bill that it is OK to log and build roads in a wilderness area that is permanently protected?

That is not what this bill is all about. This is no way to go about this. If you can make the case this is necessary, make the case in the authorizing committee. This is an extremely bad amendment.

Finally, if it is such a good piece of common sense, why in the world is it necessary to put a provision in here that says this is OK even if we lose money doing it? What interest do the American people have with permitting the cutting of forests in a situation in which we are going to lose money.

The fact of the matter is, we are suspending every environmental law, letting them log in the wilderness areas, and letting them sell this timber at below cost prices, which is a significant detriment to the American people. I strongly urge you to vote yes for the Yates amendment and oppose this extreme measure.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. RIGGS], a member of the committee, and a distinguished one at that.

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

□ 1730

Mr. RIGGS. Mr. Chairman, I thank the full committee chairman for yielding time to me.

Let me first say to the gentleman from Texas, he obviously has not read the provisions of the Taylor timber salvage amendment.

The Taylor amendment explicitly excludes wilderness areas or those areas under study or consideration for designation as wilderness. This bill is not about ideology. It is about jobs. It is about good productive resources, and it is about making our federal resource lands for fire suppression purposes and the health of the forest land.

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

Mr. RIGGS. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, even if it is a salvage sale, we have got to do a complete EIS. That takes 3 years. It takes the Forest Service 3 years to prepare a single sale.

This is an emergency. If we do not do it rapidly, the timber is going to rot and is not going to be useful. That is why we have to do an EA instead of an EIS.

Mr. RIGGS. Mr. Chairman, I thank the gentleman for his comments and his contribution and his efforts, which make it a genuinely bipartisan effort.

I urge my colleagues to defeat the Yates motion to strike. Support the Taylor amendment.

Mr. Chairman, I rise in defense of our National Forests and the hard-working Americans who rely on the forests for their livelihoods. We are facing a national emergency.

A landmark timber salvage amendment is included in H.R. 1159, offered by Representatives CHARLES TAYLOR and NORM DICKS, with my full support. This amendment is about putting people back to work in one of our most important industries.

At a time when many are concerned about exporting jobs, we have a chance to put Americans to work—in an industry owned by Americans, harvesting a product consumed by Americans.

By providing the increased harvesting of salvage timber, we will be providing a product for idle sawmills throughout the country. Since 1987, a total of 51 facilities have closed in California. Twelve of those sawmills were in my district.

We must return to an intelligent, long-term forest management plan that is primarily focused upon forest health. This amendment starts us off in that direction.

This amendment also makes fiscal sense. CBO scored it as a revenue maker. Industry and labor estimate the provision will generate at least \$620 million in additional Federal revenues. Local governments will receive another \$200 million.

The U.S. taxpayer spent over a billion dollars and 33 lives to fight forest fires last year. These losses could have been drastically curtailed had similar legislation been in place.

This amendment is a win-win proposition. We must not miss out on this opportunity.

Mr. Chairman, our forests are sick and our communities are dying. We must help our people get back to work. We must help our forests regain their productivity and provide a renewable resource for our children and grandchildren to enjoy.

I urge my colleagues to support the Taylor-Dicks amendment.

SIERRA PACIFIC INDUSTRIES,  
Arcata, CA, March 14, 1995.

Re: Taylor/Dicks Emergency Salvage Amendment.

Congressman FRANK RIGGS,  
Longworth House Office Building, Washington, DC.

DEAR MR. RIGGS: An article in the Times Standard Newspaper on Sunday, March 12, regarding the proposal to salvage the dead timber on our National Forests prompts me to write this letter. The article reports that the large amounts of timber that would be logged from our National Forests as a result of the Emergency Salvage Amendment would decrease the price of private timber to the point that the private landowner could ask the Forest Service for relief under the theory of a "taking." Further in the article Senator(?) Leahy guesses that the G.O.P. has created this situation.

I find it hard to read this kind of reporting without wondering whatever happened to responsible thinking and reporting. I would like you to know that a salvage program on our National Forest is a must. The scare tactic that our National Forests will be overcut as a result of removing the dead material is just not true. In fact years of responsible management of our National Forests has resulted in wood products for our country as well as a healthy National Forest for all of us to use and enjoy.

You and your colleagues know that there are a lot of us here in Humboldt County that want you to support the passage of an emergency amendment to salvage the dead and dying timber on all our National Forests. As you know it will not put an extra amount of timber on the market and result in lower prices on private land. The salvage timber will help maintain existing jobs. I doubt that it will create new jobs, however, because the amounts of timber that will be harvested are far below historical levels once produced under sound forest management practices. The practice of salvaging will help to maintain a healthy forest. You must ask (tell) the National Forest to closely monitor the harvest to assure all salvaged area will be fully restocked with new trees whether they are planted or seed in naturally from the surrounding timber.

The mills in our area will be asked to competitively bid on any salvage timber offered for sale. In the past this process has resulted in jobs for not only woods workers and their families but also for mill workers and support businesses and their families. Our schools will also benefit from the income to the Forest Service because 25% of the money received from the sale of timber goes to the county schools and county road departments. Our mill currently is no longer saving any National Forest timber due to the fact the Six Rivers National Forest is no longer selling any timber sales. The salvage timber that could be sold from the Six Rivers National will help our sawmill as well as the other sawmills in the local area.

Please support the theory of a healthy National Forest by working for an Emergency Salvage Amendment. Thank you for your time and consideration of this matter.

Very Truly Yours,

RON HOOVER,  
Timber Manager.

SCHMIDBAUER LUMBER, INC.,  
Eureka, CA, March 14, 1995.

Hon. FRANK RIGGS,  
Washington, DC.

DEAR CONGRESSMAN RIGGS: This letter is intended to indicate our STRONG SUPPORT for the Taylor/Dicks Emergency Salvage Amendment.

This amendment will create jobs in our area, and improve Forest Health of increasingly unhealthy public lands.

This amendment is critical to the future of our area and the future of our company. Please make every effort to see that this amendment is attached to the Omnibus Rescission Bill.

Sincerely,

MARK ANDERSON,  
Resource Procurement.

BLUE LAKE FOREST PRODUCTS,  
Arcata, CA, March 14, 1995.

Hon. FRANK RIGGS,  
Congressman, First District of California.

DEAR FRANK: Blue Lake Forest Products employs directly 100 men and women and another 300 jobs in the area are indirectly dependent on the company's operation.

We strongly support the Emergency Salvage Amendment. It means jobs and survival to companies in the hard hit region. The Amendment will raise substantial revenues for the U.S. Government.

The Amendment fosters forest health, as the local Forest Service are full of dead and dying trees. This bill is critical to our company's survival and to local forests, and economic health. We urgently request you and your colleagues to support this amendment.

Very Truly yours,

BRUCE M. TAYLOR,  
Owenr Blue Lake Forest Products.

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,

Washington, DC, March 10, 1995.

DEAR CONGRESSMAN: On behalf of the 600,000 members of the United Brotherhood of Carpenters and Joiners of America, I am writing to request your support for the timber salvage amendment to the Omnibus Rescission Bill sponsored by Congressmen Norm Dicks (D-WA) and Charles Taylor (R-NC). This measure gives the U.S. Forest Service emergency authority to remove dead, dying, diseased and fire-damaged timber from federal forests.

This amendment addresses two primary concerns of our membership. First, salvage harvests will provide a needed supply of timber to mills where tens of thousands of our members work. Harvest restrictions to protect endangered and threatened species on federal forest land have created a timber supply crisis, particularly in the Pacific Northwest and Northern California. During the past five years, almost 20,000 timber-related workers have lost their job in the region due to the supply crisis. Salvage timber, if removed in a timely manner, can help slow mill closures.

The Dicks-Taylor amendment mandates the Forest Service salvage not less than 3 billion board feet of timber from federal forest in 1995 and 1996. In 1994, the Forest Service salvaged just 1.5 billion board feet nationally. Doubling the salvage amount will

create approximately 22,000 new jobs in forest products and related industries and timber-dependent communities nationwide.

Secondly, removing dead, dying and diseased timber will protect the health of our national forests. The dead and dying timber presents a serious fire hazard—standing as a fuel load across billions of acres of federal forest land. If not removed quickly, diseased timber can infect other trees, jeopardizing the health of the entire forest.

Importantly, this legislation requires salvage sales comply with environmental laws including the Endangered Species Act. It also expedites the judicial review process without undermining the public's right to challenge federal timber sales. This is important because of the brief window of opportunity for obtaining the value of salvaged timber.

It is essential the Congress pass his emergency measure as quickly as possible. In the last five years, an average of 6 billion board feet per year of timber died in national forests. The U.S. Forest Service timber salvage program averaged just 1.8 billion board feet for those years. This means that in the last five years alone, 21 billion board feet of dead timber has accumulated on Forest Service lands. This timber must be removed as soon as possible to reduce the risk of fire and obtain the timber for production before it loses its value.

The Dicks-Taylor amendment provides a rare opportunity for the Congress to provide a "win-win." The amendment will protect the ecological health of our forests and help support the employment base in timber-dependent communities by providing some small amount of timber for milling.

We hope you will support the Dicks-Taylor timber salvage amendment when it comes before the full House for consideration.

Sincerely,

SIGURD LUCASSEN.

SIERRA CEDAR PRODUCTS,  
Marysville, CA, March 7, 1995.

Hon. FRANK RIGGS,  
U.S. House of Representatives, Washington, DC.

DEAR MR. RIGGS: Our people, our communities and our state need your help convincing Congress to pass the emergency salvage amendment to the Omnibus Rescission Bill.

The amendment would allow the Forest Service to salvage fire damaged and dying timber and return burned forests to healthy forests.

The amendment would provide 6-billion board feet of salvage timber to the harvest and processing industries—a vital step to the renewal of our state's forest products economy.

Salvage work must begin quickly to help prevent another season of catastrophic fires and destruction of our wild life habitat and our emerging timber lands.

Sincerely,

HAL STILSON,  
Sierra Cedar Products.

WESTERN COUNCIL OF INDUSTRIAL  
WORKERS—UNITED BROTHERHOOD  
OF CARPENTERS AND JOINERS OF  
AMERICA,

Portland, OR, March 10, 1995.

DEAR CONGRESSMAN: On behalf of the 20,000 members of the Western Council of Industrial Workers, I am writing to urge your support of the timber salvage amendment attached to the 1995 Omnibus Rescission Bill. The amendment is sponsored by Congressman Norm Dicks (D-WA) and Charles Taylor (R-NC).

The Dicks-Taylor amendment will help address the national forest health emergency. Over the past five years alone, more than 21 billion board feet of dead, dying and diseased

timber has accumulated on federal forests. In my home state of Oregon, foresters estimate that more than half of the national forests are facing a health crisis. The backlog of dead and damaged timber in these forests threatens to infect other trees and serves as kindling for wildfire. The Dicks-Taylor amendment will enable the U.S. Forest Service to conduct emergency salvage sales to remove the damaged, diseased and dead timber.

Additionally, by passing this amendment, Congress can help save the jobs of our members and tens of thousands of other men and women employed in the forest products industry. Salvage timber, harvested in a timely manner, can be milled into forest products. Estimates show the salvage harvest levels called for under the amendment will add 22,900 jobs in forest products and related industries and communities nationwide. At a time of increasing unemployment and mill closures due to harvest restrictions on federal lands in the Pacific Northwest and Northern California, salvage logging can provide an important source of fiber supply to keep mills up and running and workers employed.

The amendment also recognizes the need to implement salvage operations as soon as possible. Because of the brief window of opportunity for obtaining the value of the salvaged timber, the amendment expedites deadlines for filing and appealing lawsuits.

Our members have long been concerned about forest health. The forest is our home. It supplies us with our livelihoods. It's where we raise our families. And it's where we recreate. We believe that with proper care, our national forests can continue to provide for an array of needs. We believe we can—and must—protect forest ecosystems and the economic base of our timber-dependent communities.

This amendment is a sound, moderate approach to help us reach these goals. We urge you to support the Dicks-Taylor amendment as it moves before the full House and join us in our efforts to secure quick passage.

Sincerely,

J.L. PERRIZO,  
Executive Secretary.

STANDARD STRUCTURES INC.,  
Santa Rosa, CA, March 14, 1995.

Congressman FRANK RIGGS,  
Longworth H.O.B., Washington.

DEAR FRANK: The FY '95 Rescission Legislation will be before the House this week. There is an important provision within this legislation that calls for the harvest and sale of 6.2 billion board feet of dead and dying timber from our national forest.

It is very important that this provision stays in the bill. As a manufacturer of engineered wood products, we are in desperate need of additional harvesting that will bring some stability to our business.

This is a win-win provision as it will not only benefit the forest products industry and its employees, but will contribute to the short and long term health of the forests.

Please do all you can, Frank, to oppose any attempt to strip these provisions from the FY '95 rescission bill.

Sincerely,

RICHARD C. CALETTI,  
President.

PETERSON TRACTOR CO.,  
San Leandro, CA, March 8, 1995.

Hon. FRANK RIGGS,  
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE RIGGS, I am writing to urge you to support the emergency salvage amendment to the Omnibus Rescission Bill. This is a major first step toward development of a proactive forest health program

on federal lands. Of equal importance, it will bring desperately needed jobs to my region again and help stabilize my suffering community.

With Congress cutting programs to trim the deficit, it's noteworthy that you've found a way to increase revenues and provide environmental benefits at the same time.

Last summer, more than four million acres of forests burned, largely because of buildups of dead and dying timber. Over \$1 billion was spent to control those fires, and several lives were lost in the process.

The amendment would allow the Forest Service to recover some of the fire-damaged trees, and dying timber elsewhere, through emergency salvage sales. It calls for sales of three billion board feet each year for the next two years. No new money is needed to do this; it's already contained in the salvage trust fund. As a bonus, the amendment would give federal foresters the ability to convert dead, dying and burned forests into healthy young forests for the purpose of stabilizing soils, protecting streams, reducing the risk of catastrophic fire, and developing wildlife habitat.

With so much dead and dying timber threatening the health of our forests, and thousands of jobs at stake, it's impossible to believe that anyone would oppose a bill like this. Actually, there is a group who opposes it: environmental extremists. They don't want national forest timber harvested under any circumstances. They should be ignored, and I encourage you to pass the bill quickly. Salvage work must begin quickly to gain value from already-burned timber and to remove dead and dying timber before it is consumed in this year's firestorms.

Sincerely,

JERRY LOPUS,  
Vice President—Sales.

PETERSON TRACTOR CO.,  
San Leandro, CA, March 8, 1995.

Hon. FRANK RIGGS,  
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE RIGGS, I am writing to urge you to support the emergency salvage amendment to the Omnibus Rescission Bill. This is a major first step toward development of a proactive forest health program on federal lands. Of equal importance, it will bring desperately needed jobs to my region again and help stabilize my suffering community.

With Congress cutting programs to trim the deficit, it's noteworthy that you've found a way to increase revenues and provide environmental benefits at the same time.

Last summer, more than four million acres of forests burned, largely because of buildups of dead and dying timber. Over \$1 billion was spent to control those fires, and several lives were lost in the process.

The amendment would allow the Forest Service to recover some of the fire-damaged trees, and dying timber elsewhere, through emergency salvage sales. It calls for sales of three billion board feet each year for the next two years. No new money is needed to do this; it's already contained in the salvage trust fund. As a bonus, the amendment would give federal foresters the ability to convert dead, dying and burned forests into healthy young forests for the purpose of stabilizing soils, protecting streams, reducing the risk of catastrophic fire, and developing wildlife habitat.

With so much dead and dying timber threatening the health of our forests, and thousands of jobs at stake, it's impossible to believe that anyone would oppose a bill like this. Actually, there is a group who opposes it: environmental extremists. They don't want national forest timber harvested under any circumstances. They should be ignored,

and I encourage you to pass the bill quickly. Salvage work must begin quickly to gain value from already-burned timber and to remove dead and dying timber before it is consumed in this year's firestorms.

Sincerely,

ERNE FIERRO,

*Vice President—Product Support.*

Mr. LIVINGSTON. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Washington [Mrs. SMITH].

(Mrs. SMITH of Washington asked and was given permission to revise and extend her remarks.)

Mrs. SMITH of Washington. Mr. Chairman, I rise in opposition to the Yates amendment.

Mr. Chairman, this bill is the best news my constituents have heard in a long time—cutting Government and putting people back to work. In the State of Washington, the spotted owl has caused 50 lumber mills to close since 1989, dislocating thousands of workers.

Now, help is on the way. This bill is going to put people back to work in economically depressed areas like Grays Harbor County. A sawmill owner there informed me that this bill will free up enough timber to put 50 people immediately back to work.

This bill is also good news for small timber towns in my district like Morton, Randle, and Packwood. Mills in these towns travel thousands of miles for wood when there is salvage timber right down the road.

Do not be misled by those who claim we are going to harm the environment or small critters if we salvage this timber.

In many cases we are just taking timber that was blown down in storms and has been on the ground for several years just rotting away.

So let us improve the health of our forests and put people back to work at the same time. I urge my colleagues to reject any effort to remove the timber salvage provisions from this bill.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I rise in strong opposition to the Yates amendment. This is an obstructionist move that takes aim at the rural American taxpayer. A vote for the Yates amendment is a vote against the environment and people of this country. A vote for the Yates amendment will make our already sick forests sicker, substantially increase fire hazards and completely waste a valuable resource that can employ thousands of people in a depression community.

A vote on the Yates motion is a "no" vote. The Taylor amendment will improve the health of the forest, returning hefty revenues to Uncle Sam and put people back to work.

If your head is screwed on today, as it should be, you will vote "no" on the Yates amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DREIER].

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

Mr. DREIER. Mr. Chairman, I am very concerned about environmental quality in this country. I represent an

area in southern California that has the highest number of first-stage smog alerts in the Nation.

I have come to the conclusion that we must have a balanced policy. If we look at this issue of restoring forestry health, the need to create jobs and the opportunity to kill and actually salvage dead trees, this is the responsible approach for us to take.

I strongly support the language that is included in this bill. I believe we can bring down the cost of lumber, the cost of housing to people out there who are trying to attain the American dream and maintain environmental quality.

Support the committee position.

The CHAIRMAN. The gentleman from Illinois, Mr. [YATES] has 3½ minutes remaining.

Mr. YATES. Mr. Chairman, I have only one speaker. Did I understand the Chair to say that the gentleman from Louisiana has the right to close?

The CHAIRMAN. That is correct. He defends the committee position.

Mr. LIVINGSTON. Mr. Chairman, I yield a half minute to the gentleman from Wisconsin [Mr. ROTH].

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

First of all, let say that this Taylor amendment is a good amendment. Last year we spent a billion dollars fighting wildfires here in America. But more importantly, we lost 26 good people and millions of acres of forest land.

The past few years have seen a stunning decline in the management of the health of our forests. This amendment will give us a chance to bring some of the health back to our forests.

In the last 5 years we lost 6 billion board feet per year in timber wasted in our national forests.

This is a good, commonsense amendment, the Taylor amendment. I hope Members vote for it.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HERGER].

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

Mr. HERGER. Mr. Chairman, I rise in strong opposition to the Yates amendment. This amendment is anti-forest, anti-taxpayer, and pro-fire.

Last year 375,000 acres of forest in California and 4 million acres nationwide were incinerated by wildfire at a cost of \$1 billion of taxpayer money.

This ecological mayhem was caused primarily by the excessive buildup of nature fuels in our forests. Some extreme environmentalists claim that this buildup and the devastation it caused was natural, but to the families of the 33 fire fighters who lost their lives it was an outrageous and needless tragedy.

Mr. Chairman, I have forests in my district that are 60 and 70 percent dead and dying due to insects, disease and 7 years of drought. These forests are fire bombs that will explode in the months ahead unless we act now.

I urge my colleagues to champion our forests, our fire fighters, our taxpayers.

Vote no, no, no to the Yates pro-fire amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] has 1 minute remaining and may close the debate. The gentleman from Illinois [Mr. YATES] has 3½ minutes remaining.

Mr. LIVINGSTON. Mr. Chairman, I yield one-half minute to the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise in support of the Taylor amendment because actually this amendment did not require hearings necessarily. We are not creating new law. What we are doing is mandating that the Forest Service do whatever already has been passed in law in the Resource Planning Act and the National Forest Management Act.

It is required under those acts that the salvage be kept out of the forest. This bill does not even go far enough, because this last summer we burned 8.135 billion board feet of timber.

Mr. LIVINGSTON. Mr. Chairman, I reserve the right to close.

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] will be closing debate on his amendment.

Mr. YATES. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to the Taylor amendment.

Mr. Chairman, I rise in support of the amendment offered by Mr. YATES to strike the Taylor provision from the rescissions bill. The committee provision mandating targets for timber salvage sales on our Federal lands simply does not belong in this bill. It is an issue that should have been given ample and careful review by the appropriate authorizing committees.

The timber industry will love this Federal give-away. Under the pretense of saving our forests, the Taylor provision would instead double the amount of logging in our forests and wilderness—to 6.2 billion board feet. Armed with the excuse of removing salvage timber, roads will be built where they should never have existed and forest areas, previously untouched, will bear the new scars of timber industry greed.

The Taylor provision is a back-door attempt to open the floodgates on increased timber harvests. It is bad public policy and should be rejected. I urge my colleagues to support the Yates amendment to strike this excessive provision.

Mr. YATES. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. FARR].

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

Mr. FARR. Mr. Chairman, I rise in support of the Yates-Vento amendment.

Mr. Chairman I rise in strong support of this amendment.

Mr. Chairman, without this amendment we will in one sweep double the cutting of timber from our national forests and virtually suspend all environmental laws protecting our forests.

I urge you to support this amendment to strip the bill of provisions mandating specified levels of timber salvage sales.

The bill would declare a 2-year emergency and direct the Secretaries of Interior and Agriculture to produce a minimum total of 3.115 million board feet of timber per year. Since when does Congress set minimum cuts? Is this an effort to reduce the risk of forest fires or an effort to serve special interest logging companies?

The bill defines "salvage" timber to include the removal of live and healthy "associated trees," the removal of insect infested trees and the removal of "trees immediately susceptible to fire or insect attack."

Mr. Chairman this bill is a radical and excessive chainsaw solution that requires the Federal Government to cut regardless of environmental impact and regardless of the cost to the American taxpayer.

Vote for this amendment.

Mr. YATES. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in strong support of this amendment. It is high time we began to look at what you have written and what you have done.

The reason this has no place in a rescission bill, this is a budget buster, this particular amendment. That is why we appropriate hundreds of millions of dollars to build timber roads in this country. It is because of amendments like this that we are going to have to devastate, not only what we have to pay out of our pocketbooks, but we are going to have to pay, future generations are going to have to pay with their legacy. Read what you have done.

It protects two States in terms of wilderness: Colorado and Montana, and Montana very little. Idaho is completely open. Any area that is a non-legislative study area for wilderness is opened up. You suspend the deficit timber sale.

The fact of the matter is, this is just a fig leaf used to cover up to justify action when the authors should get arrested for indecent exposure here, based on what is going on, trying to wrap yourself in forest health. Forest health has more to do than just cutting down trees and trying to blame the wilderness areas for the fires after 100 years of fire suppression.

The proponents of this proposal would like you to believe that it is a win-win scenario, that we would be saving forests in danger of chronic health problems and extracting valuable timber. But this salvage timber sale savages the taxpayer and the national forests.

The substance of the bill points out that forest health is the least of their concerns and the real target is to ignore sound science, due process, to carve up our forests, to harvest regard-

less of law and cost. This particular measure stands every law right on its head. This is going to be the governing document, not the environmental laws, not the courts, not any type of reasonable due process that exists under current law.

You have really done it with this one. To superimpose, to mandate on the Forest Service and the BLM 6.3 billion boardfeet in the next 2 years in terms of cutting on top of everything else that they are doing, to disregard the courts, to disregard the taxpayer, to disregard everything, and it is a loser. CBO, it points out that it makes money, but they do not count the cost of the roads.

The Congressional Research Service points out that almost every sale is a deficit timber sale under salvage. You say you do not cut green trees, the definition that you put in here cuts out a lot of green trees and provides for a lot of roading in areas that are not roaded today.

This will, in fact, destroy many, many wilderness areas. This amendment deserves to be promoted. This provision of the bill should be knocked out. It has no place in a rescission bill. This is a budget buster, and it ought to be defeated, Mr. Chairman.

Mr. Chairman, I rise in support of the Yates-Vento amendment to strike the timber salvage provision. This provision is an outright assault on our public forests and environmental laws and does not belong in this bill or any rescission proposal because it is a revenue loser. It costs the taxpayer twice—from their wallet and from the destruction of natural legacy. The salvage timber provision not only violates House rules on legislating in an appropriations bill, but arrogantly wraps itself in a label of forest health while savaging the substantive scientific issues involved.

This provision should be labeled for what it is—under the guise of improving forest health this provision would allow timber companies heretofore unfettered access to logging in our national forests suspending all environmental laws, all past Federal court decisions, and all public input. The fig leaves used to cover up, to justify such action, should get the authors arrested for indecent exposure.

Proponents of this provision would like you to believe that this is a win-win scenario, that we would be saving forests in danger from chronic health problems and extracting valuable timber. But not this salvage timber provision which savages the taxpayer and the national forests. The substance of this bill points out that forest health is the least of their concerns and that the real target is to ignore sound science, due process and to carve up our forests to harvest regardless of law and cost.

Roadless areas will be carved up in many States and even areas being proposed and studied for NFS or BLM wilderness would be put to the bulldozer, the saw and the axe with this Taylor policy. The unrealistic goal of 6 billion board feet if enacted would change the face of America's landscape. Like a Third World nation, American exploitation would be our national patrimony for the profit of the few at the expense of the taxpayer and our national legacy.

The definition of salvage timber sales and the arbitrary mandated 6.3 billion board feet number contained in the provision clearly exposes the centerpiece of benefits being yielded to the timber industry. Salvage timber sales are defined so broadly that extensive logging of healthy trees and forests would be fair game. The Bureau of Land Management memo readily points this out: "This is an obvious attempt to open up areas for timber harvest without regard to environmental safeguards. It would not be necessary to set minimum harvest levels if the intent were to simply remove the trees in need of salvage."

The National Forest Service [NFS] in fact has a comprehensive plan to address chronic forest health problems based on five primary actions, of which selective harvesting is but one element. However the Forest Service is careful to point out that salvage timber harvesting is not always the best treatment for rehabilitating forests and can be used in context with thinning, species composition, prescribed burning and watershed restoration.

The NFS report asserts: "Some salvage—harvesting—is desirable, but often salvaging dead and dying trees in and around root disease centers can aggravate the situation and result in increased mortality \* \* \* It should be recognized that salvage alone will do little to enhance forest health. Our ecosystem analysis will determine whether and when salvage should take place."

Mr. Chairman, I agree that we need to aggressively address chronic forest health problems. But salvage logging has significant impacts on fish, wildlife, soil, and other resources just as in the case of any other kinds of timber harvest. Forest health has been hijacked in this debate. To simply justify this salvage/salvage operation—the same old business as usual with Congress feeding the timber company harvest sales figures without regards to science or the facts, is irresponsible. Past sales figures so stressed U.S. forests in even the most productive areas that the courts had to step in and stop the violation of fundamental laws—laws that this slam dunk timber salvage bill overrides and throws out.

Lastly, the September 26, 1994, CRS report on salvage sales should be kept in mind with regard to cost. Notwithstanding some creative CBO scoring on this bill, I quote: "Salvage sales often cost more than the revenues they can generate because of lower timber quality and higher operating costs for buyers." The report goes on to point out that even on revenue generators Treasury loses because by law, 100 percent must be returned to the salvage fund and 25 percent of the value must be paid to State and local governments, that is, the dollars incidentally are permanently appropriated—125 percent spending of 100 percent of the revenue. Now we find out that the Congressional Budget Office [CBO] doesn't even score the costs of timber roads regarding such sales and that the NFS pays out the local revenue up front inconsistent with the law—the taxpayer is left holding an empty bag with the enormous rehabilitation and reforestation tab for yet more hundreds of millions of dollars.

Approving the salvage timber harvest provision in this legislation disregards the science of all environmental laws governing timber harvesting, flies in the face of common-sense budgeting and elemental fairness. I strongly



urge the Members to strike this 14 page legislative timber grab from the bill.

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

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] has the right to close and has 30 seconds remaining.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from California, [Mr. DOOLITTLE].

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

Mr. DOOLITTLE. Mr. Chairman, I rise in strong support of the Taylor amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield the balance of my time, 20 seconds, to the gentleman from Washington, [Mr. METCALF].

Mr. METCALF. Mr. Chairman, this 500-year old Douglas fir is a blow down in Washington State. Mr. Carlson tried to buy it for his lumber mill for \$10,000 to \$20,000. He was refused. Later on, as it deteriorated, it was sold for firewood and the taxpayers got just under \$100.

Let us stop this waste and oppose the Yates amendment.

Mr. LIVINGSTON. Mr. Chairman, I would only say that Federal firefighting alone cost \$1 billion in 1994 and whoever sent this flier out that says Speaker GINGRICH is for the Yates amendment and against this Taylor amendment is wrong. This is not true.

Mr. RICHARDSON. Mr. Chairman, I rise in support of the Yates-Vento amendment.

As my colleagues know, this amendment would strike provisions in the bill which mandate specific levels of timber salvage sales on Federal lands in fiscal years 1995 and 1996.

The Yates-Vento amendment would maintain common sense in American land use planning. It would strike the bill's dangerous salvage sale provisions and ensure that Congress doesn't allow the raiding of the Treasury and the pillaging of the environment just to hand a bonus check to the timber industry.

Our distinguished colleagues SID YATES and BRUCE VENTO have warned that this provision is a timber lobbyist's dream. But it is more than that. It is a taxpayer's nightmare.

As Mr. YATES noted during last week's markup, no funds will be returned to the Treasury from the salvage sales, since all receipts will go into the Salvage Fund or to individual counties. The losses to the U.S. Treasury will require subsequent supplemental appropriations and new funding to cover the costs.

The bill ignores our current fiscal problems and encourages timber to be cut at any cost, stating in section c(5) that salvage activities "shall not be precluded because the costs of such activities are likely to exceed revenues derived from such activities."

This means that even if salvage sales don't make money, they will continue, because Congress has said that protecting the timber industry is more important than protecting the environment or safeguarding the U.S. Treasury.

Perhaps even more incredibly, this provision would waive all Federal laws. By passing this bill unchanged, we would literally be suspend-

ing criminal law, conflict of interest limitations, Federal contracting requirements and anti-fraud provisions, not to mention the rule against obligating Federal funds without authority to do so.

Left unchanged, the bill replaces the rule of law with lawlessness. It says to the American people that Congress cares more about creating a few temporary jobs now than it does about deficit reduction and environmental protection for the future.

During the debate on this bill, we have heard a lot of rhetoric that this salvage authority is desperately necessary to save our forests and ensure forest health.

What we have not heard is that the Forest Service is already conducting an aggressive "salvage" program.

In fact, since 1978, the Chief's Annual Reports show that 15 percent of the cut was salvage—a figure representing more than 22 billion board feet!

The Forest Service currently has all the legal authority it needs to carry out an aggressive salvage program within existing law and clearly intends to do just that.

But perhaps my biggest concern with this ill-gotten gains legislation is that the level of logging required by this provision would require massive new road-building in roadless areas and massive clear-cutting.

Both of these practices seriously degrade the environment, including eroding the soil; harming the watersheds downstream; destroying salmon and trout spawning and rearing habitat; threatening watersheds and drinking water supplies and reducing the ability of forest soils to nourish healthy forests.

Mr. Chairman, in all the rhetoric of the debate on this issue, we've heard repeatedly about how the Clinton administration's land use policies have constituted some kind of "War on the West."

I would submit that this timber salvage provision is the real war on the West.

Unless we pass the Yates-Vento amendment to strike this industry bonus program, we will deliver a one-two punch to our country: we'll be robbing the Treasury and destroying our environment and the precious natural resources we all cherish.

Mr. Chairman, I did not come to Washington to do that. My constituents sent me here to ensure that we have an environment that is protected, natural resources that will still be around for future generations to enjoy, and a fiscal policy that makes sense.

They did not send me to Washington to vote for legislation dressed up to look like Little Red Riding Hood that's really the Big Bad Wolf.

Vote yes on the Yates-Vento amendment.

Mr. McDERMOTT. Mr. Chairman, I rise in support of the Yates-Vento amendment because it corrects the misguided piece of legislation which sits before us today. Unless changed through the adoption of the Yates-Vento amendment, this rescissions bill will seriously harm America's national forests.

Last week, while the Republican majority was busy cutting and slashing social programs which benefit America's neediest Americans, they got so carried away that they thought they might clear-cut a few trees as well.

Unfortunately, what has been tacked on to this "rescissions" bill is a costly environmental disaster known as a timber salvage plan. Although timber salvage is rhetorically pleas-

ing—evoking images of saving rotting trees from their imminent demise, this timber salvage plan is a thinly disguised excuse for unregulated timber harvest in our treasured national forests.

As written, the timber salvage plan would mandate that 6.2 billion board feet be cut from our national forests over the next 2 years. Even more horrifying is that a majority of this astounding sum will come from our Northwest national forests most pristine roadless areas and old-growth remnants.

In order to go in and harvest these trees, the legislation before us today allows an extreme and unjustifiable legal exemption which permits the Forest Service salvage program to operate well beyond Federal laws and environmental regulations for the next 2 years.

I urge my colleagues to oppose this irresponsible environmental policy masquerading as timber salvage before us today and pass the Yates-Vento amendment. Allowing the so called timber salvage plan to pass not only threatens the future of our national forests, it continues Congress' irresponsible assault on our Nation's environmental policy.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in strong opposition to the Yates amendment which attempts to remove the Taylor-Dicks emergency salvage language from this bill.

Throughout the West, the condition of our forests could not be worse. Years of drought and lack of any management activity on these lands led last summer to some of the most devastating wildfires on record. Millions of acres of pristine national forest land were destroyed and 34 lives were lost. If we don't take emergency action, millions more acres will be destroyed and even more lives could be lost during the upcoming fire season.

The Taylor-Dicks language in the bill allows for the immediate harvest of 6.2 billion board feet of dead and dying timber. In addition to providing for healthier forests and more wood for our struggling timber dependent communities, this provision will bring in an estimated \$1.5 billion of revenue into the Federal treasury.

Mr. Chairman, the Taylor-Dicks amendment is good for the economy. It is good for the environment. And on top of all that, it is good for deficit reduction. Rarely in this body do we come across a "win-win-win" situation. I urge my colleagues to take advantage of this opportunity by voting no on the Yates amendment.

The CHAIRMAN. All time has expired.

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

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 275, answered "present" 1, not voting 8, as follows:

[Roll No. 240]

AYES—150

Abercrombie  
Ackerman

Baker (LA)  
Baldacci

Barrett (WI)  
Becerra



Beilenson	Green	Oliver
Berman	Greenwood	Owens
Blute	Gutierrez	Pallone
Boehlert	Hall (OH)	Pastor
Bonior	Harman	Payne (NJ)
Borski	Hastings (FL)	Pelosi
Boucher	Hilliard	Porter
Brown (CA)	Hinchey	Rahall
Brown (OH)	Jackson-Lee	Reed
Bryant (TX)	Jacobs	Reynolds
Cardin	Jefferson	Richardson
Clay	Johnson, E.B.	Rivers
Clayton	Johnston	Rose
Clyburn	Kanjorski	Roukema
Coleman	Kaptur	Roybal-Allard
Collins (IL)	Kennedy (MA)	Rush
Condit	Kennedy (RI)	Sabo
Conyers	Kennelly	Sanders
Coyne	Kildee	Sanford
de la Garza	Klecza	Sawyer
DeFazio	LaFazio	Schroeder
DeLauro	Lantos	Schumer
Dellums	Lazio	Scott
Deutsch	Levin	Serrano
Dingell	Lewis (GA)	Shays
Dixon	Lipinski	Skaggs
Doggett	Lofgren	Slaughter
Durbin	Lowey	Stark
Ehlers	Luther	Stokes
Engel	Maloney	Studds
Eshoo	Manton	Thompson
Evans	Markey	Torkildsen
Farr	Matsui	Torres
Fattah	McDermott	Torricelli
Filner	McKinney	Towns
Flake	Meehan	Velazquez
Foglietta	Meek	Vento
Ford	Meyers	Visclosky
Fox	Mfume	Ward
Frank (MA)	Miller (CA)	Waters
Frost	Mineta	Watt (NC)
Furse	Minge	Waxman
Gejdenson	Mink	Weldon (PA)
Geren	Moakley	Wise
Gibbons	Moran	Woolsey
Gilchrest	Morella	Wyden
Gilman	Nadler	Wynn
Gonzalez	Neal	Yates

## NOES—275

Allard	Collins (GA)	Goss
Andrews	Combest	Graham
Archer	Cooley	Gunderson
Armey	Costello	Gutknecht
Bachus	Cox	Hall (TX)
Baesler	Cramer	Hamilton
Baker (CA)	Crane	Hancock
Ballenger	Crapo	Hansen
Barcia	Creameans	Hastert
Barr	Cunningham	Hastings (WA)
Barrett (NE)	Danner	Hayes
Bartlett	Davis	Hayworth
Barton	Deal	Hefley
Bass	DeLay	Hefner
Bateman	Diaz-Balart	Heineman
Bentsen	Dickey	Hilleary
Bereuter	Dicks	Hobson
Bevill	Dooley	Hoekstra
Bilbray	Doolittle	Hoke
Billirakis	Dornan	Holden
Bishop	Doyle	Horn
Bliley	Dreier	Hostettler
Boehner	Duncan	Houghton
Bonilla	Dunn	Hoyer
Bono	Edwards	Hunter
Brewster	Ehrlich	Hutchinson
Browder	Emerson	Hyde
Brown (FL)	English	Inglis
Brownback	Ensign	Istook
Bryant (TN)	Everett	Johnson (CT)
Bunn	Ewing	Johnson (SD)
Bunning	Fawell	Johnson, Sam
Burr	Fields (LA)	Jones
Burton	Fields (TX)	Kasich
Buyer	Flanagan	Kelly
Callahan	Foley	Kim
Calvert	Forbes	King
Camp	Fowler	Kingston
Canady	Franks (CT)	Klink
Castle	Franks (NJ)	Klug
Chabot	Frelinghuysen	Knollenberg
Chambliss	Frisa	Kolbe
Chapman	Funderburk	LaHood
Chenoweth	Galleghy	Largent
Christensen	Ganske	Latham
Chrysler	Gekas	LaTourrette
Clement	Gillmor	Laughlin
Clinger	Goodlatte	Leach
Coble	Goodling	Lewis (CA)
Coburn	Gordon	Lewis (KY)

Lightfoot	Packard	Souder
Lincoln	Parker	Spence
Linder	Paxon	Spratt
Livingston	Payne (VA)	Stearns
LoBiondo	Peterson (FL)	Stenholm
Longley	Peterson (MN)	Stockman
Lucas	Petri	Stump
Manzullo	Pickett	Stupak
Martinez	Pombo	Talent
Martini	Pomeroy	Tanner
Mascara	Portman	Tate
McCarthy	Poshard	Tauzin
McCollum	Pryce	Taylor (MS)
McCrery	Quillen	Taylor (NC)
McDade	Quinn	Tejeda
McHale	Radanovich	Thomas
McHugh	Ramstad	Thornberry
McInnis	Regula	Thornton
McIntosh	Riggs	Thurman
McKeon	Roberts	Tiahrt
McNulty	Roemer	Trafigant
Menendez	Rogers	Tucker
Metcalfe	Rohrabacher	Upton
Mica	Ros-Lehtinen	Volkmer
Miller (FL)	Roth	Vucanovich
Molinari	Royce	Waldholtz
Mollohan	Salmon	Walker
Montgomery	Saxton	Walsh
Moorhead	Scarborough	Wamp
Murtha	Schiff	Watts (OK)
Myers	Sensenbrenner	Weldon (FL)
Myrick	Shadegg	Weller
Nethercutt	Shaw	White
Neumann	Shuster	Whitfield
Ney	Sisisky	Wicker
Norwood	Skeen	Wilson
Nussle	Skelton	Wolf
Oberstar	Smith (MI)	Young (AK)
Obey	Smith (NJ)	Young (FL)
Ortiz	Smith (TX)	Zeliff
Orton	Smith (WA)	Zimmer
Oxley	Solomon	

## ANSWERED "PRESENT"—1

Williams

## NOT VOTING—8

Collins (MI)	Gephardt	Schaefer
Cubin	Herger	Seastrand
Fazio	Rangel	

□ 1800

The Clerk announced the following pairs:

On this vote:

Miss Collins of Michigan for, with Mrs. Cubin against.  
Mr. Rangel for, with Mr. Herger against.

Mrs. THURMAN and Ms. BROWN of Florida changed their vote from "aye" to "no."

Messrs. GREENWOOD, TOWNS, and GILMAN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. HERGER. Mr. Chairman, I inadvertently missed the vote on the Yates amendment to strike the timber sales language in the bill. I would have voted "no."

## AMENDMENT OFFERED BY MR. PORTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PORTER: On page 23, line 10: strike "\$1,603,094,000" and insert "\$1,601,850".

On page 24, line 18: strike "\$3,253,097,000" and insert "\$3,221,397,000".

On page 25, line 12: strike "\$82,775,000" and insert "\$53,925,000".

On page 26, line 20: strike "\$2,168,935,000" and insert "\$2,178,935,000".

On page 29, line 4: strike "\$113,270,000" and insert "\$148,570,000" and on line 5: strike "\$105,000,000" and insert "\$140,000,000".

On page 29, line 16: strike "\$757,132,000" and insert "\$747,021,000".

On page 29, line 18: strike "\$60,000,000" and insert "\$90,000,000".

On page 29, line 19: strike "-D," and insert "-E".

On page 29, line 20: strike "\$21,384,000" and insert "\$10,084,000".

On page 29, line 22: strike all after the semicolon through the semicolon on page 29, line 23.

On page 30, line 20: strike "\$232,413,000" and insert "\$119,544,000".

On page 30, line 22: after "III-A," insert "and".

On page 30, line 22: strike "and -E,".

On page 30, line 23: strike "\$151,888,000" and insert "\$43,888,000".

On page 30, line 24: strike "section".

On page 30, line 25: strike "384(c),".

On page 30, line 25: strike "\$31,392,000" and insert "\$26,523,000".

On page 31, line 6: strike "\$83,375,000" and insert "\$187,475,000".

On page 31, line 7: after "IV," insert "part A-1,".

On page 33, line 11: strike "\$34,742,000" and insert "\$26,716,000".

On page 33, line 13: after "\$15,300,000" strike ", and part VI, \$8,026,000".

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the 30 minutes on this amendment be divided between myself and the gentleman from Wisconsin [Mr. OBEY], the ranking member.

The CHAIRMAN. Is the gentleman from Wisconsin [Mr. OBEY] opposed to the amendment?

Mr. OBEY. No, Mr. Chairman, I am not.

The CHAIRMAN. Is there any Member opposed to the amendment offered by the gentleman from Illinois?

Hearing none, the unanimous-consent request will be accepted without objection.

There was no objection.

## MODIFICATION TO AMENDMENT OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the amendment be modified to correct three technical errors in the drafting of it, and I have an amendment for that purpose at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment offered by Mr. PORTER, as modified:

On page 23, line 10: strike "\$1,603,094,000" and insert "\$1,601,850,000".

On page 24, line 18: strike "\$3,253,097,000" and insert "\$3,221,397,000".

On page 25, line 12: strike "\$82,775,000" and insert "\$53,925,000".

On page 26, line 20: strike "\$2,168,935,000" and insert "\$2,178,935,000".

On page 29, line 4: strike "\$113,270,000" and insert "\$148,570,000" and on line 5: strike "\$105,000,000" and insert "\$140,300,000".

On page 29, line 16: strike "\$757,132,000" and insert "\$747,021,000".

On page 29, line 18: strike "\$60,000,000" and insert "\$90,000,000".

On page 29, line 19: strike "-D" and "-E,".

On page 29, line 20: before "-G" and strike "and".

On page 29, line 20: strike "\$21,384,000" and insert "\$10,084,000".

On page 29, line 22: strike all after the semicolon through the semicolon on page 29, line 23.

On page 30, line 20: strike "\$232,413,000" and insert "\$119,544,000".

On page 30, line 22: after "III-A," insert "and".

On page 30, line 22: strike "and -E,".

On page 30, line 23: strike "\$151,888,000" and insert "\$43,888,000".

On page 30, line 24: strike "section".

On page 30, line 25: strike "384(c),".

On page 30, line 25: strike "\$31,392,000" and insert "\$26,523,000".

On page 31, line 6: strike "\$83,375,000" and insert "\$187,475,000".

On page 31, line 7: after "IV," insert "part A-1,".

On page 33, line 11: strike "\$34,742,000" and insert "\$26,716,000".

On page 33, line 13: after "\$15,300,000" strike ", and part VI, \$8,026,000".

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

Mr. PORTER. Mr. Chairman, I offer the amendment to correct 12 line items in our portion of the rescission bill, and I said, Mr. Chairman, that when we began our markup, we probably would make some mistakes. I think we did. We have attempted to correct them through this amendment.

It would add back to the National Skill Standards Board \$500,000.

To the Women in Apprenticeships program also under the Department of Labor \$744,000.

To organ transplantation under the Department of Health and Human Services, \$2.45 million, and 3 rural programs under that department, rural outreach at \$27.4 million, rural hospital transition grants, \$8.5 million, and essential access community hospitals, \$1.5 million.

Under the Department of Education, Mr. Chairman, we would add back \$28.811 million. Tech prep, \$108 million. In each case, in both of those cases, all of the amount that was rescinded.

Arts and education, \$6 million.

Library literacy, \$8.26 million.

National Institute for Literacy, \$4.869 million.

And Reading is Fundamental, \$5.3 million.

This would be offset by State unemployment insurance and employment service operations, \$31.7 million, which is money that is not needed.

From the \$300 million of surplus and Pell grants, \$104.1 million.

From the Eisenhower Professional Development line, \$30 million.

And from title I, \$35.3 million.

I do not believe that there is opposition to the amendment, Mr. Chairman. I would commend it to the Members.

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

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I guess this amendment is what I would put in the category of "Thank You for Small Favors."

What the subcommittee of the gentleman from Illinois [Mr. PORTER] originally did on this bill is to cut \$5.9 billion out of programs such as Healthy Start, Chapter 1. Safe and drug-free schools were eliminated. Education for the homeless was cut in half. Tech prep was cut by \$108 million. School-to-work was cut by \$25 million. 100,000 State incentive grant scholarships were cut out for college kids. Public broadcasting was cut 10 percent the first year, \$60 million the next year, and put on a 3-year route to oblivion. Summer jobs is totally eliminated in both 1995 and 1996. The new program to raise educational standards, Goals 2000, was cut by a large amount. The Eisenhower teacher training program was cut by a very large amount. All in total, \$5.9 billion.

In addition, the energy assistance program was ended under which 2 million seniors get help to pay their home heating bills. Even programs like Green Thumb were reduced. Veterans medical care was cut back by \$200 million, something which the House has scurried now to reverse today.

Now this amendment out of that \$5.9 billion restores \$200 million, about 4 percent of the mistake.

It restores that \$200 million by making an additional cut in title I. It makes an additional cut in Eisenhower teacher training, and in the Pell grant carryover.

What it does is to restore the cut that was made in homeless kids and to restore \$37 million of the cuts that were made in rural health programs.

In the rural health area, it still leaves substantial cuts in the rural outreach program, in the rural hospital transition program, and in the essential access community hospitals program.

I am not very happy about where these cuts come from, but I think that it is hard to object to where they go in the tiny restoration which is accomplished by this amendment, and so I would simply say that I would support the amendment but I think all it does is indicate just how savage some of the reductions and how misguided some of the reductions were that were made in the first place.

I would also note that despite the fact that we were told earlier today by the chairman of the Committee on Appropriations that this bill needed to be supported because there were way too many education programs and way too many job training programs, that this amendment manages to restore 4 of the programs which were eliminated and the elimination for which the Republicans were taking credit just about 2 hours ago, including, I understand, one that has even caught the interest of the speaker, I am happy to say.

So it seems to me that we cannot object to this restoration, but it does in the process of restoration indicate how misguided many of these original reductions were, targeted as they were at kids and senior citizens.

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

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentleman from Delaware [Mr. CASTLE].

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

AMENDMENT OFFERED BY MR. CASTLE TO THE AMENDMENT OFFERED BY MR. PORTER, AS MODIFIED

Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. CASTLE to the amendment offered by Mr. PORTER of Illinois, as modified: Strike the item in the amendment relating to page 29, line 18, of the bill and insert the following:

On page 29, line 18: strike "\$60,000,000, title IV, \$481,962,000," and insert "\$100,000,000, title IV, \$471,962,000,".

Mr. CASTLE. Mr. Chairman, the effect of this amendment, the numbers are large but the basic effect of what this amendment does is it reduces the Eisenhower Program which I will explain in a minute by \$10 million, actually \$10 million beyond the \$90 million that is already going to be reduced, and it leaves \$10 million in the safe and drug-free schools and communities to be used for the DARE program.

That particular program is not a line item program and it is very important, I think, that we establish on the floor here today that the intent of this body is that \$10 million which will be left in the safe and drug-free schools and communities program will be used for the DARE Program, a program which I think has generally been viewed as highly successful in virtually every State of the 44 States it is in, of the 50 percent of the school districts across the United States of America which is participated in by many, many tens of thousands of children and which may have had a positive an effect on dealing with the problems of young people using drugs as any other program which I know of in my personal hands-on experience in the drug area.

It also has the benefit of leaving this particular area open as the Senate considers this legislation to show that we consider this to be vitally important. That is the intent of what we do.

The Eisenhower Program which is going to be cut an additional \$10 million supports State grants for the professional development activities to address teacher training needs in all the core academic subject areas and indeed that is going to still have some \$220,298,000 left when it is all said and done.

□ 1815

So that is the intent of the amendment which is before us.

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

Mr. CASTLE. I yield to the gentleman from Georgia for a moment to discuss the DARE Program.

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

I would just like to say in my hometown, Colquitt County, GA, the DARE Program has been extremely important in our educational system. The program has been in effect for the last 4 or 5 years, during which period of time we have had numerous incidents of the police officers who come into the school being looked upon as role models by the other students. This had led not only to an increase in awareness of the drug situation and alcoholism in our homes, but it also provided many other benefits in the area of child abuse.

It is a program that I am very familiar with, my wife having been a teacher for 25 years in our public school system. It is something that has worked very well; it is something that is needed and I support the gentleman's amendment.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from the Commonwealth of Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I too rise to support of the Castle amendment to the Porter amendment because the DARE Program happens to be the best anti-drug, anti-alcohol, pro-student program there is in the United States. It started in Los Angeles County some years ago in the sheriff's department. It is now administered in Pennsylvania through most of our sheriffs departments.

It starts in fifth grade and teaches the refusal skills, leadership skills. It has done more to bring families together, to have students focus on what is really important about learning and leading. It has led to students actually being involved with community policing.

I know in Montgomery County, Pennsylvania, and in fact the Delaware Valley area how important the DARE Program has been, and this amendment is certainly a step in the right direction to underscore for our students, for parents and for teachers that this is the kind of program that the Congress can endorse, the kind of program that America needs, and I fully support this program, which is in support of DARE, which is the drug abuse education program, and I believe the Castle amendment deserves the support of all of our colleagues here in the House of Representatives and I appreciate the opportunity to speak on its behalf.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute and 15 seconds.

Mr. Chairman, I simply want to say I think this amendment indicates just how ludicrous the proposal is which is before us. The bill recommended by the Republican majority eliminates \$482 million for drug-free schools, and then it tries in this amendment to restore \$10 million of that \$482 million reduction.

It pretends that it is going to restore the money for D.A.R.E. But in fact, this amendment cannot restore the money for D.A.R.E. because this money goes out by formula, goes to States and local school districts, and the school districts have the authority to decide how the money is spread out.

So we can pretend, by restoring a tiny \$10 million fig leaf, that we are restoring D.A.R.E., but in fact this amendment does no such thing. It merely pretends to do that. And I guess it is sort of in the context of eliminating the entire drug-free school program; it is sort of like burning down the House but keeping the front doormat there as a souvenir; that is about all we have left of the drug-free school program.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise certainly in opposition to the warped rescission bill that we have before us. I appreciate my colleague from Illinois [Mr. PORTER] and our colleague from Delaware [Mr. CASTLE] attempting to try and mollify and to key dollars to some of the special programs. I know in the homeless youth education program that there is a small program here where he tries to. But I think as we look closely at the what is happening here, we are losing our focus.

A gaping wound is cut and targeted to the Department of Housing and Urban Development, public housing development. In fact, there is a drug rehabilitation program that is targeted for public housing that is eliminated in this rescission bill, and block grants.

The bulk of these programs provide basic housing for Americans in dire need of assistance that virtually prevent and end homelessness for thousands of families and children, and keep our senior citizens in their own homes independent instead of in more expensive nursing homes and dependent.

Mr. Chairman, I would just point out that this measure before us does precious little to deal with the deficit. In fact, as we know, the Republicans plan to use most of it for a tax cut for the well-off. And regrettably, the human deficit that continues to grow, the kids in poverty, the unemployed, the underemployed, the elderly, deeper and deeper the despair grows that pervades their lives; they live in the shadows.

We ought to do better; we can do better. We ought to offer hope. We ought not to be pulling away the very threads that tend to guide these people to a better life and to the people we represent.

Mr. Chairman, while I appreciate the gentleman's effort to try and put out a doormat for these, I think we need real programs and we have had them. I hope in the future we can work for that.

I think it is regrettable we are trying to pass a bill like this. I think 43 percent of the cuts in this program go right at the Department of Housing

and Urban Development, at the homeless, at programs that deal with public assistance, and our cities will not be able to absorb those types of cuts in the next 6 months.

Mr. Chairman, I rise in opposition to this warped rescissions bill which cuts \$17.1 billion in spending mostly from programs that serve working families, children, the elderly and our Nation's veterans, and uses these cuts—not to cut our deficit—but instead to fund the current California disaster relief and primarily to fund a tax cut for well off Americans. Further, under this rule, which requires that restoration of funds not only be paid for from the same chapter, but only from the programs included in this bill in the first place, the basic inequitable nature of the bill is compounded. Changes are only possible by further cutting the people programs included in the bill before us not the programs that are not included. This is like the starving fighting over a crust of bread.

Let me be clear, I am not opposed to paying for the supplemental assistance to California earthquake victims. I am, however, deeply concerned that we are paying with cuts in programs of those least able to pay. Knowing that the Republicans want these rescinded funds to be used for a GOP contract tax cut for the rich is adding salt to an open wound. Furthermore some of the very programs cut are taking from the California victims themselves. This is nonsensical.

Mr. Chairman, a gaping wound is the cuts targeted for the Department of Housing and Urban Development: Public Housing Development and Modernization, Housing for People with AIDS, Lead-Based Paint, Congregate Services for the elderly, Drug Elimination grants, and Community Development Block Grants are some of the basic programs that this bill targets.

The bulk of these programs provide basic housing for Americans in dire need of assistance. They literally prevent or end homelessness for thousands of families and children and keep our senior citizens in their own homes—independent—instead of more expensive nursing homes—dependent. There is a direct link between housing assistance and homelessness. Reducing Section 8 assistance will affect at least 12,000 homeless families and children who will be forced to stay in shelters or on the street instead of in permanent housing. Some have estimated as many as 63,000 families could be homeless because of this bill before the House today. These numbers are part of an entire picture of the United States which research has shown to have 7 million people in the past 5 years who have been homeless. Increasing homelessness through obliterating housing assistance is wrong. We can't deny the facts. We should not be washing our hands of the issue and withdrawing from a limited commitment.

The fact of the matter is, 43 percent of these rescissions are from programs affecting housing and community development. That is not balanced and not fair. It is a tremendously unfair burden to place upon programs that support working American families, children, the elderly, people with disabilities and the homeless. These cuts are real—very real, not just cuts in bureaucratic bodies. In Minnesota, alone, under the provisions of the total bill we would have an estimated loss of over \$296 million. Minnesota would lose 886 Section 8

units, \$15.5 million in public housing modernization, \$2.8 million in operating subsidies, \$4.7 million in Community Development Block Grant funds, and almost \$1 million in AIDS housing. These are funds that have been planned for and are an integral part of hundreds of responsible communities' futures. Minnesotans had a right to count on the funding for the last 6 months of this 1995 fiscal year to stay in place.

Other homeless assistance programs under the McKinney Act are decimated by this rescissions bill: job training for homeless veterans, education for homeless children, adult education and literacy, and the McKinney portion of the Emergency Community Services Block Grant. These are not budget busting programs. These are not problem programs—they are working in Minnesota. This elimination serves notice that the unique programs designed to take the necessary step for our most vulnerable citizens today are serving as targets, literally: targets for potshots at programs aimed at alleviating poverty and helping working people help themselves.

Mr. Chairman, several amendments will be offered here today that I will support—amendments to restore what was so irresponsibly cut from vital housing programs and I would urge my Colleagues to support these amendments that will prevent homelessness and the tremendous burden that that represents for people and governments. Unfortunately, because of this gag rule, several more amendments I would have supported cannot be offered.

Referring back to the underlying legislation, another provision which deeply concerns me is the proposal to zero out the funding for the Low-Income Home Energy Assistance Program, otherwise known as LIHEAP. As a Member from one of the coldest States in the Nation, I am alarmed by the potential impact of this ill-advised action.

In 1994, approximately 6.1 million households received aid to help cover heating costs nationwide. Nearly half of these households contain elderly or handicapped persons—often on fixed incomes—and about 80 percent of them earn less than \$10,000 a year. Where are these people to turn when they no longer can afford to heat their homes? Where are my constituents in St. Paul to turn when the temperature drops to 15 or 20 degrees below zero and they do not have the money to pay for heating fuel?

The Republican answer to us today is that the States and the utility companies will pick up the tab. Are they so flush with money? Well, the reality of the situation is that this \$1.3 billion LIHEAP rescission is literally going to leave families in the cold. The shortfalls in our economy and disparities of incomes today, need programs such as LIHEAP to fill in the gaps.

The atrocious cuts to education contained in this bill counter any pretense of deliberate consideration of public policy. My frustration with the education cuts contained in this bill are not only with the cuts to Minnesota, which are indeed significant—over \$14 million—but also with the lack of respect for the children

who are our future. Every dollar for education is an investment in the future of this country and our national economy. This bill eliminates the funds used by 94 percent of schools across the country to make schools safer and drug free. This action is not just thoughtless, it is ignorant of the problems and needs and it is this indifference that speaks to an arrogance in this Congress today which doesn't serve the people. This bill cuts funds to assist students striving to meet higher standards for achievements and kills aid that makes college more accessible for thousands of students. At a time when jobs demand more preparation, cutting education funding is indeed a losing proposition. We need to support education as a budget priority and this bill before the House has it backward.

The cuts in summer youth job training and employment programs are illogical and short-sighted. How can we advocate choosing sensible alternatives when indeed none would exist for so many of our urban youth with this program terminated. Young people often choose improper behavior, even illegal activities, and the cost associated with the juvenile justice system pale in comparison to the cost of helping young people prepare themselves for a responsible future. The \$210 million cut in the National and Community Service [AmeriCorps] has the same effect of pulling the rug out from under positive opportunities which offer hope for the future for young adults.

Another of President Clinton's priorities, Community Development Financial Institutions [CDFIs], whose development was bi-partisan, has fallen under the rescissions axe. CDFIs could be powerful utilizers of Federal seed capital for private sector community activities that will provide job creation, economic development, and affordable housing opportunities in low- and moderate-income neighborhoods. The cut of their funding before they have even had a chance to prove themselves is grossly unfair.

From the party that claims the high ground on private property rights and management of our National Parks, the cuts contained in this legislation strike me as hypocritical. The rescissions to both the BLM and National Park Service Land Acquisition funds are a perverse infringement on private property rights. Private property owners within parks or the public domain want to sell their land to the Federal Government but this legislation eliminates the funding needed to accomplish such end—in effect, denying property owners such long sought compensation. In addition, my Republican colleagues constantly complain about the inability of the NPS to manage their backlog and yet the first thing they do is to eliminate the funding necessary to carry out commitments—hence compounding the problem. When will we engage in common sense regarding this debate?

Mr. Chairman, I have grave concerns in what these rescissions mean both in themselves and in what they signal as the direction of this Republican Congress. What I am seeing is an erosion in support for working fami-

lies and an eradication of support for those who cannot make ends meet: all in order to give folks making \$200,000 or more a tax break and such tax cut is 30 times more than families making \$20 to \$30,000 a year. As I said, Minnesota will be out nearly \$300 million in the next 6 months if this proposed bill were to become law. These cuts have been narrowly pulled from a small part of the Federal budget, cut from American working families, their housing, their schools, in essence, their hope for a better life.

Mr. Chairman, we have a budget deficit and we have a human deficit. This rescission bill will do little to help the deficit. In fact, the Republicans plan to use it for a tax cut for the well off, and regrettably the human deficit grows, the kids in poverty—the unemployed deeper, and the underemployed. The despair pervades those in the shadow of our society. We ought to be offering hope. This legislation does not acknowledge the reality that the Federal Government must remain a partner for supporting the basic needs of our citizens, and not serve as just an agent to cost shift burdens to State and local governments, and the non-profit sector that is already operating on overload today. I urge my colleagues to oppose this legislation.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. CLAY].

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

Mr. CLAY. Mr. Chairman, I rise in opposition to this rescissions bill.

In my 30-plus years in public service I have never witnessed such a vicious and mindless assault on the Nation's children.

This rescission bill is the clearest demonstration of the cynicism, indecency and greed of a Republican strategy to relieve their rich friends of the responsibility to pay taxes.

They would rather eat their young than cut one penny—one penny—out of defense.

Let the record show: when the Republicans decided to cut spending to pay for their tax cut they went after children, especially disadvantaged children. They went after these children with vengeance.

Nearly two-thirds of the rescissions are in low-income programs—even though they account for only 12 percent of fiscal year 1995 discretionary appropriations. The bill would slash 15 percent of appropriations for low-income programs, while other programs would be cut by only 1 percent.

At a time when we should be investing in our people, this bill reduces funding in education and job training. At a time when we should be addressing important social issues, this bill eliminates funding for the drug free schools program. At a time when politicians praise the value of work, this

bill eliminates the Summer Jobs Program and reduces job training funding. No Mr. Chairman, this bill makes no sense at all.

This bill terminates programs that everyone who cares about our schools tells us, without a dissenting voice, are important.

This bill terminates the Drug Free Schools Program. This bill is the major Federal effort aimed at providing young people with a wide range of drug and alcohol abuse prevention training. By eliminating this program, as this bill does, 39 million students throughout the country will no longer benefit from drug prevention efforts. Almost every school district in the Nation will be affected. This makes no sense at all.

The bill cuts title I funding by \$140 million. Title I helps at-risk students improve their reading and math skills and master challenging school work. It is a successful program. Last Congress we worked on a bi-partisan basis to improve it. Yet we all know that not every eligible child receives title I services, even though these services have helped students achieve better in school. Today about 60 percent of eligible title I kids do not receive title I benefits because the program does not have enough funds. What does this bill do? It cuts title I funds. One hundred thousand at-risk kids will be put more at risk by this cut.

Mr. Chairman, I could take all the time allotted to this bill to outline for my colleagues the destruction this bill will cause to children and families across this Nation. The bill eliminates funding for literacy programs for homeless adults; it eliminates money to help schools acquire new technology—the Speaker says that every poor person should have a lap-top computer at home. This bill won't even permit every school to have a computer.

The bill eliminates funding for the Star Schools Program, a program that is vital to rural areas and areas that rely on distance learning as a necessity, not a luxury.

Mr. Chairman, let me close with a brief discussion as to what this bill does to summer jobs. This bill ends the program. Six hundred thousand teenagers won't have summer jobs because of this bill. I have heard from mayors all over the country about what this will mean for their cities. These mayors have decried this elimination of summer jobs. And this has been a bi-partisan outcry, from the Republican mayors of Los Angeles and Knoxville to the Democratic mayors of Boston and Philadelphia. They are united in their belief that this cut may be the most illogical cut of all.

This is a bad bill. It will not get any better through the amendment process. I urge my colleagues to reject it.

The CHAIRMAN. The Chair would advise that he would like to put the question on the Castle amendment to the Porter amendment if there are no further speakers. At that time, there

will be time remaining on the Porter amendment.

Are there further speakers to be yielded to on the Castle amendment?

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER], who wants to address the Castle amendment.

Mr. ROEMER. Mr. Chairman, what this amendment by the gentleman from Delaware [Mr. CASTLE] does, and I will support the Castle amendment, but what it simply does is it moves a terrible bill into the lousy bill category. We have cut \$482 million out of drug-free schools.

Now, I applaud the gentleman from Delaware [Mr. CASTLE] for restoring \$10 million out of \$482 million, and the gentleman from Illinois [Mr. PORTER] for attempting to restore Tech-Prep and a host of other programs, but what they are using as offsets are the Eisenhower professional development program, among others things. We are losing good education programs, cutting proven education programs to help teachers teach better, to help our children learn better, and we are moving them, moving them in a shall game from one program to another.

It is a lousy choice that this bill offers. The gentleman from Nebraska [Mr. BARRETT] and I, a Republican on the other side, offered an amendment last year to restore all of the D.A.R.E. funding. This is \$10 million out of \$482 million. We need to go a lot further.

The CHAIRMAN. Are there further speakers on Castle amendment?

Mr. OBEY. Mr. Chairman, my understanding is that all the remaining speakers want to address the amendment as well as the underlying amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas, Mr. GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman for allowing me to address the Committee for 2 minutes. I serve on the Committee on Economic and Educational Opportunities and the restoring of \$10 million with the \$482 million cut is to small.

Just recently, a Wall Street Journal—NBC poll showed that 79 percent of Americans believe cutting the Department of Education funding is moving in the wrong direction. So that means even restoring \$10 million is moving in the wrong direction.

Let us look at what the rescission bill does to education as a whole. As my ranking member now of the committee, the gentleman from Missouri [Mr. CLAY], said, \$105 million from Title I of Chapter I funds, in the State of Texas we are losing \$9 million out of this bill on just title I alone.

Title I was reauthorized last year, and allowed for more flexibility in our school district and now we are actually cutting it. Drug-free schools, a \$481.9 million cut, again, and a \$10 million restoration will not go anywhere all

over the country to help; it is literally a fig leaf.

Diana Kelly, President of the Galena Park Area Council PTA, stated that eliminating these programs would be catastrophic not only to her district but to our Nation's youth.

Cutting the safe and drug-free schools by \$472 million, if this amendment is adopted, is robbing from our kids by providing tax breaks for the wealthy. The tax cut is already out of the Committee on Ways and Means.

Tech-Prep was cut \$108 million. Tech-Prep, every witness in our committee this year called by the Republican majority supported Tech-Prep, and yet we are zeroing it out because we are taking away money from current education. Seventy-nine percent of the people say they did not want to cut education funding, yet this House, by thee Republican majority, is doing that.

This represents the Goals 2000, which was many years in the making by President Bush and now President Clinton, is actually being cut \$142 million. This is not the way the American people want us to go.

Mr. PORTMAN. Mr. Chairman, I reserve my time at this point.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. FATTAH].

Mr. FATTAH. Mr. Chairman, I rise in opposition to the underlying bill, the rescission package in total, and also to the Porter amendment and the Castle amendment to it.

Page after page of misguided and misplaced budget priorities, when the Federal Government already distributes such a small amount to education programs, to be standing here talking about \$200 million in education programs we want to cut makes no sense, unless we are not concerned about the next generation and we are only focusing on the next election.

□ 1830

I would challenge all of my colleagues to think clearly about what it is that we are saying about where this future of this country lies. We need to invest in education, invest in the young people of our Nation, and I would hope, even though I know that it will not be the case, that some of my colleagues on the other side of the aisle will eventually wake up and see the light. If they fail to see the light, I would hope that the American public one day soon will have them feel the heat.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, there has been enough tragedy in all of these rescission bills to go around.

I see a very great bright spot in what the gentleman from Illinois [Mr. PORTER] is doing today.

In the United States there are anywhere between 750,000 and 1 million

homeless children every single day. In any of the education bills that we have, none of the money applies to them, because they are not in school. A few years back with some wisdom we put together a bill here to educate the homeless children, to give them transportation, a piece of paper and pencil to write with.

We have reduced the number of homeless children not in school with this bill from 50 percent to 18 and continuing to go down. To take this program out was the height of stupidity. We are not going to be able to compete with the next century if we have children uneducated, unhealthy, and unskilled.

I am delighted to support the Porter amendment, because the homeless children in this country who have absolutely no voice but what we can muster in this House will have an opportunity to continue a program.

It is not their fault they are homeless. Their mothers and fathers are out of work because we failed somehow to create jobs in this country. But I want to thank the gentleman from Illinois [Mr. PORTER] for including the homeless children in this bill.

Mr. OBEY. Mr. Chairman, I yield 1 minute, the remainder of my time, to the gentleman from New Jersey [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, I thank the ranking member for yielding.

I do want to rise in support of the efforts of my friend and colleague, the gentleman from Delaware [Mr. CASTLE], but I wish we had been given a different choice here.

I think he is absolutely right when he wants to restore \$10 million to the highly successful DARE program. Some of us though would have liked to have paid for that by taking money, for example, out of the operation and maintenance account of the Southeastern Power Administration, \$13 million. I offered an amendment that would have let us pay for this kind of program that way, but because of the rule we are under, we are not permitted to do that.

Having to pay for this out of programs that help in the continuing education of teachers is a tragedy. Nevertheless, I will join my colleagues in supporting the amendment offered by the gentleman from Delaware [Mr. CASTLE], but again, remind the majority they have cut off debate where it really should happen here.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, again, I thank the gentleman from Illinois for yielding. I will be very brief.

But essentially I do believe that the Porter amendment does a lot to reinstate some funds that needed to be reinstated as has been already set forth on this floor today. But I would also point out that the amendment which I have prepared for the DARE program, I

believe by the discussion we have had today, will go to the DARE program.

I understand some of the objections which have been raised by some of my colleagues concerning where the cuts have to come from. We are limited by the rule with respect to that. But I would hope that everybody would understand that this is one program which is almost universally recognized as having been successful across the United States of America in fighting drugs. For that reason, I hope we can support both the Castle amendment and the underlying Porter amendment.

Mr. PORTER. Mr. Chairman, I have no further speakers on this amendment.

I reserve the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Delaware [Mr. CASTLE] to the amendment offered by the gentleman from Illinois [Mr. PORTER], as modified.

The amendment to the amendment, as modified, was agreed to.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I would be prepared to offer at this time, if it were appropriate, an amendment relating to saving the summer youth program. Unfortunately, some of the items have been precluded by the rules of the House that are being applied to a rescission bill that normally are applied to appropriations, which are not rescission bills. That is creating great difficulty.

The gentleman from Illinois [Mr. PORTER] and the gentleman from Delaware [Mr. CASTLE] have already preempted in essence the particular sections except for one on the amendment 42 which I had filed at the desk at the appropriate time on Monday, and what is left is page 25, line 23, where we could at the appropriate time after this, if that is not precluded, strike \$682,282,000 and insert \$582,282,000.

I would like to see a lot of this problem solved in conference. I think there is an overwhelming feeling in this House, in fact, many of the leaders on authorizations and Appropriations have said just that to me, to do something to restore the summer youth program. The fact is it was removed at 1:30 a.m. in the morning when I suggest some of the individuals might not have known what they were doing.

This is very vital for urban America. The school superintendent in Long Beach, my home city, has endorsed it even though I was taking funds from various education programs.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. FRANK of Massachusetts. I would just say, my friend, if the gentleman does not like so much what is here, then one good way to deal with that would be to vote against it, and maybe if the gentleman does not like the rule because he is precluded, a good

thing would have been to have voted against the rule. I think to vote for a restrictive rule and then vote for the bill which makes all of these cuts and then to lament them is very puzzling.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER], as modified, as amended.

The amendment, as modified, as amended, was agreed to.

AMENDMENT OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Chairman, I offer an amendment, amendment No. 53.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MURTHA: Add the following Section to the end of the bill:

"SAVINGS TO BE USED EXCLUSIVELY FOR  
DEFICIT REDUCTION

"SEC. 302. An amount equal to the net budget authority reduced in this Act is hereby appropriated into the Deficit Reduction Fund established pursuant to Executive Order 12858 to be used exclusively to reduce the Federal deficit: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended."

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 15 minutes.

Does any Member rise in opposition to the amendment?

Mr. LIVINGSTON. Mr. Chairman, I request allocation of half of the time.

The CHAIRMAN. Without objection, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 15 minutes.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MURTHA].

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

Mr. Chairman, today I want to rise in support of deficit reduction, and I think it is important to go back and look from a historical perspective of what I am trying to do and what I think is important.

If we are going to pass a budget resolution, I am convinced it is absolutely essential that we show we are going to make the spending cuts first. I do not think, based on my years here in Congress, it is possible to cut taxes and at the same time balance the budget. I am convinced that when President Reagan came to office, he believed he could balance the budget in the 8 years that he was here. I am convinced that President Bush believed that he could balance the budget in the 4 years that he was here, and even before that, President Carter talked about balancing the budget.

Because of the tax cut we implemented during the Reagan administration, the deficit got larger. Now, it was not that Congress did not cooperate,

and it was not that the President and the Congress did not want to balance the budget. There were all kinds of efforts during that period of time.

Probably the most important single thing that happened was that entitlements increased substantially during this whole period. During the period of time that, the 12 years, almost every single appropriation bill that was sent to the Congress was reduced by the Congress, and the Presidents, President Reagan and President Bush, signed those bills. We worked out a compromise, and yet the national debt grew. It grew from \$1 trillion to \$4 trillion.

What I am saying today and what I am trying to impress upon the Members who have been advocating a tax cut is that first we ought to focus on the deficit and try to put the savings that we get from rescissions like this, and by the way, some of these rescissions I agree with, and some of them I do not agree with, but we ought to take the savings from these rescissions and put them against the deficit.

Most of the cuts that were made in the budgets that were sent to us were made in defense, and they were forced by the fact that there was no place else to go. It was defense against domestic programs, and we cut about \$155 billion in a 12-period from defense. All of us believed that we were cutting the right amount at the right time. We had budget resolutions which passed, usually partisan budget resolutions, but in the end the bills passed in a bipartisan manner. Democrats and Republicans voted for them.

I am proud to say that the members of the Defense Appropriations Subcommittee have reduced the size of the military after the cold war and after the Berlin Wall came down in a way that we retained a world class military. The Chief of Staff of the Army just testified before Chairman YOUNG and the Defense Appropriations Subcommittee today and talked about how good the Army is compared to after the Vietnam war, after the Korean war, and after World War II. It could be better. It is about an 8 on a 1-to-10 scale is what he testified today.

And as I look down the road and as I worry about the possibility of a tax cut versus deficit reduction, I see defense competing with critical domestic programs. I see Social Security and Medicare and all of those programs overwhelming defense, and I do not think there is any way that we can keep that from happening.

I am concerned that Members with less experience that do not recognize or realize the difficulty we have gone through and the work that we have done, and we were probably the only committee in the House over those 12 years that actually made a reduction; everybody else might have made cuts in increases, but we in Appropriations made actual reductions in budget requests from the President, and we

struggled with those budget requests, trying to make sure the funding priorities went to readiness, to quality of life, and I think that Desert Storm shows exactly what happened.

For instance, when Desert one went down in 1980, we had a very inept force, a force that was hollow, a force without training, a force with poor equipment. Half the combat aircraft of this country were deadlined because of lack of spare parts, and when that operation went in 1980, we went to the desert with only four or five helicopters. We lost a number of people. We could not even effect a rescue of our diplomats who were captured by the Iranians. And yet a decade later, in 1991, we pulled off Desert Storm, a magnificent operation.

So through this period when we made all of these cuts in defense, we actually were able to build our quality force, went to an all-volunteer force, put a GI bill in place, put new equipment in their hands, and it culminated with an operation where we had a very minimal loss of casualties and a phenomenal military success.

So I believe very strongly we have to be careful. We should send a message to the country that we are interested in deficit reduction first, and this is a policy statement that I believe the Congress should make, and I would hope that Members on both sides would support this as the goal. Obviously after that, after we make the spending cuts, after the deficit is reduced, we can look at the possibility of tax cuts.

□ 1845

So, Mr. Chairman, I feel very strongly about it, and I would hope that Members in this House on both sides of the aisle would support my amendment to emphasize deficit reduction rather than tax cuts.

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

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

Mr. Chairman, I want to say that the gentleman from Pennsylvania [Mr. MURTHA] was an outstanding chairman of our Defense Subcommittee, of the Committee on Appropriations. He has done yeoman service for this Congress over the years. He has got a good amendment. I support it, and I appreciate his cooperation with us in this bill, and I certainly hope that he will be voting for the bill on final passage.

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

Mr. MURTHA. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKY].

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

Mr. VISCLOSKY. Mr. Chairman, on March 10, 1995, Mr. LIVINGSTON, chairman of the Appropriations Committee, along with the Mr. PORTER, Chairman of the Appropriations Subcommittee on Labor, HHS, sent a letter to every

Member of the House of Representatives. The letter states:

We are writing to seek your support for the Appropriations rescission bill recently reported by the Committee on Appropriations.

We are all committed to a program that will redress the decades of financial irresponsibility that has left our children and grandchildren saddled with over \$4 trillion in debt. The \$17 billion in reductions in this bill are a down payment on this major undertaking; a first step in setting our fiscal house in order. . . .

Well, if the two chairmen really mean this, and if the Republican leadership agrees, they will vote to pass the amendment before us now. It is the only way to ensure these rescissions really reduce the deficit. It mandates that all savings in the bill be applied to the deficit.

As it stands now, this bill, and that letter, are a fraud. The \$12 billion in "so called" savings in this legislation are not destined for our children and grandchildren. They are destined to offset new tax cuts.

And these tax cuts are not for kids. Just yesterday, the Republicans announced their tax plan which abolishes the alternative minimum tax. This means a return to the pre-1986 tax days where hundreds of corporate giants including Sears Roebuck, Texaco, Boeing, General Dynamics, Dun and Bradstreet, and J.P. Morgan and Company, could play the system and pay no taxes whatsoever. Zero.

Just think about it: today, we cut programs our kids depend on; tomorrow, we force our kids to pay for corporate tax cuts. Some legacy.

Two months ago, over-two thirds of the House of Representatives voted to add a balanced budget amendment to the Constitution. Regardless of what happened in the Senate, it is our obligation to behave as if that amendment were law.

Because I voted for the balanced budget amendment, I supported these rescissions in full Committee, even though I did not necessarily agree with the cuts.

Rescissions are not easy. Coming up with \$17 billion in cuts is agonizing. The Majority rejected school lunch, Women Infants and Children, and other children's programs.

But if our budget crises forces us to make these awful cuts, it is imperative that we give our children a better future—as Mr. LIVINGSTON and Mr. PORTER suggest.

If this amendment fails, instead of coming through for our kids, we will be sticking it to our kids. I urge my colleagues support the Murtha amendment and give our children and grandchildren a real down payment on deficit.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment offered by my good friend from Pennsylvania, Mr. MURTHA. My colleagues on the other side of the aisle—under great pressure—have now agreed to permit his amendment requiring that the balance of



the cuts in the bill be used for deficit reduction. The bill currently allows money not needed for last year's California earthquake to be set aside for tax cuts that primarily benefit the wealthiest Americans and corporations.

As my good friend and colleague from Wisconsin said earlier, this bill is a charade. That is why I will not dignify it by voting for the "either/or" amendments forced upon us by the closed rule.

While I view the Murtha amendment as a positive change, I regret that the process by which we are considering this flawed legislation is such a disgrace. It stifles responsible efforts to improve a rescissions package that takes direct aim at our children, veterans and elderly poor.

As we have seen throughout the day, the restrictive arrangement we are operating under has forced Members to choose between important issues like caring for veterans, providing adequate housing for seniors and educating our children. It has also placed the defense budget, which represents close to half of the discretionary budget, off limits. Star wars, contracting cost overruns, and low priority or questionable defense programs are preserved in full.

While I am supporting the Murtha amendment which places deficit reduction above financing tax cuts for the wealthy, I still have serious problems with the bill. The responsibility for drawing down the deficit is being placed squarely on the backs of those Americans who need our help most. This is occurring at a time when steps are being taken to make the wealthy better off. I can't help but ask two questions; "Are we going to focus on slashing programs which help the poor to reduce the deficit?", and "How do my colleagues plan to finance the \$189 billion in tax cuts scheduled to come before the House next week?"

I believe the rescissions now being proposed by my Republican colleagues provide a very clear answer to these questions.

Money to improve the quality of medical care available to our veterans is being cut. This is being done despite the fact that the projected veterans population requiring health care services will far surpass available facilities in the future.

The Low-Income Heating Assistance Program is being terminated. This vital program helps two million elderly households and better than 3 million low income families meet their home heating needs each year. Without it these families will be forced to make difficult choices between heat and other basic necessities such as food and medicine. Today it is supposed to be 70 degrees in Michigan. After my friends on the other side of the aisle are finished, we all better hope that next winter is just as mild.

Cuts from housing programs will leave 14,500 seniors homeless. Another 530,000 elderly households will have the security and quality of their housing severely impaired as a result of these changes.

The Women, Infants, and Children Program, and the Healthy Start Program which provide nutrition supplements and valuable prenatal care to mothers are also being cut.

The Safe and Drug Free Schools Program is being terminated despite recent studies showing that drug use among students is on the rise. I find it very surprising that my colleagues would propose this cut less than one

week after former First Lady Nancy Reagan stressed to a House subcommittee the importance of educating our young people on the harms of drugs.

Other valuable programs to construct schools and enhance their technologies are being terminated.

Programs to help move disadvantaged children from school to the world of work have also been put on the chopping block. The elimination of the Summer Youth Employment Program will translate to more than 600,000 lost opportunities for high risk youths. Funds are also being stripped from the Youth Job Training, Job Corps and School to work programs.

At a time when we are preparing to consider the issue of welfare reform, we should not terminate or reduce funding for valuable programs that expose our young people to the dignity of work.

The rescissions package before us clearly represents bad legislation. However, I commend my colleague from Pennsylvania for offering a measure to correct a defect in this bill that runs counter to the strong desire of the American people to see the deficit reduced. Regrettably, the Members on this side of the aisle are barred from offering amendments to ensure that we proceed in a responsible fashion. I urge my colleagues to support this amendment and to vote against the bill.

Mr. ROEMER. Mr. Chairman, I rise in support of the Murtha amendment. This amendment is essentially the same as one that I had printed in the CONGRESSIONAL RECORD that I had intended to offer. However, my amendment was not made in order.

While I do not support many of the rescissions in this package because they are targeted on programs that benefit children, youth, the elderly, veterans and others in need of assistance, I believe that if we are going to rescind funds for programs, those funds should be used for deficit reduction and not used to pay for tax cuts for wealthy Americans.

I recently introduced House Resolution 94 which calls on Congress to make deficit reduction a top priority. Clearly, we need to cut spending if we want to get our fiscal house in order and there are certainly many programs on the books currently that we don't need or can't afford, such as the \$10 billion space station. Unfortunately, that program was not targeted for a cut in this legislation. I am pleased that the Murtha amendment requires the net budget savings under this bill go to the Deficit Reduction Fund established by Executive Order 12858 and used exclusively for deficit reduction.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA].

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 421, noes 1, answered "present", not voting 12, as follows:

[Roll No. 241]

AYES—421

Abercrombie	Dingell	Johnson (CT)
Ackerman	Dixon	Johnson (SD)
Allard	Doggett	Johnson, E. B.
Andrews	Dooley	Johnson, Sam
Archer	Doolittle	Johnston
Armey	Dornan	Jones
Bachus	Doyle	Kanjorski
Baesler	Dreier	Kaptur
Baker (CA)	Duncan	Kasich
Baker (LA)	Dunn	Kelly
Baldacci	Durbin	Kennedy (MA)
Ballenger	Edwards	Kennedy (RI)
Barcia	Ehlers	Kennelly
Barr	Emerson	Kildee
Barrett (NE)	Engel	Kim
Barrett (WI)	English	King
Bartlett	Ensign	Kingston
Barton	Eshoo	Klecza
Bass	Evans	Klink
Becerra	Everett	Klug
Beilenson	Ewing	Knoellenberg
Bentsen	Farr	Kolbe
Bereuter	Fattah	LaFalce
Berman	Fawell	LaHood
Bevill	Fields (LA)	Lantos
Bilbray	Fields (TX)	Largent
Bilirakis	Filner	Latham
Bishop	Flake	LaTourette
Bliley	Flanagan	Laughlin
Blute	Foglietta	Lazio
Boehlert	Foley	Leach
Boehner	Forbes	Levin
Bonilla	Ford	Lewis (CA)
Bonior	Fowler	Lewis (GA)
Bono	Fox	Lewis (KY)
Borski	Frank (MA)	Lightfoot
Boucher	Franks (CT)	Lincoln
Brewster	Franks (NJ)	Linder
Browder	Frelinghuysen	Lipinski
Brown (CA)	Frisa	Livingston
Brown (FL)	Frost	LoBiondo
Brown (OH)	Funderburk	Lofgren
Brownback	Furse	Longley
Bryant (TN)	Galleghy	Lowe
Bryant (TX)	Ganske	Lucas
Bunn	Gejdenson	Luther
Bunning	Gekas	Maloney
Burr	Geren	Manton
Burton	Gilchrest	Manzullo
Buyer	Gillmor	Markey
Callahan	Gilman	Martinez
Calvert	Gonzalez	Martini
Camp	Goodlatte	Mascara
Canady	Goodling	Matsui
Cardin	Gordon	McCarthy
Castle	Goss	McCollum
Chabot	Graham	McCrery
Chambliss	Green	McDade
Chapman	Greenwood	McDermott
Chenoweth	Gunderson	McHale
Christensen	Gutierrez	McHugh
Chrysler	Gutknecht	McInnis
Clay	Hall (OH)	McIntosh
Clayton	Hall (TX)	McKeon
Clement	Hamilton	McKinney
Clinger	Hancock	McNulty
Clyburn	Hansen	Meehan
Coble	Harman	Meek
Coburn	Hastert	Menendez
Coleman	Hastings (FL)	Metcalf
Collins (GA)	Hastings (WA)	Meyers
Collins (IL)	Hayes	Mica
Combest	Hayworth	Miller (CA)
Condit	Hefley	Miller (FL)
Conyers	Hefner	Mineta
Cooley	Heineman	Minge
Costello	Herger	Mink
Cox	Hilleary	Moakley
Coyne	Hilliard	Molinari
Cramer	Hinchey	Mollohan
Crane	Hobson	Montgomery
Crapo	Hoekstra	Moorhead
Cremins	Hoke	Moran
Cunningham	Holden	Morella
Danner	Horn	Murtha
Davis	Hostettler	Myers
de la Garza	Houghton	Myrick
Deal	Hoyer	Nadler
DeFazio	Hunter	Neal
DeLauro	Hutchinson	Nethercutt
DeLay	Hyde	Neumann
Dellums	Inglis	Ney
Deutsch	Istook	Norwood
Diaz-Balart	Jackson-Lee	Nussle
Dickey	Jacobs	Oberstar
Dicks	Jefferson	Obey

Olver	Salmon	Tejeda
Ortiz	Sanders	Thomas
Orton	Sanford	Thompson
Owens	Sawyer	Thornberry
Oxley	Saxton	Thornton
Packard	Scarborough	Thurman
Pallone	Schaefer	Tiahrt
Parker	Schiff	Torkildsen
Pastor	Schroeder	Torres
Paxon	Schumer	Torricelli
Payne (VA)	Scott	Towns
Pelosi	Seastrand	Trafficant
Peterson (FL)	Sensenbrenner	Tucker
Peterson (MN)	Serrano	Upton
Petri	Shadegg	Velazquez
Pickett	Shaw	Vento
Pombo	Shays	Visclosky
Pomeroy	Shuster	Volkmer
Porter	Sisisky	Vucanovich
Portman	Skaggs	Waldholtz
Poshard	Skeen	Walker
Pryce	Skelton	Walsh
Quillen	Slaughter	Wamp
Quinn	Smith (MI)	Ward
Radanovich	Smith (NJ)	Waters
Rahall	Smith (TX)	Watt (NC)
Ramstad	Smith (WA)	Watts (OK)
Reed	Solomon	Waxman
Regula	Souder	Weldon (FL)
Reynolds	Spence	Weldon (PA)
Richardson	Spratt	Weller
Riggs	Stark	White
Rivers	Stearns	Whitfield
Roberts	Stenholm	Wicker
Roemer	Stockman	Wise
Rogers	Stokes	Wolf
Rohrabacher	Studds	Woolsey
Ros-Lehtinen	Stump	Wyden
Rose	Stupak	Wynn
Roth	Talent	Young (AK)
Roukema	Tanner	Young (FL)
Roybal-Allard	Tate	Zeliff
Royce	Tauzin	Zimmer
Rush	Taylor (MS)	
Sabo	Taylor (NC)	

## NOES—1

Williams

## NOT VOTING—12

Bateman	Fazio	Payne (NJ)
Collins (MI)	Gephardt	Rangel
Cubin	Gibbons	Wilson
Ehrlich	Mfume	Yates

## □ 1912

Mr. MENENDEZ changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

On behalf of the minority, Mr. Chairman, I wanted to rise and thank the chairman and the majority for their consideration. We had a meeting and a lot of our people were not here, and you extended the time to afford them the opportunity to vote on this amendment. I wanted you to know that on this side of the aisle we very much appreciate it. I thank the chairman for his actions.

## AMENDMENT OFFERED BY MR. DE LAY

Mr. DELAY. Mr. Chairman, I offer amendment No. 29 which was printed in the RECORD.

The CHAIRMAN. the Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DELAY: On page 25, line 5 strike "\$16,072,000" and insert "\$19,572,000."

The CHAIRMAN. The gentleman from Texas [Mr. DELAY] will be recognized for up to 15 minutes in support of

his amendment. Is there a Member rising in opposition to the amendment?

Mr. OBEY. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is allocated 15 minutes for debate.

The gentleman from Texas [Mr. DELAY] is recognized for 15 minutes.

## □ 1915

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

Mr. Chairman, frankly, I am somewhat disappointed that I have to offer this amendment today. But because OSHA is so intent on flouting the will of this Congress in an effort to add to its own regulatory enforcement empire, I must do so.

My amendment rescinds an addition \$3.5 million from the OSHA rescission already contained in this bill. This would force OSHA to cease its activities on the promulgation of an ergonomics standard that is paternalistic in concept and a menace in its implementation.

Ergonomics is a fledgling science devoted to redesigning workplaces to better fit workers. By focusing on work spaces and stations, tools and equipment, lighting, typewriter keys and telephones, ergonomics as a practice affects virtually every aspect of American Businesses, both large and small. There is no consensus in the scientific community over risks or remedies of implementing or failing to implement ergonomic policies.

There is certainly no consensus that a Federal ergonomics standard can actually have any positive impact on work place health or safety.

OSHA, however, with little regard to cost, is bound and determined to press forward with what is by their own admission likely to be the most expensive, most far-reaching rule ever promulgated by the agency. It has been estimated that this rule would cost \$21 billion to implement.

As has been repeated on this floor, speaker after speaker, before any regulations are imposed, there ought to be good science establishing the risks requiring the regulation, as well as the benefits justifying the new regulatory burden. That is why this House passed H.R. 450, H.R. 9, and H.R. 1022.

OSHA's proposal on this standard involved the imposition of billions of dollars on the private sector and a radical new level of government intrusion into work places and work practices without any scientific support.

The intent of OSHA to ignore and undermine the will of this House in reforming the regulatory regime of the Federal Government is quite clear by the agency's own statements in just the recent days.

I would like to share with my colleagues a quotation from the head of OSHA's ergonomics standards team which appeared in this Monday's papers:

If the legislation says the moratorium runs through December the 31st, our anticipation is that we would get the proposal out January the 1st, unless it says, do not work on an ergonomics standards or go to jail. If it only says we cannot publish the proposal, we can continue to work on it.

OSHA's express intention to do business as usual in this area sends a very clear signal that the discipline Congress is seeking to bring to Federal regulatory agencies will not come easily. This amendment seeks to impose a fiscal discipline where it is clear that other forms of discipline will be ignored.

I appreciate Members supporting my amendment.

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

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, Frank Luntz, the Republican pollster, sent a memo to the Republican party leaders. In that memo he said: "Look, whenever you are talking about cuts for these programs, do not talk about the program because programs have friends. So simply talk about the bureaucrats." That is what is happening here. This amendment is being presented as though it is a discipline for bureaucrats.

Let me tell my colleagues what happens. When they continue to cut back at OSHA the way they have done in this bill and the way they want to intensify it by this amendment, you assure that people are going to be injured and you assure that people are going to die.

Now, when my father ran a floor covering business many years ago, I worked with him in it for 7 years. I worked with asbestos products. Johns-Manville had known since 1939 that asbestos caused cancer. The first time I knew about it is the first day I served on the Labor-HEW Appropriations Subcommittee, and I walked in here and I listened to the NIH person testifying. And they told us that 40 percent of British shipyard workers who had worked with asbestos had contracted mesothelioma and were dead.

Now, mesothelioma is a form of cancer. So I think I have a pretty good idea of what is going to get me eventually, especially because I was a heavy smoker in those days. And back when I was laying that floor covering and working with asbestos products, we did not have an agency called OSHA to protect workers. And the official position of the U.S. Government with respect to worker health was: "We do not give a damn!" That was the official position.

Today, thanks to a very fine Republican Congressman from Wisconsin, Bill Steiger, who was the father of the OSHA provisions, we have an agency charged with the responsibility to protect worker health and safety. And sometimes it does a lousy job of it, and sometimes it does a darn good job of it.

But I will tell Members something. You talk about unhappiness with the

ergonomics standards that they are going to develop. I cannot tell you how many times I have walked through plants or offices and run into women who have had devices on their wrists and I have said: "What happened to you?" They said, "I just had carpal tunnel surgery." I said, "What is the matter?" They said, "Well, you know how it is working at terminals all day long." Those women are working mothers most of them. And they need our concern.

Now, the gentleman is worried because he says the ergonomics standard is going to be very expensive. Of course it is. Because right now the lack of protection for workers on standards like that is causing them an immense amount of health problems, and health problems cost money. So now we are told, oh, we ought to support another cut in OSHA because the majority whip does not happen to like the agency or does not happen to like the standard.

I would suggest, I read the story in the Washington Post 2 or 3 days ago, discussing how lobbyists for big business were crawling all over the office of the majority whip when they were preparing the strategy to go after regulation, and the gentleman may be proud of it. I was appalled. I was appalled.

He can laugh if he wants. I would not want to go to my district and brag about the number of lobbyists working in my office to supervise the work that I was performing. And so if you want to go ahead, this just makes a rotten bill a little bit worse. So go ahead.

If you do not want to have workers protected from things like carpal tunnel syndrome, go ahead. Vote for this turkey of an amendment. But recognize that according to OSHA's own estimates, at least 2,500 more people will be injured because of the budget reductions provided by this amendment.

If you do not like what OSHA does in specifics, correct their mistakes. Do what some of us have done. Work to try to see to it that you get proper training and education for those inspectors. But do not require an agency to cut back on its whole operation because you do not want some more workers to be protected from things like carpal tunnel syndrome.

It is a stupid amendment.

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

Let me just respond to the protector of bureaucrats. First off, what we are after is good science and good regulations based on good science, and the gentleman probably does not know that there is two kinds of asbestos: The asbestos that comes from Africa that is harmful and asbestos that comes from America. And after some billions of dollars were spent in attacking the asbestos problem, we find out that if you leave it alone, it is not dangerous and you do not tear it out and spend billions of dollars.

So the gentleman from Wisconsin has no idea what he is talking about and

exactly what we are talking about is good science and good regulation based upon good science here. We have an agency that does not care about good science. It is amazing, people will die because we will not have ergonomics.

Ergonomics talks about gripping 10 pounds, pinching more than two pounds, twisting and bending the neck like this. Somebody is going to lose their life because there is some OSHA regulation about how many times you can twist your neck?

So, Mr. Chairman, the great majority leader in this House said it better than anything: the Democrats used to be the party of the only thing to fear is fear itself. Now they are the only party, they are the party that all they have to offer is fear itself.

Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. NORWOOD].

Mr. NORWOOD. Mr. Chairman, I rise very proudly to support the amendment of gentleman from Texas, [Mr. DELAY]. I do so for two reasons:

The first reason that I support this amendment is I find it absolutely unbelievable that we allow a federal agency to absolutely disregard what this House wants done. When they sit over there and laugh at us when we say that we want a moratorium on their rules and regulations and they are just going to figure out a way to get around it, I think we need to speak to them.

Ergonomics is a fancy term for designing jobs and tools to fit the physical and psychological limits of people. In general, that is a good idea. But if you look at what OSHA does, assuming they pass the new ergonomic rules and they can be adopted simply by issuing a public comment period without the messiness of having congressional approval, employers will be required to continuously survey and fix jobs deemed risky by OSHA.

The list of jobs is virtually unlimited in this country. These activities can cause or aggravate more than 160 musculoskeletal and nervous system disorders from a back pain to joint pain to a neck pain to tendinitis.

Joe Dear, the assistant labor secretary who heads OSHA, tries to rationalize the upcoming ergonomics rule this way. He says, "We clearly intend to propose a regulation whose benefits justify the cost." In other words, OSHA claims that its rules will result in huge savings from reduced injuries and increased productivity.

Mr. Chairman, that is a wishful claim at the very best and one more time they are not using good science at OSHA. Too little is known about preventing neuromuscular conditions to justify mandates.

Mr. Chairman, the answer for us today is very simple. If OSHA couldn't hear us when we voted for a regulatory moratorium, maybe we need to speak a little louder. If OSHA couldn't hear us when voted for cost-benefit and risk assessment legislation, maybe we need to shout. Mr. Chairman, perhaps OSHA

will hear us when cut back on their funding; maybe then they will pay attention to the direction we are taking federal regulators. I sincerely doubt they will listen, but this is a first step we need to take. Mr. Chairman, I urge my colleagues to support the DeLay amendment.

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Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I rise in very reluctant opposition to my leaders' amendment.

As chairman of the subcommittee that funds OSHA, I do not believe that it is possible, by offering an amendment to cut \$3.5 million out of the salaries and expenses account at OSHA, that we are going to be able to get at the regulation dealing with ergonomics. We may be able to make a statement that way, but the effect of the amendment will be to take the salaries and expenses account that is, after being amended in the subcommittee markup down to the fiscal 1994 level, below that level.

In making the mark, I might say to the gentleman from Texas [Mr. DELAY], we did not touch salaries and expenses in any line item in our bill because we felt that that would be unfair. We are well into and mostly through the fiscal year. Even people who work for the government have a right to know that they are going to have a job and be able to afford to educate their children for the rest of the fiscal year. We just did not think that it was fair to them to put them in a position where a rescission would cut off their livelihood, very possibly, in the middle of the fiscal year, so we did not cut it.

Mr. Chairman, I might well agree with the gentleman's assessment of the regulation, but I do not think this is the proper way to get at it. I think it is unfair to Federal employees.

For those reasons, Mr. Chairman, I do reluctantly oppose the amendment.

Mr. DELAY. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, in the past, I have accused OSHA of being an agency out of control. Today, we have a good example of why that is true.

How bad is the ergonomic regulation OSHA is drafting? You do the math. According to the compensation insurance industry, cumulative trauma disorders cost employers approximately \$1 billion per year.

On the other hand, OSHA's ergonomic regulations will easily be the most expensive they have ever promulgated—more expensive than their blood-borne pathogen rule, more expensive than their asbestos standard, even more expensive than their proposed \$8 billion indoor air regulation.

Still, the regulation might be reasonable if the size of the problem matched the costs. Is that the case? No.

Cumulative trauma disorders make up less than 4 percent of all work-related injuries and diseases that resulted in missed work.

OK. What about the science? To reduce the cost to employers, will OSHA be able to draft tight regulations which give employers specific guidelines and references. No.

Simply put, there is no scientific support for a national ergonomic standard. Everyone agrees that cumulative trauma disorders are a problem, but no one knows where the threshold between safety and injury lies—not medical doctors, not the Center for Disease Control, not even OSHA bureaucrats.

But that does not deter OSHA. As in the past, they are determined to plow ahead where no reasonable agency would tread.

The woman in charge of writing this new standard, Barbara Siverstein, told *Forbes Magazine* that despite the death of science, OSHA will "take some sort of a performance based approach to reducing exposure to those things that we know increase your risk of musculoskeletal disorders."

What Barbara says is true. It is possible to establish performance based standards to prevent repetitive motion traumas. I will establish one right now: Don't work, don't type, don't do any heavy lifting, never strain yourself, and try to avoid breaking out in a sweat.

The solution is somewhere between having a work place where no one works and a work place where something gets done. Unfortunately, neither Barbara nor anyone else knows where that point lies.

Mr. Chairman, the American people sent us to Washington to get the federal government off their backs and out of their lives. Support the DeLay amendment, rescind the \$3.5 million from OSHA, and reign in an out-of-control agency.

Mr. OBEY. Mr. Chairman I yield 2 minutes to the gentleman from New York [Mr. OWENS].

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

Mr. OWENS. Mr. Chairman, I rise in total opposition to H.R. 1158. H.R. 1158 represents wasteful, inefficient, illogical, and barbaric legislation. It is naked power exercised by the Committee on Appropriations, which has held no hearings, no site visits, and is in no way knowledgeable about what they are doing in this area, or any other area where they have promoted these rescissions.

The Department of Labor will stand behind the facts and figures that I cite here. The Secretary of Labor, Elizabeth Dole, a Republican, the Secretary of Labor, Lynn Martin, a Republican, started the ergonomics studies. They started the process, to be continued by a Democrat, but all three have gone through a deliberative process based upon the facts that they see.

Disorders for cumulative trauma, like carpal tunnel syndrome, have increased at epidemic rates, up 770 per-

cent in the past decade. In 1993 more than 300,000 cases of repeated trauma disorders were reported. The overall problem of musculoskeletal disorders, including back injuries, is much bigger, more than 3 million cases a year.

The economic costs of these disorders is huge. The workers' compensation costs associated with musculoskeletal disorders is \$20 billion a year.

Mr. Chairman, 56,000 people die every year from accidents on the job or from illnesses contracted on the job, 56,000 people die every year, which is as high as the number of people who are killed in all of the Vietnam War. You can check the facts and figures with the Department of Labor.

Over the 20-year history, the more than 20-year history of OSHA, we have saved millions of lives and avoided millions of injuries to workers. OSHA is a deliberative agency, based very much on scientific evidence and the use of information. This process, with the Committee on Appropriations legislative force, is not a deliberative process, it is a barbaric process.

Mr. Chairman, I rise in strong opposition to H.R. 1158. This bill would cancel \$17.1 billion in previously appropriated funds, more than 99 percent of which represent investments in the American people. In return, what will the American people get? If they are low-income, working class Americans, they will get next to nothing; but if they are lucky enough to be among the few percent of Americans making more than \$100,000 a year, then they will get a windfall. That is because the Contract With America is bloated with tax breaks for the wealthiest Americans, and my distinguished colleagues on the other side of the aisle are pressing forward with this rescissions package to pay for this pork—pork which is considered to be nothing but fatty, gristly meat when served on a plate to the Nation's poor, but somehow is magically transformed into protein-laden filet mignon when served on fine china to the Nation's rich.

Let me illustrate how the tax breaks in the Contract With America are a boon for the rich but a boondoggle for the poor. Under the proposed capital gains tax cut, 76 percent of the tax cut, or \$10.6 billion, would go to those individuals making more than \$100,000 a year. Moreover, a corporate executive making more than \$200,000 a year would personally gain more than \$3,800, while a family earning between \$20,000 and \$30,000 a year would gain a mere \$5.52—not even enough to put a t-shirt on a child's back.

So we can see that all of the promises being made by Republicans—that people will be rewarded for getting off welfare, working hard, and playing by the rules—are illusory. Now let us take a look at all of the benefits which the American people will have to sacrifice so that the Republicans can spoon-feed the fat-cat freeloaders who belly-up to the Government trough.

To give the corporate executive his \$3,800 capital gains tax benefit, the American people will lose 1.2 million jobs for at-risk youth during the next two summers. These jobs provide young adults with the money they need to purchase clothes and supplies for school. They also provide lasting gains in employment and purchasing power.

To give the corporate executive his \$3,800 capital gains tax benefit, the American people will lose nearly 30,000 AmeriCorps members participating in the National Service program. That will be a tragic loss for communities which are benefiting from AmeriCorps' services, and an even greater loss for middle class families struggling to meet the costs of college tuition for their children.

To give the corporate executive his \$3,800 capital gains tax benefit, the American people also will lose \$105 million in assistance to their local school districts and, more specifically, services for 100,000 at-risk children which are designed to help them achieve the highest academic standards.

To give the corporate executive his \$3,800 capital gains tax benefit, the American people additionally will lose violence and drug prevention programs for 39 million students due to the elimination of the Safe and Drug-Free Schools Program. And nearly \$175 million will be stripped away from GOALS 2000 Education Reform, robbing 4,000 schools and thousands of parents of the resources they need to improve the education of our Nation's children.

As a result of this bill, New York alone will be hit with \$1.6 billion in spending cuts. New York will lose \$107 million in education funding; \$540 million for public housing; \$164 million for home heating for low-income people; and more than \$160 million for job training and assistance for at-risk youth, displaced workers, and senior citizens.

The Grand Old Party [GOP] likes to present itself as the party of opportunity for those Americans who are willing to work. Clearly, that is more fiction than fact, for the wolf is disguised in sheep's clothing. Opportunity to the Republican Party means opportunity not for those who work the hardest, but for those who have the highest incomes. Opportunity to the Democratic Party, on the other hand, means opportunity for everyone, particularly American families who cannot make ends meet and work their way out of poverty despite working long hours at back-breaking jobs.

Mr. Chairman, because I prefer to reward individuals for the strength of their character and work ethic instead of the size of their wallet, I must vote against H.R. 1158, and urge every Member of this body to do the same.

The CHAIRMAN. The Chair will advise that the gentleman from Texas [Mr. DELAY] has 5½ minutes remaining, the gentleman from Wisconsin, [Mr. OBEY] has 6 minutes remaining, and the gentleman from Wisconsin has the right to close, since he is defending the committee's position.

Mr. DELAY. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. BALLENGER].

Mr. BALLENGER. Mr. Chairman, I rise in support of the DeLay amendment. In spite of what the opposition says, no one ever died of ergonomics. Today we have the opportunity to say no to the runaway Federal regulators.

Earlier this year, in a bipartisan vote, the House passed H.R. 450, which placed a moratorium on all new Federal regulations until December 31, 1995. The passage of this bill and other regulatory reforms was intended to send a signal to Federal departments

and agencies to end the production and implementation of countless regulations that strangle competitiveness and economic growth.

However, one agency did not get the message, OSHA. Earlier this week, one of the top bureaucrats at OSHA's ergonomics team indicated that the agency will be pushing forward with plans to establish an ergonomics rule, blatantly flouting the will of Congress.

Plainly, OSHA wants to continue the practice of business as usual. As chairman of the Subcommittee on Work Force Protection of the Committee on Economic and Educational Opportunities, the subcommittee with jurisdiction over OSHA issues, let me tell the Members that the proposal on ergonomics is one of the broadest and most expansive health and safety regulations in recent times.

An ergonomics rule has the potential of devastating business and altering every job in America. Let us not forget that the rationales for the ergonomics regulation is not based on sound and strong scientific evidence.

There is a clear choice before us today. A vote against the DeLay amendment will signal Federal bureaucrats, particularly those in OSHA, that the business of issuing needless burdensome regulation should continue. A vote for the DeLay amendment will tell OSJA that it cannot impose a new socially-engineered workplace policy, which will literally affect every American worker, unless it is based on sound scientific and cost analysis.

Vote for the DeLay amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

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

Mrs. LOWEY. Mr. Chairman, let us be very clear what this is all about. As a member of the committee, there is no question in my mind that the Republican majority just wants to get rid of OSHA. This is just a downpayment in putting OSHA on the chopping block.

There is no question about it. Let us also make it very clear that there is no reason for this to be a partisan issue. In fact, this rulemaking was started under a Republican administration. Former Secretary of Labor Elizabeth Dole made the decision to develop an ergonomics rule in 1990. Secretary of Labor Lynn Martin initiated the rulemaking with the request for comments in 1992. What they want to do is just to stop all discussion and stifle any debate.

Mr. Chairman, this should proceed so there can be careful, thoughtful consideration by employers, workers, unions, and others that can have input on this important rule. This ergonomics rule has not even been proposed right now. I suggest that we vote down this amendment so we can proceed in an orderly fashion.

Mr. DELAY. Mr. Chairman, I am glad to yield 2 minutes to my friend, the

gentleman from Florida [Mr. MICA], a champion against regulations.

Mr. MICA. Mr. Chairman, during the debate on regulatory reform, I spent a great deal of time on the floor. I had a chance to re-read the Constitution, in this little pocket edition of the Constitution. In the back of this booklet is the Declaration of Independence.

If Members have not read it in a while, I recommend it. It states forth the reasons why this country sought its independence from the King, the oppressive King. Let me read one line here in the Declaration of Independence.

It says "He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance." This is exactly what Washington, DC, has done, and what this agency has done.

OSHA has driven our employees out of business, it has harassed our businesses, and operates in conflict with the principles of the Constitution. In fact, our employers and our business men and women in this country are guilty until proven innocent.

Here is another regulation that will send swarms of new officers into our workplaces, harass our people who are trying to create jobs, keep jobs in this country, and make sense out of an agency that is totally out of control.

Pass this amendment and send OSHA a message that this rule and OSHA's oppressive actions must stop.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

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

Mr. Chairman, I rise in very strong opposition to this amendment. Let us call this amendment what it is, another mean-spirited Republican attempt to harm working people in this country.

First, it is "Let us depress wages, let us not increase the minimum wage." Then it is "Let us destroy Davis-Bacon. We cannot have prevailing wages." Now it is "Let us destroy the health and the welfare and the safety of America's workers."

For shame, majority, for shame. The fact is that OSHA saves lives. OSHA improves workers' health. OSHA's enforcement programs improve safety. Safe workplaces save dollars. OSHA's job is far from done. Each year, 56,000 workers still die from work-related accidents and illnesses.

The fact of the matter is that working people in this country, the people that built this country, the people that continue to build this country, need protections, and OSHA provides those protections. We ought to stop the mean-spirited Republican assault on working people in the United States.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. COYNE].

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

Mr. COYNE. Mr. Chairman, this amendment does nothing to improve the bill before us, and I strongly oppose the rescission package before the House today.

This \$17.3 billion cut in Federal domestic programs represents an attack on children, the poor, veterans, and the elderly. Nearly two-thirds of this bill's rescissions are from programs to assist children, low-income families, or the elderly poor. Low-income Americans across our country will feel the pain of these cuts but these cuts will hit especially hard in America's cities.

Communities in Pittsburgh and other major U.S. cities will suffer a major reduction in Federal funds for a range of basic human service programs. Urban programs account for 78 percent of the cuts in this package. The result will make life harder for hard working Americans who are already struggling to make ends meet.

Who will not be hurt by these cuts? The Defense Department will not lose one cent under the Republican majority's rescission package.

They have even denied Democratic Members the ability to restore funding for child nutrition or any other human service program by reducing any part of the \$262 billion defense budget.

The Republican majority's rescission package would cut \$88 million from the Department of Health and Human Services' health resources and services account. This cut will cut \$10 million in funding for the Healthy Start Program that is helping to reduce infant mortality. My community of the first 15 U.S. cities to receive a Healthy Start Program and has already seen an 18 percent reduction in its infant mortality rate as a result. The lives of 18 babies have been saved in our area's Healthy Start Program area.

The elimination of all funding for LIHEAP—the Low-Income Home Energy Assistance Program—will hit 50,000 households in my congressional district alone. Seniors and low-income residents in the Pittsburgh area will lose \$9.5 million in LIHEAP funds needed to help them pay their heating bills this winter.

This rescission package turns a cold shoulder to the children of my district. A total of \$1.6 billion will be cut from education programs. The Republican majority's bill would eliminate every cent of funding for the Drug-Free School Program. Our city schools alone will be denied \$500,000 needed to fight illegal drug use in our schools. The Republican majority also says "no" to our area's youth who want to get a job. The elimination of all funding for the Summer Youth Jobs Program will deny 900 Pittsburgh area teens a chance to learn job skills by working this summer.

Seniors housing accounts for 40 percent of the \$7 billion cut from Federal housing programs. Cuts in Federal housing programs—including a \$15 million cut in the budget for our local housing authority—will hurt seniors and other low-income residents who depend on Federal housing assistance.

Veterans at Pittsburgh's VA hospitals will also be affected by a \$206 million cut in VA medical programs. These cuts will take place even while our country prepares to celebrate the 50th anniversary of V-E Day. This cut in VA medical programs is an outrageous way to

commemorate veterans who fought to defeat fascism during World War II.

Why are we making these cuts? The Republican majority needs to slash domestic programs for the poor to pay for \$189 billion in tax cuts. Many of those tax cuts will benefit upper incomes Americans; for example, 75 percent of the capital gains tax cuts will go to individuals with incomes above \$100,000.

Mr. Chairman, the Republican majority's rescission package is too severe. It slashes Federal funding for children, seniors, veterans, and low-income families most in need. It protects the Defense Department budget and asks nothing from the most affluent in our society. I urge my colleagues to oppose this bill.

Mr. DELAY. Mr. Chairman, I have no other requests for time.

Mr. OBEY. Mr. Chairman, I was told by the Chair I have the right to close. I have only one closing speaker.

The CHAIRMAN. Is the gentleman from Texas [Mr. DELAY] yielding back the balance of his time?

Mr. DELAY. Mr. Chairman, if the gentleman is going to close, I will use the rest of the time myself.

The CHAIRMAN. The gentleman from Texas [Mr. DELAY] is recognized for the remaining 2 minutes.

Mr. DELAY. Mr. Chairman, what we are seeing here is a desperate attempt on the part of the minority to protect the status quo and what has been going on for the past 40 years.

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They want to continue spending and the joy ride that they have been on for the last 40 years, and they want to protect the bureaucrats that have been oppressing American citizens for a very long time. That is what this amendment is all about, is to stop the bureaucrats and stop what is going on.

I have been collecting horror stories about regulations for every year that I have been in Congress, and the most horror stories come from OSHA. OSHA is an oppressive agency, an agency that steps way beyond its bounds and way beyond the intent of the legislation.

When we had a decisive vote in this House to send a message to OSHA and other regulations that we want regulations based on good science, what did OSHA do? They decided to run off and continue operating as usual.

Under these standards of ergonomics, slouching in a chair could be a hazard, or someone holding a phone between their shoulder and their neck could be a hazard. In Australia, when ergonomic standards were adopted in the early 1980's injury rates increased. Workers' compensation costs increased by as much as 40 percent in some industries. And a single company lost more than \$15 million in a 5-year period due to increased production costs.

All we are saying is:

"OSHA, heed our message. Step back, look at what you are doing. Use good science, good studies to do what you are doing but if you're not going to get the message," then the best way to get a bureaucrat's attention is to cut their central office.

That is what this amendment does. It goes right to the heart of the bureaucracy and cuts \$3.5 million right out of the heart of OSHA. If OSHA does not get this message, we will come back on an appropriations bill and send them another message.

It is time the bureaucrats in this town got the message. America is fed up. I appreciate the Members' support for my amendment.

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

The CHAIRMAN. The gentleman from Wisconsin is recognized for 3 minutes.

Mr. OBEY. Mr. Chairman, what a joke we just heard. We were just told that it is the Democrats who are protecting the status quo and yet it is the gentleman from Texas who is offering the amendment that is preventing the agency from moving off the status quo to protect people who are getting injured every day in the workplace.

Come on, get off it. Give me a break.

This amendment is paraded as the device by which you stop the ergonomic study. In fact, this amendment has no way of stopping the ergonomic study. It does not do that. All it does is cut 3 million additional dollars out of OSHA, and the gentleman is nodding in agreement. All that will do is cut the number of consultations which OSHA can provide businessmen so that businessmen can find out how to correct problems without being inspected, and all it does is also cut out their ability to provide needed high visibility inspections.

Now he says he wants OSHA to follow good science.

I ask a question: Where do you think you are likely to find that good science? From the neutral officials in OSHA who are charged with the legal responsibility to protect American workers? Or from the horde of lobbyists which the Washington Post described just last week as being all over the gentleman's office as he was preparing the anti-regulation barrage that we got hit with last week?

I think you know the answer to that one. With all due respect, if I am looking for good science, I am not going to go to the Fortune 500 list of lobbyists they talked about in that Washington Post article just 2 days ago.

This amendment is just like the tax cuts this party is trying to push. They are trying to push capital gains tax cuts and give three-fourths of the benefits to people who make more than 100,000 bucks a year. They are trying to repeal the requirement that every American corporation that is a big one and makes money at least pays some taxes. They want to go back to the good old days when you do not even require the Fortune 500 corporations to pay taxes. Why then we should be surprised that they offer an amendment which says to workers, "Forget it, baby, we're interested in your bosses but not you"?

I think this amendment perhaps ought to be passed. It is a perfect ex-

ample of what the Republican party has come to stand for. It is a perfect symbol for how bad this bill is. So vote for it. You are going to pass it, you have got the votes, but you ought to be ashamed of yourselves.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DELAY].

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. This will be a 17-minute vote.

The vote was taken by electronic device, and there were—ayes 254, noes 168, not voting 12, as follows:

[Roll No. 242]

#### AYES—254

Allard	Ehlers	Leach
Archer	Ehrlich	Lewis (CA)
Armey	Emerson	Lewis (KY)
Bachus	Ensign	Lightfoot
Baessler	Everett	Lincoln
Baker (CA)	Ewing	Linder
Baker (LA)	Fawell	Lipinski
Ballenger	Fields (TX)	LoBiondo
Barr	Flanagan	Longley
Barrett (NE)	Foley	Lucas
Bartlett	Forbes	Manzullo
Barton	Fowler	Martini
Bass	Fox	McCollum
Bateman	Franks (CT)	McCrery
Bentsen	Franks (NJ)	McDade
Bereuter	Frelinghuysen	McHugh
Bevill	Frisa	McInnis
Bilbray	Funderburk	McIntosh
Bilirakis	Galleghy	McKeon
Bliley	Ganske	Metcalf
Blute	Gekas	Meyers
Boehner	Geren	Mica
Bonilla	Gilchrest	Miller (FL)
Bono	Gillmor	Molinari
Brewster	Goodlatte	Montgomery
Browder	Goss	Moorhead
Brownback	Graham	Myers
Bryant (TN)	Greenwood	Myrick
Bunn	Gutknecht	Nethercutt
Bunning	Hall (TX)	Neumann
Burr	Hancock	Ney
Burton	Hansen	Norwood
Buyer	Hastert	Nussle
Callahan	Hastings (WA)	Ortiz
Calvert	Hayes	Orton
Camp	Hayworth	Oxley
Canady	Hefley	Packard
Castle	Hefner	Parker
Chabot	Heineman	Paxon
Chambliss	Herger	Payne (VA)
Chapman	Hilleary	Peterson (FL)
Chenoweth	Hobson	Peterson (MN)
Christensen	Hoekstra	Pickett
Chrysler	Hoke	Pombo
Clinger	Horn	Portman
Coble	Hostettler	Poshard
Coburn	Houghton	Pryce
Collins (GA)	Hunter	Quillen
Combest	Hutchinson	Quinn
Condit	Hyde	Radanovich
Cooley	Inglis	Rahall
Cox	Istook	Ramstad
Cramer	Johnson (CT)	Regula
Crane	Johnson, Sam	Riggs
Crapo	Jones	Roberts
Creameans	Kasich	Roemer
Cunningham	Kelly	Rogers
Danner	Kim	Rohrabacher
Davis	King	Ros-Lehtinen
de la Garza	Kingston	Rose
DeFazio	Klug	Roth
DeLay	Knollenberg	Royce
Dickey	Kolbe	Salmon
Doolittle	LaHood	Sanford
Dornan	Largent	Saxton
Dreier	Latham	Scarborough
Duncan	LaTourette	Schaefer
Dunn	Laughlin	Schiff
Edwards	Lazio	Seastrand

Sensenbrenner	Stockman	Walker
Shadegg	Stump	Walsh
Shaw	Talent	Wamp
Shays	Tanner	Watts (OK)
Shuster	Tate	Weldon (FL)
Sisisky	Tauzin	Weller
Skeen	Taylor (MS)	White
Skelton	Taylor (NC)	Whitfield
Smith (MI)	Tejeda	Wicker
Smith (NJ)	Thomas	Wilson
Smith (TX)	Thornberry	Wolf
Smith (WA)	Tiahrt	Young (AK)
Souder	Traficant	Young (FL)
Spence	Upton	Zeliff
Stearns	Vucanovich	Zimmer
Stenholm	Waldholtz	

## NOES—168

Abercrombie	Gordon	Neal
Ackerman	Green	Oberstar
Andrews	Gunderson	Obey
Baldacci	Hall (OH)	Olver
Barcia	Hamilton	Owens
Barrett (WI)	Harman	Pallone
Becerra	Hastings (FL)	Pastor
Beilenson	Hilliard	Payne (NJ)
Berman	Hinchey	Pelosi
Bishop	Holden	Petri
Boehlert	Hoyer	Pomeroy
Bonior	Jackson-Lee	Porter
Borski	Jacobs	Rangel
Boucher	Jefferson	Reed
Brown (CA)	Johnson (SD)	Reynolds
Brown (FL)	Johnston	Richardson
Brown (OH)	Kanjorski	Rivers
Bryant (TX)	Kaptur	Roukema
Cardin	Kennedy (MA)	Roybal-Allard
Clay	Kennedy (RI)	Rush
Clayton	Kennelly	Sabo
Clement	Kildee	Sanders
Clyburn	Klecicka	Sawyer
Coleman	Klink	Schroeder
Collins (IL)	LaFalce	Schumer
Conyers	Lantos	Scott
Costello	Levin	Serrano
Coyne	Livingston	Skaggs
Deal	Lofgren	Slaughter
DeLauro	Lowey	Spratt
Dellums	Luther	Stark
Deutsch	Maloney	Stokes
Diaz-Balart	Manton	Studds
Dicks	Markey	Stupak
Dingell	Martinez	Thompson
Dixon	Mascara	Thornton
Doggett	Matsui	Thurman
Dooley	McCarthy	Torkildsen
Doyle	McDermott	Torres
Durbin	McHale	Torricelli
Engel	McKinney	Towns
English	McNulty	Tucker
Eshoo	Meehan	Velazquez
Evans	Meek	Vento
Farr	Menendez	Visclosky
Fattah	Mfume	Volkmer
Fields (LA)	Miller (CA)	Ward
Filner	Mineta	Waters
Flake	Minge	Watt (NC)
Foglietta	Mink	Waxman
Ford	Moakley	Weldon (PA)
Furse	Mollohan	Williams
Gephardt	Moran	Wise
Gilman	Morella	Woolsey
Gonzalez	Murtha	Wyden
Goodling	Nadler	Wynn

## NOT VOTING—12

Collins (MI)	Frost	Johnson, E.B.
Cubin	Gejdenson	Lewis (GA)
Fazio	Gibbons	Solomon
Frank (MA)	Gutierrez	Yates

□ 2007

The Clerk announced the following pair:

On this vote:

Mrs. Cubin for, with Miss Collins of Michigan against.

Mr. DEUTSCH changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer amendment number 13 originally print-

ed by the gentleman from Oklahoma [Mr. BREWSTER].

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: At the end of the bill, add the following new title:

TITLE IV—DEFICIT REDUCTION  
LOCKBOX

## DEFICIT REDUCTION TRUST FUND

SEC. 4001. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the "Deficit Reduction Trust Fund" (in this title referred to as the "Fund").

(b) CONTENTS.—The Fund shall consist only of amounts transferred to the Fund under subsection (c).

(c) TRANSFERS OF MONEYS TO FUND.—For each of the fiscal years 1995 through 1998, the Secretary of the Treasury shall transfer to the Fund amounts equivalent to the net deficit reduction achieved during such fiscal year as a result of the provisions of this Act.

(d) USE OF MONEYS IN FUND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amounts in the Fund shall not be available, in any fiscal year, for appropriation, obligation, expenditure, or transfer.

(2) USE OF AMOUNTS FOR REDUCTION OF PUBLIC DEBT.—The Secretary of the Treasury shall use the amounts in the Fund to redeem, or buy before maturity, obligations of the Federal Government that are included in the public debt. Any obligation of the Federal Government that is paid, redeemed, or bought with money from the Fund shall be canceled and retired and may not be re-issued.

DOWNWARD ADJUSTMENTS IN DISCRETIONARY  
SPENDING LIMITS

SEC. 4002. (a) IN GENERAL.—Upon the enactment of this Act, the Director of the Office of Management and Budget shall make downward adjustments in the discretionary spending limits (new budget authority and outlays) specified in section 601(a)(2) of the Congressional Budget Act of 1974 for each of the fiscal years 1996 through 1998 by the aggregate amount of estimated reductions in new budget authority and outlays for discretionary programs resulting from the provisions this Act (other than emergency appropriations) for such fiscal year, as calculated by the Director.

(b) OUTYEAR TREATMENT OF RESCISSIONS.—For discretionary programs for which this Act rescinds budget authority for specific fiscal years, the Director of the Office of Management and Budget shall include in the aggregate amount of the downward adjustments under subsection (a) amounts reflecting budget authority reductions for the succeeding fiscal years through 1998, calculated by inflating the amount of the rescission using the baseline procedures identified in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROHIBITION ON USE OF SAVINGS TO OFFSET  
DEFICIT INCREASES RESULTING FROM DIRECT  
SPENDING OR RECEIPTS LEGISLATION

SEC. 4003. Reductions in outlays, and reductions in the discretionary spending limits specified in section 601(a)(2) of the Congressional Budget Act of 1974, resulting from the enactment of this Act shall not be taken into account for purposes of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

The CHAIRMAN. Pursuant to the rule, the gentleman from Wisconsin [Mr. OBEY] will be recognized for 15

minutes. Is there a Member standing in opposition to the Obey amendment?

Mr. LIVINGSTON. Mr. Chairman, I ask unanimous consent to be recognized for the extra 15 minutes.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to be recognized for 15 minutes in the face of no opposition being voiced. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, since I am calling up this amendment on behalf of the gentleman from Oklahoma, Mr. BREWSTER, who is the real author of the amendment, I yield 2 minutes to the gentleman from Oklahoma [Mr. BREWSTER].

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

Mr. BREWSTER. Mr. Chairman, I offer this amendment today with my good friends MIKE CRAPO, DAVID MINGE, and GLEN BROWDER, and thank them for working with me on this lockbox amendment.

I will keep my statement brief since I know there are many amendments made in order today.

Mr. Chairman, this amendment represents a subject that is very important to me, and other Members of this House. The subject is deficit reduction.

Constituents around the country sent a strong message to Washington last November. Americans sent their Representatives to Congress to first and foremost—reduce the Federal deficit.

For most of us in Congress, our contract is with our constituents—not a President, party or any interest group. All recent polls show that the vast majority of Americans are wanting to see Congress keep their word and cut the deficit.

With this said, it certainly surprises me that this appropriations bill was reported out of committee with nearly \$12 billion in 1995 spending cuts that do not go toward deficit reduction. The point is that these cuts do not result in real savings.

The Brewster-Crapo-Minge-Browder lockbox amendment will ensure these cuts go only to deficit reduction. This amendment will take the net savings in the bill—the \$17 billion rescissions, minus the expenses of the emergency supplemental portion of the bill—and put them in a deficit reduction lock box. It prohibits using these funds for anything except reducing the deficit, and it also requires the budgetary caps be lowered for the outyears.

Mr. Chairman, I will be candid about my feelings on this bill. There are many difficult cuts in this bill. There are programs eliminated that are very valuable to my State of Oklahoma. However, Mr. Chairman, it took 200 years to reach a \$1 trillion debt and since 1980 we have added almost \$4 trillion more debt.



I have discussed with my constituents over the last few months the seriousness of the Federal debt. They don't like many of these cuts either. But, these hard-working, honest citizens are willing to once again sacrifice in order to reduce our deficit.

But, Mr. Chairman, I can tell you they will not support these cuts if the savings go for anything other than deficit reduction. Quite frankly, Americans do not have a lot of trust in Congress right now. Let us start changing that today, and give them the deficit reduction they have asked for.

Mr. Chairman, I urge the Members of this House to support the Brewster-Crapo lockbox amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho [Mr. CRAPO], the cosponsor of this worthwhile amendment.

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

Mr. Chairman, I appreciate the opportunity to get up and talk further about the lockbox. The deficit reduction lockbox is an idea that is introduced with a much broader scope than just this bill and which I am sure we will talk about a lot in the future as we address the questions about how we must develop a budget system that truly reduces our deficits in this country.

With regard to this bill, however, I think it addresses one of the significant concerns that we have heard again and again and again. The argument being made is that, well, we should not be using this money for tax cuts, we should be using this money for deficit reduction. And it appears that we are getting into this continuous debate as to whether it is better to have deficit reduction or tax cuts, deficit reduction or tax cuts.

This will make it clear once and for all that we will make the necessary deficit reduction that we have called for in the Contract With America. And I believe that we are going to be able to go forward in future actions and find the necessary cuts for tax cuts.

But this bill will put into place a mechanism now that hopefully we can use in the future as we address other budgetary problems to assure that there is a lockbox mechanism that helps us to achieve deficit reduction.

One thing that I hope it does is clarify the debate so that there will be no more objection to the questions about this bill going to deficit reduction. We have stated that in an earlier debate, in an earlier vote today on the amendment brought by the gentleman from Pennsylvania [Mr. MURTHA], and this amendment provides the enforceable mechanism to make it happen with certainty.

If we are concerned about deficit reduction, this bill will make it happen, and I do not think that those who have debated against this bill can now say there is no reason to support it.

This makes it clear we are working for deficit reduction, and we will make deficit reduction a reality.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MINGE].

□ 2015

Mr. MINGE. Mr. Chairman, the cuts in this rescission bill are devastating, WIC, jobs for youth in the summer, fuel assistance for low-income Americans, foster care and adoption services, student loan programs, housing for low-income Americans, local water treatment costs for programs mandated by Congress.

Can we justify the cuts for these programs in order to finance tax cuts for the more affluent members of our communities and increased military spending? Absolutely not.

Going further, we have a convoluted budget-cutting process. In my opinion, there are criteria for deficit reduction. We would not simply say that it is deficit reduction to plan to shave \$200 billion off interest on the national debt. That is not realistic.

We need to have, if we are going to impose deficit reduction on the American people, shared sacrifice. We should not be balancing the budget on the backs of the poor, the veterans, and children.

Where are the cuts in the weapons systems that the Defense Department does not want? Where are the cuts in programs for those of us with higher incomes?

We are cutting the most vulnerable first. This stands our proud heritage of fairness on its head. At the very minimum, let us assure low-income Americans, students, and local communities that their disproportionate sacrifice goes for deficit reduction.

I urge you to vote for this amendment. It mandates real deficit reduction. It locks in the savings for 1995 and for years to come.

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

Mr. Chairman, we have heard a lot of speeches about how the savings in this bill, which will amount to roughly \$11 billion net, will go to pay for the Contract or whether it will go to pay for tax cuts for the rich and the wealthy, notwithstanding the fact that three-quarters of the tax advantages of the Contract go to people earning \$75,000 a year or less.

But all of that notwithstanding, considering the Murtha amendment, which has already passed almost unanimously, and this amendment, which I expect will pass, the fact is the savings that we have reaped with this fiscal year 1995 rescissions bill will go to help pay off the deficit, and I think that is a significant achievement.

So I rise in support of this particular amendment, and I hope that all of the supporters of the amendment who will cast their votes in favor of the amendment will likewise vote for final pas-

sage of the bill when it is all over. I challenge them to do so.

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

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. BROWDER].

Mr. BROWDER. Mr. Chairman, we will vote in just a minute. I rise to support the Brewster amendment.

This deficit-reduction lockbox dedicates rescissions to deficit reduction. The American people have told us loudly and clearly that they want us to reduce the deficit first. The American public is rightly skeptical when we turn to budgetary gimmicks to pay for our wish lists, whether it is tax cuts or new benefits programs.

It was in the spirit of representing those concerns that we developed the lockbox, and it is our desire to reassure the American public that deficit reduction comes first.

Mr. Chairman, this amendment is an example of how bipartisan support moves us toward deficit reduction and a balanced budget.

I urge support of all of our Members for this amendment.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, I rise just to say finally this amendment will, in fact, give everyone the chance to put the money into deficit reduction that all of our families want and all of our children want. That is certainly an amendment I would ask for a unanimous vote for.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. ORTON].

Mr. ORTON. Mr. Chairman, my constituents and the American people have voiced their priorities to cut spending and cut the deficit. Rescissions are difficult. Cutting spending is difficult, hard-fought, and often painful. But the American people are willing to cut spending, even their own benefits, if those spending cuts reduce the deficit.

The American people become upset when they find out a cut really does not reduce spending but it is simply shifted to other types of spending or to tax cuts.

In hearings in the Committee on the Budget we asked the people, "What would you rather have, the tax cut or devote all of the spending cuts to deficit reduction?" Overwhelmingly they asked to reduce the deficit.

This amendment sets up the mechanism to insure that a cut is a cut, and it will reduce the deficit.

I urge adoption of the Brewster amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I rise in support of the lockbox Brewster amendment. The gentleman from Oklahoma [Mr. BREWSTER] and I have been

working on this concept for 2 years, and it is gratifying to see it come finally to the floor.

In my judgment the lockbox amendment makes a very bad bill a little bit less worse. At the very least, the lockbox will guarantee that the spending cuts go to deficit reduction, not corporate tax breaks.

I will bet most Americans would be shocked to learn that without this amendment that the gentleman from Oklahoma and his colleagues deserve great credit for in persevering, not one dime of this rescission bill would have gone to deficit reduction, not a single dime.

The original intent of this bill was to guarantee such things like General Dynamics and Mobil and other billion-dollar, profit-making corporations pay no taxes to pay for the repeal of the alternative minimum tax.

Thanks to the gentleman from Oklahoma, thanks to the lockbox, that is not happening, and this, my colleagues, is what the lockbox was devised for.

When we get on the floor and say we are cutting, we should not find that money being used to spend for something else or, more importantly, to reduce taxes. This amendment will make sure that happens. It will make sure that the promise that has been made by so many to the American people that we are serious about deficit reduction does not just become words but it becomes actions.

I, for my part, still think the cuts in this bill are unfair and skewed against the poor, against the elderly, against the working people, and against urban areas.

It is small consolation, but some consolation at least, that the money that we are using for these cuts will go to deficit reduction, not tax breaks.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Chairman, I have said many times that this bill, this amendment, and this concept have many fathers and one mother. As its mother, I was proud to help the gentleman from New York [Mr. SCHUMER] and others attach it to the 1993 budget bill, and I was happy to stand with the gentleman from Idaho [Mr. CRAPO] and others last week to propose it as a mechanism to use in our appropriations process.

I trust, as we did before, we will again work together in the future to adapt it to more spending cuts in this House. I support it here because it means that the cuts we will make through this bill will be devoted to deficit reduction. That is right. It is fair.

With the failure of the balanced budget amendment, the lockbox concept becomes all the more crucial, and spending cuts in the 104th Congress that are devoted to deficit reduction, start today.

I urge support for the amendment.

Mr. OBEY. Mr. Chairman, I hear the gentleman on the other side of the

aisle shouting "Vote, vote." They are the ones who imposed this rule. I think we have a right to use the time granted under it.

Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Chairman, I support the Brewster amendment, but I want to make it clear it does not correct the irresponsibility in the provisions of the Contract With America on deficit reduction, because of the way that the proposal for the tax cut will be coming to the floor, and there is still going to be pressure on programs on our most vulnerable in order to finance a tax cut for the most wealthy.

In the next 5 years all of us hope we will be doing a lot more than deficit reduction that would be in this lockbox. If we do not cut \$188 billion more, which is that the tax cut will take out of the Treasury, if we do not get \$188 billion despite the fact we might have some money in the lockbox, the deficit will continue to grow. So this lockbox will not protect us from making sure that our programs that affect our children that we are cutting, that those dollars will, the fact, go to reducing the deficit if we do not address how we are going to finance the \$188 billion.

This tax cut goes to the most wealthy.

Mr. OBEY. Mr. Chairman, I yield 4 minutes, the remainder of my time, to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I yield to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I would like to thank the gentleman for yielding.

Mr. Chairman, this a good amendment that makes a bad bill better.

I am appalled at these cuts. I understand we have tough decisions to make, but I find it ironic that the people that say we need more people working and people need to pull themselves by their bootstraps want to cut off the bootstraps. They cut adult job training. They cut summer jobs. They cut job training programs.

But what made it so appalling was that they would make these cuts affecting the disadvantaged only to give to the rich. Under this bill, the wealthiest 2 percent of this country would get 30 percent of the tax breaks. The wealthiest, the people with over \$100,000, would get 50 percent of the tax breaks.

This amendment corrects that. At least we see money going into deficit reduction, as it should be.

Perhaps the poor will benefit from lower interest rates. Perhaps the poor will benefit from not having to pay as much in debt service, and we can put some of that money back, but clearly we should not be making these draconian cuts to give money to the wealthy.

They say, well, they will find that money elsewhere to do the tax cut.

Maybe so, but I submit that now the average American can ask the question, "Who is getting the tax break?" I think when they see who is getting the tax break, they will reject this approach.

I am pleased to support this amendment. I think it is moving in the right direction. It makes a bad bill better.

Mr. DURBIN. I want to thank my colleague from Oklahoma and his friends for offering this amendment, because it brings some sanity to what we are trying to do this evening.

The chairman from Louisiana has been speaking to us in subcommittee for the last several weeks about what we are going to do with all the money we are saving tonight, all the money we are saving by cutting these programs. The chairman has given several different explanations.

I think tonight finally we are down to one simple explanation: About \$5 billion or so is going to disaster relief, primarily in California. The remainder is going to go to deficit reduction.

This is a new development. All of you who are following the contract, punching out the holes, there is a question tonight about the Republican tax plan. All of a sudden this tax plan that they love so much they are walking away from. Why would they walk away from a tax cut? Could it be the publicity that they have been getting, as Americans take a closer look at the Republican tax cut and find out that the benefits are, once again, under the Republican plan going to a privileged few?

Take a look at the capital gains tax cuts. If you happened to be making less than \$100,000, the Republicans have in store for you 26 dollars and 5 cents. But if you happen to be one of those families making over \$100,000, guess what the Republicans have to offer you, \$1,223, too much money for the people who do not need it.

But where do they come up with this money? They come up with it by cutting critical programs, absolutely critical programs that are important for people all around America.

□ 2030

Mr. DURBIN. We are talking about education dollars, money that should be going for safe and drug-free schools. Instead, they would cut the program to give tax breaks to wealthy people.

What else do they do with their tax cut plan? They end up saying that a lot of corporations in America, who otherwise would pay nothing, are going to continue to pay nothing, go back to the 1986 days before the alternative minimum tax. The Republican tax cut plan says that wealthy, profitable corporations should not pay their fair share.

Well, tonight, ladies and gentlemen, there has been a late breaking story. The Republicans have been reading their own publicity. They have been looking at the reaction across America and they are having second thoughts about this tax cut plan.

I thank the gentleman from Oklahoma [Mr. BREWSTER] and his friends for bringing some sanity to this process. If we have to cut critical programs, let us at least do it in the name of deficit reduction. This lockbox amendment may stop a few of my Republican friends, but not in lockstep.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

## RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 5, not voting 11, as follows:

[Roll No 243]

## AYES—418

Abercrombie	Coburn	Funderburk
Ackerman	Coleman	Furse
Allard	Collins (GA)	Gallegly
Andrews	Collins (IL)	Ganske
Archer	Combust	Gejdenson
Armey	Condit	Gekas
Bachus	Conyers	Gephardt
Baesler	Cooley	Geren
Baker (CA)	Costello	Gilchrest
Baker (LA)	Cox	Gillmor
Baldacci	Coyne	Gilman
Ballenger	Cramer	Gonzalez
Barcia	Crane	Goodlatte
Barr	Crapo	Goodling
Barrett (NE)	Creameans	Gordon
Barrett (WI)	Cunningham	Goss
Bartlett	Danner	Graham
Barton	de la Garza	Green
Bass	Deal	Greenwood
Bateman	DeFazio	Gunderson
Becerra	DeLauro	Gutierrez
Beilenson	DeLay	Gutknecht
Bentsen	Dellums	Hall (OH)
Bereuter	Deutsch	Hall (TX)
Berman	Diaz-Balart	Hamilton
Bevill	Dickey	Hancock
Bilbray	Dicks	Hansen
Bilirakis	Dingell	Harman
Bishop	Dixon	Hastert
Bliley	Doggett	Hastings (FL)
Blute	Doolittle	Hastings (WA)
Boehlert	Dornan	Hayes
Boehner	Doyle	Hayworth
Bonilla	Dreier	Hefley
Bonior	Duncan	Hefner
Bono	Dunn	Heineman
Borski	Durbin	Herger
Boucher	Edwards	Hilleary
Brewster	Ehlers	Hilliard
Browder	Ehrlich	Hinchev
Brown (CA)	Emerson	Hobson
Brown (FL)	Engel	Hoekstra
Brown (OH)	English	Hoke
Brownback	Ensign	Holden
Bryant (TN)	Eshoo	Horn
Bryant (TX)	Evans	Hostettler
Bunn	Everett	Houghton
Bunning	Ewing	Hoyer
Burr	Farr	Hunter
Burton	Fattah	Hutchinson
Buyer	Fawell	Hyde
Callahan	Fazio	Inglis
Calvert	Fields (LA)	Istook
Camp	Fields (TX)	Jackson-Lee
Canady	Filner	Jacobs
Cardin	Flake	Jefferson
Castle	Flanagan	Johnson (CT)
Chabot	Foglietta	Johnson (SD)
Chambliss	Foley	Johnson, Sam
Chapman	Forbes	Johnston
Chenoweth	Ford	Jones
Christensen	Fowler	Kanjorski
Chrysler	Fox	Kaptur
Clay	Frank (MA)	Kasich
Clayton	Franks (CT)	Kelly
Clement	Franks (NJ)	Kennedy (MA)
Clinger	Frelinghuysen	Kennedy (RI)
Clyburn	Frist	Kennelly
Coble	Frost	Kildee

Kim	Neal	Shuster
King	Nethercutt	Sisisky
Kingston	Neumann	Skaggs
Kleccka	Ney	Skeen
Klink	Norwood	Skelton
Klug	Nussle	Slaughter
Knollenberg	Oberstar	Smith (MI)
Kolbe	Obey	Smith (NJ)
LaFalce	Olver	Smith (TX)
LaHood	Ortiz	Smith (WA)
Lantos	Orton	Solomon
Largent	Owens	Souder
Latham	Oxley	Spence
LaTourette	Packard	Spratt
Laughlin	Pallone	Stark
Lazio	Parker	Stearns
Leach	Pastor	Stenholm
Levin	Paxon	Stockman
Lewis (CA)	Payne (NJ)	Stokes
Lewis (KY)	Payne (VA)	Studds
Lightfoot	Pelosi	Stump
Lincoln	Peterson (FL)	Stupak
Linder	Peterson (MN)	Tanner
Lipinski	Petri	Tate
Livingston	Pickett	Tauzin
LoBiondo	Pombo	Taylor (MS)
Lofgren	Pomeroy	Taylor (NC)
Longley	Porter	Tejeda
Lowe	Portman	Thomas
Lucas	Poshard	Thompson
Luther	Pryce	Thornberry
Maloney	Quillen	Thornton
Manton	Quinn	Thurman
Manzullo	Radanovich	Tiahrt
Markey	Ramstad	Torres
Martinez	Rangel	Torricelli
Martini	Reed	Towns
Mascara	Regula	Traficant
Matsui	Reynolds	Tucker
McCarthy	Richardson	Upton
McCollum	Riggs	Velazquez
McCrery	Rivers	Vento
McDade	Roberts	Visclosky
McDermott	Roemer	Volkmer
McHale	Rogers	Vucanovich
McHugh	Rohrabacher	Waldholtz
McInnis	Ros-Lehtinen	Walker
McIntosh	Rose	Walsh
McKeon	Roth	Wamp
McKinney	Roukema	Ward
McNulty	Roybal-Allard	Watt (NC)
Meehan	Royce	Watts (OK)
Meek	Rush	Waxman
Menendez	Sabo	Weldon (FL)
Metcalfe	Salmon	Weldon (PA)
Meyers	Sanders	Weller
Mfume	Sanford	White
Mica	Sawyer	Whitfield
Miller (FL)	Saxton	Wicker
Mineta	Scarborough	Wilson
Minge	Schaefer	Wise
Mink	Schiff	Wolf
Moakley	Schroeder	Woolsey
Molinari	Shumer	Wyden
Mollohan	Scott	Wynn
Montgomery	Seastrand	Young (AK)
Moorhead	Sensenbrenner	Young (FL)
Morella	Serrano	Zeliff
Murtha	Shadegg	Zimmer
Myers	Shaw	
Myrick	Shays	

## NOES—5

Miller (CA)	Rahall	Williams
Nadler	Waters	

## NOT VOTING—11

Collins (MI)	Gibbons	Talent
Cubin	Johnson, E. B.	Torkildsen
Davis	Lewis (GA)	Yates
Dooley	Moran	

□ 2047

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, I offer amendment No. 6.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROGERS: Page 8, line 24, strike “\$19,500,000” and insert “\$9,500,000”.

Page 9, line 11, strike “\$20,000,000” and insert “\$30,000,000”.

## MODIFICATION OF AMENDMENT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, at the behest of the original offeror of the amendment, I ask unanimous consent that the amendment be modified by the form the gentlewoman from Maryland [Mrs. MORELLA] has placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification of amendment offered by Mr. ROGERS: Strike “\$9,500,000” and insert “\$16,500,000”; and strike “\$30,000,000” and insert “\$23,000,000”.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. Without objection, the modification is agreed to.

There was no objection.

The text of the amendment, as modified, is as follows:

Amendment offered by Mr. ROGERS, as modified:

Page 8, line 24, strike “\$19,500,000” and insert “\$16,500,000”.

Page 9, line 11, strike “\$20,000,000” and insert “\$23,000,000”.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] will be recognized for 15 minutes. Does a Member rise in opposition to the amendment?

Mr. OBEY. Mr. Chairman, I do not rise in opposition. I doubt that there is any Member in opposition, but I would again like to work out an understanding on the sharing of the time.

The CHAIRMAN. Does the gentleman wish to ask unanimous consent to take the 15 minutes in opposition?

Mr. OBEY. Yes, Mr. Chairman.

The CHAIRMAN. Without objection, the gentleman from Wisconsin [Mr. OBEY] will be recognized for 15 minutes.

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] is recognized for 15 minutes.

Mr. ROGERS. Mr. Chairman, this amendment is offered by the gentlewoman from Maryland.

I yield 6 minutes to the gentlewoman from Maryland [Mrs. MORELLA] to explain the amendment and its modification.

Mrs. MORELLA. Mr. Chairman, the amendment that I am offering would reprogram some of the cuts in chapter 2 of H.R. 1159. The amendment would restore \$3 million that would otherwise be rescinded from the research budget of the National Institutes of Standards and Technology, an equal offset of \$3 million is made against the State Department account for acquisition and maintenance of buildings abroad. This

\$3 million amendment would partially restore the proposed 19.5 billion that would be rescinded from the NIST laboratory funding account.

This represents the lab's core functions, including its basic science and mission-related research.

I first of all wanted to thank the gentleman from Kentucky [Mr. ROGERS] for working closely with me on this issue. We are all operating under severe budgetary constraints at the current time. I know that the gentleman from Kentucky is very appreciative of the role that NIST plays in the Nation's overall competitiveness.

I look forward to working with him and the ranking member in the future on these issues. He has always been a good friend both to me and to NIST.

NIST, Mr. Chairman, is one of the premier research and technical agencies of the Federal Government. It is a nonregulatory agency whose one overriding mission is to promote economic growth by working with industry.

NIST's mission is to develop and apply technology, measurements and technical standards. The benefits of NIST activities are enjoyed throughout the country, wherever quality and competitiveness in manufacturing are valued.

For over 100 years, governments have recognized the importance of measurement standards for economic growth. That is why virtually every industrial nation has the equivalent of a NIST.

Even in the Middle Ages, commerce within a city or town depended upon having a standard pint, a standard yard and standard bushel. Today, manufacture of world-competitive computer chips and memory devices requires the use of measuring techniques accurate to less than a ten-thousandth of an inch. Measurements this precise require the development of whole new measuring technologies, and that is where NIST research comes into play.

NIST laboratory programs receive \$265 million in funding for fiscal year 1995. This level of funding reflected a careful weighing of proprieties by Congress and the administration, taking account of the evolving needs of our manufacturing industries.

NIST laboratories still account for less than one half of 1 percent of the Federal R&D budget. These recent increases in the NIST budget come after decades of neglect, decades during which, as we all know, American industry suffered and an almost fatal decline in its manufacturing competitiveness.

I submit, Mr. Chairman, that there is no other place in the Government than NIST where dollars invested will reap such large gains for the economy. NIST creates and nurtures the measurement infrastructure that allows industry to speak the same language. Without measurement standards, industry would be doomed like the proverbial Tower of Babel to fall down in disarray.

Let me offer one example of how NIST laboratory programs benefit all

of our constituents. Every year in America, doctors perform over 7 million diagnostic procedures using radiopharmaceuticals. In fact, these procedures are given to fully one fourth of all hospital patients. Heart patients, for example, often receive a thallium-201 stress test which allows doctors to actually see damaged portions of the heart muscle without ever breaking the skin.

The market for radio pharmaceutical preparations now approaches \$1 billion annually. Patients and care-givers alike have a right to expect that these radioactive materials have been properly measured and standardized. It is a matter of safety, foremost, but also good medicine and good business practice.

NIST services are essential in each step of the process that I have outlined. It provides first the measurement standards that everyone can use; second, the protocol, so that instruments can be properly adjusted and calibrated; and third, the crucial standard reference materials for instrument testing.

I want to make one point very clear. The functions that NIST performs are not optional for the government. It is not a matter that if we drop these programs the private sector will take up the slack. Development of measurement standards is costly and research intensive, but most importantly, development of these standards is not in the economic interest of any one company. That is why we critically need NIST and why NIST programs need to be fully funded.

Furthermore, it is not a matter that we can develop these standards, place them gingerly under a bell jar, as it were, leave them there for an eternity. We are approaching a very difficult budgetary environment.

I do not undertake a further offset against the State Department buildings account in a light or cavalier fashion, but I think that the \$3 million is not going to hurt them that much.

The proposed rescissions to NIST programs this year are quite significant. I know that my good friend, in restoring this \$3 million, will look to the future NIST budget for fiscal year 1996. I look forward to working with him, and I wanted this body to hear something about how important NIST is.

I thank the gentleman.

Mr. OBEY. Mr. Chairman, I yield 7 minutes to the gentleman from Indiana [Mr. ROEMER].

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

Mr. ROEMER. Mr. Chairman, I rise in support of the gentlewoman's amendment. I rise not to debate the merits of moving several million dollars from the State Department construction account to the NIST program, which I support, but more so to talk about the limited rule that we

have here for us to make this decision in a host of other areas.

Abraham Lincoln once said, "As the times are new, we must think anew and act anew."

This is certainly a new idea, to pay for a natural disaster with offsets in the budget. I support that. But when you do that, I think you have to provide equity and judiciousness and the opportunity to restore programs that are important to many Members in Congress with offsets from other cuts.

Take, for instance, WIC, Women, Infants and Children. It is cut \$25 million in this bill.

□ 2100

That is a program that President Reagan and President Bush supported. That should not be cut. We should have the opportunity to offer amendments to restore that.

Mr. Chairman, I offered five amendments in the Committee on Rules. Only one was ruled in order. Drug-free schools to keep our children out of harm's way and off drugs, where in every one of our newspapers we are reading about children in the first grade in my district bringing a gun to school. Drug-free schools money was \$482 million. We have cut that by \$472 million in this bill.

Finally, Mr. Chairman, heating for senior citizens, heating for senior citizens in the cold Northwest and in the Midwest, we have cut that by \$1.3 billion.

Mr. Chairman, I am all for making cuts. I offer amendments to cut the space station each year however, let us have the opportunity under a fair rule to cut these programs like the CIA, with \$28 billion a year; like Section 936, that allows us to send money down to Puerto Rico, to move jobs out of this contiguous United States.

They debated the A to Z bill when they were in the minority. Let us debate cuts A to Z. This bill is A to B. We are not given the opportunity to get into half the cuts we want to get into.

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

Mr. ROEMER. I am happy to yield to the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, my friend, the gentleman from Indiana, is right in saying that our colleague, the gentlewoman from Maryland [Mrs. MORELLA], has come up with a creative way to save a program she cares about. We were not given a similar opportunity to offer alternatives to spending cuts that we care about.

I want to repeat something my friend, the gentleman from Indiana said, Mr. Chairman. This rescission bill in front of us will totally eliminate grants to senior citizens that help them pay their heating bills.

Mr. Chairman, many of us would like to have put that money back in the budget and pay for it by taking money away from the S&L bailout for the Resolution Trust Corporation. We cannot do that. We would have liked to have

put money back in the budget and paid for it by considering something under another bill, the cancellation of a \$50 million loan from the United States to the Kingdom of Jordan. We cannot do that under this bill.

Some of us would have liked to have put that senior citizen money back into the budget and paid for it by cutting some of the money to the power administrations, the TVA and some of the other subsidies around the country. We are denied the opportunity to do that by the procedure under which we are operating here.

Mr. Chairman, the gentlewoman from Maryland is to be congratulated for her creativity, but all the creativity in the world would not have given us a chance to vote on the changes I just made.

Mr. Chairman, I believe we did not get the chance because the leadership on the other side knows that we would win if we got a chance to offer those amendments.

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

Mr. ROEMER. I am happy to yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, we have heard a lot about waste and bureaucracy. Let us talk about waste. Do Members know what waste is? \$10 billion on the space station. Helping senior citizens heat their homes in Vermont in the winter time is not waste. Do you know what waste is? Corporate welfare and subsidies for large corporations and wealthy individuals, that is waste. Drug prevention programs for high schools and elementary schools in this country, that is not waste. That makes good sense.

Do people really think it is waste to put money into the WIC program so we can provide decent nutrition for pregnant women and their children? Is that waste? That is not waste. Keeping the CIA funded at almost the same level as in the cold war, that is waste.

Mr. ROEMER. Mr. Chairman, I would continue along this path that we are debating here and say that it is equally shameful, not only not to provide us the opportunity to cut some of this waste and some of this pork, but to then pit great programs one against the other.

First of all, the opportunity for us to support our veterans, which I just did, and restore \$206 million to make sure our veterans get access to outpatient care is a great expenditure of money.

However, then to turn around and say the only way you can do that is to cut AmeriCorps and tell 18- and 19- and 20-year-olds that they cannot teach in schools in the South, or they cannot help in terms of cleaning up the environment in the West, or they cannot help in terms of great programs where they volunteer and serve and get into careers to help different Americans throughout the country, is a real travesty in this country.

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

Mr. ROEMER. I am happy to yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I appreciate the gentleman making that point. As the gentleman knows, that amendment was supported overwhelmingly. It was supported by many of us who feel very, very strongly, as the gentleman has just articulated, the importance of AmeriCorps. That vote had nothing to do with AmeriCorps, although under the rule, as the gentleman points out, that was the way they found to fund that particular restoration. I think the gentleman makes a good point. We are certainly going to revisit that.

Mr. ROEMER. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, I think one of the unwritten clauses with the Contract With America is that there will be free, open, and honest debate, regardless of party affiliation. Tonight is the night the Contract With America was breached. We are all watching it tonight.

Mr. ROGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I rise in favor of the amendment of the gentlewoman from Maryland [Mrs. MORELLA]. I am delighted she was able to work it out with the chairman of the subcommittee, because I think what she is doing here is something which does advance the cause of science and technology in the country, because she is helping to fund a core program that increases U.S. competitiveness in those areas.

I could not help but be somewhat amused by what we just heard from the fear caucus and the look-back caucus here a couple of minutes ago. The gentlewoman has done exactly what the rule permits, and the rule permits under all circumstances out here on the floor, that she found a way to bring her amendment to the floor, to fund it within the right account.

Some people on the other side call that clever. Fine. That is part of what the legislative process is about. She has done a very good job of it. She deserves to be congratulated for doing that.

Others could have done exactly the same thing. They just do not like the idea that they have to obey the rules. What they want to do is to be able to reach into all kinds of areas and pull out, and what do we hear that they want to pull out, they want exactly the opposite direction from the gentlewoman. They want to kill and cut science and technology programs in order to fund social welfare programs.

Mr. Chairman, it seems to me that that is something that the American people might want to think a little bit about, whether or not we ought to cut the science and technology efforts of this country in order to increase the amounts of money going for largely social welfare programs.

Mr. Chairman, in the past few weeks what we have seen happening in this country is an understanding developing among the American people that what has gone on in Washington over the last several years is absolutely immoral; that we have brought about a situation where our children and our grandchildren are going to pay massive bills of debt that we are racking up because we want to feel good, because we want to be politically correct, because we want to be able to say that "we care for you" and we are going to dish out government money that we do not have and pile it on the debt of our kids.

Mr. Chairman, I simply suggest that if we are going to spend some of this money, it ought to be spent as the gentlewoman wants to spend it, increasing American competitiveness, advancing the cause of science and technology, so that in fact in the future our kids have something solid that we have created, so that they have some new economy, some new kinds of jobs that we have created out of the competitiveness that we brought about.

Mr. Chairman, what I hear from the other side is that that is not what they want to do. They want to cut these programs so we can make people more dependent, create more social welfare, and do it in the wrong way. I think that is a very, very disturbing trend, and it is probably the reason why the rules of the House are the way they are.

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

Mr. WALKER. I am happy to yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I would just say to the gentleman two things. One, I will give the gentleman from Pennsylvania [Mr. WALKER] an opportunity not to re-spend the cut from the space station later this year on social welfare programs, but to put it to the deficit. That is a program that is tens of billions of dollars over budget.

Mr. WALKER. Mr. Chairman, the gentleman and I have debated. Reclaiming my time—

Mr. ROEMER. Could I just make my second point, Mr. Chairman? The gentleman yielded.

Mr. WALKER. Sure.

Mr. ROEMER. The second point is that the gentleman used the rules in this Chamber as a member of the minority, or objected to those rules when they were not fair, in instances like A to Z.

I assume the gentleman signed the discharge petition for A to Z to get a full debate on cuts.

Mr. WALKER. Sure.

Mr. ROEMER. Now we do not have the opportunity on the floor.

Mr. WALKER. We are having a full debate now.

Mr. ROEMER. We are restricted by the rule as to what we can cut.

Mr. WALKER. Mr. Chairman, it is a much fuller debate than we usually got out of appropriations bills brought out of the committee.

Mr. ROEMER. First, it was a restrictive rule brought to the floor.

Mr. WALKER. Mr. Chairman, under the rules, it is my time.

I would say to the gentleman that the fact is that when supplementals were brought out in the past, we did not even pay for them. We were not given an opportunity on the floor to find a way to pay for them.

What we have here is a rather unique new procedure under the contract, where we are actually saying "Maybe we ought not fund our emergencies by piling it on as debt." We have a rather remarkable new thing out here on the floor, right here, where we are stopping the piling on of debt.

I know the gentleman is complaining about that. The gentleman would prefer—

Mr. ROEMER. I am not complaining about that.

Mr. WALKER. That what we do is come out here and kill space station, so he gets his social welfare money. I think that probably is a major mistake.

The gentleman never has liked space station because he does not think that space station creates new technology. I happen to believe it does. In fact, the President and his administration, Mr. GORE today, I talked to him on the phone, he was against those NASA cuts, because he feels as though that is a contributor.

The gentleman is out of touch with his own party and out of touch with, I think, the direction of the Congress.

Mr. ROEMER. That is helpful in some degree.

Mr. WALKER. That may be.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, I thank the ranking minority Member for yielding time to me.

Mr. Chairman, back on the ranch, with regard to the amendment offered by the gentlewoman from Maryland [Mrs. MORELLA], I rise in strong support of the amendment. It would restore \$3 million of the \$19.5 million in cuts for the internal laboratory research programs at the National Institute of Standards and Technology.

For the record, Mr. Chairman, I would support a full restoration of that funding. I know the gentlewoman from Maryland was very interested in doing that also, and worked very hard on it. This was the compromise she was successful in achieving. I congratulate her for that.

Before going on to talk a little bit about these programs and why we should support the Morella amendment, Mr. Chairman, I would like to note that I deeply regret that the off-sets in this amendment are coming from the State Department's Foreign Buildings account.

This is a big account, there is no question about it, but this account provides funds for over 12,000 facilities valued at over \$10 billion. Right now, we

have a \$400 million plus backlog of facility maintenance and repair projects for our decaying facilities overseas.

Mr. Chairman, this account has already taken two cuts as a result of the rescission process. It is a big account, an easy account to cut. However, it would really be penny-wise and pound foolish, because we are building up a great liability that we are going to have to address. And we have already cut \$20 million in this bill and \$28 million as a result of the Senate's action on the defense supplemental.

I simply want my colleagues to know that continued hits in this account jeopardize our foreign buildings, as well as our new embassies.

Mr. Chairman, I hope we would refrain from the temptation to cut this account simply because of its size, and slow outlay rate. While I regret this account is where we are getting the money to offset this amendment, I do support very strongly the NIST laboratories. They develop measurement techniques, testing methods, standards, and other types of infrastructural technologies and services that provide a common language needed by industry in all stages of commerce.

They respond to the present and anticipated needs of U.S. industry and set priorities based on close consultation with industry.

Mr. Chairman, to this end, this \$19.5 million cut proposed in the rescission package would have a profound impact on U.S. industry's ability to compete in the worldwide high technology markets.

There are two reasons why this cut would be particularly devastating. First, historically, up until a couple of years ago, the NIST labs were getting about half of their budget from other agencies in contract services. In other words, they were contracting out their services and those contracts were supporting NIST employees.

The increases we see in the budget requests, and it has rightly been pointed out that NIST's internal laboratories have received increases, since that time represent a shift from this type of funding to a straight appropriation. They was a good reason for this.

Mr. Chairman, this change gives the labs more stability to plan their activities from year to year. This has become increasingly important as industries become more sophisticated and technology changes more quickly. It is important for NIST to be able to set its own agenda, to have a budget which supports its FTES.

Second, it allows NIST to target resources to high priority areas, like advanced manufacturing and biotechnology and information technology.

Mr. SKAGGS. Mr. Chairman, would the gentleman yield?

Mr. MOLLOHAN. I am pleased to yield to the gentleman from Colorado, a distinguished member of the subcommittee.

□ 2115

Mr. SKAGGS. I thank the gentleman for yielding. I just want to reinforce what the gentleman from West Virginia [Mr. MOLLOHAN] has been saying. We debate something that comes to us, and I appreciate the gentlewoman's bringing this to the floor, under the bureaucratic sounding title of Internal Laboratory Research and Members' eyes gloss over.

It is important to understand the real consequences of the work being done under this particular part of the National Institutes. We are talking about semiconductor microcircuitry research, materials, science research, a whole range of things that constitute a critical ingredient in any well-informed and sensible national competitiveness strategy. It is a vital part of the administration's efforts to really boost civilian research and secure an economic future for this country.

Mr. MOLLOHAN. We are supportive of the gentlewoman's amendment.

Mr. ROGERS. I only have one speaker remaining, and I think it is our right to close; is that correct, Mr. Chairman?

The CHAIRMAN. The gentleman is correct.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, that simply gives me an opportunity while we are on this subject to take my remarks one step further.

I would like to speak more broadly to all the proposed rescissions in the commerce technology programs, both in this bill and in the rescission package accompanying the defense supplemental. I want to go on record as strongly opposing these proposed cuts in the advanced technology program, in the manufacturing extension program, and in the Office of Technology Policy. Of course it is relevant to comment on these cuts because the NIST internal labs support the other commerce technology programs. This is part of the reason why we desperately need this funding.

According to the charts contained in the World Competitiveness Report of 1994, the United States ranks 28th, behind Japan, Germany and all of our other major competitors in the percentage of government funding allocated to non-defense research and development. We rank fifth in total expenditure of R&D as a percentage of our GDP, and 19th in real growth of private sector R&D investment.

Let's face it. Our competitors are heavily investing in programs similar to the commerce civilian technology initiatives. They are pouring funding into research and development of precompetitive generic technologies. They are funding programs similar to MEP, and we are just beginning to understand the importance of that.

Consequently, Mr. Chairman, I particularly regret the cuts in the rescission packages to those external civilian technology programs.

Again, Mr. Chairman, I appreciate the time allocated and urge the support of the Morella amendment.

Mr. OBEY. Mr. Chairman, I have one other request for time. How much time do I have remaining?

The CHAIRMAN. The gentleman has 1 minute remaining.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, under the general rules of germaneness here and since I will not get a chance to talk about this elsewhere, I want to say a little bit about HUD.

We are hearing a lot and a lot in this bill beats up on HUD, and I want to acknowledge, HUD has been badly run, because from 1981 to 1989 under Ronald Reagan, the Secretary of HUD was Samuel Pierce, and rarely in the history of America under that Republican administration has any Federal department been run so incompetently and corruptly at the same time. They rarely did anything at all and when they did anything, it was likely to be crooked. The problem we now have is that the poor people in this country are going to be penalized by savage cuts in HUD which are a consequence in part of mismanagement of that Republican rule.

With Samuel Pierce having presided under Ronald Reagan over the most corrupt administration and the most inept in recent memory, it is a very cruel thing now to penalize the poor people today, and so these cuts in HUD which are being justified by HUD mismanagement are a clear case on the part of the Republican Party of killing your parents and claiming justification because you are an orphan.

Mr. ROGERS. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] is recognized for 4½ minutes.

Mr. ROGERS. Mr. Chairman, let me explain simply what the gentlewoman's amendment does. The 1995 appropriations act out of our subcommittee included \$265 million for the National Institute of Standards and Technology's internal laboratory research programs. That amount was \$40 million over the fiscal 1994 figure, an 18 percent increase, and deservedly so, because these labs do a wonderful job.

The committee rescission in this bill that is pending before us would rescind \$19.5 million from that amount and reduce the 1995 figure to \$245.5 million for fiscal 1995. That is still a 9.5 percent increase over the 1994 level, even after the rescission is taken.

The NIST internal program will not lose money. They will just simply get as much of an increase as the 1995 bill had given them. They will still be able

to employ more people, even with this rescission.

The gentlewoman from Maryland has made a very powerful case to this gentleman and the gentleman from West Virginia [Mr. MOLLOHAN], the ranking minority member on our subcommittee, of the importance of the NIST program over and again to us.

I have to compliment the gentlewoman from Maryland [Mrs. MORELLA] for her tremendous persuasiveness about the effectiveness of NIST and its programs. She has convinced us that it would be wise to cut back on the rescission in a fairly modest way but a significant way.

This amendment she offers would restore \$3 million to the NIST internal research program to enable them to continue the build-up that was started a few years ago to bolster our Nation's ability to compete by transferring technology to our Nation's industries and businesses.

I do not think anyone in this room needs to be convinced of the efficacy of the NIST programs. This is one of the government's good programs. These are dedicated scientists and economists and people who understand business and exports. These laboratories at NIST already have a 90-plus-year history of working closely with small and large companies coupled with a reputation for neutrality and technical excellence.

That is why NIST was selected by the Congress in 1987 and 1988 to tackle added assignments. Today we provide services through four major programs that make up a portfolio of technology-based tools:

One is the competitive advanced technology program which provides cost-shared awards to industry to develop high-risk technologies.

Two, a grassroots manufacturing extension partnership helping small and medium size companies to adopt new technologies.

Three, a strong laboratory effort planned and implemented in cooperation with industry and focused on infrastructural technologies.

And, four, a quality improvement program associated with the Malcolm Baldrige National Quality Award.

The NIST laboratories are an invaluable asset of our government in assisting American companies to be more competitive in the world market.

Unfortunately, Mr. Chairman, we do not have enough money in our bill to do all we would like to do. The monies that we restore tonight we will have to find in 1996 in order to keep these added employees on the line. None of us can guarantee that. We have got a tough year coming up in 1996. But for the moment, the gentlewoman from Maryland's amendment has been persuasive.

I want to again congratulate her on being able to convince a number of us to restore this amount of money to the NIST program.

I reluctantly have agreed to the amendment, and I will be voting for the Morella amendment and urge our colleagues to do the same.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS], as modified.

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

#### RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote. A recorded vote was ordered.

The CHAIRMAN. This will be a 17-minute vote.

The vote was taken by electronic device, and there were—ayes 419, noes 8, not voting 7, as follows:

[Roll No. 244]

#### AYES—419

Ackerman	Coble	Frelinghuysen
Allard	Coburn	Frisa
Andrews	Coleman	Frost
Archer	Collins (GA)	Funderburk
Armey	Collins (IL)	Furse
Bachus	Combust	Gallegly
Baessler	Condit	Ganske
Baker (CA)	Conyers	Gejdenson
Baker (LA)	Cooley	Gekas
Baldacci	Costello	Gephardt
Ballenger	Cox	Geren
Barcia	Coyne	Gilchrest
Barr	Cramer	Gillmor
Barrett (NE)	Crane	Gillman
Barrett (WI)	Crapo	Gonzalez
Bartlett	Cremins	Goodlatte
Barton	Cunningham	Goodling
Bass	Danner	Gordon
Bateman	Davis	Goss
Becerra	de la Garza	Graham
Beilenson	Deal	Green
Bentsen	DeLauro	Greenwood
Bereuter	DeLay	Gunderson
Berman	Dellums	Gutierrez
Bevill	Deutsch	Gutknecht
Bilbray	Diaz-Balart	Hall (OH)
Bilirakis	Dickey	Hall (TX)
Bishop	Dicks	Hamilton
Bliley	Dingell	Hancock
Blute	Dixon	Hansen
Boehlert	Doggett	Harman
Boehner	Dooley	Hastert
Bonilla	Doolittle	Hastings (FL)
Bonior	Dornan	Hastings (WA)
Bono	Doyle	Hayes
Borski	Dreier	Hayworth
Boucher	Duncan	Hefner
Brewster	Dunn	Heineman
Browder	Durbin	Herger
Brown (CA)	Edwards	Hilleary
Brown (FL)	Ehlers	Hilliard
Brown (OH)	Ehrlich	Hinchey
Brownback	Emerson	Hobson
Bryant (TN)	Engel	Hoekstra
Bryant (TX)	English	Hoke
Bunn	Ensign	Holden
Bunning	Eshoo	Horn
Burr	Evans	Houghton
Burton	Everett	Hoyer
Buyer	Ewing	Hunter
Callahan	Farr	Hutchinson
Calvert	Fattah	Hyde
Camp	Fawell	Inglis
Canady	Fazio	Istook
Cardin	Fields (LA)	Jackson-Lee
Castle	Fields (TX)	Jacobs
Chabot	Filner	Jefferson
Chambliss	Flake	Johnson (CT)
Chapman	Flanagan	Johnson (SD)
Chenoweth	Foley	Johnson, Sam
Christensen	Forbes	Jones
Chrysler	Ford	Kanjorski
Clay	Fowler	Kaptur
Clayton	Fox	Kasich
Clement	Frank (MA)	Kelly
Clinger	Franks (CT)	Kennedy (MA)
Clyburn	Franks (NJ)	Kennedy (RI)



Kennelly	Myrick	Siskis
Kildee	Nadler	Skaggs
Kim	Neal	Skeen
King	Nethercutt	Skelton
Kingston	Neumann	Slaughter
Klecza	Ney	Smith (MI)
Klink	Norwood	Smith (NJ)
Klug	Nussle	Smith (TX)
Knollenberg	Oberstar	Smith (WA)
Kolbe	Obey	Solomon
LaFalce	Olver	Souder
LaHood	Ortiz	Spence
Lantos	Orton	Spratt
Largent	Owens	Stark
Latham	Oxley	Stearns
LaTourette	Packard	Stenholm
Laughlin	Pallone	Stockman
Lazio	Parker	Stokes
Leach	Pastor	Studds
Levin	Paxon	Stump
Lewis (CA)	Payne (NJ)	Stupak
Lewis (KY)	Payne (VA)	Talent
Lightfoot	Peterson (FL)	Tanner
Lincoln	Peterson (MN)	Tate
Linder	Petri	Tauzin
Lipinski	Pickett	Taylor (MS)
Livingston	Pombo	Taylor (NC)
LoBiondo	Pomeroy	Tejeda
Lofgren	Porter	Thomas
Longley	Portman	Thompson
Lowey	Poshard	Thornberry
Lucas	Pryce	Thornton
Luther	Quillen	Thurman
Maloney	Quinn	Tiahrt
Manton	Radanovich	Torkildsen
Markey	Rahall	Torres
Martinez	Ramstad	Torricelli
Martini	Rangel	Towns
Mascara	Reed	Trafficant
Matsui	Regula	Tucker
McCarthy	Reynolds	Upton
McCollum	Richardson	Velazquez
McCrery	Riggs	Vento
McDade	Rivers	Visclosky
McDermott	Roberts	Volkmer
McHale	Roemer	Vucanovich
McHugh	Rogers	Waldholtz
McInnis	Ros-Lehtinen	Walker
McIntosh	Rose	Walsh
McKeon	Roth	Wamp
McKinney	Roukema	Ward
McNulty	Roybal-Allard	Waters
Meehan	Royce	Watt (NC)
Meek	Rush	Watts (OK)
Menendez	Sabo	Waxman
Metcalfe	Salmon	Weldon (FL)
Meyers	Sanders	Weldon (PA)
Mfume	Sanford	Weller
Mica	Sawyer	White
Miller (CA)	Saxton	Whitfield
Miller (FL)	Schaefer	Wicker
Mineta	Schiff	Williams
Minge	Schroeder	Wilson
Mink	Schumer	Wise
Moakley	Scott	Wolf
Molinari	Seastrand	Woolsey
Mollohan	Sensenbrenner	Wyden
Montgomery	Serrano	Wynn
Moorhead	Shadegg	Young (AK)
Moran	Shaw	Young (FL)
Morella	Shays	Zeliff
Murtha	Shuster	Zimmer
Myers		

NOES—8

Abercrombie	Hostettler	Rohrabacher
DeFazio	Johnston	Scarborough
Hefley	Manzullo	

NOT VOTING—7

Collins (MI)	Gibbons	Yates
Cubin	Johnson, E. B.	
Foglietta	Lewis (GA)	

□ 2143

Mr. ROHRABACHER changed his vote from "aye" to "no."

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

□ 2145

AMENDMENT OFFERED BY MR. CRANE

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

The CHAIRMAN. Has the amendment been printed in the RECORD?

Mr. CRANE. Yes, it has, Mr. Chairman.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CRANE: page 33, line 20, strike "\$47,000,000" and insert "\$112,000,000".

Page 33, line 22, strike "\$94,000,000" and insert "\$215,000,000".

The CHAIRMAN. The gentleman from Illinois [Mr. CRANE] will be recognized for 15 minutes.

Is there any Member standing in opposition to the amendment?

Mr. OBEY. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 15 minutes.

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

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

Mr. Chairman, Speaker GINGRICH has indicated that he would not recognize further funding for the Corporation for Public Broadcasting after 1998, and as a result, we are on a course that is designed to totally defund the public contribution to public broadcasting. It is a, relatively speaking, minimal contribution right now, and it will be zeroed out.

But in the interim, what I am arguing is that my amendment would do this in a way that enables those people to make adjustments as they face that final decline of Government money involvement in public broadcasting. They would do this in a more rational way.

The proposal in the legislation before us is mild up front. In 1995, it is a 15-percent cut, a 30-percent cut in 1996, but then they are faced with a 70-percent reduction in their funding the year that it is terminated. My proposal, Mr. Chairman, would, instead, make it 33 percent, 33 percent, and 33 percent, and I would argue, Mr. Chairman, that that is a better way to approach the resolution to this problem than is currently contemplated.

The CPB funding, one must recognize, is a very small percentage of total funding for public broadcasting. As I indicated earlier, it is roughly 15 percent that comes from Federal appropriations to fund public broadcasting. We are talking about the Corporation for Public Broadcasting, not public broadcasting. Public broadcasting will continue, and my argument is there are ways in which it can be assured of a continuation for those programs that those people who are constant viewers, say, of public broadcasting, they can be assured that they will still continue to receive those services.

There will be some adjustments, however, and those adjustments are dictated in part by economic reasons, and that has been a part of the argument advanced by Speaker GINGRICH when he says by 1998 the Government taxpayers

will no longer be involved in this process.

I think it is important for our colleagues to understand that from 1975 until the present the funding for the Corporation for Public Broadcasting, the public funding, has risen by 500 percent, 500 percent since 1975. And even if you are looking at constant dollars, the fiscal year 1995 appropriation is more than three times higher than 20 years ago.

Telecommunications is very different than it was in 1967 when CPB was created. The functions of public broadcasting, namely, education, entertainment, diversity, access, and so forth are now duplicated in other entities such as cable, direct satellite, VCR's, public-access shows. CPB provides only one block of programming, while cable provides hundreds.

Some say that we need CPB because many do not get cable, the main source of diversity. However, the answer to that problem is to encourage access to cable, not to subsidize public broadcasters. Many public TV stations themselves are now redundant. CPB estimates that 58 percent of Americans receive at least two or more public TV stations. In the greater Chicago area, for example, my hometown, there are as many as four access stations, and New York has four. Washington, DC, has three; Kansas City, for example, has two.

Public broadcasting funds should go to rural stations where the need for access and diversity is most acute. If the CPB were truly the philanthropic organization it claims to be, cuts in its budget would not lead to the end of small stations. Instead, it would end big stations where consumers have a number of choices.

Barney was created by the Lyons group. Founder Sheryl Leach and her partner were listed as one of Forbes magazine's highest-paid entertainers with 1993 to 1994 earnings of \$84 million. The Lyons group has the licensing agreement with Hasbro and a theme park at Universal Studios theme park in Orlando.

Barney avoided extinction with the help of a \$2 million grant from the CPB and public broadcasting. "What we didn't realize is that exposure is so important," said Barney creator Sheryl Leach. After public broadcasters provided exposure, Barney became an institution.

The Wall Street Journal reported that despite Barney's \$1 billion in gross revenues and Leach's \$84 million earnings, almost nothing goes to CPB. In total, according to the Wall Street Journal, the CPB earned \$317,000 from product licensing fees in 1991.

Mr. Chairman, I would urge my colleagues to recognize that we are not talking about ending public broadcasting. What we are talking about is ending that minimal Federal Government involvement in this process that is not necessary, not in any way, shape, or

form, to guarantee that public broadcasting continues.

And we know, for example, that there are alternative ways to meet that marginal void of the 15-percent taxpayer contribution to the process that has perpetuated this with escalating costs to the taxpayers and minimal return.

I would urge my colleagues to support the amendment.

Mr. OBEY. Mr. Chairman, I yield 1¾ minutes to that noted defender of Big Bird, the gentlewoman from New York [Mrs. LOWEY].

Mr. CRANE. Mr. Chairman, I yield 50 seconds to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in very strong opposition to the Crane amendment to impose further cuts on the Corporation for Public Broadcasting.

In fact, had the rule not be so restrictive, I would have offered my own amendment to cut those cuts even further rather than increasing them.

The House Republican leadership has launched an all-out attack against the Corporation for Public Broadcasting as wasteful government spending and as culturally elite. This amendment hastens the planned demise of the Corporation for Public Broadcasting and reveals very clearly the extremist agenda of the Republican majority.

If you oppose violence in the media, you will oppose this amendment. Public broadcasting, Sesame Street, Prairie Home Companion, and other public programming provide an alternative for preschoolers, families, elderly Americans who want to avoid the violence of too much of commercial broadcasting. If you disagree with the Republican leadership claim that public broadcasting represents a subsidy for the culturally elite, you will oppose this amendment.

Nearly half of public broadcasting's audience are middle-income-family individuals. Calling public broadcasting culturally elite is an insult to the millions of hard-working, middle-class Americans who watch public television or listen to public radio. If you oppose the commercialization of public broadcasting, you will oppose this amendment.

You will oppose this amendment, because opponents of public broadcasting seek to privatize public broadcasting and allow commercial interests to take it over. The fact is public broadcasting could not support itself solely through revenues from its successful shows and should not support itself through commercials.

I strongly urge my colleagues to oppose the Crane amendment.

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

Mrs. LOWEY. I yield to the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, I have not suggested the content. What I have suggested is that we are going to terminate public financing of public

broadcasting by the year 1998, and all that my amendment does is to do that in a staggered way where those people can make easier adjustments than to take a 70-percent hit in their total budget in 1997. Mine is 33, 33, 33, so they can make the adjustments to the cut-backs. And the other point is it is not cultural elitism that I have argued about.

Mrs. LOWEY. I would just like to thank the gentleman for clarifying my statement even further. In fact, what this amendment does do, as you suggest, is hasten the demise of public broadcasting, because, in fact, you are increasing from 15 to 36 percent the cuts in 1996 and from 30 percent to 68 percent the cuts in the following year. So you are hastening the demise of public broadcasting, and I thank you for your clarification.

Mr. CRANE. Mr. Chairman, I yield myself such time as I may consume for one final rebuttal. My point is that is a gentler adjustment time frame than what is proposed under the legislation, because if you make marginal cuts this year and marginal cuts next year, and then you come in and you savage them totally in that final year, that is a bigger adjustment than my proposal offers.

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

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois [Mr. PORTER], the distinguished subcommittee chairman.

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

Mr. Chairman, as well-intentioned as this amendment might be, I believe that it would very much undermine the efforts of the subcommittee and the committee to graduate public broadcasting off the Federal subsidy, and we believe that we are making great progress in that regard.

□ 2200

Mr. FIELDS of Texas, the chairman of the authorizing subcommittee, and I met with officials of CPB, NPR, and PBS within the last 2 weeks, and we had I think a very, very productive meeting and understanding that our intention was that CPB become independent of the Federal subsidy, that they work on a plan that would provide for alternative revenue streams, and that they work also to incorporate a concept of graduation from subsidy for member stations who do not need it within their plans and to reduce or eliminate station overlap, of which there is some involved, particularly on the television side.

We believe that the cuts that we proposed are very substantial, 15 percent next year and 30 percent the following year. We believe that it allows them adequate time to adjust to the concept of coming off the Federal subsidy, and we believe very strongly that the Crane amendment would undermine these efforts.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I, of course, rise in strong opposition to the Crane amendment to increase the cut in the Corporation for Public Broadcasting. But do not let the Crane amendment distract us from what is really happening here today, because this rescission bill advanced by the Republican majority has huge cuts in the Corporation for Public Broadcasting: \$47 million for this next year, and \$94 million the year beyond.

So any words of support for CPB in opposition to Mr. CRANE, Members should demonstrate their support for the Corporation for Public Broadcasting by voting against this bill in final passage to eliminate these huge cuts that are already there.

Mr. CRANE in his remarks said people who do not have cable should get it. We should increase access to cable. What will that do? Increase access for our children to more sex and violence on television. Cable television, even if people can afford it, which they cannot, is no substitute for educational TV, which reaches 99 percent of our households. Our society benefits immensely from the unique educational services CPB provides that stretch across age, sex, gender, and ethnic boundaries.

Make no mistake, this rescission bill has serious cuts in the Corporation for Public Broadcasting. If you support it, you will vote against this whole bill in the end, because then you will be truly standing up for the Corporation for Public Broadcasting.

Another point our colleague has made is that if you eliminate public funds, it is still public. That cannot possibly be true.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to the Crane amendment.

Mr. Chairman, it strikes me as a bit odd, at a time when we are concerned about universal access to the internet, to laptop computers, to an array of educational technologies, to be talking about eliminating access to the one educational technology that is available to everyone already: public broadcasting.

I am old enough to remember in the 1950s, when broadcast television was hailed as the Nation's salvation, offering endless educational and entertainment possibilities—possibilities that did not seem outlandish in the medium's "golden age." And yet by the 1960s, Newton B. Minow famously surveyed the broadcasting landscape and saw nothing but a "vast wasteland."

So in the 1990's, as the commercial media become ever more competitive, they reach reflexively for the lowest common denominator of flashy, empty programming, often laden

with violence and sex. It is in the public interest that quality alternatives be offered that the market is slow to provide. The Federal funding in public broadcasting is minimal, and I see no reason we should pour money our way into an impoverished culture.

Public broadcasting survives, and must survive, to meet real, legitimate, unmet public needs. It is a resource we need more than ever, and I urge my colleagues to vote against rescinding appropriations for the Corporation for Public Broadcasting.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, this amendment is part of the Republican campaign for the dumbing down of America. First, they killed the fairness doctrine so Americans no longer hear both sides of an issue. Then the Republicans invested heavily in right wing radio and TV, so that Americans get a steady diet of Rush Limbaugh and the world according to Professor GINGRICH. Now they wanted to kill public broadcasting.

My Republican colleagues live in fear that Americans will hear more than their narrow side of the political debate. It is ironic that my Illinois colleague, who railed against the freedoms destroyed by communism, is anxious to silence the free exchange of ideas on public broadcasting.

The Republicans should not be afraid of information and balanced debate. In many foreign nations, this kind of exchange of ideas is called the American way of doing things.

Now, let me reinforce what the gentlewoman from California said. Voting against Mr. CRANE's amendment does not make you a friend of public broadcasting. Keep in mind that the underlying bill, this rescission bill, cuts the heart out of public support for public broadcasting.

Those who are standing here opposing his amendment, to say that they are friends of public broadcasting I think a lot of us know better. The bottom line is this: If we are going to keep a free and open exchange of ideas in this country, we have to be subscribing to, supporting personally, and providing some Government support, yes, for public broadcasting, both radio and TV. Oppose the Crane amendment and oppose this bill.

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

Mr. Chairman, I assume that free exchange is on Barney and Sesame Street that he is talking about, and that is characteristic of the other side of the aisle. But let me tell you something: Lyon's Group and Children's TV Workshop are grossing about \$2 billion a year through the exposure of Barney and Sesame Street. Now, why do they not, because of that free advertising, permit a little flow-back to replace any component part of national public broadcasting that is coming from the taxpayers.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. CRANE. I yield to the gentlewoman from California.

Ms. PELOSI. The gentleman knows, of course, what somebody grosses is not necessarily—

Mr. CRANE. Mr. Chairman, reclaiming my time, to be sure. I said gross income. But my point is that when you are looking at \$2 billion a year in gross income, for goodness' sake, our contribution that we are talking about is inconsequential by comparison.

Ms. PELOSI. If the gentleman will further yield, the gentleman is on the Committee on Ways and Means, a great leader on that committee. Could the gentleman give us some idea of how much of tax write-offs the commercial television stations get each year, how much the taxpayer subsidizes their operations.

Mr. CRANE. Infinitely preferable to do it in the private sector than the public sector.

Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I rise in support of this amendment. I am amazed from what I just heard from this other side of the aisle. They said we have to have Government-subsidized broadcasting at taxpayers' expense to counter what you are hearing from the free enterprise system; that you have to have Government to get out a public propaganda message instead of listening to what is on news programs or public information programs from free enterprise.

That is a socialist approach. I reject it. If you want education programming, you have got that in private sector already. Look at the Learning Channel, the Discovery Channel, the Arts and Entertainment Channel, C-SPAN, Spanish Network, Weather Channel, Headline News, CNN; then the other commercial stations. You do not need Government to give your side of the story whenever the free enterprise system says something.

I reject that notion. That shows what is really going on. Public broadcasting should be paid for by voluntary members of the public that want to contribute, not tax money.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, the free enterprise system does not work to serve the children of our country. ABC, CBS, NBC, and Fox combined have on 8 hours of children's television per week, total. PBS, starting at 6:30 each morning with Sesame Street through 6:30 every night with Bill Nye, the Science Guy, puts on 10 to 12 hours a day, 60 or so hours a week, of children's television.

Now, just so you will know the facts, ladies and gentlemen of the other side of the aisle, there are 70 million children in the United States. Of those 70 million, 33 million of them live in homes without any cable. The only channels they can turn to are ABC,

CBS, NBC, Fox, or the other independent stations. There is no children's television on it.

Now, if you want these children to be able to compete in a post-GATT, post-NAFTA world the way I do, I voted for it, we have a big deal with these kids. We are letting the low-end jobs go and are going to try to target the information-age jobs.

If you take off the only channel on television that provides mothers of children that come from the low income areas with the informational and educational skills which they need, then you are dooming our country to a society where all the welfare reform in the world will never make it possible for these children to have the skills that make it possible for them to hold the jobs in your so sacred private sector that you cut their one link to it that the public is providing them.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] has 4 minutes remaining; the gentleman from Wisconsin [Mr. OBEY] has 7¼ minutes remaining, and is entitled to the right to close since he is defending the committee position.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, as a father of a 5-year-old and a 3-year-old, I got to tell you that when you rely only upon the commercial sector to produce programming that is in their interest, you do sacrifice quality and content.

I doubt any of you have the opportunity to watch the kinds of shows that are put on on Saturday mornings or during the morning on weekdays. But the reality is that the only quality is that which you get on public broadcasting. What you get on the commercial networks is full of gratuitous violence, it has no qualitative content to it. There is a reason why the Corporation for Public Broadcasting has been maintained. It is because there is a vast difference between what it produces and what the commercial networks produce. And it all comes down to where the motivation is. The motivation for the Corporation for Public Broadcasting is to produce the highest quality programming, to appeal to our best instincts, and that is what we got and that is what we should keep.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, this rescissions package is a joke, worse than what you see on the various cable TV networks. This rescissions package guts public corporation television. It guts summer jobs, it guts housing for people who need it. And let me say this: I resent the Members of the other side of the aisle calling us socialists. We simply stand here for working Americans. Public television is free television, and it is television for our children.

What you are asking us to do is take from the Old Testament Solomon's rule

where he asked the mothers who gave birth to two babies how they would resolve who would get the one baby that lived. When they could not resolve it, one mother said cut the baby in half. The other mother said no, let the other mother take the baby because I love the baby too much.

We love our children. We will not let you put us in the Solomon's choice. Republicans can cut the baby in half. Democrats want to keep the baby alive because we love our children. Support the Public Broadcasting Corporation.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I want to appeal to those of you who find more sense in being reasonable than to be idealogues. You know, there is a place for public television and a place for public radio, and it is indeed both in the urban and rural areas. I represent rural America, and it is refreshing to know there is a source of information that is not only qualitatively and quantitatively superior, but also is subjective and has an opportunity to advance learning.

This is in the American interest that we support it. It is not to suggest that we are any less caring about free enterprise, but it is to suggest we see value in having the Americans support it because it enhances not only the education advancement, but it enhances the American way. It makes sense.

Mr. Chairman, I appeal to the other side to not only defeat this amendment, but to know that you must defeat the whole bill itself.

Mr. CRANE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Chairman, I want to thank the gentleman, but I think I heard something that was false. It is not free. My five grandkids are going to get the bill. We are spending \$200 million a year. It is not free. You are charging to each of my grandkids every month a debt they cannot pay, and it is not free. And if we do not pay attention right now, you are taking away their future, because you think it is free.

□ 2215

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

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

This is once again another instance of mean-spirited Republican budget cuts. It really never ceases to amaze me how mean-spirited and radical the Republican party has become. When I left this morning, my 16-month-old son was watching Barney. My kids have grown up on Sesame Street. I said this morning, Don't kill big bird.

Let me tell you something: 40 percent of American families do not get cable television. So if we lose public broadcasting, 40 percent of America cannot see public broadcasting and these kinds of shows. Do we want our

kids to be exposed to the sex and violence in commercial television? Do we really want our kids to be exposed to all these commercials?

For \$1 every \$1 that is put in of public funds, \$6 in the private sector are generated. This is an example of the public/private partnership that works. This money that the Federal Government puts forth is less than \$1 for every American person.

If it ain't broke, don't fix it. It ain't broke. Public TV works. Vote against this mean-spirited amendment and vote against the mean-spirited rescission package.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, we heard the previous speaker equate public broadcasting with socialism. I think that kind of laid it bare. There is no secret out here anymore. This is an amendment from the far right wing of the Republican party, this doubling of cut for the Corporation for Public Broadcasting really goes by name. It is called extremism.

Look, the mainspring of your party and the mainspring in the middle of your party, neither want to see the cuts doubled to the Corporation for Public Broadcasting, and neither your middle or ours or the middle of America believe the Corporation for Public Broadcasting is akin to socialism.

This amendment represents the far extreme right wing of your party.

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

Mr. Chairman, I have to explain again to my colleagues on the other side of the aisle, CPB, the Corporation for Public Broadcasting, the public taxpayer-financed component of public broadcasting, will be gone by 1998. All my amendment does is phase that cut in a way where they can make the adjustment easier than is otherwise prescribed under the legislation before us.

It is a 33, 33, 33 percent cut instead of waiting until 1997 and taking a 70 percent hit on their whole budget.

It is history, guys. Open your eyes up. We are talking about letting the private sector run it as it always should have.

Mr. Chairman, I yield 1 minute to my distinguished colleagues, the gentleman from Texas [Mr. FIELDS]. With all due respect, we have a gentleman's disagreement.

Mr. FIELDS of Texas. Mr. Chairman, I want to thank the gentleman from Illinois for yielding time to me, because I rise in reluctant opposition to the amendment at this time.

I think our position as Republicans first of all should be in support of public broadcasting. I think there is a niche for public broadcasting on the information superhighway. I do not believe there should be \$1 of Federal money spent in the future when it comes to authorization or when we get to the next round of appropriations, I

will support the gentleman from Illinois.

But I am now in a gentleman's agreement with CPB, with PBS, and with NPR, trying to find a solution to this problem, because I honestly believe there is a need for public broadcasting. But again, do not misunderstand me, particularly on this side of the aisle, in the future, we should not spend Federal money.

We can have a transitional time of commercial advertising. Then we can use the spectrum and through new technology allow compression that allows them to move into a new era.

So reluctantly, I oppose the amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished chairman of the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINGSTON].

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

My colleagues, the hour is late. The fact is the gentleman from Illinois [Mr. PORTER] and the members of the subcommittee have done a good job. They called for a 15 percent cut in 1996 for CPB and a 30 percent cut in 1997. I think that is adequate. That gets us on the right track.

Next year we can deal with this matter in the appropriations process in the normal time sequence. But I think that we ought to leave this bill intact as it is.

I sympathize with my friend from Illinois. I share his goals as one who has been personally attacked, practically, and caused hardship by my own public TV station. But I believe that we should deal with this at the proper time.

I urge the committee, the whole committee to support the work of the Committee on Appropriations. Vote against the Crane amendment and sustain the work of the committee.

Mr. CRANE. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts [Mr. TORKILDSEN] who has a gentleman's disagreement with me.

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman from Illinois for graciously yielding time to me.

I, too, disagree with the amendment. I think public broadcasting does have a role in our country. Commercial broadcasting is fine for what it does, but it does not have the educational component that public broadcasting has.

So I would ask members of my party to please vote against this amendment. I think we need public broadcasting to continue that education for pre-schoolers, but also for adults, programs that we would not see otherwise.

I thank the gentleman from Illinois for yielding time to me and ask that the amendment be voted down.

Mr. Chairman, I rise in strong opposition to this amendment. Further cuts in public broadcasting will not only devastate public television and radio systems, but it will also severely

hamper the discussion already taking place about the future of public broadcasting.

Faced with the current \$141 million reduction, about 30 stations would merge or go dark by 1998 and another 30 stations would have to shut down local operations by 2000.

This debate is about the value we place on public education. Public broadcasting is education for preschoolers; it's hands-on classroom materials for teachers; it's a way to earn a GED or college credits from home. The guiding principle of commercial broadcasting is clearly profit. For public television, the guiding principle is education.

Cable has certainly added to the television menu, but only for those who can afford its high prices. Basic cable costs around \$25 per month. That is simply too high a price for millions of Americans, and as a result nearly 40 percent continue to go without. Public television reaches 99 percent of the nation.

The public broadcasting industry and Congress are currently discussing the future role of public broadcasting for America. Draconian cuts would hamper these talks and prevent any thoughtful resolution for this issue. I urge my colleagues—even those who would like to end Federal funding for public broadcasting—to vote against this amendment.

Mr. CRANE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, Government ought to do what it has to do, not what it would like to do. We would all like to play Walter Annenberg or Lorenzo de Medici and be patrons of the arts. If we are serious about getting the deficit down, we can no longer do the things that are luxuries, that are nice and pleasant.

Let us go to the foundations. Let us go to the wealthy people who subsidize the arts, museums. Let them subsidize public broadcasting. It is good. It is worthwhile, but we have to borrow money to pay our bills. We can get by without this. We ought to fund it.

The CHAIRMAN. The gentleman from Illinois [Mr. CRANE] has ½ minute remaining, and the gentleman from Wisconsin [Mr. OBEY] has 1¼ minutes remaining.

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

Let me just say in conclusion, we are not talking about ending public broadcasting. Eighty-five percent of public broadcasting is privately funded. We are talking about a minuscule contribution from our grandchildren who are going to inherit the debt that we are running up right now.

I say it is time to get Government out of public broadcasting. It can survive and it can continue to provide the worthwhile services it has in the past.

I urge support for my amendment.

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

Mr. Chairman, this amendment is irrelevant. The Republicans have already decided to kill public broadcasting. This is simply a late-night sideshow to enable the reluctant dragons of the GOP Gingrich gang to get off the hook. That is all it is.

I never want to hear another lecture about family values from the Republicans in this House. I just heard someone on that side of the aisle, on the Republican side of aisle say our kids could not afford the money we are spending on public broadcasting. What our kids cannot afford is the garbage that passes for entertainment on commercial television. That is what our kids cannot afford.

This is a debate between family values and commercial values. And when you kill the only kind of television that gives young kids a decent opportunity to see something other than the garbage that passes for national network television, what you do is abandon them to the commercial marketplace. You abandon them to the commercial market forces. You say, "Values out the window, dollars come first." I do not think this country wants that.

Mr. RICHARDSON. Mr. Chairman, this bill indiscriminately cuts programs of great importance to millions of elderly, poor, and young Americans.

This bill reduces funding for important services like the Corporation for Public Broadcasting.

Now we are considering an amendment which further cuts funding for CPB.

CPB plays an important role in educating our young and keeping a vast part of our society informed.

This bill, already cutting CPB's funding by 15 percent, will have direct and negative consequences for children, rural areas, and minorities. This amendment will devastate public broadcasting.

My colleagues on the other side argue that CPB can be privatized, that the proliferation of cable has surpassed public television, or that CPB can survive through advertising, or from the profits from Barney and Sesame Street.

CPB cannot be privatized because there is nothing to privatize. CPB has no assets, it is not a business.

CPB is a grant making organization whose constituents are not-for-profit TV or radio stations.

Cable does not replace public broadcasting. Ninety-nine percent of Americans have access to public broadcasting. Only about 60 percent of Americans receive cable programming.

Public broadcasting is free and all Americans have access. Cable is expensive and it does not serve all homes.

By law public broadcasters are prohibited from advertising. Public broadcasters cannot sell air time for products or services.

Finally, public broadcasters receive only royalties from Barney the Dinosaur and Sesame Street. Last year these royalties were \$20 million and most of that went back into expensive educational programming.

America's children, rural citizens, and minorities stand to lose the most. Urge my colleagues to oppose this amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, while I find many aspects of this rescission bill cold-hearted and callous, particularly where the children of this country are concerned, I rise today on behalf of all my constituents in South Dakota—young and old—to express my strong opposition to the Rohrabacher and Crane Amendments which

further gut funding for the Corporation for Public Broadcasting. I simply cannot stand by and watch this heartless trouncing of an entity that has brought laughter, insight, and thought into the homes of countless South Dakotans and people all across this country.

This rescission bill already strips CPB of much needed funding. Given these new funding limitations, CPB must now make decisions about which programs will remain, what staff must be cut, and which stations will receive less funding. Any additional funding cuts to this invaluable resource will dramatically and negatively affect millions of people in this country. At a time when commercial broadcasting is bringing an excess of sex, violence, and just plain schlock into our homes, we simply cannot afford to lose public broadcasting—the one source of quality programming that we have.

Pulling the plug on public broadcasting hurts all of us, from those living in small rural communities to those surviving in inner city high rises to those residing in senior centers. For many people in South Dakota and across this country, public broadcasting is the only source of quality television and radio programming.

Nearly 40 percent of American households do not have cable television. In my home state of South Dakota, nearly 60 percent do not have cable. Public television and radio are often the only source of world and national news to millions of Americans. It plays a vital role in thousands of communities. Rural States such as South Dakota will be particularly hard hit by the proposed cuts and any additional cuts—25 percent of South Dakota Public Broadcasting funds come from CPB. Don't kid yourself or the American people. Our states will not be able to pick up the slack when the gutting process begins.

No one is opposed to having CPB look more aggressively for ways to profit from their occasional commercial success or to find ways to trim the fat from their overhead. But any attempt to make public broadcasting survive solely on its ability to the commercially successful should be thrown out the window.

I intend to do what it takes to ensure this senseless slashing ends. Enough is enough. No more endangering Big Bird. No more silencing Lawrence Welk. No more gutting.

Mr. GEPHARDT. Mr. Chairman, this week, House Republicans are pushing for cuts in many of our most crucial commitments to children, the elderly, pregnant women, and veterans, largely to pay for a capital gains tax cut that benefits those at the very top of the economic ladder. I believe these cuts are a grave mistake, because they punish those who are truly in need to help those who have few needs at all.

But there is one proposed cut that truly strikes at every single American, and that is the wrong-headed proposal to slash funding for the Corporation for Public Broadcasting—wounding public television and radio out of sheer partisan enmity.

Public television and radio perform a crucial public service, because they bring extremely high-quality, educational and informational programming into the homes of countless millions of Americans. These programs help young children to learn and to grow, and offer thought-provoking analyses of the world around us—programs that enrich the minds and enhance the debate of the country at

large. I am proud to consider myself a viewer and listener—as are so many Americans.

Perhaps that is why I have been flooded with letters from the people of St. Louis, beseeching me to defend the Corporation for Public Broadcasting, and especially KWMU and KETC, from these draconian cuts. Educators, psychologists, doctors, parents, and teachers, concerned community members from the 3rd Congressional District have all joined together in this cause. They know that public television and radio offer a depth and perspective that commercial outlets simply do not and cannot.

In the most fundamental sense, the airwaves belong to the American people. A handful of partisan Republicans may not like P.B.S., but the vast majority of American families do. I urge my colleagues to defeat any and all efforts to weaken this cultural source of thought, opinion, and entertainment in America.

The CHAIRMAN. All time has expired.

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

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 72, noes 350, not voting 12, as follows:

#### [Roll No 245]

##### AYES—72

Archer	Dornan	Paxon
Armey	Dreier	Pombo
Baker (CA)	Emerson	Rohrabacher
Barr	Flanagan	Roth
Bartlett	Funderburk	Royce
Barton	Hancock	Salmon
Boehner	Herger	Sanford
Bryant (TN)	Hilleary	Sensenbrenner
Bunning	Hostettler	Shadegg
Burton	Hunter	Shuster
Buyer	Hutchinson	Smith (WA)
Canady	Hyde	Solomon
Chabot	Inglis	Souder
Christensen	Istook	Stearns
Coburn	Johnson, Sam	Stenholm
Collins (GA)	Kasich	Stockman
Combest	Kingston	Stump
Condit	Largent	Tate
Cooley	Lewis (KY)	Thornberry
Cox	Linder	Vucanovich
Crane	Manzullo	Walker
DeLay	McIntosh	Weldon (FL)
Dickey	Neumann	Weller
Doolittle	Norwood	Zimmer

##### NOES—350

Abercrombie	Bishop	Castle
Ackerman	Bliley	Chambliss
Allard	Blute	Chapman
Andrews	Boehlert	Chenoweth
Bachus	Bonilla	Clayton
Baesler	Bonior	Clement
Baker (LA)	Bono	Clinger
Baldacci	Borski	Clyburn
Ballenger	Boucher	Coble
Barcia	Brewster	Coleman
Barrett (NE)	Browder	Collins (IL)
Barrett (WI)	Brown (CA)	Conyers
Bass	Brown (FL)	Costello
Bateman	Brown (OH)	Coyne
Becerra	Brownback	Cramer
Beilenson	Bryant (TX)	Crapo
Bentsen	Bunn	Cunningham
Bereuter	Burr	Danner
Berman	Callahan	Davis
Bevill	Calvert	de la Garza
Bilbray	Camp	Deal
Bilirakis	Cardin	DeFazio

DeLauro	Kennedy (MA)	Portman
Dellums	Kennedy (RI)	Poshard
Deutsch	Kennelly	Pryce
Diaz-Balart	Kildee	Quillen
Dicks	Kim	Quinn
Dingell	King	Radanovich
Dixon	Klecza	Rahall
Doggett	Klink	Ramstad
Dooley	Klug	Reed
Doyle	Knollenberg	Regula
Duncan	Kolbe	Reynolds
Dunn	LaFalce	Richardson
Durbin	LaHood	Riggs
Edwards	Lantos	Rivers
Ehlers	Latham	Roberts
Ehrlich	LaTourette	Roemer
Engel	Laughlin	Rogers
English	Lazio	Ros-Lehtinen
Ensign	Leach	Rose
Eshoo	Levin	Roukema
Evans	Lewis (CA)	Roybal-Allard
Everett	Lightfoot	Rush
Ewing	Lincoln	Sabo
Farr	Lipinski	Sanders
Fattah	Livingston	Sawyer
Fawell	LoBiondo	Saxton
Fazio	Lofgren	Scarborough
Fields (LA)	Longley	Schaefer
Fields (TX)	Lowe	Schiff
Filner	Lucas	Schroeder
Flake	Luther	Schumer
Foglietta	Maloney	Scott
Foley	Manton	Seastrand
Forbes	Markley	Serrano
Ford	Martini	Shaw
Fowler	Mascara	Shays
Fox	Matsui	Sisisky
Frank (MA)	McCarthy	Skaggs
Franks (CT)	McCollum	Skeen
Franks (NJ)	McCrery	Skelton
Frelinghuysen	McDade	Slaughter
Frisa	McDermott	Smith (MI)
Frost	McHale	Smith (NJ)
Furse	McHugh	Smith (TX)
Gallegly	McInnis	Spence
Ganske	McKeon	Spratt
Gekas	McKinney	Stark
Gephardt	McNulty	Stokes
Geren	Meehan	Studds
Gilchrest	Meek	Stupak
Gillmor	Menendez	Talent
Gilman	Metcalf	Tanner
Gonzalez	Meyers	Tauzin
Goodlatte	Mfume	Taylor (MS)
Goodling	Mica	Taylor (NC)
Gordon	Miller (CA)	Tejeda
Goss	Miller (FL)	Thomas
Graham	Mineta	Thompson
Green	Minge	Thornton
Greenwood	Mink	Thurman
Gunderson	Moakley	Tiaht
Gutierrez	Molinar	Torkildsen
Gutknecht	Mollohan	Torres
Hall (OH)	Montgomery	Torricelli
Hall (TX)	Moorhead	Towns
Hamilton	Moran	Trafigant
Hansen	Morella	Tucker
Harman	Murtha	Upton
Hastert	Myers	Velazquez
Hastings (FL)	Myrick	Vento
Hastings (WA)	Nadler	Visclosky
Hayes	Neal	Volkmer
Hayworth	Nethercutt	Waldholtz
Hefley	Ney	Walsh
Hefner	Nussle	Wamp
Heineman	Oberstar	Ward
Hilliard	Obey	Waters
Hinchey	Olver	Watt (NC)
Hobson	Ortiz	Watts (OK)
Hoekstra	Orton	Waxman
Hoke	Owens	Weldon (PA)
Holden	Oxley	White
Horn	Packard	Whitfield
Houghton	Pallone	Wicker
Hoyer	Parker	Williams
Jackson-Lee	Pastor	Wilson
Jacobs	Payne (NJ)	Wise
Jefferson	Payne (VA)	Wolf
Johnson (CT)	Pelosi	Woolsey
Johnson (SD)	Peterson (FL)	Wyden
Johnston	Peterson (MN)	Wynn
Jones	Petri	Young (AK)
Kanjorski	Pickett	Young (FL)
Kaptur	Pomeroy	Zeliff
Kelly	Porter	

#### NOT VOTING—12

Collins (MI)	Cubin
Creameans	Gejdenson

Gibbons	Lewis (GA)	Rangel
Johnson, E. B.	Martinez	Yates

#### □ 2243

Mr. HEFNER and Mr. GOSS changed their vote from “aye” to “no.”

Mr. LARGENT and Mr. KASICH changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### □ 2245

AMENDMENT OFFERED BY MR. ROHRABACHER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROHRABACHER: Page 20, line 5, strike “\$18,650,000” and insert “\$23,450,000.”

The CHAIRMAN. The gentleman from California [Mr. ROHRABACHER] will be recognized for up to 15 minutes.

Is there a Member standing in opposition? Is the gentleman from Wisconsin [Mr. OBEY] in opposition?

Mr. OBEY. Yes, I am, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin will also be recognized for up to 15 minutes.

The Chair recognizes the gentleman from California [Mr. ROHRABACHER].

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

First, Mr. Chairman, I would like to apologize to some Members to whom earlier I stated that I would probably not be introducing this particular amendment, realizing that after the full discussion that we had on the Corporation for Public Broadcasting because of the last amendment, that this body did not need to spend another half-hour debating the Corporation for Public Broadcasting, I decided not to introduce my amendment on the Corporation for Public Broadcasting but instead decided to offer an amendment dealing with a piece of waste in the budget which I feel that would probably be more worth our time to talk about, rather than having another half an hour debate on the Corporation for Public Broadcasting.

Earlier in the day that was not my intent but, Mr. Chairman, the purpose of this amendment is to endorse the original decision made by the Interior subcommittee to include \$4.8 million for the mild gasification plant in Illinois in this rescission package, a decision that was reversed in full committee.

The subcommittee had many sound reasons for not wanting this project financed. First, this is a program that the Department of Energy has left out of its budget requests since fiscal year 1993. The DOE requested this project be terminated in fiscal year 1994. Nevertheless, earmarked appropriations were made in 1994 and 1995. Arguments to the contrary, scientific justification be damned, the earmarks were made.

I am now chairman of the authorizing subcommittee, and I can tell Members, although coal gasification as a substitute for oil may have made sense in an era of high oil prices, both the Department of Energy and the National Academy of Sciences now agree that it has no practical value at the level of projected oil prices through the year 2010.

In addition, this project will duplicate other gasification projects already undertaken by the Department of Energy in West Virginia and Wyoming.

Furthermore, we are likely to come to the day when our other advanced technologies will replace the need for traditional coke-making altogether. As for power generation, this program has no value. Both the Department of Energy and the National Academy of Science agree that advanced gasification systems for power generation should have a higher priority than this mild gasification project which is aimed at producing a coal-based substitute for oil.

Mr. Chairman, when even the bureaucrats are saying that a project like this is unneeded, you know that what we are talking about is wasteful Government spending.

The timing on this rescission is also important. These are unobligated funds. Although construction is imminent at this moment, I am assured that the Department of Energy can stop this project now at no additional cost, saving the taxpayers almost \$9 million over the life of the project.

If we act now, we will be saving \$9 million over the life of this project. If we wait instead and do not include this in the rescission bill, and we wait for the fiscal year 1996 budget process, we will have lost our opportunity for real savings, construction will have started, and we will not be able to recoup millions of dollars.

I can assure Members of this, being the chairman of the authorizing subcommittee. We have no intention of authorizing this project for 1996, but if we wait for that, we have waited too long and millions of dollars will have been wasted.

I know that some people may argue, "We're not talking about a lot of money when we are talking about \$4 million to \$10 million." But that is the problem. For far too long, we have let these pet projects slip through while decrying the budget deficit and waste in Government. Here is our chance to show that in the 104th Congress, it is not business as usual. This project is pure pork, it is not justified by science, it is not justified by economics, it is not justified by need. What got it through the system was politics.

Today is a new day and there are different powers in place, political powers in place in Washington who will not put up with the type of decisionmaking that was made during the last session. Earmarking projects that even bureaucrats say is wasteful spending will not cut it anymore.

And, yes, a "yes" vote on this amendment is a vote against earmarks and a small but important step towards fiscal sanity and a balanced budget.

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

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I would like to at least clarify a few facts here. Could I have the attention of the gentleman from California.

Is the gentleman from California aware of the fact that this project was the result of a competitive solicitation by the Department of Energy and not a congressional earmark?

Mr. ROHRBACHER. If the gentleman will yield, the Department of Energy has requested that we terminate this project. Let me make that very clear. This is officially a request of the Department of Energy.

Mr. DURBIN. Let me reclaim my time. The gentleman has said repeatedly this is an earmark, this is pork. In fact it is not. It is the result of a competitive solicitation by the Department of Energy. It is not in my district but it is in my State and it is not only important to my State, it is important to a number of Midwestern States. We are talking about the use of high-sulfur coal which is becoming less popular and less commercial because of the Clean Air Act. The effort being made here is to find an environmentally safe way to use this coal.

Could I ask the gentleman from California another question. Does the gentleman know how much the total project costs?

Mr. ROHRBACHER. \$19 million.

Mr. DURBIN. I believe it is \$21 million. I would like to ask the gentleman, does he know how much the Federal Government has already put into this project before this year?

Mr. ROHRBACHER. I am told by the Department of Energy that the funds have not been expended and that \$9 million has been spent and that we can save \$10 million by acting now.

Mr. DURBIN. I think the gentleman's information is incorrect. It is a \$21 million project. We have put in \$12 million. It will take roughly \$9 million to finish. Twenty percent is being provided by the State of Illinois and by private sources. I am sure the gentleman is not aware of the fact, but if we close down the project, if we stop now, if we do not spend another penny to finish it, the \$8 million or \$9 million to finish it, it will cost us \$3.1 million to close down the project.

Here is what we are faced with. We either spend \$8 million to finish the project, do the research and see if it helps, or we spend \$3 million to close it down.

Mr. Chairman, I am sure the gentleman from California faces his own challenges in his State and we will be addressing some of those. We face a challenge in the Midwest because of the Clean Air Act. We have abundant

coal resources which cannot be used under the Clean Air Act. We are desperately, desperately trying to find ways to use these coal resources to reduce our dependence on foreign energy. This research project, the result of a competitive bid through the Department of Energy, is an effort to find an environmentally safe way to produce form coke to help the steel industry. We have seen the coal industry in my home State of Illinois decline dramatically in the last few years. We have gone from 20,000 plus coal miners to 7,000 or 8,000. We are trying to find responsible ways to use this resource.

In the committee, the gentleman is correct, I restored the funds for this project by cutting other funds. There were setoffs made for every dollar that we are putting in this project. I hope the gentleman will reconsider his amendment. I hope he understands that to stop now and not move forward with the \$8 million necessary to complete this project will still cost the taxpayers \$3 million to close it down. It makes a lot more sense to finish the research, move forward, find new energy resources and reduce our dependence on foreign energy.

Mr. ROHRBACHER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding me the time.

Mr. Chairman, there is a lot that we have to decide to do on the basis not just of whether things have merit but whether or not they have priority given the situation that we are in. This is a project that has some merit to it. It is a decent project, but it is of lower priority than other ongoing gasification efforts. This is not the only place that we are looking at how to gasify coal. There is a project in West Virginia. There are a number of places where we are looking at how to do this.

The question we have to ask ourselves in the House tonight is whether or not we want to go ahead spending money on what is a project of lower priority. The information I have is that the \$12 million referred to by the gentleman in fact is \$9 million, about \$9.2 million of money that was invested by the Federal Government and another \$3.7 million that was invested by industry, but we have some ongoing spending that has to go forward and that is the question that the gentleman from California has raised, as to whether or not we ought to continue to spend money for this project which with the merit that it has is of low priority.

These are the kinds of projects that we have to begin to think about in the Congress as we consider science. Science in the Federal Government's priorities ought to be toward a lot of those basic science missions that only some of the Federal research labs can do. This is the kind of thing that industry ought to be doing if industry wants to survive. Industry is contributing to this but industry is also expecting us



to come up with the bulk of the funding. The gentleman from California who is chairman of the Subcommittee on Energy who is in charge of these research programs is bringing to you an amendment that suggests that maybe this is a lower priority effort that we ought not continue to fund. I support the gentleman's amendment. I think he is on the right track.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. POSHARD].

Mr. POSHARD. I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to this amendment from the gentleman from California [Mr. ROHRABACHER]. I know it is getting late and I will try to keep my remarks short. But I do want to give Members a little bit of the history behind this mild gas conversion project.

□ 2300

I live about 4 miles from where the research is taking place on this project. It is a DOE bid solicitation from 1991 because of this fact: When we passed another Federal regulation in this body, the Clean Air Act, the entire high-sulfur coal industry in this country, which I represent a great part in the State of Illinois, others here from Pennsylvania, Ohio, West Virginia, Virginia, and other places represent other coal fields, suddenly came under attack from our inability to come into compliance with these new clean air regulations.

Folks, try to understand this. The most plentiful energy supply source that we have in this entire country is not oil, it is certainly not solar, it is coal, and in particular high-sulfur coal.

In these eight or nine respective States of which I speak, we have the most plentiful energy resource in this country, enough high-sulfur coal to run the entire energy needs of this Nation for 300 solid years. With all of the known oil reserves in the entire world we have barely 30 years of those reserves left. If we truly want to provide a low-cost energy resource for the future of this country, then what we need to do is put the money into the technology to help us find a way to desulfurize the coal. That is what the mild gas conversion project will help us do. It was solicited by the Department of Energy, not by any Member in this body. It is barely into its third year now and we need to complete it.

We just ask for the money to go forward in making this project prosperous.

Ladies and gentlemen, let me point out one other significant fact here: This research goes to clean up an energy source that is mined by some of the poorest people in this country. Sixty-Five percent of the mines in my district are closed now as a result of the Clean Air Act. Unless we can develop the appropriate technology to serve these people, people who are working in those mine fields and who

now are unemployed, their children have nothing left for the future, they do not have a job left. Are Members telling me we cannot invest another \$2 million in a \$1,600 billion budget to help poor people find a way to go back to work in the mines? Is this that important?

Help us out here; help the miners who go down into the belly of the Earth every day and serve the needs of this Nation. We need this project. Help us out.

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

Mr. Chairman, that was a very emotional appeal but the fact is there are many facts that were incorrect in the presentation.

Yes indeed, the Department of Energy did solicit on this project in 1991. Shortly thereafter, within a few years after that, it was determined that this was a totally worthless project. The Department of Energy solicited my office, solicited this Member to come here and prevent this money from being wasted.

The fact is, yes, there is some experimentation that needs to be done on coal gasification. The Department of Energy's position is this is not that project. This is a wasteful project that if we terminate right now, which we have the chance to do, we will be able to save \$9 million dollars.

The experts, the scientific experts, BOB WALKER, the chairman of the Committee on Science, myself who is the chairman of the authorizations subcommittee, are telling Members this will not be authorized next year, if we do not eliminate the spending now we will have committed, it will have already been committed, as the process goes on the money will have been wasted.

The Department of Energy, let me note this, says whatever comes out of this project will not be worth the investment because of low oil prices until the year 2010. This money is a total waste, it is going down one big black hole.

the gentleman may be very well intended, he may love his constituents, but the money is wasted; it is not a good expenditure.

We have to make priority decisions here. When we have all of the experts telling us it is not a good project, we should cut our losses and save the taxpayers \$9 million dollars.

That is what this is about. I ask my colleagues to join me.

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

Mr. OBEY. Mr. Chairman how much time do I have remaining?

Mr. Chairman. The gentleman from Wisconsin has 8 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. POSHARD].

Mr. POSHARD. Mr. Chairman, just in response to the gentleman from Cali-

fornia, I can only tell the gentleman that we have letters here from the Department of Energy going back to the very beginning of this project and so on. To my knowledge, the Department of Energy has not told us at this point in time that they do not any longer want this project.

Mr. ROHRABACHER. Mr. Chairman, if the gentleman will yield, is he sure he is aware of the Department of Energy's position?

Mr. POSHARD. We have a letter here from the Governor of the State of Illinois, Governor Jim Edgar who is a Republican governor and form the leadership in the Republican governor and from the leadership in the Republican State legislature, both Senate and House, who do not want this project terminated because they know what it means to the high-sulfur coal industry and the future of this industry.

So we are not speaking here in a partisan way. That is a very bipartisan concern of the people back in Illinois to help this country with respect to the high-sulfur coal industry.

Mr. ROHRABACHER. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I remember 2 years ago when we were arguing over the superconducting super collider and you guys gave the same argument against Texas. We had the same research from the departments that this was the greatest project in the world, and it definitely had and would produce results. And you know what, we stopped it, and it has 3 billion Federal dollars in it and a billion Texas dollars in it to close it down.

This is a little project. I do not see any reason that we should keep trying to find out how to fix coal.

And I also remember in Texas a few years back when the Department of Energy made us switch from gas, natural gas, clean-burning natural gas to coal, and we now see coal going from Montana to Texas in 100 train carloads every day.

You know what, it is not clean. We need to stop this pork.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] has the right to close.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. NEY].

Mr. NEY. Mr. Chairman, I rise to oppose this amendment. I want to talk about fixing coal. Coal was fix, high-sulfur coal was fixed by this Congress and the White House with the passage of the Clean Air Act. They fixed it all right, because a half a billion dollar study commissioned for 10 years by this government showed that what the Clean Air Act was going to do to coal was not going to solve the problems of

the rings in Los Angeles, but did anybody pay attention, at least the majority of the votes on both sides of the aisle? No.

So what we are trying to do is hold on to what we have, which is very little in the Ohio coal fields or in the Midwestern coal fields or Pennsylvania coal fields. We have very little left.

If Members want to debate whether it is \$3 million spent to keep the project, or whatever the economic figure, coal jobs produce 6 to 1, for every coal miner that works, we have 6 spinoffs. So we are going to pay, if we want to look at economics, one way or another as more people lose their jobs, good paying jobs, we are going to pay in welfare, in unemployment and in reduction of monies to schools. But these projects have merit because we are not going to try to recreate the coal industry. What is out there, that is shot, is shot. We are trying to just simply hang on to the very little bit that we have.

□ 2310

And I want to also tell you, to mention the factor of oil. If we want to count on oil, and oil is great for the country, our production of oil, remember past embargoes of oil? Remember upheavals in the Mideast? Those types of situations can mean the price of oil, and I thank my colleague who reminds me we fought a war over oil. We had an embargo years ago in this country over oil.

Tomorrow morning the Strait of Hormuz can be shut off, and 90 percent of the Western World's oil is gone.

So we have got to preserve what we have. That is all we are asking through the coal fields is to simply preserve what we have left.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. COSTELLO].

Mr. COSTELLO. Mr. Chairman, the hour is late. I am sure that all of the Members, realizing this is the last vote, we want to go home, but let me just reiterate a few points that were made earlier by some of my colleagues on both sides of the aisle, in particular the gentleman from Illinois [Mr. DURBIN] and the gentleman from Illinois [Mr. POSHARD].

You know, we are always talking about partnerships as opposed to the Federal Government putting up all the money for projects. This is truly a partnership between the private sector, the State of Illinois, and the Federal Government. Let me also say that I think the gentleman from Illinois [Mr. POSHARD] referred to the fact that the Governor of Illinois, a Republican Governor, sent a letter to our delegation saying that he realizes that we need to cut the Federal budget, but this is a priority project for the State of Illinois.

The State is willing to put up the money and do their part.

Let me also say that if this rescission goes through this evening, we are not talking about rescinding \$4.8 million,

we are talking about killing this project. This is a project that is under construction right now.

I am sure that the gentleman from California, in fact, very few of the Members who spoke on this issue, other than me and the gentleman from Illinois [Mr. POSHARD] and the gentleman from Illinois [Mr. DURBIN], have been actually to the coal park, to the construction site. I can tell you the project is under construction.

If you rescind this money this evening, the project is dead. If, in fact, the project is not rescinded and we go forward with this appropriation, it will be completed.

Let me close by saying that the gentleman from Illinois [Mr. DURBIN] referred to the fact that it would take \$3 million to close the project down, and I would ask Members to keep that point in mind.

The State of Illinois is willing to do their part. The Republican Governor and the Republican legislature, they are willing to put the money up. It is a good project.

I rise in opposition to the amendment, and ask my colleagues to vote against the Rohrabacher amendment.

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

Mr. Chairman, we have a chance tonight, ladies and gentlemen, to save \$9 million. That is what this is all about. I am sorry for keeping us all here for this small sum of \$9 million.

I will tell you this much: These choices, and you have heard lots of great arguments of why we should spend money on this mild coal gasification program, I will tell you that in the next 6 months we will be hearing lots of arguments about why this or that program should be financed out of our budget. There will be many, many decisions that we will face that will be much tougher than this.

This is a very easy decision. In 1994 the administration, the Department of Energy, and the official position of this administration was that this program was not worth the money and that it should be terminated. That was the official budget request of the administration, and the fact is that this has got through; the reason why it got through at all this far is because last year the chairman of the subcommittee that made the decision came from Illinois, and we passed on to a program that is duplicative. The same type of research is being done elsewhere in Wyoming. It is being done in Wyoming and West Virginia, and the Department of Energy is adamant in that it will never come up with an energy source that is economical.

Thus, all the money will be a waste, and they have asked us to terminate it.

I ask you to join me in saving \$9 million.

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

Mr. OBEY. Mr. Chairman, I yield the balance of my time, 3 minutes, to the

gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, as a member of this side of the aisle that supported the superconducting super collider, I thought it might be appropriate to answer the gentleman from Texas who asked the question why we should not support the amendment offered by the gentleman from California.

I think the real answer is that this program, clean coal technology program and the incredible investment we have in it over the years producing good results, allows us to burn coal cleanly. He rightly notes that natural gas is a clean-burning fuel.

We are the Saudi Arabia of coal, if you will. We have coal reserves in the ground that can guarantee energy independence into the future.

I support multiple fuel use; I support multiple, flexible, fuel use policy in this country, and I think that is the best way for us to achieve energy independence around the world in whatever circumstances.

Keeping using that incredible reserve of coal is to keep going to fruition with the clean coal technology program, a program in which we have invested, as the gentleman rightly points out, considerable amounts of money. I hope he would see the advantage of supporting coal, as I see the advantage to supporting oil and gas and always have, and lament the fact that the superconducting super collider was terminated, as a matter of fact.

I would also say to my friend from California that in a piece of legislation where California is benefiting mightily, it is a bit disconcerting to have a cut targeted so regionally when under this bill domestic discretionary is being hit, domestic discretionary being used from across the country and gathered up and targeted to help our friends in California.

I would urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ROHRABACHER].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 142, noes 274, not voting 18, as follows:

[Roll No. 246]

AYES—142

Allard	Bilbray	Chambliss
Andrews	Bono	Christensen
Archer	Brown (OH)	Coble
Armey	Brownback	Coburn
Baker (CA)	Bryant (TN)	Collins (GA)
Baker (LA)	Bunning	Combest
Barr	Burr	Condit
Barrett (WI)	Burton	Cooley
Barton	Camp	Cox
Bass	Canady	Crane
Bereuter	Chabot	Cunningham

Danner	Johnson, Sam	Ros-Lehtinen	Neal	Roberts	Thomas
Davis	Jones	Roth	Ney	Rogers	Thompson
DeLay	Kasich	Royce	Oberstar	Roukema	Thornton
Doggett	Kelly	Salmon	Obey	Roybal-Allard	Torkildsen
Doolittle	Kingston	Sanford	Olver	Rush	Torres
Dornan	Klug	Scarborough	Ortiz	Sabo	Towns
Dreier	Latham	Schaefer	Orton	Sanders	Trafigant
Duncan	Lightfoot	Seastrand	Owens	Sawyer	Tucker
Dunn	Lincoln	Sensenbrenner	Oxley	Saxton	Velazquez
Ehlers	Linder	Shadegg	Packard	Schiff	Vento
Ensign	LoBiondo	Smith (MI)	Pallone	Schroeder	Visclosky
Forbes	Longley	Smith (WA)	Pastor	Schumer	Volkmer
Franks (NJ)	Luther	Souder	Payne (NJ)	Scott	Waldholtz
Funderburk	Martini	Spence	Payne (VA)	Serrano	Walsh
Gallegly	McCrery	Stearns	Pelosi	Shaw	Ward
Ganske	McHugh	Stenholm	Peterson (FL)	Shays	Waters
Gekas	McInnis	Stockman	Peterson (MN)	Shuster	Watt (NC)
Gunderson	McIntosh	Stump	Pickett	Sisisky	Watts (OK)
Gutknecht	Meehan	Stupak	Pomeroy	Skaggs	Weldon (FL)
Hall (TX)	Metcalf	Talent	Porter	Skeen	Weller
Hancock	Minge	Tate	Poshard	Skelton	Whitfield
Hansen	Moorhead	Tauzin	Pryce	Slaughter	Wicker
Harman	Myrick	Thornberry	Quinn	Smith (NJ)	Wilson
Hastings (WA)	Nethercutt	Thurman	Radanovich	Smith (TX)	Wise
Hayes	Neumann	Tiahrt	Rahall	Spratt	Woolsey
Hayworth	Norwood	Torricelli	Rangel	Stokes	Wyden
Hefley	Nussle	Upton	Reed	Studds	Wynn
Heineman	Parker	Vucanovich	Regula	Tanner	Young (AK)
Herger	Paxon	Walker	Reynolds	Taylor (MS)	Young (FL)
Hilleary	Petri	Wamp	Richardson	Taylor (NC)	
Hoekstra	Pombo	Weldon (PA)	Rivers	Tejeda	
Hoke	Portman	White			
Hostettler	Quillen	Wolf			
Hunter	Ramstad	Zeliff			
Inglis	Riggs	Zimmer			
Istook	Roemer				
Jacobs	Rohrabacher				

## NOES—274

Abercrombie	Doyle	Johnson (SD)
Ackerman	Durbin	Johnston
Bachus	Edwards	Kanjorski
Baesler	Ehrlich	Kaptur
Baldacci	Emerson	Kennedy (MA)
Ballenger	Engel	Kennedy (RI)
Barcia	English	Kennelly
Barrett (NE)	Eshoo	Kildee
Bartlett	Evans	Kim
Bateman	Everett	King
Becerra	Ewing	Kleczka
Beilenson	Farr	Klink
Bentsen	Fattah	Knollenberg
Berman	Fawell	Kolbe
Bevill	Fazio	LaFalce
Bilirakis	Fields (LA)	LaHood
Bishop	Fields (TX)	Largent
Bliley	Filner	LaTourette
Blute	Flake	Laughlin
Boehlert	Flanagan	Lazio
Boehner	Foglietta	Leach
Bonilla	Foley	Levin
Bonior	Fowler	Lewis (CA)
Borski	Fox	Lewis (KY)
Boucher	Frank (MA)	Lipinski
Brewster	Franks (CT)	Livingston
Browder	Frelinghuysen	Lofgren
Brown (CA)	Frisa	Lowe
Brown (FL)	Frost	Lucas
Bryant (TX)	Furse	Maloney
Bunn	Gephardt	Manton
Buyer	Geren	Manzullo
Callahan	Gilcrest	Markley
Calvert	Gillmor	Mascara
Cardin	Gilman	Matsui
Castle	Gonzalez	McCarthy
Chapman	Goodlatte	McCollum
Chenoweth	Goodling	McDade
Chryslers	Gordon	McDermott
Clayton	Goss	McHale
Clement	Graham	McKeon
Clinger	Green	McKinney
Clyburn	Greenwood	McNulty
Coleman	Gutierrez	Meek
Conyers	Hall (OH)	Menendez
Costello	Hamilton	Meyers
Coyne	Hastert	Mfume
Cramer	Hastings (FL)	Mica
Crapo	Hefner	Miller (CA)
Cremeans	Hilliard	Miller (FL)
de la Garza	Hinche	Mineta
Deal	Hobson	Mink
DeFazio	Holden	Moakley
DeLauro	Horn	Molinari
Dellums	Houghton	Mollohan
Deutsch	Hoyer	Montgomery
Diaz-Balart	Hutchinson	Moran
Dickey	Hyde	Morella
Dicks	Jackson-Lee	Murtha
Dingell	Jefferson	Myers
Dooley	Johnson (CT)	Nadler

Neal	Roberts	Thomas
Ney	Rogers	Thompson
Oberstar	Roukema	Thornton
Obey	Roybal-Allard	Torkildsen
Olver	Rush	Torres
Ortiz	Sabo	Towns
Orton	Sanders	Trafigant
Owens	Sawyer	Tucker
Oxley	Saxton	Velazquez
Packard	Schiff	Vento
Pallone	Schroeder	Visclosky
Pastor	Schumer	Volkmer
Payne (NJ)	Scott	Waldholtz
Payne (VA)	Serrano	Walsh
Pelosi	Shaw	Ward
Peterson (FL)	Shays	Waters
Peterson (MN)	Shuster	Watt (NC)
Pickett	Sisisky	Watts (OK)
Pomeroy	Skaggs	Weldon (FL)
Porter	Skeen	Weller
Poshard	Skelton	Whitfield
Pryce	Slaughter	Wicker
Quinn	Smith (NJ)	Wilson
Radanovich	Smith (TX)	Wise
Rahall	Spratt	Woolsey
Rangel	Stokes	Wyden
Reed	Studds	Wynn
Regula	Tanner	Young (AK)
Reynolds	Taylor (MS)	Young (FL)
Richardson	Taylor (NC)	
Rivers	Tejeda	

## NOT VOTING—18

Clay	Gejdenson	Rose
Collins (IL)	Gibbons	Solomon
Collins (MI)	Johnson, E. B.	Stark
Cubin	Lantos	Waxman
Dixon	Lewis (GA)	Williams
Ford	Martinez	Yates

## □ 2335

Mr. MANZULLO, Ms. McKINNEY, and Messrs. KIM, MANTON, and REYNOLDS changed their vote from “aye” to “no.”

Mr. GANSKE and Mr. STUPAK changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LIVINGSTON. Mr. Chairman, I congratulate the chairman for an outstanding job.

Mr. OBEY. Mr. Chairman, we on this side of the aisle would also like to congratulate the Chair on his fairness and firmness today.

Mr. LIVINGSTON. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KIM) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1158) making emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes, had come to no resolution thereon.

#### PERMISSION FOR CERTAIN COMMITTEES AND SUBCOMMITTEES TO SIT ON TOMORROW DURING THE 5-MINUTE RULE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit tomorrow while the House is meeting in the Committee of the Whole House under the 5-minute rule:

Committee on Agriculture;

Committee on Banking and Financial Services;  
Committee on Commerce;  
Committee on Economic and Educational Opportunities;  
Committee on Government Reform and Oversight;  
Committee on International Relations;  
Committee on National Security;  
Committee on Resources;  
Committee on Science;  
Committee on Small Business;  
Committee on Transportation and Infrastructure; and  
Committee on Veterans' Affairs.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests for all of these spectacularly named new committees.

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

There was no objection.

## □ 2340

#### WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1, UNFUNDED MANDATE REFORM ACT OF 1995

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all points of order against the conference report on the Senate bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local, and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes, for failure to comply with the provisions of clause 3 of rule XXVIII be waived.

The SPEAKER pro tempore (Mr. KIM). Is there objection to the request of the gentleman from California?

There was no objection.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 73, TERM LIMITS CONSTITUTIONAL AMENDMENT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-82) on the resolution (H. Res. 116) providing for consideration of the joint resolution (H. J. Res. 73), proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, which was referred