

lot traceability. There are additional amendments to the Fastener Quality Act that also appear in the bill. To my knowledge, no hearings have been held on these amendments by any congressional committee nor has any adequate explanation or justification been advanced for these provisions, other than that certain fastener industry interests support them.

I note that Chairman BLILEY recently wrote Chairman WALKER, making it clear that the Commerce Committee has not waived its jurisdictional concerns about the legislation and requesting that members of the Commerce Committee be named as equal conferees on fastener provisions in any ensuing House-Senate conference. I wish to express my support for Chairman BLILEY's request and trust that we will be able to have an opportunity to participate fully in any conference on these issues of great importance to public safety.

Mr. OXLEY. Mr. Speaker, I rise to address the amendments to the Fastener Quality Act which are in H.R. 2196.

The Fastener Quality Act is the result of a 4-year-long study by the Oversight and Investigations Subcommittee of the Committee on Commerce. The statute requires testing and labeling procedures for certain grades of bolts and fasteners subject to high degrees of stress, such as in military and aerospace applications. The requirements of the Fastener Quality Act were designed to prevent the use of substandard bolts in applications where, if they were to fail, death or injury could occur.

The Commerce Committee and the Science Committee have a long history of working together on this act. After the Commerce Committee Oversight and Investigations Subcommittee investigation, our committees worked together to secure passage of this legislation in the 101st Congress and the amendments to the Fastener Act contained in this legislation.

Mr. Speaker, the amendments to the Fastener Quality Act included in this legislation are almost identical to those passed by the House in H.R. 2405 earlier this year. These amendments simply restore the original intent of the Fastener Quality Act. Additionally, they provide for notice and comment on the appropriate threshold standard to assess a significant alteration with respect to the electroplating of fasteners. The Committee on Commerce has no objection to these amendments and urges their adoption.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland [Mrs. MORELLA] that the House suspend the rules and pass the bill, H.R. 2196, as amended.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2196, the bill just passed.

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

There was no objection.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTION TO DISPOSE OF REMAINING SENATE AMENDMENT TO H.R. 1868, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

Mr. GOSS, from the Committee on Appropriations, submitted a privileged report (Rept. No. 104-399) on the resolution (H.R. 296) providing for consideration of a motion to dispose of the remaining Senate amendment to the bill (H.R. 1858) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### WAIVING A REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-400) on the resolution (H. Res. 297) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### VETERANS HOUSING, EMPLOYMENT PROGRAMS, AND EMPLOYMENT RIGHTS BENEFITS ACT OF 1995

Mr. STUMP. Mr. Speaker, I move the House suspend the rules and pass the bill (H.R. 2289) to amend title 38, United States Code, to extend permanently certain housing programs, to improve the veterans employment and training system, and to make clarifying and technical amendments to further clarify the employment and reemployment rights and responsibilities of members of the uniformed services, as well as those of the employer community, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2289

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Housing, Employment Programs, and Employment Rights Benefits Act of 1995".

#### SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

#### TITLE I—VETERANS' HOUSING PROGRAMS

##### SEC. 101. EXTENSIONS OF CERTAIN VETERANS' HOUSING PROGRAMS.

(a) NEGOTIATED INTEREST RATES.—Paragraph (4) of section 3703(c) is amended by striking out subparagraph (D).

(b) ENERGY EFFICIENT MORTGAGES.—Section 3710(d) is amended—

(1) in paragraph (1), by striking out "to demonstrate the feasibility of guaranteeing" and inserting in lieu thereof "to guarantee"; and

(2) by striking out paragraph (7).

(c) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) is amended by striking out "1995" and inserting in lieu thereof "2000".

(d) AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.—Section 3731(f) is amended by striking out paragraphs (3), (4), and (5).

(e) HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735 is amended by striking out subsection (c).

##### SEC. 102. CODIFICATION OF REPORTING REQUIREMENTS AND CHANGES IN THEIR FREQUENCY.

(a) CODIFICATION OF HOUSING RELATED REPORTING REQUIREMENTS.—(1) Chapter 37 is amended by adding after section 3735 the following new section:

#### "§ 3736. Reporting requirements

The annual report required by section 529 of this title shall include a discussion of the activities under this chapter. Beginning with the report submitted at the close of fiscal year 1996, and every second year thereafter, this discussion shall include information regarding the following:

"(1) Loans made to veterans whose only qualifying service was in the Selected Reserve.

"(2) Interest rates and discount points which were negotiated between the lender and the veteran pursuant to section 3703(c)(4)(A)(i) of this title.

"(3) The determination of reasonable value by lenders pursuant to section 3731(f) of this title.

"(4) Loans that include funds for energy efficiency improvements pursuant to section 3710(a)(10) of this title.

"(5) Direct loans to Native American veterans made pursuant to subchapter V of this chapter."

(2) The table of sections at the beginning of chapter 37 is amended by inserting after the item relating to section 3735 the following new item:

"3736. Reporting requirements."

(b) REPEAL OF SUPERSEDED REPORTING REQUIREMENTS.—The Veterans Home Loan Program Amendments of 1992 (Public Law 102-547; 106 Stat. 3633) is amended by striking out sections 2(c), 3(b), 8(d), 9(c), and 10(b).

##### SEC. 103. JOB PLACEMENT FOR HOMELESS VETERANS.

(a) HOMELESS VETERANS EMPLOYMENT PROGRAM.—Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended—

(1) in subparagraph (A), by striking out "1993" and inserting in lieu thereof "1996";

(2) in subparagraph (B)—

(A) by striking out "\$12,000,000" and inserting in lieu thereof "\$10,000,000", and

(B) by striking out "1994" and inserting in lieu thereof "1997"; and

(3) in subparagraph (C)—

(A) by striking out "\$14,000,000" and inserting in lieu thereof "\$10,000,000", and

(B) by striking out "1995" and inserting in lieu thereof "1998".

(b) GENERAL AUTHORIZATION OF APPROPRIATIONS.—Section 739(a) of such Act (42 U.S.C. 11448(a)) is amended by striking out "fiscal years 1994 and 1995" and inserting in lieu thereof "fiscal years 1996, 1997, and 1998".

(c) EXTENSION OF PROGRAM.—Section 741 of such Act (42 U.S.C. 11450) is amended by striking out "1995" and inserting in lieu thereof "1998".

## TITLE II—VETERANS' EMPLOYMENT AND TRAINING

### SEC. 201. REGIONAL OFFICES FOR VETERANS' EMPLOYMENT AND TRAINING.

Paragraph (1) of section 4102A(e) is amended to read as follows:

"(1) The Secretary of Labor shall assign regional administrators for Veterans' Employment and Training in such regions, which may not be less than five in number, as the Secretary may determine are necessary for the effective administration of the Veterans' Employment and Training Service. Each regional administrator appointed after the date of the enactment of the Veterans Housing, Employment Programs, and Employment Rights Benefits Act of 1995 shall be a veteran."

### SEC. 202. SUPPORT PERSONNEL FOR DIRECTORS OF VETERANS' EMPLOYMENT AND TRAINING.

Subsection (a) of section 4103 is amended—

(1) in the first sentence, by striking out "full-time Federal clerical support" and inserting in lieu thereof "full-time Federal clerical or other support personnel"; and

(2) in the third sentence, by striking out "Full-time Federal clerical support personnel" and inserting in lieu thereof "Full-time Federal clerical or other support personnel".

### SEC. 203. DIRECTORS AND ASSISTANT DIRECTORS FOR VETERANS' EMPLOYMENT AND TRAINING.

Subparagraph (B) of section 4103(b)(1) is amended to read as follows:

"(B) A person who serves in the position of Director for Veterans' Employment and Training or Assistant Director of Veterans' Employment Training for any State for not less than two years is eligible for appointment as such a Director or Assistant Director for any State, regardless of the period of the person's residence in that State."

### SEC. 204. PILOT PROGRAM TO INTEGRATE AND STREAMLINE FUNCTIONS OF LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES.

(a) AUTHORITY TO CONDUCT PILOT PROGRAM.—In order to assess the effects on the timeliness and quality of services to veterans resulting from re-focusing the staff resources of local veterans' employment representatives, the Secretary of Labor is authorized to conduct a pilot program under which the primary responsibilities of local veterans' employment representatives will be case management and the provision and facilitation of direct employment and training services to veterans.

(b) AUTHORITIES UNDER CHAPTER 41.—To implement the pilot program, the Secretary is authorized to suspend or limit application of those provisions of chapter 41 (other than sections 4104 (b)(1) and (c)) of such title that pertain to the Local Veterans' Employment Representative Program in States designated by the Secretary under subsection (d), except that the Secretary may use the authority of chapter 41, as the Secretary may determine, in conjunction with the authority of this section, to carry out the pilot program. The Secretary may collect such data as the Secretary considers necessary for

assessment of the pilot program. The Secretary shall measure and evaluate on a continuing basis the effectiveness of the pilot program in achieving its stated goals in general, and in achieving such goals in relation to their cost, their effect on related programs, and their structure and mechanisms for delivery of services.

(c) TARGETED VETERANS.—Within the pilot program, eligible veterans who are among groups most in need of intensive services, including disabled veterans, economically disadvantaged veterans, and veterans separated within the previous four years from active military, naval, or air service shall be given priority for service by local veterans' employment representatives. Priority for the provision of service shall be given first to disabled veterans and then to the other categories of veterans most in need of intensive services in accordance with priorities determined by the Secretary of Labor in consultation with appropriate State labor authorities.

(d) STATES DESIGNATED.—The pilot program shall be limited to not more than five States to be designated by the Secretary of Labor.

(e) REPORTS TO CONGRESS.—(1) One year after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress and the Committees on Veterans' Affairs of the Senate and the House of Representatives, an interim report describing in detail the development and implementation of the pilot program on a State by State basis.

(2) Not later than 120 days after the expiration of this section under subsection (h), the Secretary of Labor shall submit to Congress and the Committees on Veterans' Affairs of the Senate and the House of Representatives, a final report evaluating the results of the pilot program and make recommendations based on the evaluation, which may include legislative recommendations.

(f) DEFINITIONS.—For the purposes of this section—

(1) the term "veteran" has the meaning given such term by section 101(2) of title 38, United States Code;

(2) the term "disabled veteran" has the meaning given such term by section 4211(3) of such title; and

(3) the term "active military, naval, or air service" has the meaning given such term by section 101(24) of such title.

(g) AUTHORIZATION.—There is authorized to be appropriated for the pilot program, in the States designated by the Secretary of Labor pursuant to subsection (d), the amount allocated to such States under section 4102A(b)(5) of title 38, United States Code, for fiscal years 1996, 1997, and 1998.

(h) EXPIRATION DATE.—Except as provided by subsection (e), this section shall expire on October 1, 1998.

## TITLE III—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

### SEC. 301. PURPOSES.

Section 4301(a)(2) is amended by striking out "under honorable conditions".

### SEC. 302. DEFINITIONS.

Section 4303(16) is amended by inserting "national" before "emergency".

### SEC. 303. DISCRIMINATION AGAINST PERSONS WHO SERVE IN THE UNIFORMED SERVICES AND ACTS OF REPRISAL PROHIBITED.

Section 4311 is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following:

"(b) An employer may not discriminate in employment against or take any adverse employment action against any person because such person (1) has taken an action to en-

force a protection afforded any person under this chapter, (2) has testified or otherwise made a statement in or in connection with any proceeding under this chapter, (3) has assisted or otherwise participated in an investigation under this chapter, or (4) has exercised a right provided for in this chapter. The prohibition in this subsection shall apply with respect to a person regardless of whether that person has performed service in the uniformed services.

"(c) An employer shall be considered to have engaged in actions prohibited—

"(1) under subsection (a), if the person's membership, application for membership, service, application for service, or obligation for service in the uniformed services is a motivating factor in the employer's action, unless the employer can prove that the action would have been taken in the absence of such membership, application for membership, service, application for service, or obligation for service; or

"(2) under subsection (b), if the person's (A) action to enforce a protection afforded any person under this chapter, (B) testimony or making of a statement in or in connection with any proceeding under this chapter, (C) assistance or other participation in an investigation under this chapter, or (D) exercise of a right provided for in this chapter, is a motivating factor in the employer's action, unless the employer can prove that the action would have been taken in the absence of such person's enforcement action, testimony, statement, assistance, participation, or exercise of a right.

"(d) The prohibitions in subsections (a) and (b) shall apply to any position of employment, including a position that is described in section 4312(d)(1)(C)."

### SEC. 304. REEMPLOYMENT RIGHTS OF PERSONS WHO SERVE IN THE UNIFORMED SERVICES.

(a) INCLUSION OF PREPARATION AND TRAVEL TIME PRIOR TO SERVICE.—Section 4312(a) is amended by striking out "who is absent from a position of employment" and inserting in lieu thereof "whose absence from a position of employment is necessitated".

(b) LIMITATION ON SERVICE EXEMPTION TO WAR OR NATIONAL EMERGENCY.—Section 4312(c)(4)(B) is amended to read as follows:

"(B) ordered to or retained on active duty (other than for training) under any provision of law because of a war or because of a national emergency declared by the President or the Congress as determined by the Secretary concerned."

(c) BRIEF, NONRECURRENT PERIODS OF SERVICE.—Section 4312(d)(2)(C) is amended by striking out "is brief or for a nonrecurrent period and without a reasonable expectation" and inserting in lieu thereof "is for a brief, nonrecurrent period and there is no reasonable expectation".

(d) CONFORMING AMENDMENTS TO REDESIGNATIONS IN TITLE 10.—Section 4312(c) is amended—

(1) in paragraph (3), by striking out "section 270" and inserting in lieu thereof "section 10147"; and

(2) in paragraph (4)—

(A) by striking out "section 672(a), 672(g), 673, 673b, 673c, or 688" in subparagraph (A) and inserting in lieu thereof "section 688, 12301(a), 12301(g), 12302, 12304, or 12305";

(B) by striking out "section 673b" in subparagraph (C) and inserting in lieu thereof "section 12304"; and

(C) by striking out "section 3500 or 8500" in subparagraph (E) and inserting in lieu thereof "section 12406".

### SEC. 305. REEMPLOYMENT POSITIONS.

Section 4313(a)(4) is amended—

(1) by striking out "uniform services" in clause (A)(ii) and inserting in lieu thereof "uniformed services"; and

(2) by striking out "of lesser status and pay which" and inserting in lieu thereof "which is the nearest approximation to a position referred to first in clause (A)(i) and then in clause (A)(ii) which".

**SEC. 306. LEAVE.**

Section 4316(d) is amended by adding at the end the following new sentence: "No employer may require any such person to use vacation, annual or similar leave during such period of service."

**SEC. 307. HEALTH PLANS.**

Section 4317(a) is amended—

(1) by striking out "(a)(1)(A) subject to paragraphs (2) and (3), in" and inserting in lieu thereof "(a)(1) In";

(2) by redesignating clauses (i) and (ii) of paragraph (1) (as amended by paragraph (1) of this section) as subparagraphs (A) and (B), respectively;

(3) by redesignating subparagraph (B) as paragraph (2); and

(4) by redesignating subparagraph (C) as paragraph (3), and in that paragraph by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), and by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively.

**SEC. 308. EMPLOYEE PENSION BENEFIT PLANS.**

The last sentence of section 4318(b)(2) is amended by striking out "services," and inserting in lieu thereof "services, such payment period".

**SEC. 309. ENFORCEMENT OF EMPLOYMENT OR REEMPLOYMENT RIGHTS.**

(a) TECHNICAL AMENDMENT.—The second sentence of section 4322(d) is amended by inserting "attempt to" before "resolve".

(b) NOTIFICATION.—Section 4322(e) of is amended—

(1) in the matter preceding paragraph (1), by striking out "with respect to a complaint under subsection (d) are unsuccessful," and inserting in lieu thereof "with respect to any complaint filed under subsection (a) do not resolve the complaint."; and

(2) in paragraph (2), by inserting "or the Office of Personnel Management" after "Federal executive agency".

**SEC. 310. ENFORCEMENT OF RIGHTS WITH RESPECT TO A STATE OR PRIVATE EMPLOYER.**

Section 4323(a) is amended—

(1) in paragraph (1), by striking out "of an unsuccessful effort to resolve a complaint"; and

(2) in paragraph (2)(A), by striking out "regarding the complaint under section 4322(c)" and inserting in lieu thereof "under section 4322(a)".

**SEC. 311. ENFORCEMENT OF RIGHTS WITH RESPECT TO FEDERAL EXECUTIVE AGENCIES.**

(a) REFERRAL.—Section 4324(a)(1) is amended by striking out "of an unsuccessful effort to resolve a complaint relating to a Federal executive agency".

(b) ALTERNATIVE SUBMISSION OF COMPLAINT.—Section 4324(b) is amended—

(1) in the matter preceding paragraph (1), by inserting "or the Office of Personnel Management" after "Federal executive agency"; and

(2) in paragraph (1), by striking out "regarding a complaint under section 4322(c)" and inserting in lieu thereof "under section 4322(a)".

(c) RELIEF.—Section 4324(c)(2) is amended—

(1) by inserting "or the Office of Personnel Management" after "Federal executive agency"; and

(2) by striking out "employee" and inserting in lieu thereof "Office".

**SEC. 312. ENFORCEMENT OF RIGHTS WITH RESPECT TO CERTAIN FEDERAL AGENCIES.**

Section 4325(d)(1) is amended—

(1) by striking out ", alternative employment in the Federal Government under this chapter,"; and

(2) by striking out "employee" the last place it appears and inserting in lieu thereof "employees".

**SEC. 313. CONDUCT OF INVESTIGATION; SUBPOENAS.**

Section 4326(a) is amended by inserting "have reasonable access to and the right to interview persons with information relevant to the investigation and shall" after "at all reasonable times,".

**SEC. 314. TRANSITION RULES AND EFFECTIVE DATES.**

(a) REEMPLOYMENT.—Section 8(a) of the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301 note) is amended—

(1) in paragraph (3), by adding at the end thereof the following: "Any service begun up to 60 days after the date of enactment of this Act, which is served up to 60 days after the date of enactment of this Act pursuant to orders issued under section 502(f) of chapter 5 of title 32, United States Code, shall be considered under chapter 43 of title 38, United States Code, as in effect on the day before such date of enactment. Any service pursuant to orders issued under section 502(f) of chapter 5 of title 32, United States Code, served after 60 days after the date of enactment of this Act, regardless of when begun, shall be considered under the amendments made by this Act."; and

(2) in paragraph (4), by striking out "such period" and inserting in lieu thereof "such 60-day period".

(b) INSURANCE.—Section 8(c)(2) of such Act is amended by striking out "person on active duty" and inserting in lieu thereof "person serving a period of service in the uniformed services".

**SEC. 315. EFFECTIVE DATES.**

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this title shall take effect as of October 13, 1994.

(b) REORGANIZED TITLE 10 REFERENCES.—The amendments made by section 304(d) shall take effect as of December 1, 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes, and the gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes.

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

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2289, the bill now under consideration.

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

There was no objection.

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

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

Mr. STUMP. Mr. Speaker, H.R. 2289, would make improvements to several veterans benefit programs.

These would: Extend several VA home loan and housing programs; reduce VA reporting requirements; streamline the operations of the veterans employment and training service;

and clarify many of the provisions of the Uniformed Services Employment and Reemployment Rights Act.

Under pay-as-you-go budget rules, this bill would save \$14 million over the next 3 fiscal years.

As always, I want to thank the VA Committee's ranking member, my distinguished colleague and good friend, SONNY MONTGOMERY for his hard work and assistance on this bill.

I also want to thank the chairman of the Education, Employment, Training and Housing Subcommittee, STEVE BUYER, and the subcommittee's ranking member, MAXINE WATERS, for their bipartisan work on this measure.

They worked in a very constructive fashion with other members of the committee to resolve differences of opinion and accommodate members' desires in regard to this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. BUYER], chairman of the Subcommittee on Education, Training, Employment and Housing.

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

Mr. Speaker, H.R. 2289 contains provisions affecting various veterans' benefits. Title I makes several VA home loan pilot programs permanent.

To share with the colleagues, in particular, loans for energy-efficient home improvements, the ability of veterans to negotiate interest rates, the ability of the VA to package its portfolio for resale in the secondary market, automatic review of appraisals by lenders and continuation of authority to provide for foreclosed properties to community homeless providers, and it reduces reporting requirements on VA loan programs.

I would also ask my colleagues to, please, note that the President's budget did not call for an extension of the VA adjustable rate mortgage program. However, the committee looked at that program and of consideration, approved it. Prior to the passage of the committee, the CBO estimated that the ARM cost would be zero. After the committee's passage, CBO reestimated the ARM cost at \$37 million dollars. Clearly, we could not find the offset. Therefore, the extension of the VA adjustable rate mortgage program is not in this bill.

However, the Committee on Veterans' Affairs will continue to work to find a way to reauthorize the program.

H.R. 2289 will also rename and promote the homeless veterans' reintegration project. Although the project is unfunded this year, it is important to keep alive so that the Department of Labor can fund it out of its resources.

Title II of this bill focuses on the veterans' employment and training service, VETS. The changes in the law will assist the VETS program in streamlining its approach to finding jobs for veterans and improve the service at the same time. This portion of the bill will,

first, reduce the number of regional administrators; second, broaden the support staff responsibilities; third, amend the residency requirements for Federal directors of veterans' employment and training stations in the States. Providing that flexibility is important. And, authorize, fourth, authorize a pilot program to test the VETS participation in the one-stop employment centers.

Title III of this bill makes several technical improvements to the Uniformed Services Employment and Reemployment Rights Act that was passed in the 103d Congress. The changes specifically would clarify the employee and employer responsibilities, the time periods covered by the law, and also clarifies issues such as health care and pension benefits while called to active duty, and define what constitutes both discrimination and reprisal under the law.

Mr. Speaker, I would like to give special recognition to the chairman of the committee and the ranking member for their continued leadership and also the distinguished ranking member of the subcommittee, the gentlewoman from California [Ms. WATERS]. During work on the reemployment rights portion of the bill, she offered an amendment that was very constructive that significantly improved a large portion of title III of the bill. I appreciate her efforts and thank her for the bipartisan way in which she has worked with me on this bill.

I also thank my colleagues in the Subcommittee on Education, Training, Employment and Housing for their dedication on behalf of veterans.

It is a pleasure to bring this bill to the floor and to note that it streamlines the process and saves money.

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

I rise in strong support of H.R. 2289, a measure which would make permanent certain veterans' housing programs, improve, Mr. Speaker, the veterans' employment and training programs, and further improve and clarify veterans' reemployment rights. The veterans' housing and employment programs we have enacted in the last several Congresses are working well. This bill extends the VA authority to make housing loans, a very important benefit for the veteran and for the active-duty personnel.

Mr. Speaker, we are encouraging in this bill and in other legislation to get active-duty persons to use their veterans' home benefits. When they are on active duty, they are veterans, and they still have the privilege of using some of these home loans.

It also allows changes in our veterans' employment programs to go forward. Fewer resources and less staff personnel means these programs must streamline and become more efficient. H.R. 2289 authorizes these necessary changes.

I do want to commend the gentleman from Indiana [Mr. BUYER], the chair-

man of the Subcommittee on Education, Training, Employment and Housing, and also the Ranking member of the subcommittee, the gentlewoman from California [Ms. WATERS], and all members of the subcommittee for really developing an excellent bill.

I also want to thank my good friend, the gentleman from Arizona [Mr. STUMP], for bringing this measure to the floor. This bill will help veterans, and I urge my colleagues to support it.

Mr. Speaker, I will yield such time as she may consume to the gentlewoman from California [Ms. WATERS], the ranking member of the subcommittee.

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Ms. WATERS. Mr. Speaker, I thank the gentleman for yielding me time and for all of his work and support on this and all of the legislation on behalf of veterans in the Committee on Veterans Affairs.

Mr. Speaker, I, too, rise in strong support of H.R. 2289. Title I of this measure will greatly enhance the ability of veterans to purchase the home of their choice. I am, however, disappointed that we were forced to drop the section which would have extended the VA Adjustable Rate Mortgage [ARM] program. Unfortunately, CBO changed their cost estimate and, two days after the full committee markup, told us we have to come up with over \$30 million to fund the ARM. We simply do not have those funds. I fully intend to work with the subcommittee chairman on this matter, however, and expect we will revisit this issue in the future.

The provisions of title II will improve the implementation and administration of veterans' employment programs. I am particularly pleased the bill includes an amendment I offered which would authorize the Secretary of Labor to conduct a pilot program under which the responsibilities of Local Veterans' Employment Representatives [LVER's] would be redirected to focus on case management and direct service to veterans.

Last year, the committee extensively revised chapter 43 of title 38, which provides employment and reemployment rights for members of the uniformed services. Public Law 103-353, the Uniformed Services Employment and Reemployment Rights Act of 1994, was signed into law on October 13, 1994. Because of the complex and technical nature of this measure, the committee anticipated that technical and clarifying amendments would be necessary. Title II of H.R. 2289 responds to the issues and concerns that have thus far been brought to the attention of the committee.

Mr. Speaker, I want to thank the chairman of the subcommittee, my colleague, STEVE BUYER, for the cooperative, bipartisan spirit with which he has conducted the business of the subcommittee. We have had a good year, and the veterans of our Nation will benefit from our joint efforts.

H.R. 2289 is an excellent bill. I am proud of the work we have done on this measure, and I hope our colleagues will support H.R. 2289.

Mr. STUMP. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations.

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

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

Mr. Speaker, I am pleased to rise today in strong support of H.R. 2289, the Veterans Housing and Educational Benefits Act of 1995, and I commend its sponsor, the gentleman from Indiana, Mr. BUYER, as well as Mr. STUMP, the chairman of the House Veterans' Affairs Committee and the committee's ranking member, Mr. MONTGOMERY for their dedicated work on this important veterans measure.

This bill, H.R. 2289 provides permanent authorization for negotiated interest rates, energy efficient mortgages, and extends the VA's authority for enhanced loan asset sales for an additional 5 years in VA loan programs. This change will improve the secondary market of VA-backed mortgages and thereby eliminates the need for future VA servicing.

Where this bill provides great assistance for our Nation's veterans is in the area of the provision of housing assistance for homeless veterans and for employment services for those who have sacrificed so much for the freedoms we hold so dear.

For our homeless veterans this bill provides \$10 million per year to assist them in their plight. For our veterans competing in an increasingly competitive employment market this measure requires the Secretary of Labor to maintain no fewer than five veterans employment and training facilities with which to assist our job training efforts for our veterans.

Accordingly, Mr. Speaker, I urge my colleagues to fully support this important measure which will provide further educational and housing support for our Nation's veterans.

Mr. MONTGOMERY. Mr. Speaker, I yield myself one minute.

Mr. Speaker, I do so only to point out to the House that the gentleman from Arizona, Chairman STUMP, and I have sent each Member of the House of Representatives a letter pointing out that he and I have been notified by the VA officials that if either the VA-HUD appropriations bills or a continuing resolution has not been passed by December 21, the Veterans Administration says the checks for veterans will be delayed. So I think Members should know that.

We are talking about 2.5 million veterans getting their checks delayed. It is a 2.6-percent cost-of-living increase in those checks. So I certainly hope that the House and the Senate and the President of the United States can get

together and we will not delay these veterans' checks as well as other checks that go to people in this country.

Mr. Speaker, this is a fine bill, and I ask support of the House.

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

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Arizona [Mr. STUMP] that the House suspend the rules and pass the bill, H.R. 2289, as amended.

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

A motion to reconsider was laid on the table.

#### REPORT ON INQUIRY INTO VARIOUS COMPLAINTS FILED AGAINST REPRESENTATIVE NEWT GINGRICH

Mrs. JOHNSON of Connecticut, from the Committee on Standards of Official Conduct, submitted a privileged report (Rept. No. 104-401) on the inquiry into various complaints filed against Representative NEWT GINGRICH, which was referred to the House Calendar and ordered to be printed.

#### STATEMENT ON REPORT OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, today, at the direction of the Committee on Standards of Official Conduct, I have introduced a resolution which eliminates one of the few exceptions to House Rules regarding outside earned income.

As you know, the Rules of the House now restrict the amount of outside income a Member or senior staffer may earn to \$20,040 per year. However, copyright royalties and book advances are exempted from this restriction. A Member may publish a book and receive a large cash advance and unlimited royalties.

The resolution introduced today would amend rule 47 of the Rules of the House of Representatives so as to prohibit advances and treat copyright royalties as earned income subject to the \$20,040 yearly cap. The new restriction would apply to royalties earned after December 31, 1995, for any book published after the beginning of House service, and would prohibit the deferral or royalties beyond the year in which earned.

It is the committee's hope that this resolution will be considered and approved this year.

As with our necessary reforms, this proposal may cause some momentary

financial hardship in individual cases, or even delay the communication of useful ideas. In the long run, however, this proposal, by preventing the perception that book contracts are offered or their terms altered in deference to a Member's position rather than as a reflection of the book's content, will bring added attention to whatever ideas we may put forth.

As has passage of the gift rule resolution and, hopefully, other reform initiatives, this change in our House rules will assure that our actions—both in fact and perception—merit public confidence.

#### BANK INSURANCE FUND AND DEPOSITOR PROTECTION ACT OF 1995

Mrs. ROUKEMA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1574) to amend the Federal Deposit Insurance Act to exclude certain bank products from the definition of a deposit.

The Clerk read as follows:

H.R. 1574

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bank Insurance Fund and Depositor Protection Act of 1995".

##### SEC. 2 DEFINITION OF DEPOSIT.

Section 3(l)(5) of the Federal Deposit Insurance Act (12 U.S.C. 1813(l)(5)) is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(C) any liability of an insured depository institution that arises under an annuity contract, the income of which tax deferred under section 72 of the Internal Revenue Code of 1986."

##### SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply to any liability of an insured depository that arises under an annuity contract issued on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey [Mrs. ROUKEMA] will be recognized for 20 minutes, and the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from New Jersey [Mrs. ROUKEMA].

##### GENERAL LEAVE

Mrs. ROUKEMA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1574.

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

There was no objection.

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

Mr. Speaker, as chairwoman of the Financial Institutions & Consumer

Credit Subcommittee I would like to commend you and my colleagues for considering H.R. 1574, The Bank Insurance Fund and Depositor Protection Act of 1995, on the suspension calendar.

H.R. 1574 is a bill with broad bipartisan support that would clarify that a bank product known as the retirement CD is not to be covered by Federal deposit insurance. We strongly believe these instruments could pose serious safety and soundness for banks that issue them.

Last year, certain banks received the authority to offer these retirement CDs. Banks that intend to offer them claim these instruments combine the tax-deferred income accumulation and lifetime annuity features of a traditional annuity with the Federal deposit insurance guarantee normally associated with bank certificates of deposits [CDs].

The problem is that the lifetime payment feature of the retirement CD exposes the issuing bank to a potential liability with an unknown duration raising safety and soundness issues. In addition, any deferred payments above the amount in the deposit account at maturity will not be federally insured. This is misleading to bank customers.

There is no reason for the Federal Government to forego currently taxing the income produced by an annuity product while at the same time guaranteeing the payment of the principal plus the untaxed interest. This would constitute an expansion of the Federal deposit insurance net and, once again, raises serious safety and soundness concerns. Furthermore, the FDIC has indicated that they are neutral on the matter and understand that expanding the insurance net to these or similar products could have some unknown consequences.

In addition, the Internal Revenue Service has raised other concerns about the instrument's tax-deferred status. After reviewing the components of the retirement CD, the IRS proposed to strip it of its tax-deferred status. Under U.S. tax law, the IRS believes that any favorable tax treatment for these instruments should be eliminated.

In addition, the Congressional Budget Office carefully scrutinized this product and noted, in particular, that, and I quote, that substantial uncertainty exists about its potential tax consequences. The CBO concluded that, taken as a whole, the enactment of H.R. 1574 should result in no significant budgetary impact, and therefore support the bill.

As I stated earlier, this legislation has strong bipartisan support to ban these questionable products. There is strong agreement that these instruments place the insurance industry at a competitive disadvantage, as well pose serious disclosure problems for bank depositors.

Finally, it is worth noting that this bill has companion legislation in the Senate, where it too, has broad support