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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. TAYLOR of North Carolina].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 22, 1997.

I hereby designate the Honorable CHARLES H. TAYLOR to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Reverend Sam P. Lamback, Jr., Byron United Methodist Church, Byron, GA, offered the following prayer:

Let us pray. O Creator God, You have gifted and assembled Your servants on this new day for the vital work of leading the Nation. We pause to honor the memory of our veterans on the upcoming Memorial Day.

In all the proclamations, projects, and paperwork at hand, align our spirits with Your will. Encourage and equip us for the tough tasks of service amid the competing claims of a diverse and strong-willed people. Work in us firmness and compassion in proper balance.

As You give direction to those who direct our Nation, may humility surpass self-interest, and cooperation resolve personal quests.

So may what is best for America be found to be what is best for humankind, and peace become the product of our labors and the satisfaction of our strong service together.

In Your Holy Name we pray. Amen.

THE JOURNAL

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

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

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GIBBONS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 1650. An act to authorize the President to award a gold medal on behalf of the Congress to Mother Teresa of Calcutta in recognition of her outstanding and enduring contributions through humanitarian and charitable activities, and for other purposes.

H. Con. Res. 67. Concurrent resolution authorizing the 1997 Special Olympics Torch Relay to be run through the Capitol Grounds.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 430. An act to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 543) ''An Act to provide certain protections to volunteers, nonprofit organizations, and governmental entities in lawsuits based on the activities of volunteers.''

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 22 USC 1928a, the Chair announces the Speaker's appointment of the following Members of the House to the United States Group of the North Atlantic Assembly:

Messrs. BEREUTER of Nebraska, chairman; SOLOMON of New York, vice chairman; REGULA of Ohio; BATEMAN of Virginia; BLILEY of Virginia; BOEHLERT of New York; Mrs. ROUKEMA of New Jersey; and Messrs. BALLENGER of North Carolina; HAMILTON of Indiana; RUSH of Illinois; LANTOS of California; and MANTON of New York.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes from each side.

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INTRODUCTION OF THE REV. SAMUEL P. LAMBACK, JR., GUEST CHAPLAIN

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

Mr. CHAMBLISS. Mr. Speaker, I rise in order to recognize the Rev. Samuel P. Lamback, Jr., who served as guest Chaplain this day in giving the Chamber's morning invocation.

Originally from Macon, GA, Reverend Lamback was born and raised in my congressional district. After serving with distinction in the U.S. Army, he and his wife, Ginni, have returned to middle Georgia where Reverend Lamback now lives in Byron, GA, and serves as pastor of the Byron United Methodist church.

Reverend Lamback has devoted his life to serving others. Following his graduation from the U.S. Military Academy at West Point, where I might add he was under the tutelage of our own chaplain, the Rev. Jim Ford, he served his country and fellow servicemen for 30 years as a chaplain in the U.S. Army.

Rev. Lamback represents the finest aspects of American culture he has led a life of excellence and obedience in serving his God, his church, his beliefs, and a grateful Nation.

It is truly an honor for me to recognize a constituent who has served both his country and his Creator with honor and dignity.

PROVIDING HOUSING FOR RUSSIAN SOLDIERS WHILE AMERICANS ARE UPROOTED BY MILITARY BASE CLOSINGS

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

Mr. TRAFICANT. Mr. Speaker, even though American families are being uprooted with military base closings, Uncle Sam gave millions of dollars to Russia to build housing for Russian soldiers. Now, if that is not enough to throw up your vodka, check this out. News reports confirm that one of Russia's top generals has been arrested for taking bribes, bribed with American cash. These reports say the top Russian military officials have used American dollars to build elegant country homes, and there have hardly been any homes built for Russian soldiers.

Beam me up, Mr. Speaker. When American veterans are losing their homes and America continues to give money to Russia, it is being used to build homes for the military elite, something is wrong.

Are we nuts here?

Is everybody inhaling in D.C.?

I say not one more dollar for these fat cat Russkie nincompoops. Let us use our money to help American military.

Mr. Speaker, I yield back the balance of any jobs and money left.

TOP 10 REASONS NOT TO SUPPORT H.R. 1270, NUCLEAR WASTE POLICY ACT

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

Mr. GIBBONS. Mr. Speaker, top 10 reasons not to vote for H.R. 1270, the Nuclear Waste Policy Act of 1997:

Number 10, nuclear waste will be transported next to your constituents, their homes and their schools; No. 9, transportation of radioactive waste past private property results in its devaluation; No. 8, shipping containers are designed to withstand a cash of only 30 miles per hour; No. 7, the President will veto this bill; No. 6, the Senate will sustain the bill; No. 5, local officials are neither trained or equipped to cope with a nuclear disaster; No. 4, 33 faults and 30 earthquakes, Yucca mountain is not safe period; No. 3, H.R. 1270 would result in the transfer of liability for radioactive waste to the U.S. taxpayer; No. 2, it will cost the American taxpayers an additional $2.3 billion to transport this waste rather than keeping it onsite; and finally, Mr. Speaker, No. 1, a single radioactive accident in this country would cost the American taxpayers nearly $20 billion and take over 450 days to clean it up.

Mr. Speaker, it is very important that my colleagues learn the facts surrounding H.R. 1270 and then vote against it.

HELPING WOMEN ON WELFARE TO EARN A COLLEGE DEGREE

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

Ms. WOOLSEY. Mr. Speaker, the budget resolution makes a good start at educating more Americans, and that is very good. But at the same time we must take this opportunity to help another very important group of Americans become educated. I am talking about women who are on welfare, women who want to complete their education so they can get off welfare and into jobs that pay a livable wage.

The welfare bill as passed tells these women education is not important. It is important for others, but not for them, because education is not counted as work in the new welfare law.

I have introduced a bill, Mr. Speaker, to change that. My bill says to women on welfare, ''If you study for your high school degree or your college degree or train for a career, we will count that as work.''

Education must be a top priority for all Americans, particularly for single moms who are on welfare. We must count education for welfare mothers as work so that they can get their lives together and they can earn a livable wage.

AIR QUALITY IMPROVING, BUT COCKROACHES, MITES, AND MOLDS A REAL CAUSE FOR CONCERN

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

Mr. KNOLLENBERG. Mr. Speaker, it is safe for our children to go outside and play again. The EPA's PM–2.5 ozone standards are being questioned again by experts.

In Newsweek's cover story on asthma, Dr. Thomas Platts-Mills of UVA's Asthma Disease Center says it is biologically, and I am quoting, ''it is biologically abnormal behavior'' for American kids to spend so much inactive time in front of TVs and computers.

With air quality improving, many are beginning to question the correlation between fine particulates and asthma cases. Instead, the real culprit, the real asthma culprit, might be hiding right inside our homes. Cockroaches, dust mites, molds, and animal dander may be the real cause for concern.

A recent study featured in the New England Journal of Medicine examined 476 asthmatic kids and found that cockroach allergies emerged as a key to increased asthma attacks. They no longer need to be scared of lions and tigers and bears, but watch out for roaches, mites and mold.

So America, open up the doors and windows, and send the children out to play with a deep breath of fresh air.

MAKING EDUCATION THE TOP PRIORITY OF THIS CONGRESS

(Ms. STABENOW asked and was given permission to address the House for 1 minute.)

Ms. STABENOW. Mr. Speaker, I was pleased early Wednesday morning to join my colleagues in voting for the balanced budget agreement. The most important piece for me in that agreement is that we place education as number one both in terms of investment spending and, on the other side, in terms of tax breaks for families that are working hard to send their children to college.

Now the real work begins. We have to make sure that we fulfill that promise to our families and our districts, and I would urge that as the Republican majority leads the efforts in the Committee on Appropriations and the Committee on Ways and Means that we keep our promise to focus on our children and on education.

Mr. Speaker, our children need to be prepared to start school ready to learn. They need to be able to read. They need to have classrooms that have technology that prepare them for the future. They need to be able to go to college, be involved in apprenticeships and job training that allows them to be prepared for the future.

Our challenge is to make sure that the promises that were in that agreement and the opportunities presented

actually happen, and I would urge my colleagues to work hard to make education the top priority of this Congress.

BALANCING THE BUDGET IS A MATTER OF COMMON SENSE

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, a lot of people when they hear that the country's national debt is over $5 trillion asked me how did we get into such a mess? Have the politicians in Washington totally lost their minds?

Mr. Speaker, while I cannot comment on the mental state of Washington politicians, I can say a few words about passing on a $5 trillion debt to future generations.

I think it is wrong. I think balancing a budget is not so much a spectacular achievement. Rather, I consider it a matter of common sense. I suppose that says a few things about how much common sense there has been in Washington in recent decades.

And so while I support a balanced budget amendment, the one that Congress passed earlier this week, I really do not want to tire myself out by patting ourselves on the back. On the other hand, maybe allowing common sense to win the day in Washington is something to cheer about. Last time I checked, the budget had not been balanced since 1969.

Mr. Speaker, I will keep some champagne ready.

FIGHTING FOR DEMOCRATIC PRIORITIES IN THE BUDGET

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

Ms. VELÁZQUEZ. Mr. Speaker, let us be perfectly clear about this budget agreement. It is far from over. Now that the framework has been decided by this body, it is time to talk about priorities.

The Democrats' priorities are to educate our children. First we want full funding for WIC, then we fought tooth and nail to protect funding for Pell grants, bilingual and immigrant education, Head Start, and child literacy. Now we must force the Republicans to make good on this agreement.

The Republican agenda is just as clear. They continue to brag that their number one concern is cutting taxes for the richest people in this country.

Mr. Speaker, is this what the American people want? When they want to know why our schools are crumbling to the ground and our students are not learning to read, is there a Member in this Chamber who will look them in the eye and tell them that tax cuts for the wealthy are more important?

□ 1015

POLITICS IS A FUNNY BUSINESS

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

Mr. TIAHRT. Mr. Speaker, politics is a funny business. Not too long ago, we were told that we could not balance the budget and cut taxes for working Americans. Well, the surprising thing is that most Americans never believed that nonsense. Most Americans knew that Washington could get by on less and that American families ought to get by on more. Business as usual here in Washington meant that every year the taxes went up, the Federal Government got bigger and people grew more and more frustrated.

What did the politicians in Washington have to show for these tax and spend habits? A national debt of over $5 trillion. It has been a long time coming, but finally the American people have said enough, enough to irresponsible spending, enough to the tax policies that are holding America back. This balanced budget agreement is a far cry from what needs to be done to stop Washington from its wasteful spending ways, but at least it will bring the budget into balance by the year 2000, and it will make Washington spend a little less so that American families can spend a little more. It is about time.

AMERICANS HELD HOSTAGE BY THE REPUBLICAN MAJORITY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, Americans held hostage by the Republican majority; 1 million-plus children in Texas and counting, without health insurance. Ten million children in this country and counting, without health insurance, with no legislation by this Republican majority being brought to the floor of the House to remedy this tragedy. Flood victims in the Dakotas and across the Nation being held hostage without being able to have the emergency relief dollars that they are in need of.

Women, infants, and children being held hostage, 360,000 of them, not able to have the WIC Program that provides them with nutrition. Three hundred sixty thousand less Pell grants, 31,000 less work study jobs for our young people, and 483,000 less teachers, teaching valuable needed reading and math skills to our children.

What are we going to do? Release the hostages. Begin to do legislation that works for the American people. Provide health insurance for our children, and yes, take care of the flood victims in the West. Release this legislation, get us out of this hostage situation.

DISRUPTION SHOULD NOT DETER AMERICA'S DREAMS

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

Mr. HAYWORTH. Mr. Speaker, I daily give thanks for this institution where we are free to express different ideas and opinions.

It is worth noting that my distinguished colleague from Texas offered precisely that: Her opinion based on spurious facts, claiming damage to people that simply does not exist.

Sadly what we see, Mr. Speaker, is the disgruntled fringe of the left terribly, terribly upset that at long last there is a new consensus——

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. HAYWORTH. In American politics of people working together——

Ms. JACKSON-LEE of Texas. Would the gentleman yield?

Mr. HAYWORTH. To give tax relief to working families.

Ms. JACKSON-LEE. Would the gentleman yield?

Mr. HAYWORTH. To help people get everything they can get in terms of their own livelihoods, their own ambitions——

Ms. JACKSON-LEE of Texas. I see the gentleman does not want to yield.

Mr. HAYWORTH. Mr. Speaker, within the Rules of the House, if I might suspend for a second, within the Rules of the House, I would ask to be allowed time to finish my remarks, for I was interrupted and the gentlewoman failed to suspend.

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). That time does not come out of the gentleman's time. The gentleman from Arizona has the time.

Mr. HAYWORTH. I thank the Speaker very much.

I would say to my colleagues, we have another example of people more interested in disrupting the institutions and agreements than working for honest and open debate.

DEMOCRATS WILL BE WATCHING THE BUDGET FOR AMERICA

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

Ms. DELAURO. Mr. Speaker, yesterday in the wee hours of the morning this body passed a balanced budget resolution. The plan, please understand, provides a rough blueprint. Now we get the opportunity to work out the details of this budget.

As we head into the process, Democrats are going to be watching carefully to make sure that this budget gives every, every working man and woman a shot at the American dream, and the right to a quality education has always been an essential part of that dream. So, the Democrats are going to be fighting to make sure that

this budget does the right thing for American families.

Getting young children ready to learn with strong investments in Head Start and an early start, looking at educational standards so that American children can read and write and compute, boosting school construction and repair initiatives so our kids are not sitting in crumbling schools, and helping families to afford college and vocational training through getting tax relief, and larger Pell grants. We are going to be watching the tax relief package very closely so that the richest 1 percent of Americans are not the beneficiaries, but that in fact working Americans, small businesses and small farmers are the beneficiaries. That is where the Democrats stand, for working families.

TIME TO LOOK AHEAD

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

Mr. KINGSTON. Mr. Speaker, despite some obvious unhappiness on the far left, the balanced budget agreement passed yesterday on a vote, a bipartisan vote, of 333 to 99, an overwhelming number of Democrats and Republicans passed this. It is a budget that balances by 2002. It provides permanent tax relief for the middle class, $500 per child tax credit. Medicare is safe from bankruptcy and solvent completely until the year 2007.

We have to look ahead. We, together, on a bipartisan basis need to work for a drug-free America. Drugs are a poison to society, they are involved with crime, violence, spousal and child abuse. We have to address drugs on a bipartisan basis.

We have to look forward to education, but the focus on the classroom and learning, and not on the Washington bureaucracy. We also have to look at out-of-wedlock pregnancy. For 15 years the number of out-of-wedlock births has almost tripled. Over 70 percent of all juveniles in State reform institutions were raised in fatherless homes.

These are the challenges that lie ahead. We can work best on a bipartisan basis to work toward solutions.

DISAPPOINTMENT FOR AMERICAN CITIZENS

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

Mr. MILLER of California. Mr. Speaker, how disappointed the American public must have been on Thursday night when they saw the Republican leadership and the President of the United States come together to work the budget bill so to deny American communities the right to build the bridges and the highways that are so necessary if we are not going to continue to choke on the traffic. How disappointed the American public must have been when last night they learned that the Republican leadership and the Senate and the President of the United States came together to deny health care to millions of America's children for the sake of the budget agreement. How disappointed they must have been to see these two working hand in hand to deny us the ability to deal with the infrastructure problems of our communities and the health care of our children.

So much for that bridge to the 21st century, and so much for the healthy children that we are supposed to walk across it.

THE BORDER IS OUT OF CONTROL

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

Mr. BILBRAY. Mr. Speaker, there is a lot of discussion this morning about the budget, and the Democrats and the Republicans going back and forth here.

Let me ask my colleagues on the other side of the aisle and my colleagues on this side of the aisle to consider one thing that happened this week that has not been talked about here on the House floor.

A young man was sitting in his vehicle doing his job for the United States this week at 3 o'clock Saturday night, and somebody on the other side of the Mexican border took a high-powered rifle, walked on to an overpass, and fired 17 rounds at this young man in his twenties. One bullet grazed his head, the other went through his left shoulder and the flying glass through his windshield took out, maybe has lost his left eye.

I only say this so my colleagues on both sides of the aisle, as we debate back and forth, are sensitized of the fact of reality out along our frontier. I ask all of my colleagues to remember that this man was doing his job for us, and there was an assassination attempt on this individual with a high-powered rifle from a foreign country.

The border is out of control, I say to my colleagues. If we think that we have problems here, please come and look at that. I say this: This is one of five instances in the last few weeks where an officer has had to use a firearm to protect themselves. Please join, both Democrats and Republicans, to address this issue comprehensively.

WE MUST DO A BETTER JOB OF PROTECTING OUR CHILDREN

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

Mr. LAMPSON. Mr. Speaker, my home State of Texas and sadly, all of America, is suffering from a rash of child abductions. In the Ninth District community of Friendswood, the Smither family buried their 12-year-old daughter, Laura, last month. In Killeen, TX, the Thompson family buried 7-year-old DaNydia. Each of these little girls were abducted by strangers and murdered.

We must do a better job of protecting our children, sometimes even from their parents. Three-year old Bianca Isabella Lozano was abducted April 7, 1996, from Baytown, TX, another town in my district. Authorities believed she was kidnapped by her own father. Her mother and her family do not have any idea if she is OK or not. I have printed her picture and vital statistics on my office envelopes in hopes that someone has seen her and can point the authorities in the right direction.

We have formed the Missing and Exploited Children's Caucus to do what we can to help families like Bianca's. I urge my colleagues to join.

WE SHOULD ALL HAVE HAPPY FACES

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

Mr. EWING. Mr. Speaker, I come here with a happy face today because of the work that we have done this week on the budget agreement. We ought to all have a happy face and a big smile. I am a little surprised at the-world-is-falling attitude on the other side of the aisle.

The balanced budget amendment passed by over 330 votes out of this House, putting into law an agreement between the Democratic President and the Republican Congress, to move this country ahead to a balanced budget, to provide necessary services, and yes, to provide what the American people believe they cannot afford from Government.

When we hear from the other side of the aisle about all the things that are not in this budget, we realize how out of touch they are with the American people, who realize there are limits to what we can do with one's family budget, with one's State budget, with the Federal budget. Let us all be happy we are making great progress.

IT IS ALL ABOUT JOBS

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

Mr. BALLENGER. Mr. Speaker, consider for a moment a rich person. A rich person has two basic choices as to what he can do with his money, he can save it or he can spend it.

Now suppose that he has $100,000 of income that he is completely free to dispose of as he wishes. If he spends that $100,000 on a luxury car or a new yacht, that is very good for the economy. In fact, it is very, very good for the economy to have as many rich people as possible.

But while spending $100,000 is a good thing for the economy, if he saves the $100,000 instead by investing in stock,

for example, that is even better for the economy. Why is that? Because businesses that wish to expand to modernize and to grow need that investment money. When a company expands or a new company is started, jobs are created.

So I want to give rich people an incentive to save more of their money instead of spending it. That is why it is so important for the economy to cut the tax on savings and investment. It is all about jobs.

□ 1030

A BUDGET AGREEMENT THAT TAKES AMERICA IN THE RIGHT DIRECTION

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

Mr. THUNE. Mr. Speaker, the balanced budget agreement that was reached here the last few days and hours is not just financially sound, it is also philosophically sound, because it begins to address some of the fundamental problems and inequities in our tax system.

In this country we value our families and our children, yet our tax system punishes those who want to start a family. This plan promotes families by providing a child tax credit. In this country we value frugality and saving for a rainy day, yet our current tax system punishes those who save. The budget agreement promotes saving by providing for expanded IRA accounts, and gives incentives for those who want to put away for retirement.

Finally, in America we are taught to value hard work and the things that go with it, like being able to provide for our children when we are gone. The death tax punishes those who try to pass their property on to the next generation. This budget agreement would allow one to pass more on to their children before they have to pay taxes on it.

This budget agreement takes America in the right direction. I think that is evidenced by the fact that over 300 Members of this body, over 75 percent of this institution, supported it. I urge my colleagues in the Senate to do the very same thing and to support it.

AMERICA WANTS MEMBERS TO COORDINATE TO BALANCE THE BUDGET

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

Mr. STEARNS. Mr. Speaker, many people ask me, how can you come to an agreement on the balanced budget with a President whose vision for America is so much different than your own? That is a fair question. I think we should address that this morning.

The answer, of course, is with great difficulty. It is no secret that the Democrats and Republicans have honest fundamental differences in our view of the role of government in our lives. It is no secret that the Democrats want government to have a greater role in our lives, and Republicans think that the Government's role is far too great.

It is no secret that the Democrats want to increase the size and power of government. Republicans want to reduce it. It is no secret that the Democrats think that more government can help to solve the problem of poverty. Republicans think that far from ending poverty, government welfare programs perpetuate it.

Mr. Speaker, we disagree on matters of principle, but the American people have asked us to work together to balance the budget. Let us go forward and carry out their wishes.

A BALANCED BUDGET AND A SMALLER GOVERNMENT

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

Mr. FORBES. Mr. Speaker, what a difference 4 years makes. Four years ago the President proposed the largest tax increase in U.S. history, the largest entitlement expansion in American history, and the strongest, clearest signal in U.S. history that big government, in their way of thinking, was truly the answer to all of our problems. This was in exactly the opposite direction from where many of us from across the country believe this Nation must be headed.

Now, 4 years later, I am happy to see that a majority of Americans and a majority of this Congress on both sides of the aisle agree that a reasonable government, as opposed to big government, is the way to tackle some of our more difficult problems.

Mr. Speaker, this country has been going in a direction of bigger government and higher taxes for the past 30 years. We have now signaled with action this week in passing a balanced budget, the first time in 30 years, we have signaled that we are ready to own up to our responsibilities as a Congress, Democrats and Republicans united, to pass a balanced budget. I commend the House and all my colleagues.

REPUBLICANS KEEP THEIR WORD TO AMERICA

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

Mr. BOEHNER. Mr. Speaker, there is something strange that has been happening here in the Capitol over the last 2½ years, something that we have not seen for quite a while. It is a group of politicians who are actually keeping their word.

In the fall of 1994, we laid out for the American people our set of promises in the Contract With America that we would balance the Federal budget, that we would reduce taxes, we would solve the problems in Medicare, that we would deal with illegal immigration and reform it, that we would reform welfare. Guess what? All of those things are happening.

In 1995 and 1996 we had the most successful Congress in 20 years. Now, with our agreement to balance the Federal budget, to reduce taxes for American families, and to preserve and protect Medicare, we are continuing to keep the promises that we made to the American people. It is something that I am proud of in terms of my colleagues and their commitment to do what they said they would do. We are going to keep our promises.

FOREIGN POLICY REFORM ACT

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of our Foreign Policy Reform Act, which will be coming before the House next month. This bill is the first Republican-led foreign policy blueprint since our party wrote the Marshall plan legislation some 40 years ago.

The bill will consolidate two Federal agencies into the State Department, saving a number of employees. It will choke off aid and nuclear fuel for the Castro dictatorship, it will block aid to Russia until it stops its help to Iran, and it nails deadbeat diplomats, making sure they would be prosecuted either here or back in the host country.

This bill was endorsed by major PVOs and 40 major groups, including Mothers Against Drunk Driving and many of our Irish groups. Driving this measure are a number of organizations that are supportive of what we are doing. Accordingly, I urge my colleagues to support the Foreign Policy Reform Act that will be before us early next month.

COMMENDING EFFORTS OF COLLEAGUE TO FIND MISSING CHILDREN

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

Mr. BURTON of Indiana. Mr. Speaker, I just want to real quickly say that the gentleman from Texas [Mr. LAMPSON] ought to be commended for what he is doing in trying to find missing children. I think that should be an example for every Member of this House, and this shows his real bipartisan support for this kind of effort.

Mr. LAMPSON. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Texas.

Mr. LAMPSON. Mr. Speaker, just as an example, this is the envelope we are using with Bianca's picture on it,

Bianca Lozano, and I thank the gentleman for his commitment that he also makes to this major catastrophe that is facing our country, and I look forward to working with the gentleman on it.

IN SUPPORT OF CORRIDOR X AND ISTEA LEGISLATION

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

Mr. ADERHOLT. Mr. Speaker, I rise today in support of the completion of Corridor X as an important transportation project, not only for the Fourth Congressional District, but also the southern region of the United States.

Few people realize there is no four-lane highway that connects the cities of Birmingham, AL, the largest city in the State of Alabama, and Memphis, TN. For economic development and safety reasons, this is an unacceptable omission from our national highway system.

The completion of Corridor X could connect these two major metropolitan areas by running through Birmingham and through the Fourth Congressional District. It must be remembered that 30 years ago Congress passed legislation to create a system of highways in the 13-State Appalachian region, including a route to connect Memphis and then through Birmingham.

Unfortunately, today the people in my area still are waiting for this four-lane highway to be completed. Economic growth is hampered because it is so difficult to transport goods and services between Birmingham and Memphis and through the northwestern part of Alabama. The current inadequate two-line route is extremely dangerous, with traffic incidents or a fatality occurring almost every month in my district. Mr. Speaker, we need to reauthorize ISTEA and ensure that all States receive an equitable share of funds.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall vote, if postponed, will be taken later in the day.

DRUG-FREE COMMUNITIES ACT OF 1997

Mr. PORTMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 956) to amend the National Narcotics Leadership Act of 1988 to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth, and for other purposes, as amended.

The Clerk read as follows:

H.R. 956

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 ''Drug-Free Communities Act of 1997''.

SEC. 2. NATIONAL DRUG CONTROL PROGRAM.

(a) IN GENERAL.—The National Narcotics Leadership Act of 1988 (21 U.S.C. 1501 et seq.) is amended—

(1) by inserting between sections 1001 and 1002 the following:

''**CHAPTER 1—OFFICE OF NATIONAL DRUG CONTROL POLICY**'';

and

(2) by adding at the end the following:

''CHAPTER 2—DRUG-FREE COMMUNITIES

''SEC. 1021. FINDINGS.

''Congress finds the following:

''(1) Substance abuse among youth has more than doubled in the 5-year period preceding 1996, with substantial increases in the use of marijuana, inhalants, cocaine, methamphetamine, LSD, and heroin.

''(2) The most dramatic increases in substance abuse has occurred among 13- and 14-year-olds.

''(3) Casual or periodic substance abuse by youth today will contribute to hard core or chronic substance abuse by the next generation of adults.

''(4) Substance abuse is at the core of other problems, such as rising violent teenage and violent gang crime, increasing health care costs, HIV infections, teenage pregnancy, high school dropouts, and lower economic productivity.

''(5) Increases in substance abuse among youth are due in large part to an erosion of understanding by youth of the high risks associated with substance abuse, and to the softening of peer norms against use.

''(6)(A) Substance abuse is a preventable behavior and a treatable disease; and

''(B)(i) during the 13-year period beginning with 1979, monthly use of illegal drugs among youth 12 to 17 years of age declined by over 70 percent; and

''(ii) data suggests that if parents would simply talk to their children regularly about the dangers of substance abuse, use among youth could be expected to decline by as much as 30 percent.

''(7) Community anti-drug coalitions throughout the United States are successfully developing and implementing comprehensive, long-term strategies to reduce substance abuse among youth on a sustained basis.

''(8) Intergovernmental cooperation and coordination through national, State, and local or tribal leadership and partnerships are critical to facilitate the reduction of substance abuse among youth in communities throughout the United States.

''SEC. 1022. PURPOSES.

''The purposes of this chapter are—

''(1) to reduce substance abuse among youth in communities throughout the United States, and over time, to reduce substance abuse among adults;

''(2) to strengthen collaboration among communities, the Federal Government, and State, local, and tribal governments;

''(3) to enhance intergovernmental cooperation and coordination on the issue of substance abuse among youth;

''(4) to serve as a catalyst for increased citizen participation and greater collaboration among all sectors and organizations of a community that first demonstrates a long-term commitment to reducing substance abuse among youth;

''(5) to rechannel resources from the fiscal year 1998 Federal drug control budget to provide technical assistance, guidance, and financial support to communities that demonstrate a long-term commitment in reducing substance abuse among youth;

''(6) to disseminate to communities timely information regarding the state-of-the-art practices and initiatives that have proven to be effective in reducing substance abuse among youth;

''(7) to enhance, not supplant, local community initiatives for reducing substance abuse among youth; and

''(8) to encourage the creation of and support for community anti-drug coalitions throughout the United States.

''SEC. 1023. DEFINITIONS.

''In this chapter:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator appointed by the Director under section 1031(c).

''(2) ADVISORY COMMISSION.—The term 'Advisory Commission' means the Advisory Commission established under section 1041.

''(3) COMMUNITY.—The term 'community' shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

''(4) DIRECTOR.—The term 'Director' means the Director of the Office of National Drug Control Policy.

''(5) ELIGIBLE COALITION.—The term 'eligible coalition' means a coalition that meets the applicable criteria under section 1032(a).

''(6) GRANT RECIPIENT.—The term 'grant recipient' means the recipient of a grant award under section 1032.

''(7) NONPROFIT ORGANIZATION.—The term 'nonprofit organization' means an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986.

''(8) PROGRAM.—The term 'Program' means the program established under section 1031(a).

''(9) SUBSTANCE ABUSE.—The term 'substance abuse' means—

''(A) the illegal use or abuse of drugs, including substances listed in schedules I through V of section 112 of the Controlled Substances Act (21 U.S.C. 812);

''(B) the abuse of inhalants; or

''(C) the use of alcohol, tobacco, or other related product as such use is prohibited by State or local law.

''(10) YOUTH.—The term 'youth' shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

''SEC. 1024. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to the Office of National Drug Control Policy to carry out this chapter—

''(1) $10,000,000 for fiscal year 1998;

''(2) $20,000,000 for fiscal year 1999;

''(3) $30,000,000 for fiscal year 2000;

''(4) $40,000,000 for fiscal year 2001; and

''(5) $43,500,000 for fiscal year 2002.

''(b) ADMINISTRATIVE COSTS.—Not more than the following percentages of the amounts authorized under subsection (a) may be used to pay administrative costs:

''(1) 10 percent for fiscal year 1998.

''(2) 6 percent for fiscal year 1999.

''(3) 4 percent for fiscal year 2000.

''(4) 3 percent for fiscal year 2001.

''(5) 3 percent for fiscal year 2002.

"Subchapter I—Drug-Free Communities Support Program

"SEC. 1031. ESTABLISHMENT OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

''(a) ESTABLISHMENT.—The Director shall establish a program to support communities in the development and implementation of comprehensive, long-term plans and programs to prevent and treat substance abuse among youth.

''(b) PROGRAM.—In carrying out the Program, the Director shall—

''(1) make and track grants to grant recipients;

''(2) provide for technical assistance and training, data collection, and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance abuse; and

''(3) provide for the general administration of the Program.

''(c) ADMINISTRATION.—Not later than 30 days after receiving recommendations from the Advisory Commission under section 1042(a)(1), the Director shall appoint an Administrator to carry out the Program.

''(d) CONTRACTING.—The Director may employ any necessary staff and may enter into contracts or agreements with national drug control agencies, including interagency agreements to delegate authority for the execution of grants and for such other activities necessary to carry out this chapter.

"SEC. 1032. PROGRAM AUTHORIZATION.

''(a) GRANT ELIGIBILITY.—To be eligible to receive an initial grant or a renewal grant under this subchapter, a coalition shall meet each of the following criteria:

''(1) APPLICATION.—The coalition shall submit an application to the Administrator in accordance with section 1033(a)(2).

''(2) MAJOR SECTOR INVOLVEMENT.—

''(A) IN GENERAL.—The coalition shall consist of 1 or more representatives of each of the following categories:

''(i) Youth.

''(ii) Parents.

''(iii) Businesses.

''(iv) The media.

''(v) Schools.

''(vi) Organizations serving youth.

''(vii) Law enforcement.

''(viii) Religious or fraternal organizations.

''(ix) Civic and volunteer groups.

''(x) Health care professionals.

''(xi) State, local, or tribal governmental agencies with expertise in the field of substance abuse (including, if applicable, the State authority with primary authority for substance abuse).

''(xii) Other organizations involved in reducing substance abuse.

''(B) ELECTED OFFICIALS.—If feasible, in addition to representatives from the categories listed in subparagraph (A), the coalition shall have an elected official (or a representative of an elected official) from—

''(i) the Federal Government; and

''(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination Act (25 U.S.C. 450b(e))).

''(C) REPRESENTATION.—An individual who is a member of the coalition may serve on the coalition as a representative of not more than 1 category listed under subparagraph (A).

''(3) COMMITMENT.—The coalition shall demonstrate, to the satisfaction of the Administrator—

''(A) that the representatives of the coalition have worked together on substance abuse reduction initiatives, which, at a minimum, includes initiatives that target drugs referenced in section 1023(9)(A), for a period of not less than 6 months, acting through entities such as task forces, subcommittees, or community boards; and

''(B) substantial participation from volunteer leaders in the community involved (especially in cooperation with individuals involved with youth such as parents, teachers, coaches, youth workers, and members of the clergy).

''(4) MISSION AND STRATEGIES.—The coalition shall, with respect to the community involved—

''(A) have as its principal mission the reduction of substance abuse, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A), in a comprehensive and long-term manner, with a primary focus on youth in the community;

''(B) describe and document the nature and extent of the substance abuse problem, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A), in the community;

''(C)(i) provide a description of substance abuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and abuse of drugs referenced in section 1023(9)(A), in existence at the time of the grant application; and

''(ii) identify substance abuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and abuse of drugs referenced in section 1023(9)(A), in the community;

''(D) develop a strategic plan to reduce substance abuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A), in a comprehensive and long-term fashion; and

''(E) work to develop a consensus regarding the priorities of the community to combat substance abuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A).

''(5) SUSTAINABILITY.—The coalition shall demonstrate that the coalition is an ongoing concern by demonstrating that the coalition—

''(A) is—

''(i)(I) a nonprofit organization; or

''(II) an entity that the Administrator determines to be appropriate; or

''(ii) part of, or is associated with, an established legal entity;

''(B) receives financial support (including, in the discretion of the Administrator, in-kind contributions) from non-Federal sources; and

''(C) has a strategy to solicit substantial financial support from non-Federal sources to ensure that the coalition and the programs operated by the coalition are self-sustaining.

''(6) ACCOUNTABILITY.—The coalition shall—

''(A) establish a system to measure and report outcomes—

''(i) consistent with common indicators and evaluation protocols established by the Administrator; and

''(ii) approved by the Administrator;

''(B) conduct—

''(i) for an initial grant under this subchapter, an initial benchmark survey of drug use among youth (or use local surveys or performance measures available or accessible in the community at the time of the grant application); and

''(ii) biennial surveys (or incorporate local surveys in existence at the time of the evaluation) to measure the progress and effectiveness of the coalition; and

''(C) provide assurances that the entity conducting an evaluation under this paragraph, or from which the coalition receives information, has experience—

''(i) in gathering data related to substance abuse among youth; or

''(ii) in evaluating the effectiveness of community anti-drug coalitions.

''(b) GRANT AMOUNTS.—

''(1) IN GENERAL.—

''(A) GRANTS.—

''(i) IN GENERAL.—Subject to clause (iv), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

''(ii) SUSPENSION OF GRANTS.—If such grant recipient fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

''(iii) RENEWAL GRANTS.—Subject to clause (iv), the Administrator may award a renewal grant to a grant recipient under this subparagraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year, during the 4-year period following the period of the initial grant.

''(iv) LIMITATION.—The amount of a grant award under this subparagraph may not exceed $100,000 for a fiscal year.

''(B) COALITION AWARDS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Administrator may, with respect to a community, make a grant to 1 eligible coalition that represents that community.

''(ii) EXCEPTION.—The Administrator may make a grant to more than 1 eligible coalition that represents a community if—

''(I) the eligible coalitions demonstrate that the coalitions are collaborating with one another; and

''(II) each of the coalitions has independently met the requirements set forth in subsection (a).

''(2) RURAL COALITION GRANTS.—

''(A) IN GENERAL.—

''(i) IN GENERAL.—In addition to awarding grants under paragraph (1), to stimulate the development of coalitions in sparsely populated and rural areas, the Administrator, in consultation with the Advisory Commission, may award a grant in accordance with this section to a coalition that represents a county with a population that does not exceed 30,000 individuals. In awarding a grant under this paragraph, the Administrator may waive any requirement under subsection (a) if the Administrator considers that waiver to be appropriate.

''(ii) MATCHING REQUIREMENT.—Subject to subparagraph (C), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

''(iii) SUSPENSION OF GRANTS.—If such grant recipient fails to continue to meet any criteria specified in subsection (a) that has not been waived by the Administrator pursuant to clause (i), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

''(B) RENEWAL GRANTS.—The Administrator may award a renewal grant to an eligible coalition that is a grant recipient under this paragraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, during the 4-year period following the period of the initial grant.

''(C) LIMITATIONS.—

''(i) AMOUNT.—The amount of a grant award under this paragraph shall not exceed $100,000 for a fiscal year.

''(ii) AWARDS.—With respect to a county referred to in subparagraph (A), the Administrator may award a grant under this section to not more than 1 eligible coalition that represents the county.

''SEC. 1033. INFORMATION COLLECTION AND DISSEMINATION WITH RESPECT TO GRANT RECIPIENTS.

''(a) COALITION INFORMATION.—

''(1) GENERAL AUDITING AUTHORITY.—For the purpose of audit and examination, the Administrator—

''(A) shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this chapter; and

''(B) may periodically request information from a grant recipient to ensure that the grant recipient meets the applicable criteria under section 1032(a).

''(2) APPLICATION PROCESS.—The Administrator shall issue a request for proposal regarding, with respect to the grants awarded under section 1032, the application process, grant renewal, and suspension or withholding of renewal grants. Each application under this paragraph shall be in writing and shall be subject to review by the Administrator.

''(3) REPORTING.—The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a grant recipient and expedite any application for a renewal grant made under this subchapter.

''(b) DATA COLLECTION AND DISSEMINATION.—

''(1) IN GENERAL.—The Administrator may collect data from—

''(A) national substance abuse organizations that work with eligible coalitions, community anti-drug coalitions, departments or agencies of the Federal Government, or State or local governments and the governing bodies of Indian tribes; and

''(B) any other entity or organization that carries out activities that relate to the purposes of the Program.

''(2) ACTIVITIES OF ADMINISTRATOR.—The Administrator may—

''(A) evaluate the utility of specific initiatives relating to the purposes of the Program;

''(B) conduct an evaluation of the Program; and

''(C) disseminate information described in this subsection to—

''(i) eligible coalitions and other substance abuse organizations; and

''(ii) the general public.

''SEC. 1034. TECHNICAL ASSISTANCE AND TRAINING.

''(a) IN GENERAL.—

''(1) TECHNICAL ASSISTANCE AND AGREEMENTS.—With respect to any grant recipient or other organization, the Administrator may—

''(A) offer technical assistance and training; and

''(B) enter into contracts and cooperative agreements.

''(2) COORDINATION OF PROGRAMS.—The Administrator may facilitate the coordination of programs between a grant recipient and other organizations and entities.

''(b) TRAINING.—The Administrator may provide training to any representative designated by a grant recipient in—

''(1) coalition building;

''(2) task force development;

''(3) mediation and facilitation, direct service, assessment and evaluation; or

''(4) any other activity related to the purposes of the Program.

''Subchapter II—Advisory Commission

''SEC. 1041. ESTABLISHMENT OF ADVISORY COMMISSION.

''(a) ESTABLISHMENT.—There is established a commission to be known as the 'Advisory Commission on Drug-Free Communities'.

''(b) PURPOSE.—The Advisory Commission shall advise, consult with, and make recommendations to the Director concerning matters related to the activities carried out under the Program.

''SEC. 1042. DUTIES.

''(a) IN GENERAL.—The Advisory Commission—

''(1) shall, not later than 30 days after its first meeting, make recommendations to the Director regarding the selection of an Administrator;

''(2) may make recommendations to the Director regarding any grant, contract, or cooperative agreement made by the Program;

''(3) may make recommendations to the Director regarding the activities of the Program;

''(4) may make recommendations to the Director regarding any policy or criteria established by the Director to carry out the Program;

''(5) may—

''(A) collect, by correspondence or by personal investigation, information concerning initiatives, studies, services, programs, or other activities of coalitions or organizations working in the field of substance abuse in the United States or any other country; and

''(B) with the approval of the Director, make the information referred to in subparagraph (A) available through appropriate publications or other methods for the benefit of eligible coalitions and the general public; and

''(6) may appoint subcommittees and convene workshops and conferences.

''(b) RECOMMENDATIONS.—If the Director rejects any recommendation of the Advisory Commission under subsection (a)(1), the Director shall notify the Advisory Commission in writing of the reasons for the rejection not later than 15 days after receiving the recommendation.

''(c) CONFLICT OF INTEREST.—A member of the Advisory Commission shall recuse himself or herself from any decision that would constitute a conflict of interest.

''SEC. 1043. MEMBERSHIP.

''(a) IN GENERAL.—The President shall appoint 11 members to the Advisory Commission as follows:

''(1) 4 members shall be appointed from the general public and shall include leaders—

''(A) in fields of youth development, public policy, law, or business; or

''(B) of nonprofit organizations or private foundations that fund substance abuse programs.

''(2) 4 members shall be appointed from the leading representatives of national substance abuse reduction organizations, of which no fewer than 3 members shall have extensive training or experience in drug prevention.

''(3) 3 members shall be appointed from the leading representatives of State substance abuse reduction organizations.

''(b) CHAIRPERSON.—The Advisory Commission shall elect a chairperson or co-chairpersons from among its members.

''(c) EX OFFICIO MEMBERS.—The ex officio membership of the Advisory Commission shall consist of any 2 officers or employees of the United States that the Director determines to be necessary for the Advisory Commission to effectively carry out its functions.

''SEC. 1044. COMPENSATION.

''(a) IN GENERAL.—Members of the Advisory Commission who are officers or employees of the United States shall not receive any additional compensation for service on the Advisory Commission. The remaining members of the Advisory Commission shall receive, for each day (including travel time) that they are engaged in the performance of the functions of the Advisory Commission, compensation at rates not to exceed the daily equivalent to the annual rate of basic pay payable for grade GS–10 of the General Schedule.

''(b) TRAVEL EXPENSES.—Each member of the Advisory Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

''SEC. 1045. TERMS OF OFFICE.

''(a) IN GENERAL.—Subject to subsection (b), the term of office of a member of the Advisory Commission shall be 3 years, except that, as designated at the time of appointment—

''(1) of the initial members appointed under section 1043(a)(1), 2 shall be appointed for a term of 2 years;

''(2) of the initial members appointed under section 1043(a)(2), 2 shall be appointed for a term of 2 years; and

''(3) of the initial members appointed under section 1043(a)(3), 1 shall be appointed for a term of 1 year.

''(b) VACANCIES.—Any member appointed to fill a vacancy for an unexpired term of a member shall serve for the remainder of the unexpired term. A member of the Advisory Commission may serve after the expiration of such member's term until a successor has been appointed and taken office.

''SEC. 1046. MEETINGS.

''(a) IN GENERAL.—After its initial meeting, the Advisory Commission shall meet, with the advanced approval of the Administrator, at the call of the Chairperson (or Co-chairpersons) of the Advisory Commission or a majority of its members or upon the request of the Director or Administrator of the Program.

''(b) QUORUM.—6 members of the Advisory Commission shall constitute a quorum.

''SEC. 1047. STAFF.

''The Administrator shall make available to the Advisory Commission adequate staff, information, and other assistance.

''SEC. 1048. TERMINATION.

''The Advisory Commission shall terminate at the end of fiscal year 2002.''.

(b) REFERENCES.—Each reference in Federal law to subtitle A of the Anti-Drug Abuse Act of 1988, with the exception of section 1001 of such subtitle, in any provision of law that is in effect on the day before the date of enactment of this Act shall be deemed to be a reference to chapter 1 of the National Narcotics Leadership Act of 1988 (as so designated by this section).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. PORTMAN] and the gentleman from Wisconsin [Mr. BARRETT] each will control 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. PORTMAN].

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

Mr. Speaker, today the House considers the Drug Free Communities Act of 1997, legislation I introduced with the gentleman from Illinois [Mr. HASTERT], the gentleman from Michigan [Mr. LEVIN], and the gentleman from New York [Mr. RANGEL]. This bill provides needed support to our communities around the country to help them wage the war on drugs, community by community, child by child.

There is no more important battle to fight for the future of our country, and in my view, there is no more effective way to win that war than to focus our energies at the community level.

The bipartisan effort we have before us today is the result of months and months of work with communities around the country, with top experts in the field, with Members on both sides of the aisle, with the administration. It represents some new thinking. It takes existing Federal drug control resources and rechannels them to support community antidrug groups around the country that are actually working to reduce teenage drug abuse.

I believe a shift in priorities to support effective, sustainable prevention efforts is long overdue. We all know the numbers. Tragically, after more than a decade of substantial progress in reducing substance abuse among our kids the trends have now reversed, and reversed dramatically. Teenage drug use of marijuana, cocaine, inhalants, heroin, and other drugs is up. LSD use is at its highest reported levels.

Of course, it is not just about numbers. It is about our kids and their futures being ruined. The Drug Free Communities Act is designed to support something we know actually works in reducing drug abuse, community-based coalitions. It does so in a cost-effective manner.

Mr. Speaker, I would like to highlight the key features of this new approach. First, to qualify for a Federal matching grant under this program a local community must first demonstrate a comprehensive approach to the problem. Experience in the field, good research, and just common sense tells us that communities that have every major sector involved in this effort are those that are most effective.

In March 1997, a GAO report confirms this for us. That is why this legislation supports only those communities that have mobilized youth, parents, businesses, law enforcement, the media, educators, and other key sectors that have been working together with a focused mission and targeted strategies.

Second, the local community must demonstrate that it is not dependent on the Federal dollars. With local will and local financial support, we think a program is going to be more successful. Without them, a program simply cannot survive over the long haul.

Not one Federal dollar will be spent under this program without a dollar or more first having been generated by a local community. A 100 percent match is required, and no grant can exceed $100,000. The Federal Government should be a catalyst to communities to do the right thing. It will then be able to sustain that effort over time, with or without that Federal support.

Third, one of the most common and often deserved criticism of Federal programs is that they lack accountability. This bill requires that the local community have a system of evaluation in place that actually measures outcomes, consistent with well-accepted standards. Successful community efforts around the country already do that. They evaluate their effectiveness. In order to generate local financial support in the private sector they simply have to do that.

Fourth, although the data indicates that broad-based local efforts work best, we also know that national and State leadership can play a very helpful role at the local level. For example, national and State experts in the field can assist local communities by sharing the best ideas from around the country, and by helping to put in place effective systems to sustain and evaluate the local efforts.

This bill encourages local communities to involve their Federal and their State leaders. The 44 Members of Congress who have recently established or worked with community antidrug coalitions in their own districts can speak from their own experiences on this. Some of them will today.

I can speak for mine. Over the past 2 years with Cincinnati in organizing the Coalition for a Drug-Free Greater Cincinnati in my hometown, we helped mobilize our local community, but we also brought national groups to the table, like the Partnership for a Drug Free America, the Community Antidrug Coalitions of America, CATCA, the National Parents Resource Institute for Drug Education, PRIDE, as well as others in the State level. Because the drug issue is best addressed at the local level, in my view, this bill encourages all of us to focus our efforts more there.

Fifth, this is not a matter of new money, but getting more bang for the buck from existing resources. The bill redirects to communities less than three-tenths of 1 percent of our existing money from the $16 billion Federal drug control budget. We have been working with appropriators in the full committee and on the Treasury-Postal Subcommittee to help identify the appropriate offsets.

Finally, Mr. Speaker, to ensure this program assists efforts that are truly working, and to ensure it gives communities the flexibility to continue to fashion innovative solutions to local problems, an advisory commission made up of local community leaders and national and State experts in the field of substance abuse will help select the administrator and actually oversee this program.

The legislation has the support of hundreds of community groups in all 50 States; national leaders, such as former drug czar Bill Bennett, former HEW Secretary Joe Califano, National Drug Prevention Groups like CATCA, I mentioned PRIDE, the Partnership for Drug Free America; and because it is fiscally responsible, it has the support of the Council for Citizens Against Government Waste.

Before I conclude, Mr. Speaker, I would like to thank all those groups around the country who have helped us put this effort together. Of course, I also want to commend my colleagues, the gentleman from Michigan Mr. LEVIN, the gentleman from Wisconsin, Mr. BARRETT, the gentleman from Illinois, DENNY HASTERT, the gentleman from Indiana, DAN BURTON, the gentleman from Maryland, ELIJAH CUMMINGS, and many others who actually helped improve this legislation.

Finally, I would like to pay tribute to somebody else who is here, my chief of staff, John Bridgeland. He actually conceived this idea, coordinated the drafting of the legislation, and helped get it through the process.

☐ 1045

I really believe that his good work and that of so many from both sides of the aisle is going to make a difference. It is actually going to make a meaningful difference in the lives of our kids around this country. I urge Members to support this legislation so that we can get on with the business of providing communities the needed support they need to reduce drug abuse.

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

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the Drug-Free Community Act of 1997.

Mr. Speaker, youth substance abuse is an enormous problem. Studies show that children who use drugs are two to five times more likely to drop out of school. One-quarter of our health care costs are related to substance abuse, and more than half of all child and spousal abuse cases are related to substance abuse.

Unfortunately, we are not winning the war on teenage drug abuse. In the last 3 years teenage drug use has risen 78 percent. LSD and hallucinogen use has increased 183 percent, and cocaine use is up 166 percent.

The Monitoring the Future Study just released in December found that the increase in teenage drug use is caused in part by the fact that youngsters have heard less about the dangers of drugs. The message will more likely reach our children, our teens, when all sectors of the community, schools, media, law enforcement, and parent groups join together in a coordinated attack against teenage substance abuse.

Fortunately this bill goes right to the root of the problem and provides matching grants of up to $100,000 a year to community coalitions that are working together to get the message to our teens. Eligible coalitions must demonstrate their long-term commitment, financial viability and success. Therefore, communities will get the seed money they need, yet taxpayer money will not be wasted on unsuccessful programs or programs that do not have the backing of the community.

I am proud to be a cosponsor of this important initiative. In fact, in my own home town, Milwaukee, we have recently had a youth crime forum

where we brought together many portions of our community to talk about the issue of youth crime and drug use. This is the type of forum that I think would be a perfect candidate for this program. It works with different components of the community and really allows the community to come together.

Mr. Speaker, I also want to take this opportunity to thank the author of the bill, the gentleman from Ohio [Mr. PORTMAN], and the subcommittee chairman, the gentleman from Illinois [Mr. HASTERT], for making this a truly bipartisan bill.

In particular I would like to thank them for working out the concerns that I raised by adding language that first ensures that the Office of National Drug Control Policy can draw on the substantial grant experience of the Department of Health and Human Services; second, that it protects against violations of ethical standards applicable to White House entities; and third, makes clear that we do not intend to fund this program by cutting funding for successful drug prevention programs already in place at HHS.

I am also very pleased that the concerns raised by the gentleman from California [Mr. WAXMAN], the gentleman from Vermont [Mr. SANDERS], the gentleman from Maryland [Mr. CUMMINGS], the gentleman from Michigan [Mr. LEVIN], and the gentleman from New York [Mr. RANGEL] were worked out to everyone's satisfaction.

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

Mr. PORTMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia Mr. GINGRICH], the Speaker of the House.

Mr. GINGRICH. Mr. Speaker, I thank my friend from Ohio for yielding me the time.

I want to commend both the Democratic and Republican leaders of this bill who worked together in a bipartisan manner to help develop a Drug-free Community Act that I think is a significant step in the right direction. First of all, I believe that this bill moves us in the right direction because it moves efforts to the community level. It involves the entire community and it creates an environment in which we recognize that volunteers, churches, synagogues, mosques, local governments, private businesses, and individual citizens all have a role to play in the drug prevention effort.

The goal is also correct, drug-free communities. I believe all of us should commit ourselves to the goal of beginning the 21st century on January 1, 2001, the first morning of the next millennium, a Monday morning in which our goal should be to have a virtually drug-free America, to get back, say, to the level of drug use that was prevalent in 1960, when I was a very tiny child and very few people were using drugs.

It is doable but it is only doable by having a comprehensive effort, one key component of which is drug-free communities, a strong effort at prevention, and making sure the young people know not to do drugs and a strong effort at education so people understand the consequences of doing drugs. When people learn that 50 percent of homicides and violent crime is drug related, that young people who use drugs are between two and five times more likely to drop out of school, that when over half the child abuse cases are drug and alcohol related, and let me say, we recently had a press conference with the gentlewoman from New York [Ms. MOLINARI] on child abuse, one of the case workers there said that 99 percent of the cases they had dealt with in their career involved either drug or alcohol addiction as a component.

It is clear that drug use is a plague which affects this entire country. This bill moves us towards the world that Marvin Olasky described in the Tragedy of American Compassion, the world that de Tocqueville described in Democracy in America, back to an America in which local citizens in local community programs working with local faith-based institutions create the environment and the opportunity to reach out and save lives.

I urge all of my colleagues to vote for the Drug-Free Community Act. It is a significant building block in the right direction, and it is the kind of program that will have fewer young people involved with drugs and a healthier and safer country.

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York [Mr. RANGEL], ranking member of the Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, let me thank the gentleman for yielding me the time. I thank the gentleman from Ohio [Mr. PORTMAN] and all those that made this bill possible. Let me thank Speaker GINGRICH. No one in this House has been more sensitive than Speaker GINGRICH to the problem that has been facing our Nation as we see our youth being destroyed through a poison that originates outside of this great Republic. We have talked so many times as to how we can prevent this threat to our national security, and yet I can almost say hallelujah for this bill today, Mr. Speaker, because every time I have come to this floor to talk about drugs and youth, instead of talking about education and hope and dreams, we have talked about mandatory sentences, more time in jail instead of what this bill does. And it goes to the American people and asks, save our country, save our community and save our children.

There is no bigger fight that we can wage by going to our communities and asking them to give education and hopes and dreams to our children because, once they have it, they are not the ones that end up with lack of hope doing drugs, doing crimes, doing violence and causing this great Nation to be the one that has more people incarcerated than any Republic on the face of the Earth.

I hope that this serves as a model where the Congress can continuously go back to the community. One of the things that they will ask us to do is to help us to keep this poison from coming into this country from countries that are producing it. If we can tear down the walls of communism as we have done, we cannot let a couple of nickel and dime countries produce this poison to come in here and have it available to our children.

This is what our community would be saying. They will be asking for our Secretary of State to be speaking out, our Secretary of Education, everybody in the Cabinet, because this is a threat to our national security. So I say to Speaker GINGRICH, who recognizes that in order to save our kids we have to give them something to live for, this brings the community in. And we do not have to go back home and say how tough we were against drugs based on how long the sentences were.

If we are going to be successful, it means that countries can have all the drugs available but our kids would not need them. Why? Because they would be able to say, as we enjoy economic growth, as we move into the next century, as we see international trade being a new way to go, they can say that they will be a part of it. But what do they have today? One thing is certain, that any black family in the United States of America knows that if they have a child, a boy child that they can be guaranteed according to the bureau of statistics that one out of four of those children would end up in jail. When was it that the American dream was that maybe one of these children could end up as President of the United States?

So what we are doing as Republican and Democrats is not demagoging an issue. We are saying, can we not work together? Can we not go to the communities and ask them, is it not better to have more teachers than police? Is it not better to go back home to our State legislatures and find that out, that they are fighting to have a university in their district instead of what we find out today, they are fighting to have a prison in their district?

Is it not great to find out in the great city of New York, we pay $84,000 to keep a bum kid in Rikers Island, a detention center, and the unions and the mayor are fighting to see whether $7,000 a year is enough? We pay $7,000 a year for a child being born addicted to drugs, $40,000 to pull out a bullet after a kid has been shot in a gang war. And yet we are not prepared to do the things like has been done today, to come together and say, the strength of our Nation is the confidence that we have in our communities and that we are going to work together to make certain as we tore down the walls of communism, we are going to raise the hope so that those people who disrespect international law, who grow and dispense and traffic in narcotics and who know they will be certified because it is the political thing to do, to

know that the families throughout this country, rich and poor, black and white say we have had enough of it. The gentleman from Ohio [Mr. PORTMAN] has found a way to allow us to believe in ourselves and the Congress by putting together this bill.

Let this be a beginning. Let this be a bridge. Let us forget what we used to do and see whether we can do more of this type of legislation when we respond to the hearts and the minds of the people that are afraid for their children.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I rise in full support of H.R. 956, the Drug-Free Communities Act of 1997.

I would like to commend and congratulate my colleague and the gentleman from Ohio [Mr. PORTMAN] who conceived a better cooperative relationship between Government and communities in order to better fight the scourge of drugs among our Nation's youth. His diligence and commitment to this effort have shown amazing results.

Beginning in his own district, the Portman community drug initiative was proof that Federal partnerships with community leaders and organizations are an extremely effective weapon in the fight against illegal drug use. The gentleman from Ohio [Mr. PORTMAN] has now turned his successful effort into this legislation before us today.

I would like to also commend the gentleman from Illinois [Mr. HASTERT] for his tenacity on the drug issue and on this bill in particular. His leadership on the issue of illegal drug trafficking and illegal drug use has been outstanding, both in this Congress and in past Congresses. I thank him for shepherding this legislation through his subcommittee.

I would also like to congratulate the gentleman from Michigan [Mr. LEVIN] and my good friend, the gentleman from New York [Mr. RANGEL], the gentleman from Wisconsin [Mr. BARRETT], and others for their help in this effort.

We, as Members of Congress, often voted on legislation that will never have a direct impact on our own districts. Today, however, through this legislation now before us, we will have the means to positively and directly impact the very cities, towns, and communities that we represent. This legislation will enable each and every one of us to go back to our districts with the resources and the knowhow to bolster our efforts to reduce the devastating effects of substance abuse that we all know is destroying America.

Drug abuse has doubled in the last 5 years with the most alarming increases among 13- and 14-year-olds. Absolutely astonishing rates of drug use are chronicled in the report that accompanies this legislation, the National Household Survey on Drug Use. That survey shows that from 1994 to 1996, illegal drug use by 12- to 17-year-olds rose 78 percent. LSD use increased by 183 percent and cocaine use rose by 166 percent over those 3 years.

Our young people today are clearly not seeing the risks associated with drug use the way they used to. Studies on perceived risks bear this out. One conducted by the National Center on Addiction and Substance Abuse showed that in just 1 year the number of 12- to 17-year-olds who said they would never try an illegal drug dropped by 40 percent. Kids are not getting a clear message about drug use, about it being wrong, deadly, and illegal. They are not getting it from their parents, and regrettably they are not getting it from the leadership in this administration.

This bill is very, very important. I urge all of my colleagues to support it. Once again, I congratulate its sponsor, the gentleman from Ohio [Mr. PORTMAN].

□ 1100

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan, [Mr. LEVIN], one of the leaders on our side of the aisle that really helped shape this bill.

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

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

We have a major problem in this country. This is an effort to address it. Surveys show, for example, in high schools in the last month, in many cases a third of the students have used illegal drugs. We have been losing ground.

This is an effort to say we are going to start to reverse the trend. The gentleman from Ohio, [Mr. PORTMAN] and I put this bill together with the help of others, based on the experiences within our own communities. This is a bill that springs from the communities to Washington.

The gentleman from Ohio has described the experiences within Cincinnati. Within the 12th District I represent, led by the city of Troy and early pioneering coalitions, we have seen that the best way to fight this effort, to make this a successful one, is to draw on all the resources of the community, every resource: religious leaders, law enforcement leaders, business leaders, parents, teachers, kids. Everybody has to be pulled together to work on this.

We have seen this in both Macomb and Oakland Counties, as I said led by Troy. And an amazing fact in a recent survey, half of the residents of the city of Troy knew of the Troy Community Coalition and its work on drugs.

So the gentleman from Ohio and I said to ourselves, in working with others, how do we replicate the experiences within our communities? That is the issue, not just to have a successful experiment here or a successful experiment there but to spread it throughout this country. And this is an effort through matching grants to try to replicate the experiences within these communities.

I have enjoyed so much working with him and the gentleman from Illinois, [Mr. HASTERT], who helped us shepherd this through the subcommittee; with the gentleman from New York, [Mr. RANGEL], the gentleman from Wisconsin, [Mr. BARRETT], and others; and with the staffs, as mentioned by the gentleman from Ohio, and Drew Setter of our office. Our local staff goes to every single coalition meeting within our communities.

This is a battle we have no choice but to win, and this act, this proposal, is an important step to pull us all together to pull this off. We have no choice.

I am proud to be working with the gentleman from Ohio, and I urge all of us to vote for this and, more importantly, for every Member to work to stimulate, if it does not exist, a coalition within our districts. When we all work together, I think this effort will work.

Mr. PORTMAN. Mr. Speaker, I would like to inquire as to how much time remains on each side.

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). Each side has 9 minutes remaining.

Mr. PORTMAN. Mr. Speaker, I yield myself such time as I may consume to simply commend the gentleman from Michigan, [Mr. LEVIN], for his work at the local level.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio, [Mr. BOEHNER], my neighbor.

Mr. BOEHNER. Mr. Speaker, let me commend my colleague from Ohio, [Mr. PORTMAN], and our other colleague, the gentleman from Michigan, [Mr. LEVIN], for bringing this bill to the floor today and, more importantly, for all of their hard work, and their staffs in the work that they are doing to fight teenage drug abuse in both Cincinnati and in Troy, MI.

There is no doubt that drugs are a big problem in our country. A 1996 study by the National Parent's Resource Institute for Drug Education showed that 1 in 4 high school seniors use illicit drugs at least once a month, 1 in 5 use once a week, and 1 in 10 use drugs once every day. I think this is a serious study.

Another study done by the National Household Survey found that illicit drug use among 12- to 17-year-olds has increased by 78 percent in the last 3 years, and LSD and hallucinogen use has increased by an amazing 166 percent.

Yesterday the President talked about the new glamour drug, that being heroin, and the fact that it is glamourized by Hollywood and ought to come to an end.

As with so many other problems in this country, the real gains against drug abuse are driven at the local level. All over the United States, including right in my back yard in Cincinnati,

local programs to fight drug abuse are showing real signs of being successful. But as my colleagues know, and as these statistics show, more needs to be done.

In Cincinnati, just down the road from where I live, the gentleman from Ohio, ROB PORTMAN, has developed a fantastic program with all types of organizations. In a coordinated effort, the community is providing parents with drug education training, radio and TV stations are running antidrug messages, and employers are being encouraged to adopt certified drug-free workplace programs. With the whole community working together, we have seen tangible results.

And that is why I am here today, to strongly support their work and their bill we have before us, H.R. 956, the Drug-Free Communities Act. This bill encourages local communities to develop their own innovative approaches to fighting drug abuse and then rewards those who are successful.

The bill takes already existing Federal funds that would be spent here in Washington and redirects them to local communities that have a comprehensive self-sustaining antidrug coalition. They have done a good job and they deserve our support.

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from Texas, [Mr. TURNER], one of the most active members on our committee in helping shape this bill.

Mr. TURNER. Mr. Speaker, I am honored to rise in support of the Drug-Free Communities Act. It is a very important piece of legislation.

We all know the facts and we all know the figures about the problems of drug abuse in our Nation, and yet I think most of us today would put faces on those problems. I think about my friend Larry, in Crockett, whose son recently overdosed on drugs and I attended the funeral. I think about my friend Mitch, whom I graduated from high school with, whose children also went to school with mine, who died on prom night in a single car accident because he drove with too much alcohol.

Those are the very real problems that all of us know all too personally, which cause us, I think, to unite in a bipartisan way to attack the problems of drugs in our country.

This bill represents what I think is the very best of bipartisan cooperation, and I think it represents what government in the next century must look like. President Clinton said the era of big government is over, and this bill implements that concept.

I commend the gentleman from Ohio [Mr. PORTMAN], the gentleman from Illinois [Mr. HASTERT], the gentleman from Wisconsin [Mr. BARRETT], the gentleman from Michigan [Mr. LEVIN], and the gentleman from New York [Mr. RANGEL], all of whom worked very hard to bring this bill about.

This bill represents a progressive and commonsense approach to attacking the menace of drug abuse. It is community based. It recognizes that communities can best solve their own problems, and it brings to the table and encourages the coalitions of religious groups, law enforcement, business community representatives, churches, who all across this country are working already on this problem. This bill acknowledges their efforts and provides matching grants to allow them to continue to build upon the good work that is already being done.

This bill is prevention based. We all know we have built prisons all across our country, in every State in this Nation, until we have taxed the taxpayers way too much for the cost of drug abuse and lawbreakers. But the truth of the matter is this bill also says that prevention is the key to solving the problem of crime.

This is a good bill. This is a bipartisan bill. This is a bill that we can all be proud of because it acknowledges that government does have a role but that communities can best solve their own problems. I hope every Member of Congress will unite behind this landmark piece of legislation.

Mr. PORTMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. HASTERT] who has been a national leader in the fight against drugs along our borders and our communities.

Mr. HASTERT. Mr. Speaker, the problem of drug use in our Nation is growing. We have heard all the statistics today. We can talk about statistics and illustrate the problems.

We know that illicit drug use among our most vulnerable population, our kids, is growing. We know that the number of kids who would say that they would never try drugs have dropped. We know that parents have stopped talking to their children about drugs.

We also know that centralized Federal programs, the big government, so to speak, is not always the answer. We do have a responsibility. We have the Coast Guard to make sure that we stop drugs coming across our borders. We have the customs agents and the border patrols. That is our job in this Congress, to make sure that we can stop drugs coming in. But the most effective way to stop drugs is prevention; to teach kids, to give them the support to stop them wanting to try to use drugs.

This is what the gentleman from Ohio [Mr. PORTMAN], and I congratulate him, and my good friend, the gentleman from New York [Mr. RANGEL], who has been on the front of this whole drug issue for a long time, the gentleman from Michigan [Mr. LEVIN], the gentleman from Wisconsin [Mr. BARRETT], the ranking member, I thank him for his good work, this is what we are doing. We are pulling together to make sure communities have the ability to fight this problem.

We are not pouring a lot of money, but we are saying if communities can bring their faith-based, fraternity-based, civic-based organizations together to have effective drug prevention, then we can go ahead and we will help them. If they need a little bit of support, if they need a director or something along those lines, we can help them through this bill.

This is the right direction. This is not the only direction but this is the right direction for this Congress to go in order to fight drugs. We need to start in the communities. We need to start with people back home, and this bill does it.

I certainly congratulate the gentleman from Ohio, and I support this bill and ask everybody else to support it.

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. CUMMINGS] who, in committee, added a very important amendment that improved this bill.

Mr. CUMMINGS. Mr. Speaker, I rise today to support the Drug-Free Communities Act. I thank the sponsor of this legislation, the gentleman from Ohio [Mr. PORTMAN] for his vision, his guidance, and his mission. He and his staff worked in a bipartisan fashion with Members on both sides of the aisle and they are certainly to be commended for their hard work.

I also wish to thank the chairman of the Subcommittee on National Security, the gentleman from Illinois, Congressman HASTERT, and my ranking member, the gentleman from Wisconsin [Mr. BARRETT], for their leadership. And certainly the hard work of the gentleman from New York [Mr. RANGEL], and the gentleman from Michigan [Mr. LEVIN], does not go unnoticed, and I thank them.

My colleagues, this legislation is so important to our Nation. Many areas, like my home district of Baltimore, are disproportionately ravaged by the drug epidemic. This bill would set a blueprint and a road map for community organizations to receive matching funds and provide assistance in their drug prevention programs.

This measure focuses on a theme that I echo continuously when I visit neighborhoods throughout Baltimore. To be successful in this war on drugs, it will take a partnership between State and local governments, educators and health care professionals, law enforcement officials and community groups, as well as religious organizations and the private sector. There must be a unified American counter-drug effort with one common purpose, to reduce illegal drug use and its consequences in America.

I support a national drug strategy, which includes both domestic and international efforts, to strongly eradicate drug importing and drug trafficking. However, cultivating and empowering grass roots leadership is so vital in effective drug control efforts. Best of all, this measure focuses on local needs. This measure allows us to use the people's funds in a very effective and cost efficient manner.

There is one community organization in west Baltimore, led by a woman named Adele Redden, which has single-handedly reduced drug trafficking in their neighborhood by 70 percent over the last 3 years. The men and women who are working in neighborhoods across America are the real heroes in this fight against drug abuse.

It is crucial we reach our young people before they get hooked on drugs. This bill goes a long ways towards that end.

My colleagues, if we want to make a difference in the war on drugs, if we want to go home to our constituents and tell them we are actually working to stem the flow of drugs entering this country, if we want to support the drug czar in his efforts to reduce illegal drug use and crime that comes to our cities, I urge all of us to support this bill.

Mr. PORTMAN. Mr. Speaker, I yield myself such time as I may consume to commend the gentleman from Maryland for his work in improving the bill, as I said earlier.

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

□ 1115

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise today in strong support of H.R. 956, the Drug Free Communities Act of 1997. I commend the gentleman from Ohio [Mr. PORTMAN] and our distinguished committee chairman, the gentleman from Indiana [Mr. BURTON], and the minority member, the gentleman from Wisconsin [Mr. BARRETT], the gentleman from Michigan [Mr. LEVIN], and the gentleman from New York [Mr. RANGEL] for their support of this measure.

It is an important measure. I have taken an active role in our international fight against drugs as chairman of our Committee on International Relations. But this important legislation is an important domestic measure. It encourages our local communities to band together to develop and share their ideas on the very best way to fight this scourge on illegal drugs in our society.

The stakes in the drug war are high, affecting the lives of our young people. We need to develop more community involvement in order to ensure a more effective antidrug program. Time and time again, it has been demonstrated that, when confronted with strong community opposition and awareness, drug traffickers and criminals take their business elsewhere.

H.R. 956, the Drug Free Communities Act, will make certain that our communities will have the kind of flexibility and kind of resources necessary to create solutions that address their own local problems stemming from drug trafficking and substance abuse. It requires our community leaders to take the initiative on these issues and to oversee the antisubstance abuse programs that have been created.

In order to receive Federal matching funds, bear in mind that these programs must include the involvement of community leaders, must be sustainable, and must have some system in place to evaluate their success and failure. Accordingly, Mr. Speaker, I urge all of our colleagues to support this significant antisubstance legislation.

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Ms. MILLENDER-MCDONALD], who has been active both here and in her home community of Los Angeles in addressing the problems of drug abuse.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I would like to thank all of my colleagues on both sides of the aisle for this piece of legislation. I am proud to support the Drug Free Community Act. This bipartisan legislation will authorize essential funding for community coalitions that are making a difference in addressing the Nation's drug problem.

We have all heard the statistics on the rising rate of marijuana use among our Nation's youth. Among eighth graders alone, the rate of marijuana use tripled in 1996, and the marijuana of today is 15 times more potent than the marijuana used in the 1970's. But even more lethal, cocaine, heroin, and methamphetamines are the drugs that are tearing apart families and ruining communities throughout the country and in my district.

California has the worst methamphetamine problem in the country. Over the past few years, there has been a significant increase in methamphetamine use, especially in Los Angeles. From 1990 to 1994, the admissions of Los Angeles residents to addiction treatment centers jumped from 700 to over 2,000, and this number only includes those who have received treatment.

At any given time during the month, some 13,000 Californians who have sought treatment cannot get it because they are placed on a waiting list, which can last from 3 to 60 days. The Drug Free Community Act can change these numbers and begin a new era when parents, teachers, churches, and entire communities can come together to prevent, treat, and ultimately end drug abuse.

We have already lost too many children to drugs and crime. We cannot afford to lose any more. Creating opportunities for community coalitions to overcome the problems of drug abuse is essential in our effort to maintain and improve the social fabric of our communities, not just in the 37th Congressional District, but in the entire country.

I urge all of my colleagues to vote on this very important bill, and I would like to thank the sponsors for this legislation, as it will help me in assisting my constituents in my district.

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

Mr. Speaker, as we have seen and have heard from a lot of Members, there is no issue more important to the future of our kids than this one. We do have a lot of speakers interested in addressing it.

Mr. Speaker, I ask unanimous consent to extend by 20 minutes the debate time on this legislation, 10 minutes to each side equally divided between myself and the gentleman from Wisconsin [Mr. BARRETT].

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

There was no objection.

Mr. PORTMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. WATTS].

Mr. WATTS of Oklahoma. Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. PORTMAN] and the gentleman from Wisconsin [Mr. BARRETT], and I would like to congratulate them on the leadership on this most difficult and tragic problem, a problem that challenges every community in America. And that problem, as any parent can tell us, is the problem of drug abuse among America's youth.

This is not a problem that is limited to America's urban ghettos, as some would want to believe. There is no hiding from America's drug dealers by moving to a wealthy suburb or a serene rural area. The drug dealer sets no boundaries to his deathly trade. He seeks to solicit profits where there is potential. There is potential in any community, rich or poor, urban or rural, any community that is not actively advanced in a serious antidrug effort. That is why this legislation is so important, and that is why I applaud my colleagues, the gentleman from Ohio [Mr. PORTMAN] and the gentleman from Wisconsin [Mr. BARRETT], for advancing this important legislation.

The Drug Free Community Act is a major step forward in an effort to protect our communities from those that would pollute our children, steal their health, and destroy their lives. It was not too many years ago when we were heartily congratulating one another on a decrease in drug use among America's youth. Sadly, our self-congratulation has been premature.

Statistics show that since 1991, teenage drug use of every kind has increased at an obscene rate. In 3 years, illicit drug use among 12- to 17-year-olds rose 78 percent. Even more frightening, there is a rise in drug use among children under 12 years of age.

Just as the drug dealer knows no physical bounds to his trade, he also knows no age limitation. Our smallest children are his target. The Drug Free Community Act puts power in the communities where it belongs and provides incentives and helping hand to citizens who take a stand against letting drugs take over their communities.

I have seen these local programs work. They can make a difference, and

we he must do all we can to extend a hand to America's families and communities who are on the frontlines of this critical war to put an end to this drug trade and to save our children. I urge my colleagues to support the Drug Free Community Act.

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield as much time as she may consume to the fine gentlewoman from California [Ms. WATERS].

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

Ms. WATERS. Mr. Speaker and my colleagues, I am delighted to join with all of my colleagues here today to support this legislation. It is extremely important that Americans know that there is bipartisan support for this legislation. There is bipartisan support because all of our communities, whether they are inner cities or rural areas or suburban areas, are now under attack.

The greatest threat, the greatest security threat to America is drugs, the illegal use of drugs, the drug addiction, the violence associated with drugs. The No. 1 priority of the Congressional Black Caucus is the eradication of drugs in our society. We worked for days to put together our legislative agenda. We have decided that we are going to put all of our time and effort in on eradicating drugs.

We went around this country talking about something that had happened in south central Los Angeles. And many people wondered why I spent so much time dealing with the accusation of CIA involvement in drug trafficking. I spent an awful lot of time because in the 1980's, in south central Los Angeles, I witnessed an explosion of drug addiction and violence and I wondered what was happening, why were so many young people getting involved. I wondered why the explosion of violence and crime.

What is important about my involvement in this issue and trying to seek out answers is not so much to be able to identify who said what, who did what, who wrote the memo, my involvement is because in the town hall meetings across this Nation, whether I was up in Brooklyn, NY, or St. Louis, MO or south central Los Angeles, was the outpouring of parents and grandparents talking about what had happened to their children and their families.

Crack cocaine is one of the most vicious drugs that was ever manufactured by anybody. That is not to say that marijuana and methamphetamine are not dangerous and addictive. They are, and they are problems. But I want you to know what we have witnessed with crack cocaine should not happen to humans anytime, anyplace, anywhere.

The Congressional Black Caucus is determined that we are going to take back our communities, we are going to give leadership, we are going to provide a platform for debate and discussion on this issue, we are going to engage communities, we are going to hold the town hall meetings, we are talking with young people, we will be involved at campaigns, we are going to do everything that is possible to do to take back our communities, protect our children, be involved with prevention and rehabilitation, and, yes, redirection.

This bill speaks to that. This bill speaks to it because it talks about community coalitions, engaging communities, getting everybody involved in this problem. We have introduced seven bills from the Congressional Black Caucus. Many of those bills would complement this bill. Not only do we talk about community coalitions also, but we talk about rehabilitation and we talk about prevention. But we also ask the Department of Justice to help to monitor the drugs that are confiscated so that they do not get back out on the streets in ways that we have learned that they are doing in some of our communities.

I am so pleased and proud that the Members who have worked on this had the wisdom and the foresight and the vision to understand where we must direct our attention. We cannot talk about job training, we cannot talk about teenage pregnancy prevention, we cannot talk about keeping young people in school until we get rid of this scourge in our community. And we can do it.

The American people have not used their power to deal with this issue. We have allowed this explosion. We have allowed young people increasingly to turn to drugs for answers. And we have sat back waiting on somebody else to solve the problem. Well, nobody else is going to solve this problem. We collectively are going to solve this problem. We are going to solve this problem because we are going to take the bull by the horns.

These are our children. They did not drop down out of Mars. They did not come from someplace else. They are our grandchildren, our nieces, our nephews, our neighbors. These are our children. And if they are to be secure, if they are to be responsible, it is because we are going to provide that leadership, we are going to be the examples, we are going to be the leaders, we are going to be the organizers, we are going to be the ones that will set America free and allow our children to realize their potential.

I do not know any parents who do not believe that their child can be President of the United States of America. I do not know any parent who does not understand that our children are precious and they should have the opportunity to realize their potential. And while we all have these dreams and these visions, we have allowed the scourge of drugs and drug traffickers and those who would peddle in death and destruction to increasingly creep into our lives and our communities and contaminate our children, contaminate our neighborhoods.

Enough is enough. I will join hands with the most right wing of Republicans, the most left, if they can get on the left of me, of Democrats in order to get this work done. It is our job. It really is our challenge. But you know what? We are smart. We are committed. We work hard. We have the energy, and we have the love for humanity, we have the love for our families and our children.

□ 1130

This bill really sets the tone and defines what we care about. The seven bills of the Congressional Black Caucus will further do that. I want my colleagues to watch the Congressional Black Caucus on this issue. I want my colleagues to watch us take leadership. I want Members to see what we have committed to do on this issue. I know there are those who have said, well, we have not heard enough. We were just naive enough oftentimes to believe that somehow somebody else, be it the White House or somebody else, was just going to do this work.

Now that we have all decided to get involved, I am more inspired than I have ever been. If I do nothing else in my career, if I do nothing else in providing leadership, the leadership that I will provide as the chair of the Congressional Black Caucus will be centered and focused on this issue, on getting rid of drugs in our society, freeing our communities, as this bill indicates.

I thank the Members, all Members who have worked, who have labored, who have put it together. This is what we need. Combined with all that we are going to be doing and the bills that we have put together in the Congressional Black Caucus, I think we will see a change. The data, the statistics, will be different a year from now. If we continue in the fashion and the way that I know we can, 5 years down the road, we can all stand up and be very proud about the significant reduction that we have made in the use of drugs, in the crime and violence associated with drugs. We can see the reductions in the Federal penitentiaries, of young people who are getting convicted under mandatory minimums, many of them just 19 and 20 years old, addicted themselves, out hustling, selling small amounts of drugs because they think somehow they can get over.

We are going to see a change in that. We need those resources that we are putting into prisons to do other things with. We do not need to be continuing to take the taxpayers' money to deal with the problem that way. The Rand study that just came out said that is not the way to solve the problem anyway.

This is the way to do it. We are going to wrap our arms around this program, we are going to put our hearts, our heads, and our minds together and we are going to let our children know that we truly love them and we are going to show them we love them because we have made them our No. 1 priority

through our public policy work and through sharing of resources to deal with this problem.

Again, I am so proud, I am so pleased and delighted to be a part of this kind of coalition, of this kind of effort until I will not only commit again my time and my attention as the chair of the Congressional Black Caucus, but every member of the Congressional Black Caucus is committed and will be working beyond the Halls of Congress, on the streets, in the neighborhoods, in the townhall meetings, in the community centers and in the churches.

Mr. PORTMAN. Mr. Speaker, I thank the gentlewoman for her passionate support and for her wing-to-wing broad spectrum approach to the problem.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from North Carolina [Mrs. MYRICK].

Mrs. MYRICK. Mr. Speaker, I also commend my colleagues for bringing this legislation forward. I commend my colleague from California for her remarks on this issue. We all do want to work together to solve the problem.

I served as the mayor of Charlotte, NC, which is a large city. We definitely are experiencing all these problems with crime and teenage drug abuse. It is in every part of the country. It is not just in the large cities. It especially was important to me when I was mayor, and it is still important to me that we solve the problem. There is no reason we should not have solved it long ago.

I have witnessed firsthand the devastation that this causes in our communities, the devastation of lives and the crime that comes along with it. I have worked on the streets so I know firsthand of what I am speaking.

I also found the best way to solve the problem was through local organizations, groups that came together who really could work together, who knew what the problem was and could best solve it at the local level, not with the Federal Government dictating to them but giving the options of them knowing how best to do it.

The Drug-Free Communities Act of 1997 encourages that local community involvement to solve the problems by forming these coalitions. I have always said we at home know best how to solve our problems and we know best how to achieve success. The most successful substance abuse programs do have coalitions of churches and religious organizations involved. We need to encourage more of that because that is one of the main reasons that they work. I for one do not want to attend any more funerals of 13-, 14-, and 15-year-olds who have been senselessly murdered or drug overdosed because we have not done all we could do at all levels of government and all levels of community to solve this. I urge support of this bill.

Mr. PORTMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia [Mr. WOLF] who has been very bold on this issue at the local level. He is also going to be critical frankly in the appropriations process in finding the appropriate offsets.

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

Mr. WOLF. I did not really come over to talk about the legislation. I came over to personally thank the gentleman from Ohio [Mr. PORTMAN] for his leadership on this issue.

There is a major drug problem in the country. I learned about it when I went into the high schools as I do and listened to the young people in my district. I learn what to do about it when I listen to the gentleman from Ohio [Mr. PORTMAN] here in Congress. Because of the effort of the gentleman from Ohio, we have been able to put together a number of coalitions in our district that have made a difference.

I just want to thank the gentleman from Ohio [Mr. PORTMAN] and let him know that there will be many moms and dads and many young people who will be saved from the drug use problem for many, many years to come. It will be because of the leadership that the gentleman from Ohio [Mr. PORTMAN] exercised and they may never know why it was done.

I want to pay tribute to the gentleman from Ohio [Mr. PORTMAN] and urge all Members in this body, on both sides of the aisle, if they have not focused on the problem, I guarantee there is a major, major drug problem in Members' congressional districts. It may be in the most wealthy portion of a Member's district. I urge my colleagues to use this legislation to put together a coalition to do something about it. I again thank the gentleman from Ohio [Mr. PORTMAN].

I am pleased to rise today in support of H.R. 956, the Drug Free Communities Act of 1997.

I am a cosponsor of this legislation, which I believe will help reduce teenage drug use and abuse. In my congressional district, I have been active in promoting the creation and maintenance of community antidrug coalitions. Over the last year, I have sponsored two districtwide conferences and workshops to help implement the community coalition concept. These coalitions are groups of individuals from cities, towns, communities, and neighborhoods who work to reduce drug use by children and to keep their neighborhoods drug free.

H.R. 956 has been endorsed by numerous antidrug organizations, including: PRIDE Parent Training, the Community Anti-Drug Coalitions of America, Drug Abuse Resistance Education America [DARE], and Mothers Against Drunk Driving.

There are five main features of this legislation: First, in order to receive Federal support, a community must first demonstrate a comprehensive, long-term commitment to address teenage drug use through grassroots participation at the local level.

Second, a community must demonstrate that its antidrug coalition is an ongoing concern that also has non-Federal financial support.

Third, a community must have a good system to evaluate the success of its antidrug coalition efforts.

Fourth, the coalition must be run by local leaders familiar with local problems and needs.

Fifth, community coalitions will be eligible for Federal matching grant funding if they meet the above criteria.

I know this legislation will prove helpful in the efforts of communities across America to fight the scourge of drugs. Teenage drug use and abuse has been skyrocketing and I believe H.R. 956 is an important step in helping to educate children about drugs and keeping communities drug free. I thank Congressman PORTMAN for his leadership on this matter and for bringing this important legislation to the floor today.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. I thank the gentleman for yielding me this time.

Mr. Speaker, today I rise in strong support of H.R. 956, the Drug-Free Communities Act. This better equips community antidrug organizations that have proven effective in the war on drugs. All one needs to do is look at the facts to see that we have not done enough to combat drug abuse in our country.

Fact. Marijuana use among high schoolers has more than doubled since 1992. Fact. LSD use is now at its highest level since the early 1970's. Fact. We are losing the war on drugs.

I believe that the best place to wage the war on drugs is in the home. When parents get involved, drug use is dramatically reduced. Local institutions must also get involved. Churches, schools, civic organizations, and local dignitaries must also step forward and help fight the war on drugs.

This bill sends to local organizations the resources to provide needed guidance and support to stamp out this scourge on society. Recently I initiated the Heartland Coalition project. The goal of this project in my district in Kentucky is to bring together current antidrug groups and coordinate efforts to curtail the drastic increase in illegal drug use. These existing antidrug groups can efficiently and effectively use the Federal dollars allocated by this bill to do just that.

Mr. Speaker, these grants can be used for a variety of purposes. They can help cover media campaigns to educate our kids about the dangers of drug abuse, or they can be used to sponsor seminars at schools. If these efforts keep just one kid off drugs, this bill will be a success.

I urge all my colleagues to vote yes on H.R. 956, the Drug-Free Communities Act. Again the best place to battle drugs is on the local level. That is what this bill does. It gives local communities the ability to fight the war on drugs.

I would also like to commend the gentleman from Ohio [Mr. PORTMAN] for his leadership on this issue.

Mr. PORTMAN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. FORBES].

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

Mr. FORBES. Mr. Speaker, I thank the architects of this wonderful initiative, because really it is about our children. There is no more precious resource in this Nation than our children and their futures. Frankly, the viability of our Nation rests on doing something about this very, very important problem.

The American people might say, well, the Congress has talked about this for decades. We have attacked the problem of drug abuse, whether from the interdiction and stricter laws or the education side; we have debated about who is more correct on fighting drugs, the White House or the Congress. We have had these debates over the last several decades. Frankly, I think it points out most importantly that the Congress and the White House, whomever is in control of either, really does understand that there is probably no greater scourge, no more pressing public policy issue than dealing with this problem of those who push poison upon our children. That is why I am so delighted and thank my good colleagues and the architects of this important legislation, the Drug-Free Communities Act of 1997, for this wonderful initiative.

Over a year ago, thanks to the leadership of the gentleman from Ohio [Mr. PORTMAN], I stole a few ideas that he had initiated back home in his own district in Ohio. That was, to bring together the disparate groups that work so hard and so tirelessly to fight this problem of drug abuse in our communities. One thing I found out in bringing the groups together, whether it was the treatment folks or the education folks, whether the police, whether it was community groups, that they were all doing their own thing very, very well, but doing their own thing. I was surprised to learn that despite the notoriety of this problem, these well-meaning groups were not talking to each other. That is a very big problem in trying to fight the scourge of drugs.

Mr. Speaker, this initiative will truly bring all parts of our community together, the churches and the synagogues, houses of worship, the youth, the police, the employers, parents, civic organizations. This is the critical part of this legislation. I thank the architects and I am proud to be a sponsor and supporter of this initiative.

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

Mr. BARRETT of Wisconsin. Mr. Speaker, will the gentleman yield for a quick question?

Mr. PORTMAN. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. I understand that the only difference between the version filed on Monday and the version being considered today is a minor technical change to ensure that the bill does not violate the establishment clause of the Constitution; is that correct?

Mr. PORTMAN. The gentleman is correct.

Mr. BARRETT of Wisconsin. Mr. Speaker, I yield the balance of my time to the gentleman from Pennsylvania [Mr. FATTAH].

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The gentleman from Pennsylvania is recognized for 1 minute.

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

Mr. FATTAH. I thank the gentleman from Wisconsin [Mr. BARRETT] for yielding me this time.

Mr. Speaker, I rise in support of this bill. As someone who led a drug-free coalition effort in my own city in Philadelphia and has seen its benefits, I want to congratulate the gentleman from Ohio [Mr. PORTMAN] for his leadership on this and for our committee for expeditiously moving this bill forward.

This is the beginning of what we can do here at the Federal level. The gentleman from New York [Mr. RANGEL] has for such a long time been pointing in the right direction that as a Nation we should take a more aggressive leadership role on this issue and that more can be done. I rise in favorable support of this. I know that it works, bringing people together, providing the kind of cohesive and coordinated efforts that can happen through these efforts in the local communities. We should not stop here, however, and we should take hopefully this bipartisan spirit and really work together, really making sure that treatment and prevention are resources that are going to be available in abundance at a neighborhood level and community level and also inside our prison system which we seem so dedicated to as a society, we should also make sure that treatment is available and assistance is available there.

Mr. PORTMAN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 3½ minutes.

Mr. PORTMAN. Mr. Speaker, we have heard a lot of shocking statistics today. Those alone should inspire us to act and pass this legislation today. But as a lot of Members have also reminded us, this is about people and it is about our kids. I would not be standing here today probably if not for a visit 3 years ago from a young woman in my district, Patty Gilbert, the mother of two, who came to me to say that her 16-year-old son had just died from a combination of huffing gasoline and smoking marijuana.

□ 1145

Mr. Speaker, she issued a challenge to me. She said, ''I want to you to help us in our community.'' She said, ''I don't want to hear more about this rhetoric from Washington. I want to know what you can do to help us locally.''

Mr. Speaker, it took us a while, but we finally came up with this idea that these communities coalitions really were working around the country, and it is something that Members of Congress could get engaged in and help with.

My colleagues have heard from a few Members today, the gentleman from Kentucky [Mr. LEWIS] and others who have committee coalitions up and going, the gentleman from Michigan [Mr. LEVIN], and they are working. We have at least 43 Members of Congress who are now working on their own community coalitions.

This bill is the next step because it really does answer her question, it really does provide help in a meaningful way back in our communities. It does so by parent training. It does so by getting our businesses to have drug-free workplaces. It does so by involving our religious community. It does so by involving our schools. It is a neighborhood approach, it is a local approach, a community approach; we know it works.

This is something that Congress is doing, as we have seen this morning, in a bipartisan way to approach a very real problem, and again what, I think, is a very meaningful way.

I urge all my colleagues on both sides of the aisle to support the legislation today. Mr. Speaker, I thank my colleagues for all their help in putting this together.

Mr. HAMILTON. Mr. Speaker, I rise in strong support of H.R. 956, a bill I am pleased to cosponsor with my neighbor from Ohio, Representative PORTMAN. I commend Representative PORTMAN and the other members of the drug policy working group for their efforts in this area.

H.R. 956 is an important step forward in our efforts to help the people who can do the most to stop illegal drug abuse. This bill would provide assistance to local community drug coalitions that have demonstrated a commitment to fighting drug abuse.

I have spent a good bit of time in the last few months visiting with community leaders in southern Indiana who are active in fighting drug abuse. School counselors, PTA's, student groups, law enforcement officers, clergy, prosecutors, health care workers, businesses, and nonprofits are doing remarkable things to reduce drug abuse in their communities. They deserve our support.

I am often struck by how little the debate in Congress focuses on what actually works to discourage drug use. Almost everyone agrees that the Government needs to interdict drug smugglers, eradicate drug-producing crops, convict drug dealers, and help people break the cycle of drug addiction. We fall short, however, in taking personal responsibility for discouraging young people from using drugs. Parents, teachers, community leaders—and our young people themselves—need to take a more active role in fighting drug use. I have made a personal commitment to do more to keep young people off of drugs, and I encourage my colleagues to do the same.

I am pleased that H.R. 956 offers more resources to the people on the front line of anti-drug efforts. Former First Lady Barbara Bush used to say that what happens in your house is more important than what happens in the White House. She was right on target: The solution to the drug problem begins at home. Data suggest that if parents would simply talk

to their children regularly about the dangers of substance abuse, use among youth could be expected to decline by as much as 30 percent. We must do all we can to help parents, teachers, clergy, and community leaders begin those conversations.

The drug problem comes down to this: Personal responsibility. Not just for those who abuse drugs, but for every community member. We must each take it upon ourselves to do a little more to fight drugs. I am making fighting youth drug use a top personal priority in southern Indiana. We can have an impact if a few more of us wear red drug-free ribbons, if a few more parents ask their children about drugs at the dinner table, if a few more businesses sponsor a youth drug-free program. If each of us insists on more responsibility—and sets a personal example by not using drugs and discouraging others not to use them—we may be able to keep our young people and our communities safe from the scourge of drugs.

I urge my colleagues to give this bill—and this issue—their strong and sustained support.

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

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The question is on the motion offered by the gentleman from Ohio [Mr. PORTMAN] that the House suspend the rules and pass the bill, H.R. 956, as amended.

The question was taken.

Mr. PORTMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 956.

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

There was no objection.

MOTION TO ADJOURN

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

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Massachusetts [Mr. MOAKLEY].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 80, nays 339, not voting 15, as follows:

[Roll No. 152]

YEAS—80

Ackerman
Allen
Bishop
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Carson
Clay
Clyburn
Conyers
Coyne
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Dixon
Doggett
Fattah
Filner
Foglietta
Ford
Frank (MA)
Frost
Gejdenson
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Jefferson
John
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Klink
Lampson
Lantos
Lewis (GA)
Maloney (CT)
Maloney (NY)
Manton
Markey
McCarthy (NY)
McDermott
McGovern
McNulty
Meek
Millender-McDonald
Miller (CA)
Mink
Moakley
Nadler
Neal
Owens
Pallone
Pascrell
Payne
Quinn
Rangel
Roybal-Allard
Sanders
Slaughter
Stabenow
Stenholm
Stokes
Tierney
Towns
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Yates

NAYS—339

Abercrombie
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Fazio
Flake
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Furse
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCollum
McDade
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Menendez
Metcalf
Mica
Miller (FL)
Minge
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stark
Stearns
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Andrews
Becerra
Cannon
Deutsch
Hefner
Hunter
Istook
McCrery
McHugh
Pelosi
Schiff
Snowbarger
Thompson
Torres
White

□ 1208

Messrs. HOEKSTRA, VENTO, LEVIN, McINTOSH, WATTS of Oklahoma, BLAGOJEVICH, and LATHAM, Ms. ESHOO, Mrs. NORTHUP, Ms. RIVERS, Ms. SANCHEZ, and Mrs. LOWEY changed their vote from ''yea'' to ''nay.''

Messrs. QUINN, FRANK of Massachusetts, and JOHN changed their vote from ''nay'' to ''yea.''

So the motion was rejected.

The result of the vote was announced as above recorded.

LEGISLATIVE PROGRAM

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

Mr. MOAKLEY. Mr. Speaker, I would like to engage my dear friend, the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, in a little dialogue so that the House, or at least I, will know where we are at the present time.

As the Speaker knows, we do not have any papers concerning the budget or the supplemental budget in front of us, so I would like to ask my dear friend from New York when we can expect to see something on the budget resolution, and when we can expect to

see something from the conference on the supplemental.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, as we all know, there are two pending pieces of legislation that are holding up the recess of this body to go home over the Memorial Day weekend, which is a very, very important weekend to all Americans. Those two pieces of legislation are the supplemental appropriation bill and the budget resolution.

The supplemental appropriation bill is presently tied up with several contentious substantive issues, legislative issues and some policy issues. I am informed that that may or may not be finished today, and if it is not, it would be put off until a day or two after we return on June 2 or 3.

The issue that is really holding us here is the budget resolution. As most of my colleagues may know, the Senate failed to meet into the night last night; therefore, when they go back into session today, they have 13 hours remaining of debate time. As my colleagues know about the other body, they tend to pontificate and use all of that time.

So there are several alternatives, and right now there was a meeting going on between the leadership of both bodies until the gentleman from Massachusetts [Mr. MOAKLEY] called for this procedural motion to adjourn. That broke up that meeting. Now they are going back into that meeting and hopefully, in about an hour or two, we will have better direction for the body.

Mr. MOAKLEY. Mr. Speaker, I hear strong rumors that there might be some changes on the short-term supplemental bill. Does the gentleman have any information on that situation?

Mr. SOLOMON. Mr. Speaker, on the short term?

Mr. MOAKLEY. On the supplemental bill. I understand that there might be some changes on the supplemental bill.

Mr. SOLOMON. Mr. Speaker, if the gentleman would further yield, the supplemental bill is not what is holding up the recess period. The supplemental bill, hopefully we can get it worked out, and as the gentleman knows, in the rule that we will be taking up in a few minutes, it is going to allow us to bring that supplemental to the floor should there be a final agreement. But that is not the issue that is really holding up the body. The budget resolution is the issue that must be resolved today.

Mr. MOAKLEY. Mr. Speaker, as the gentleman knows, that causes us a problem on this side. They are about to work on two bills, the supplemental bill and the budget bill, and we have neither, we have paper on neither one of them.

Last night we gave our permission for two-thirds to bring it to the floor today so we can expedite it. We cannot expedite it to the degree that we are going to vote on it without seeing it. So all I am wondering is when we can expect to see the paper.

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, let us just make it clear to the Members here and the Members back in their offices, this rule does not approve any bill at all. This simply allows us, if we successfully pass this two-thirds rule now, within the next 45 minutes, it would allow us then, at some later time today, to bring another rule and whatever bill to the floor. That is the time when my colleagues might want to be concerned.

Right now, all this is doing, and the reason why we would debate it now, is to save the Members an extra hour later on this evening at 4, 5, 6, 7 or 8 o'clock. If Members have planes that are leaving at 3 o'clock or 4 o'clock or 5 o'clock, this is going to move up the whole debate by 1 hour, and it would be my advice to the gentleman to let us go ahead and have this debate, discuss what is going to be happening and get this 1 hour out of the way, so that Members can go home to their obligations they have home in their districts later on today, hopefully.

□ 1215

Mr. MOAKLEY. Mr. Speaker, as the chairman knows, we offered to postpone or to limit debate, if the gentleman wants to postpone it until a later time, so we are not trying to run the clock out. But I feel that our side has to know what is in those bills, even at this juncture, to go ahead.

Mr. SOLOMON. Mr. Speaker, there are a number of alternatives on the budget resolution itself. We could wait out the Senate the 10, 12, 14 hours. That is one alternative. We could come back with a rule that would deem us agreeing with the Senate amendment, which has nothing to do with numbers, which has nothing to do with policy, but minuscule differences. We could do that. That is an alternative. Or we could just leave town, and the chairman of the budget committees could notify the authorizers and the appropriators, their staffs, to go ahead next week while we are out of town and proceed, based on those numbers.

Those are really the three alternatives we have before us on the budget.

Mr. LIVINGSTON. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. I appreciate the gentleman yielding to me, Mr. Speaker. I would simply say, speaking on behalf of the majority on the Committee on Appropriations, I think there has been a joint, bipartisan effort in this body to get an agreement on the disaster relief supplemental. However, it has not been possible to finalize our negotiations with the other body and reach an agreement on the overall conference. Therefore, we have not been able to report back to the House floor with a final conference report.

It appears entirely unlikely that is going to happen before we adjourn today for business, which means that, frankly, while there is plenty of money in the pipeline in most accounts for the victims of the various disasters, it is not at all certain that money will be sufficient as we get into the month of June, and let alone July. So for that reason, it has been my objective to see if it is possible to come up with a stripped down version of the supplemental that would provide some moneys in some of the most needy accounts to submit to the House and to the Senate under unanimous consent.

Because of the lateness of the hour, frankly, it would not be possible to adhere to traditional rules, to go through traditional procedures with such a bill. Also, any single Member can stop the bill in its tracks, and therefore, deny the passage of an interim disaster relief bill.

But if it is the intent of the membership to go along with the stripped-down version, and we do not have the final version to present to the House just yet but we expect to within a matter of hours, if not minutes, I would expect that we could call up such a bill by unanimous consent. Any Member in this House or in the other body could stop it, but if by unanimous consent it seems that the membership of both houses agree, then we can have a bill to pass, and certainly alleviate any short-term problems that might arise in the coming weeks.

Mr. MOAKLEY. I thank the gentleman. I yield to the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I think this is a time for pity in the House. What is happening to this supplemental reminds me of what my favorite philosopher, Archie the cockroach, said once. He said, now and then, somebody is born who is so unlucky he runs into accidents that started out to happen to somebody else.

That is what is happening to this supplemental. Here we have a disaster supplemental which we have all wanted to get to the President before Memorial Day, so there is no doubt in anybody's mind that we can get the assistance that is needed out in the field, and yet we are being held up by the fact that the other body is still droning on on almost a continuous basis on the budget resolution.

The supplemental itself is being bogged down by dragging in a large number of extraneous issues, not the least of which would be the permanent CR dispute plus another large issue about Alaskan roads. There are some other issues as well which are still holding up that supplemental.

Mr. Speaker, we have had around here a lot of devices in the past. We

have had continuing resolutions. It looks to me like before the week is up we may need a continuing resolution for a continuing resolution, and on this one it looks to me like we are going to have to invent a new device, which is a continuing supplemental. So go the perils of Pauline, I guess.

I find this very regrettable. I hope that the House will be able to find some way out of it by the time the day is over. There is no reason why this supplemental should be held up because of extraneous causes.

I am confused about why this specific resolution is before us at this time, however, because certainly I share the view of the gentleman from Louisiana, the chairman of the committee, that it is highly unlikely that there will even be a supplemental vehicle that will ride along after this rule. So if we are interested in resolving the problem, I think we are going to need a lot of other action, including a speed-up of the Senate schedule, which I fully do not expect to see.

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, let me just say that the gentleman from Massachusetts [Mr. MOAKLEY] and I had discussed, we had originally expected to bring a rule to the floor dealing only with the budget. However, because of great concerns, some of which the gentleman from Wisconsin [Mr. OBEY] has just stated, it was thought we would just add the supplemental to it as well.

Having said this, we are far past our minute. We need to get on with the work of the day. I would suggest that the gentleman has used more than his minute. Let us get on with the rule before us.

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman.

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. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 155 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 155

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported before May 23, 1997, providing for consideration or disposition of any of the following measures:

(1) A concurrent resolution on the budget, an amendment thereto, a conference report thereon, or an amendment reported in disagreement from a conference thereon.

(2) The bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes, an amendment thereto, a conference report thereon, or an amendment reported in disagreement from a conference thereon.

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The gentleman from Florida [Mr. GOSS] is recognized for one hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts [Mr. MOAKLEY], the distinguished ranking member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. GOSS asked and was given permission to extend his remarks and include extraneous matter.)

Mr. GOSS. Mr. Speaker, this rule is very straightforward and simple. As has actually just been discussed in the extended 1-minute we just had, it waves clause 4(b) of rule XI, which requires a two-thirds vote to consider a rule on the same day it is reported. That is all it does.

In this case the exemption is very narrow, as it applies to two specific measures, the fiscal year 1998 budget resolution conference report and the emergency supplemental bill, as we just heard in the colloquy between the gentleman from Massachusetts and the gentleman from New York.

In an effort to avoid postponement of the Memorial Day work period restriction, when many Members obviously have important things to do back in their districts, this rule will allow for expedited consideration of these two important items. That is the purpose of the rule, and nothing more sinister than that.

Negotiations over several extraneous items in the emergency bill have, unfortunately, delayed timely release of these funds, and I remain hopeful, if not optimistic, that we will be able to get this bill to the President's desk before the weekend. I think we all share that.

I understand that the budget agreement had been strained in the other body by the proposed addition of a brand new Federal entitlement program paid for in tax increases. I hope that the irony of our balanced budget agreement being held hostage by unlimited spending and higher taxes will not be lost on most American people.

But that is where we are, as we just hear in the extended 1-minute colloquy. In order to be able to move these critical items in a timely fashion, the House needs the targeted authority covered in this resolution, again, the targeted limited authority. We frankly need to be prepared to go forward as expeditiously as possible when that is possible.

It is an ounce of prevention we are taking at this point. I think it is the responsible thing to do under the important and somewhat extraordinary circumstances we find ourselves in on the threshold of Memorial Day.

Mr. Speaker, I urge adoption of the resolution and I reserve the balance of my time.

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

Mr. Speaker, I urge my colleagues to oppose this two-thirds rule. Today's rule will allow my Republican colleagues to rush two very important bills to the House floor. I believe we should do everything in our power to make sure the Midwestern flood relief gets out of Washington and into the hands of the people who need it the most as soon as possible.

I also believe that this House should have completed its work on the budget over a month ago, when it was actually due. But since no one has even laid eyes on the final version of the two bills under question, I just cannot lend my support to a rule rushing their consideration because I am not sure what else is in those bills. They do not exist, Mr. Speaker. I am not sure what has been put into these bills, particularly given the unabashedly partisan provisions that were added to the supplemental appropriations bill, provisions that all but ensure its doom.

Mr. Speaker, I want to make something perfectly clear. There is no problem, no problem at all, with the flood relief money for North Dakota. There is no problem, no problem at all, with the money for our troops in Bosnia. There is no problem with any of the emergency money in this bill, so why did it take so long to get this bill out of conference? Why did we have to do this rule today, waiving the two-thirds requirement for the same day consideration of the rule?

Because, Mr. Speaker, Republican colleagues insist on holding the Midwest flood money hostage in order to make a political point. Despite the complete devastation of towns like Red Forks, ND, my Republican colleagues still refuse to do what they should do, let this emergency relief go forward.

Even though the flooding is over and the fires are put out, Mr. Speaker, hundreds of people are still without their homes, without their belongings, without their businesses. These are the people, Mr. Speaker, that are waiting for our help. We should give it to them. We should give it to them as soon as possible. We should not attach political blackmail to a bill this urgent and a bill with this much support.

Weeks ago President Clinton warned that he would veto a bill with automatic continuing resolution because he believes, and I agree, that my Republican colleagues should fulfill their constitutionally mandated responsibilities to pass the appropriation bills by October 1, and not close down the Government for silly political gains.

But they have attached the automatic continuing resolution anyway. Today they want to bring it to the House floor without giving Members enough time to find out exactly what is in it that they are voting on. But my Republican colleagues want to get out

of Washington for the Memorial Day recess, and they will not drop this political blackmail.

For my Republican colleagues to consider going away for Memorial Day when these people are waiting for their flood relief money, which absolutely nobody opposes, is disgraceful.

Mr. Speaker, simply and plainly, the people in North Dakota need our help. They do not need anymore political gains, they need our help. I urge my colleagues to oppose this rule.

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

□ 1230

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume. I would again remind our colleagues that this is a rule to keep our options open.

It does nothing except change the two-thirds vote requirement, and any further measure that would have to come forward would have to be covered by another rule which, of course, the distinguished gentleman from the Commonwealth of Massachusetts, as the ranking member of the Committee on Rules, would have significant input in the shaping in order that we could get the best possible job done.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SOLOMON], distinguished chairman of the Committee on Rules, who can expand further on this rule we are discussing today.

Mr. SOLOMON. Mr. Speaker, I had not even intended to speak, but I was moved by the ranking minority member of the Committee on Rules, the former chairman of that committee, whose place I took. And I must say, I learned an awful lot from him over the preceding decade when he was the chairman, but he talks about this continuing resolution and how the President has vowed to veto the continuing resolution.

Well, just briefly we ought to discuss what is a continuing resolution. Let us digress for a minute. If Members recall, a couple years ago, when the Republicans and Democrats could not get together, they could not come to an agreement. Consequently, various departments of Government were not funded when the fiscal year began on September 30. And when that happens, if the Congress has not authorized and appropriated the money for the operation of these departments, those departments shut down.

That is what happened, and it was a great inconvenience to many Americans. Many of them, if they were waiting for passports to be expedited, they could not get them. If they have reservations on airways and boats, many of them, because they did not have their passports, they lost their tickets. They could not get refunds. That was just one area.

In the IRS, many people were waiting for refunds from the Government and they did not get them on time. If they were visiting Washington, the Washington Monument or if they were going into the various State parks, one of them is like the Franklin Delano Roosevelt Park and the Vanderbilt mansion up in Hyde Park, NY, they could not operate. People were hurting; the areas were hurt in tourism. And so we decided right then and there, we ought to do something about that.

If we cannot get together, then we ought to make some provision to keep the Government operating, if we and the President cannot come to an agreement.

Well, that is exactly what this debate is all about. Sometime between now and September 30, we will have to act on the appropriation bills that fund the various 13 departments of Government across this country.

And should one or two of those not be agreed to, then this continuing resolution would continue to keep those departments operating, keep those very, very good Federal workers at their jobs getting their paychecks each month until the Congress could come to an agreement. That is what this debate is all about.

Now, if the President wants to veto this bill simply because it has this continuing resolution, then let the President be responsible to the American people and to these Federal workers for having shut down the Government. I do not think he should do that.

And, second, I really think he is bluffing. I do not think he will veto this bill for that reason. That, to me, would be a disgrace.

So, having said that, let us get on with this resolution. Let us pass it. We are prepared to yield back our time, if the gentleman is, and get on with the day's business.

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

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume to say that I am a little puzzled. We just went from a hard-fought battle on adjournment, at the gentleman's request over there, which we beat back.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I told the gentleman from Florida that the gentleman from Massachusetts [Mr. MOAKLEY], sitting over there, looks like Santa Claus and not the Grinch that stole Christmas. I still think he is Santa Claus.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Massachusetts, who could be misidentified as Santa Claus.

Mr. MOAKLEY. Mr. Speaker, I am very happy to be compared with Santa Claus. I hope the gentleman is not referring to my girth.

I think that the gentleman from Florida and the gentleman from New York and myself have adequately described this, and, thus, I have yielded back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DRUG-FREE COMMUNITIES ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 956, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. PORTMAN] that the House suspend the rules and pass the bill, H.R. 956, as amended, on which the yeas and nays are ordered.

Without objection, a vote on the Journal, if called, will be a 5-minute vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 420, nays 1, not voting 13, as follows:

[Roll No. 153]

YEAS—420

Abercrombie	Chambliss	Everett
Ackerman	Chenoweth	Ewing
Aderholt	Christensen	Farr
Archer	Clay	Fattah
Armey	Clayton	Fawell
Bachus	Clement	Fazio
Baesler	Clyburn	Filner
Baker	Coble	Flake
Baldacci	Coburn	Foglietta
Ballenger	Collins	Foley
Barcia	Combest	Forbes
Barr	Condit	Ford
Barrett (NE)	Conyers	Fowler
Barrett (WI)	Cook	Fox
Bartlett	Cooksey	Frank (MA)
Barton	Costello	Franks (NJ)
Bass	Cox	Frelinghuysen
Bateman	Coyne	Frost
Becerra	Cramer	Furse
Bentsen	Crane	Gallegly
Bereuter	Crapo	Ganske
Berman	Cubin	Gejdenson
Berry	Cummings	Gekas
Bilbray	Cunningham	Gephardt
Bilirakis	Danner	Gibbons
Bishop	Davis (FL)	Gilchrest
Blagojevich	Davis (IL)	Gillmor
Bliley	Davis (VA)	Gilman
Blumenauer	Deal	Gonzalez
Blunt	DeFazio	Goode
Boehlert	DeGette	Goodlatte
Boehner	Delahunt	Goodling
Bonilla	DeLauro	Gordon
Bonior	DeLay	Goss
Bono	Dellums	Graham
Borski	Diaz-Balart	Granger
Boswell	Dickey	Green
Boucher	Dicks	Greenwood
Boyd	Dingell	Gutierrez
Brady	Dixon	Gutknecht
Brown (CA)	Doggett	Hall (OH)
Brown (FL)	Dooley	Hall (TX)
Brown (OH)	Doolittle	Hamilton
Bryant	Doyle	Hansen
Bunning	Dreier	Harman
Burr	Duncan	Hastert
Buyer	Dunn	Hastings (FL)
Callahan	Edwards	Hastings (WA)
Calvert	Ehlers	Hayworth
Camp	Ehrlich	Hefley
Campbell	Emerson	Hefner
Canady	Engel	Herger
Capps	English	Hill
Cardin	Ensign	Hilleary
Carson	Eshoo	Hilliard
Castle	Etheridge	Hinchey
Chabot	Evans	Hinojosa

Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—13

Allen
Andrews
Burton
Cannon
Deutsch
Istook
Largent
McHugh
Norwood
Oxley
Schiff
Snowbarger
Thompson

□ 1257

Mr. GREENWOOD changed his vote from ''nay'' to ''yea''.

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was inadvertently detained on rollcall No. 153. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. ALLEN. Mr. Speaker, on rollcall No. 153, the Drug Free Community Act, I was unavoidably detained downtown. Had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore [Mr. TAYLOR of North Carolina]. Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings..

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PORTMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 352, noes 65, not voting 17, as follows:

[Roll No. 154]

AYES—352

Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Flake
Foley
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Owens
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—65

Abercrombie
Becerra
Bonior
Borski
Brown (CA)
Brown (OH)
Clay
Clyburn
Costello
DeFazio
DeLauro
English
Ensign
Farr
Fattah
Fazio
Filner
Foglietta
Forbes
Furse
Gejdenson
Gephardt
Gibbons
Green
Gutierrez
Hall (OH)
Hastings (FL)
Hefley
Hefner
Hilleary
Hilliard
Hinchey
Hulshof
Johnson (WI)
Johnson, E. B.
Kennedy (RI)
Kucinich
Lewis (GA)
LoBiondo
McDermott
McNulty
Menendez
Miller (CA)
Oberstar
Olver
Pallone
Pascrell
Pickett
Pombo
Poshard
Ramstad

Redmond	Stark	Watt (NC)
Rodriguez	Strickland	Watts (OK)
Sabo	Stupak	Weller
Sessions	Taylor (MS)	Wicker
Stabenow	Wamp	

NOT VOTING—17

Andrews	Istook	Pelosi
Cannon	Largent	Schiff
Cooksey	Luther	Slaughter
Deal	McHugh	Snowbarger
Deutsch	Morella	Thompson
Ford	Oxley	

□ 1307

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was unavoidably absent from the House Chamber for two votes today. Had I been present, I would have voted "yea" to approve the Journal and "yea" on H.R. 956, of which I am cosponsor.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 8 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TAYLOR of North Carolina) at 6 o'clock and 38 minutes p.m.

LEGISLATIVE PROGRAM

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

Mr. ARMEY. Mr. Speaker, I would like to address the House for the purpose of making an announcement regarding the schedule for our Members.

Mr. Speaker, it is with a deep sense of apology that I inform the Members at this time that we will be unable to do any further work this evening on the legislative business before the House that so many of our Members have been so anxious about and that all had had such high hopes that we might be able to work further on tonight.

Circumstances between ourselves and the other body have made it impossible for us to do that work, in particular to further work on the budget or the supplemental appropriations bill. That work cannot be concluded tonight. Indeed, it will not be work we can resume again until after the recess period.

I would like to inform the Members that I do not anticipate any further votes this evening, any further work before the body, and that Members should be advised that they are free to return to their districts for the district work period.

Again, I would like to apologize to the Members, many of whom suffered some terrible inconvenience, and some of whom have suffered some bitter disappointment about this announcement, and I can only wish them Godspeed on their journey to their districts and for the best, most productive, and happy work period possible.

Mr. POMEROY. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from North Dakota.

Mr. POMEROY. Mr. Speaker, I have appreciated the time and attention that the majority leader has spent looking at the consequences of the natural disasters experienced in our region, the people of Grand Forks and East Grand Forks and Devils Lake, ND. The gentleman's statement represents a very great disappointment to me and to those I represent.

I think there was a reasonable expectation that Congress would respond to this disaster and do so in a timely manner. The outside dimension of that timely response, I think, was before we certainly left for the Memorial Day recess, and now the gentleman indicates that that would not be the case.

Just when would the gentleman estimate that the relief so desperately needed would finally be accomplished?

Mr. ARMEY. Reclaiming my time, I thank the gentleman for his inquiry. And, Mr. Speaker, responding to the gentleman from North Dakota may be one of the most difficult things I will do this year.

The gentleman from North Dakota has worked hard on this issue of this supplemental relief bill for his State. He has worked hard in the State, has expressed much concern to myself and other Members in the body. Indeed, I had the privilege of returning to the gentleman's State, my home State, at his invitation, to see for myself the devastation that has been inflicted in the area where, in fact, I attended graduate school. And I understand, I think, the degree to which the gentleman from North Dakota must be severely disappointed.

I can give the gentleman from North Dakota my assurance that the appropriators working on this bill are not walking away from their work. They are going to continue with their interest in this regard and will be bringing this up as soon as possible as soon as we return and the House reconvenes.

The gentleman from North Dakota, the respect with which he is held by the other Members of this body, will continue to be appreciated among those appropriators, and I can tell the gentleman that it is my great expectation and my full intent to complete this as quickly as possible upon our return.

I might also remind the gentleman from North Dakota that there are, in fact, continued relief efforts that will continue during this period of time for the State, and nobody from this body nor the administration, I believe, intends to leave the good people from the gentleman's home State in any kind of a state of disaster.

Mr. THUNE. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from South Dakota.

Mr. THUNE. Mr. Speaker, I want to thank the majority leader. I too have to say that I am extremely disappointed that this institution has failed to act on something that is so important to so many people in this country.

I think it is a tragic, tragic and a huge mistake for us, actually, to leave without having resolved the issue of what we are going to do to complete the process of getting assistance to the people of the Dakotas, Minnesota, and other States around this country who have suffered enormous costs and personal heartbreak from these disasters that we have had in the past few months.

If I thought that I could prevail on a motion to block this House from adjourning, I would do that. In deference to many of my friends here who are anxious to get going, I will not do that. But I will say that I believe that we have made a huge mistake in putting politics and process in front of people.

I think that the real victims and the real losers in this are the people of our States, and I would hope that we will not delay any further when we return in getting this situation resolved.

Mr. ARMEY. Reclaiming my time, and if the gentlemen would please be patient, I wish to respond to the gentleman from South Dakota.

The gentleman from South Dakota has also worked hard on this bill, in fact, has introduced and won many innovations that will be very useful for the people in actually all three of the States that are so severely impacted by this.

I want to recognize again, as I did in the case of the gentleman from North Dakota, the good work and the dedication of the gentleman from South Dakota. Again, I would like to extend personally between himself and myself my apologies to the gentleman from South Dakota.

I understand that it would be within the gentleman's prerogative to call for a recorded vote. I understand how he must have every impulse of his being driving him in that direction. But I think the gentleman's assessment of the extent to which that would be consequentially in his favor is correct, and I, on behalf of so many of our colleagues that would be unnecessarily inconvenienced by his doing so, want to appreciate that as well.

I know the gentleman from North Dakota has these very, very same strong feelings, and I must say the gentleman from North Dakota has expressed them to me in what I would have to say was strong, congenial yet somewhat colorful language, and that is appropriate.

□ 1845

It is appropriate that my colleagues should all fight for their States and

their districts with the fervor that has been demonstrated here. And again, I thank the gentleman from South Dakota [Mr. THUNE].

I know, having raised the point of the gentleman from North Dakota [Mr. POMEROY], he wishes to make a point.

Mr. POMEROY. I make one final point. The outpouring of support the people I represent have seen from across the country in response to the disaster that has hit us so brutally hard has been overwhelming. I think the American people truly had a right to expect that their governing body, the Congress of the United States, in a timely fashion would also commit the resources to help get our area back on its feet.

I am going to ask the Members to resist the motion, to vote ''no'' on adjournment. We have no business leaving town with the disaster supplemental in a point of incomplete status. We have got to finish this up. The people we represent deserve no less.

Mr. ARMEY. I thank the gentleman from North Dakota [Mr. POMEROY] again for his comments and his conviction and his commitment to his State. It is certainly well noted and appreciated by myself.

I can only say that the people of this country, through their legislative bodies, this body and the other body, will in fact, as soon as the difficulties are resolved, have this problem done. The gentleman's work will continue. I understand the work of the gentleman from South Dakota [Mr. THUNE] will continue. And it will be completed.

I think, in all due respect, the gentleman from California [Mr. FAZIO] would understand that I would most logically yield to the gentleman from Minnesota [Mr. PETERSON], who has such tremendous serious affliction in his own State.

Mr. FAZIO of California. Certainly the gentleman has the right to yield to anyone he wants to at any time. I will remain on my feet.

Mr. ARMEY. The gentleman from Minnesota [Mr. PETERSON] I am sure would like to share some of his concerns with me.

Mr. PETERSON of Minnesota. I thank the gentleman from Texas [Mr. ARMEY] for yielding to me. I want to be brief. I want to associate myself with the remarks from the gentleman from North Dakota [Mr. POMEROY] and the gentleman from South Dakota [Mr. THUNE].

I just wanted to relay, I just got off the phone with the mayor and city leaders of East Grand Forks, which was entirely under water, and they are in the process of trying to figure out what to do. They are under tremendous pressure from the homeowners that want to be moved. They want answers today about what they are going to do. Are they going to have their houses bought out? Are they going to be able to buy another house? And this is a real frustration for them, not having these answers and possibly us going home tonight without having passed a bill.

If I could just make a suggestion. It appears, from everything I can tell, that the $500 million for CDBG money is in both bills and that is pretty much a given. What really is a bigger problem, and maybe those of you that are working on this, if we can come to some specifics of how we are going to put the CDBG money out to the States so we can start the process, so that when this does get done in 2 weeks we will be ready to hit the ground running, that will help us a lot.

So if there is some way that that part of it could get resolved so we could tell our people this is how it is going to work, so we could talk to our Governor and other folks and set up a process so that when this does happen, we will be ready to go. That will be very helpful if we are not able to move on this this evening.

Mr. ARMEY. Again, if I may, the gentleman from California [Mr. FAZIO] is very patient. The appropriators that have been working in this conference I am sure have dealt with that and many other issues. And I will ask the staff to digest that and get that information, if it is available, to the gentleman as quickly as possible.

And now I believe if the gentleman from North Dakota and the gentleman from South Dakota have no further points, I would be happy to yield to the gentleman from California [Mr. FAZIO], who has been so gracious in deferring to those two colleagues.

Mr. FAZIO of California. Thank you, Mr. Leader. I am striving to be polite, but I am not patient. I am frustrated, as I think most Members of the 33 States that have been affected by disasters are. I appreciate the tremendous work done by the two Representatives from the Dakotas, and I know we all appreciate your returning to your family home and the efforts that have been made in the more immediate Grand Forks crisis. But there are a number of States, Ohio and Kentucky, the Pacific Northwest, California. The district that I represent and several around it, were impacted with $2 billion in losses.

I would like to hear from the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the committee, why we cannot pass what he described in our debate earlier today as a short-term, temporary, partial distribution of flood-related funds. It seemed to me a proper compromise. We were not removing your ability to deal with the Gekas amendment on an automatic continuing resolution. We were not rolling Senator STEPHENS and his concerns about roads on Federal lands. We did not provide all the money. That was still before the House on our return.

But at least we could say, as we went home for this 10-day break, that we have gotten part of the money, the core money, the FEMA money, whatever it may be, that needs to be provided. I would love to hear the gentleman from Louisiana [Mr. LIVINGSTON] say why his very worthy compromise proposal is not before us for unanimous consent, and I would hope that the leader would allow him to speak.

Mr. ARMEY. It is my time. And of course, I see the gentleman from Louisiana [Mr. LIVINGSTON], the very distinguished chairman of the Committee on Appropriations, has risen, I assume to seek recognition or time from the gentleman from Texas.

Mr. LIVINGSTON. If the gentleman would yield, I would be happy to respond to the gentleman from California.

The fact is that, as the gentleman who is a member of the Committee on Appropriations knows, that we reported this bill out on April 24. The Senate has considered their bill and reported it out, as well; and for the last several days, we have attempted to reach a resolution working out the differences between the House-passed bill and the Senate-passed bill. We met all day the day before yesterday. We met all day yesterday. And we were unable to come to a resolution of the differences in the bill.

I would have hoped that we might have taken it up earlier, but that proved not possible. It was my intent to extract a portion of that bill today and pass it with unanimous consent. But, as I pointed out on the floor earlier today, that would have required unanimous consent of the House and of the Senate; and it now appears that because of the lateness of the hour that unanimous consent was not possible. I regret that.

I want to tell the gentleman, I sincerely regret that. I believe that it is important for this House to make a statement and to tell the people that have been devastated by the flood damage in the some 35 States that have been afflicted across the country with flood damage or tornadoes or whatever happened, however they qualified, that they are going to be assisted by the Federal Government.

I am told that there is enough money in the pipeline and that the Federal agencies that are required to respond to their devastation will be available to respond and will have the sufficient resources to respond over the next couple of weeks, so that we can return to Congress and readdress this and get the bill out.

I hope that is true. But quite frankly, in my opinion, it would have been better had we addressed this issue earlier and gotten it confronted and signed by the President. It proved impossible to do that, and so we are at an impasse.

All I can do is say that I will extend my best efforts to make sure that the bill is readdressed as soon as we come back. We will have our staffs working on this bill as we adjourn or are on recess, and we hope to have a bill on the floor as quickly as possible when we return.

Mr. FAZIO of California. If the leader would just yield to me for one additional comment, and I will yield back

to the chairman, I would urge him to offer that unanimous-consent request; and if the Senate will not deal with it, let the burden fall on their shoulders.

I do not think there is a Member on this floor of either party who would object to the proposal the gentleman outlined earlier today on the floor. We know we need to move forward. We know we cannot get it all done. It was a compromise, and we ought to agree to it. If the gentleman would place that unanimous-consent request, let the Senate decide whether it will take it up or not.

Mr. OBEY. Would the distinguished majority leader yield?

Mr. ARMEY. I thank the gentleman from California [Mr. FAZIO] for his very helpful comments.

I might yield now to the gentleman from Wisconsin [Mr. OBEY], who also has been very patient.

Mr. OBEY. Let me simply make a point and ask a question. As the chairman of the Committee on Appropriations just indicated, we have been working very hard over the last 2 days in conference to try to get a bill that this House can vote on before we adjourn.

I had been under the impression that the motion just described by the gentleman from California [Mr. FAZIO] was indeed a very real-life option today, so that we could at least deliver small amounts of funds needed to assure that there are no irregularities or problems associated with any of these relief programs.

I, for the life of me, do not understand why that motion is not before us now. And I want to stipulate that the chairman of the Committee on Appropriations has conducted himself at all times in an absolutely straightforward manner. He has dealt with this in as nonpolitical fashion as possible, given the circumstances.

But I honestly feel, as a member of some experience on the Committee on Appropriations, that once again the regular appropriations process has been victimized by bringing into a bill designed to provide immediate emergency relief, a series of other unrelated items, which represent simply portions of other people's political agendas, people who are not on the Committee on Appropriations.

Two years ago, this Congress got into a very big amount of trouble because all kind of extraneous material were dragged into appropriation items, and the result was chaos and the Government shut down. Today it seems to me that we are causing Government chaos by accident rather than intent because of the insistence that a number of these other political issues be dragged into the appropriations process.

I think it is outrageous that we do not have an opportunity to offer that motion tonight. And I do not know, for the life of me, why we should not have a vote on adjournment under these circumstances.

Mr. ARMEY. I thank the gentleman from Wisconsin [Mr. OBEY] for his helpful comments again. Let me just say, first of all, that the supplemental appropriations bill touches many people. Perhaps it touches no heart as deeply as it touches the heart of those whose heart breaks for the horrible devastation that is so immediate in the lives of the residents of North and South Dakota and Minnesota. But it touches many people, it touches many issues.

The innovation that the gentleman from Louisiana [Mr. LIVINGSTON] came up with today was in fact a good innovation, and it is to his credit that he was responsive enough to these concerns to come up with this idea. The parliamentary procedures under which we operate would give an opportunity for any number of different Members to effect an objection to that. And I think the gentleman from Louisiana quite rightly recognizes the reality of that situation and has determined that it is not in his best interest to again make that effort.

I must say one thing, though, and I say this on behalf of all of the Members of Congress and all of their respective constituencies. The supposition that the supplemental bill, or any appropriations for that matter, any appropriations bill, or, for that matter, any bill within the jurisdiction of any other committee is the property of that committee and that committee alone is a supposition of course that is errant and could only provoke mischief.

The appropriators do a wonderful job, and they are to be appreciated and to be congratulated. But in truth of fact, the bill belongs to the entire body and all of their respective constituents and they all have a right to be involved in the bill.

Mr. OBEY. Would the gentleman yield for a question?

Mr. ARMEY. I would be happy to yield to the gentleman for one final short question.

Mr. OBEY. Could the gentleman tell me who was it that was expected to object to such a proposition?

Mr. ARMEY. Reclaiming my time before I yield to the gentleman from Iowa, there were and are any number of different Members who might do so, and the gentleman from Texas is not prepared to reveal any of those names.

□ 1900

Mr. BOSWELL. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Iowa.

Mr. BOSWELL. I thank the honorable leader for yielding. I appreciate that very much.

First of all, I like the tone of what the gentleman is trying to share with us. I know the gentleman has had a difficult day. I personally am willing to stay here until the cows come home if we can deal with this tonight, tomorrow or whatever.

In 1993 we had a similar situation. We came to you folks for help and you helped. I greatly appreciate it, but it kind of looks to me like I can see where this is going. I think as I have walked around these halls the last several days that there is a toll-free number in Grand Forks that our friend from Grand Forks established, which I think is 1–888–74–FLOOD, is what I understand, where people if they are tuned into this, they can call there and offer their assistance. I would guess it would be greatly appreciated. I just wanted to make that remark to all of us. If we have folks out there who would like to help, let us let them help. But if it takes us staying here to get the job done, count me in.

Mr. ARMEY. I thank the gentleman from Iowa. Again I think the gentleman reflects the kind of compassionate concern that all the Members of this body have for that, as they couple that with interest and concerns that they may have for other related matters.

Mr. POMEROY. If the gentleman will yield further, this will be my final point in this discussion, Mr. Leader.

Let me again say I appreciate the gentleman's personal time and attention, the personal time and attention of all, majority, minority alike, that have focused on our problem and worked in the appropriations process to get some relief. But the bottom line is this: If this Congress goes home without doing something to provide flood relief to those who need it, this Congress will have failed. I urge a no vote on the motion to adjourn.

Mr. ARMEY. Mr. Speaker, I yield further to the gentleman from South Dakota who is seeking recognition.

Mr. THUNE. I thank the gentleman for yielding.

Mr. Speaker, I would like to, because I think it has been mentioned here from the chairman of the Committee on Appropriations, if there is some opportunity that we could get something done under a unanimous-consent request here this evening, I think it would behoove us to try and accomplish that and try and resolve that. I for one would be interested in hearing from the chairman as to what that might be.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Maryland, and, Mr. Speaker, I am prepared to make a motion before the House after the gentleman from Maryland's comment.

Mr. HOYER. I thank the leader for yielding. Like the gentleman from Iowa, I appreciate the tone of this discussion.

The gentleman from North Dakota [Mr. POMEROY], all of our good friends, one of our newest Members and others who represent immediately the areas, obviously the gentleman from North Dakota [Mr. POMEROY], indicated the frustration, not so much the anger but the frustration that they are feeling, I am sure, that all of us can share, even those of us, like those of us in Maryland who thankfully are not immediately impacted, but we grieve for

those who have been immediately impacted.

I rise for a number of reasons. First of all, I want to congratulate the gentleman from Louisiana [Mr. LIVINGSTON], my chairman, who, as he has said, has been working very hard to try to either resolve the supplemental as a whole or to take a portion of the supplemental and move that forward for immediate relief and to indicate that this Congress was going to act. I congratulate the chairman for his efforts and the gentleman from Wisconsin [Mr. OBEY], our ranking member, for his.

Mr. Leader, if I might, in the spirit of positive debate and constructive debate, I want to make an observation. It relates to the complaints that were made about ''Christmas treeing'' supplementals when the Democrats were in charge. There is a tremendous inclination, not by Democrats or Republicans but by all of us, to see a vehicle that is going to pass, going to pass because everybody in this Congress wants to help the flood victims, the victims of disaster, and we all see it, there really are no clean hands, as an opportunity to pass something that we otherwise might not be able to pass.

Let me suggest, Mr. Leader, constructively on the problems that this bill has. If I were the President of the United States, I would say, notwithstanding the compelling objective of aiding flood-ravaged victims around this country, there is still a willful——

Mr. ARMEY. Mr. Speaker, I choose to reclaim my time. The gentleman from Maryland is a very good speaker and he gives great political speeches, but quite frankly, we have a great many Members that will be only further inconvenienced by him making the political points he is about trying to make. If the gentleman can make his points so that we can get on with the business.

Mr. HOYER. I have a point that I think is worthwhile for the leader to consider. It is not a political criticism.

Mr. ARMEY. If the gentleman will make his point, I will continue to yield, but I have a sense of responsibility to my colleagues to move on now that we have, in my estimation, given people an opportunity to fully air their positions on this issue.

Mr. HOYER. Mr. Leader, my point is this, and I appreciate the gentleman for yielding. This is not an accusation of one side or the other. This is a history of practice that has occurred. But I say to the leader, the reason the President of the United States has said that he will not allow this bill to go forward if the CR is included, and I am one who voted to include the CR, as the leader knows. I was on his side of that vote. But the reason the President of the United States has said I will not sign this bill, because we know there is not the same kind of compulsion to pass appropriation bills consistent with the budget agreement that there is, Mr. Leader, for the empathy that we have for the flood victims.

Therefore, I say to the leader that we ought to consider passing a clean supplemental at some point in time, tonight, tomorrow, whenever we get back to it, Mr. Leader, so that we do not again revisit this anguish that we are now experiencing because of our inability to act. I would urge the leader that we do the unanimous consent that the gentleman from Louisiana [Mr. LIVINGSTON], the chairman, wanted to do. If we cannot do it, I will lament that, but I think we ought to consider doing a clean CR for the victims of this flood.

Mr. ARMEY. I thank the gentleman for his very helpful remarks.

Mr. Speaker, I want to thank again all of my colleagues on both sides of the aisle. I want to thank my colleagues, if I may, for the compassion, the concern and the interest that they have demonstrated for people across this country and the hard work that they have put into trying to produce a response. I want to thank my colleagues for their willingness to stay late tonight for the chance that perhaps we might have been able to finally and fully address this.

PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM THURSDAY, MAY 22, 1997, OR FRIDAY, MAY 23, 1997, TO TUESDAY, JUNE 3, 1997, AND RECESS OR ADJOURNMENT OF THE SENATE FROM THURSDAY, MAY 22, 1997, OR THEREAFTER, TO MONDAY, JUNE 2, 1997

Mr. ARMEY. Mr. Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 87) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 87

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 22, 1997, or Friday, May 23, 1997, pursuant to a motion made by the Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Tuesday, June 3, 1997, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, May 22, 1997, Friday, May 23, 1997, or Saturday, May 24, 1997, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, June 2, 1997, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FAZIO of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 67, noes 278, not voting 89, as follows:

[Roll No. 155]

AYES—67

Archer
Armey
Barr
Bartlett
Bass
Bilbray
Bliley
Bonilla
Brady
Burr
Burton
Buyer
Camp
Campbell
Coble
Collins
Combest
Cook
Crane
Crapo
Davis (VA)
Dickey
Ehrlich
English
Gekas
Gilchrest
Gillmor
Goodling
Graham
Hansen
Hastert
Hefley
Horn
Hostettler
Hunter
Inglis
Johnson, Sam
Kasich
Knollenberg
LaTourette
Linder
McInnis
McKeon
Miller (FL)
Molinari
Morella
Myrick
Neumann
Paxon
Peterson (PA)
Radanovich
Rogan
Rohrabacher
Royce
Sanford
Saxton
Schaefer, Dan
Sensenbrenner
Smith (OR)
Solomon
Souder
Stump
Talent
Thornberry
Tiahrt
Wolf
Young (AK)

NOES—278

Abercrombie
Aderholt
Allen
Bachus
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berry
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bono
Borski
Boswell
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Callahan
Capps
Carson
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Condit
Costello
Cox
Coyne
Cramer
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Fazio
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gephardt
Gibbons
Gilman
Gonzalez
Goode
Goodlatte
Goss
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoekstra
Holden
Hooley
Hoyer
Hulshof
Hutchinson
Hyde
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
Levin
Lewis (GA)
Lewis (KY)
Livingston
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Nadler

Neal	Reyes	Spratt
Nethercutt	Riggs	Stabenow
Ney	Riley	Stearns
Northup	Rivers	Stenholm
Norwood	Rodriguez	Stokes
Nussle	Roemer	Strickland
Oberstar	Rogers	Stupak
Obey	Roukema	Sununu
Olver	Roybal-Allard	Tanner
Ortiz	Ryun	Tauscher
Owens	Sabo	Tauzin
Pallone	Sanchez	Taylor (MS)
Pappas	Sanders	Thomas
Parker	Sandlin	Thune
Pascrell	Sawyer	Thurman
Pastor	Scarborough	Torres
Payne	Schaffer, Bob	Towns
Pease	Schumer	Traficant
Pelosi	Scott	Turner
Peterson (MN)	Serrano	Upton
Petri	Sessions	Visclosky
Pickering	Shaw	Walsh
Pitts	Shays	Wamp
Pombo	Sherman	Waters
Pomeroy	Shimkus	Watkins
Porter	Sisisky	Watt (NC)
Portman	Skaggs	Watts (OK)
Poshard	Skeen	Weldon (FL)
Price (NC)	Slaughter	Weygand
Pryce (OH)	Smith (MI)	White
Rahall	Smith (NJ)	Whitfield
Ramstad	Smith, Adam	Wicker
Rangel	Smith, Linda	Wise
Redmond	Snyder	Woolsey
Regula	Spence	Wynn

NOT VOTING—89

Ackerman	Fowler	McIntosh
Andrews	Fox	Metcalf
Baesler	Frelinghuysen	Mica
Baker	Gejdenson	Oxley
Ballenger	Gordon	Packard
Barton	Granger	Paul
Berman	Green	Pickett
Bilirakis	Greenwood	Quinn
Bonior	Gutknecht	Ros-Lehtinen
Boucher	Hobson	Rothman
Bunning	Houghton	Rush
Calvert	Istook	Salmon
Canady	Jackson-Lee (TX)	Schiff
Cannon	John	Shadegg
Cardin	Kaptur	Shuster
Castle	Kilpatrick	Skelton
Coburn	King (NY)	Smith (TX)
Conyers	Kingston	Snowbarger
Cooksey	Kolbe	Stark
Cunningham	Largent	Taylor (NC)
Deal	Lazio	Thompson
DeLay	Leach	Tierney
Deutsch	Lewis (CA)	Velazquez
Diaz-Balart	Lipinski	Vento
Dooley	LoBiondo	Waxman
Duncan	Lucas	Weldon (PA)
Fattah	McCollum	Weller
Flake	McDade	Wexler
Foglietta	McHugh	Yates
Foley		Young (FL)

□ 1944

The Clerk announced the following pairs:

Mrs. KELLY, Mrs. LINDA SMITH of Washington, and Messrs. KIM, EHLERS, WATTS of Oklahoma, GANSKE, DOOLITTLE, RYUN, BONO, FRANKS of New Jersey, CHRISTENSEN, HULSHOF, HASTINGS of Washington, BOEHNER, BLUNT, LAHOOD, SUNUNU, GOSS, HILLEARY, REDMOND, PITTS, HYDE, FAWELL, ROGERS, MORAN of Kansas, STEARNS, BARRETT of Nebraska, BRYANT, UPTON, HAYWORTH, GOODLATTE, CHAMBLISS, GALLEGLY, BOEHLERT, JONES, HOEKSTRA, GILMAN, EWING, NORWOOD, WALSH, GIBBONS, and SESSIONS changed their vote from ''aye'' to ''no.''

Mr. GEKAS and Mrs. MORELLA changed their vote from ''no'' to ''aye.''

So the concurrent resolution was not agreed to.

The result of the vote was announced as above recorded.

RECESS

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to clause 12 of rule I, the House stands in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0002

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTERT) at 12 o'clock and 2 minutes a.m.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND THEIR REMARKS IN CONGRESSIONAL RECORD OF TODAY

Mr. McINNIS. Mr. Speaker, I ask unanimous consent that for today all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled ''Extension of Remarks''.

The SPEAKER pro tempore (Mr. HASTERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY JUNE 4, 1997

Mr. McINNIS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, June 4, 1997.

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

There was no objection.

AUTHORIZING THE SPEAKER AND MAJORITY AND MINORITY LEADERS TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS NOTWITHSTANDING ADJOURNMENT

Mr. McINNIS. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, June 3, 1997, the Speaker, majority leader and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

ADJOURNMENT TO TUESDAY, MAY 27, 1997

Mr. McINNIS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, Friday, May 23, 1997, it stand adjourned to meet at 10 a.m. on Tuesday, May 27, 1997.

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

There was no objection.

ADJOURNMENT FROM TUESDAY, MAY 27, 1997, TO FRIDAY, MAY 30, 1997

Mr. McINNIS. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, May 27, 1997, it stand adjourned to meet at 10 a.m. on Friday, May 30, 1997.

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

There was no objection.

ADJOURNMENT FROM FRIDAY, MAY 30, 1997, TO TUESDAY, JUNE 3, 1997

Mr. McINNIS. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, May 30, 1997, it stand adjourned to meet at 12:30 p.m. on Tuesday, June 3, 1997, for morning hour debates.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I the Speaker signed the following enrolled bill during the recess today:

H.R. 1650, to authorize the President to award a Gold Medal on behalf of the Congress to Mother Teresa of Calcutta in recognition of her outstanding and enduring contributions through humanitarian and charitable activities, and for other purposes.

DESIGNATION OF HON. CONSTANCE A. MORELLA TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JUNE 3, 1997

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

WASHINGTON, DC,
May 22, 1997.

I hereby designate the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 3, 1997.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF JOINT ECONOMIC COMMITTEE

The Speaker pro tempore laid before the House the following resignation as

a Member of the Joint Economic Committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC. May 22, 1997.

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

DEAR MR. SPEAKER: I hereby resign from the Joint Economic Committee effective today, May 22, 1997.

Should I in the future petition to again serve on this committee, I ask that such a request be given due consideration.

Sincerely,

DONALD A. MANZULLO,
Member of Congress.

APPOINTMENT OF MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 15 U.S.C. 1024(a), the Chair announces the Speaker's appointment of the following Member of the House to the Joint Economic Committee: Mr. EWING of Illinois.

There was no objection.

COMMUNICATION FROM DISTRICT STAFF DIRECTOR OF HON. RALPH REGULA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Daryl L. Revoldt, district staff director of Hon. RALPH REGULA, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 12, 1997.

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

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L(50) of the Rules of the House that I have been served a subpoena issued by the Canton Municipal Court, Stark County, State of Ohio.

After consultations with the General Counsel, I will make the determinations required by Rule L.

Sincerely,

DARYL L. REVOLDT,
District Staff Director.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 9, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on May 7, 1997 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

With kind personal regards, I am

Sincerely,

BUD SHUSTER,
Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 9, 1997.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2511, REDWOOD CITY HARBOR, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on Redwood City Harbor, California, published as House Document 104, 81st Congress, 1st Session, and any other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of navigation improvements and related purposes at Redwood City Harbor, California, with particular reference to providing increased depths to accommodate new, larger vessels that now call on the port.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 9, 1997.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2512, BLACK WARRIOR-TOMBIGBEE WATERWAY, ALABAMA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the reports on the Warrior and Tombigbee Rivers, Alabama, contained in House Document Number 99–198, 99th Congress, 2nd Session and House Document Number 276, 76th Congress, 1st Session and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at this time in the interest of commercial navigation, including an evaluation of additional navigational improvements in the Mobile and Tombigbee Rivers below Demopolis.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 9, 1997.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2513, LOWER EASTERN SHORE, MARYLAND

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Chesapeake Bay, Maryland and Virginia, published as House Document 176, 88th Congress, 1st Session, and other pertinent reports with a view to conducting a watershed management study, in cooperation with other Federal agencies, the State of Maryland, its political subdivisions and agencies and instrumentalities thereof, of water resources improvements in the interest of navigation, flood control, hurricane protection, erosion control, environmental restoration, wetlands protection and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2514, COSUMNES AND MOKELUMNE RIVERS, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Sacramento-San Joaquin Basin Streams, California, published as House Document 367, 81st Congress, 1st Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable at the present time, with specific reference to the Cosumnes and Mokelumne Rivers, California, in the interest of flood control, including structural and non-structural solutions, and in the interest of environmental protection and restoration, and other purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2515, SHREWSBURY RIVER AND TRIBUTARIES IN MONMOUTH COUNTY, NEW JERSEY

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Shore of New Jersey from Sandy Hook to Barnegat Inlet, published as House Document 332, 85th Congress, 2nd Session, the Report of Limited Reconnaissance Study on the entire Shore of New Jersey, dated September 1990, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2516, SAN FRANCISCO BAY, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the San Francisco Harbor, California, published as House Document 50, 72nd Congress, 2nd Session, and other pertinent reports, with a view to determining whether any modifications to the existing navigation project in San Francisco Bay are advisable at this time, in the interest of improved navigational safety by removal of submerged rocks, shoals, and other hazards to deep-draft vessels traversing the existing navigation channels. In conducting the benefit/cost analysis

and selecting a final project design, the Secretary shall consider the economic and environmental benefits attributable to the reduction in actual or threatened oil spills upon completion of a final project. In considering these special benefits and in conducting the overall study, the Secretary shall maintain close coordination with the United States Coast Guard.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2517, OHIO RIVER, OHIO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Ohio River published in House Document Number 306, 74th Congress, 1st Session, House Committee on Flood Control Document Number 1, 75th Congress, 1st Session and related reports, with a view to determining whether any modifications in the present comprehensive plan for potential riverfront and riverine infrastructure restoration and development are necessary for inland port and industrial development and the growing recreation, environmental, and water supply requirements within the Ohio River Valley.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2518, UPPER PASSAIC RIVER AND TRIBUTARIES IN LONG HILL TOWNSHIP, NEW JERSEY

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Upper Passaic River and Tributaries in Long Hill Township (formerly Passaic Township), Morris County, New Jersey, published as House Report Number 94–1702, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2519, UPPER ROCKAWAY RIVER, MORRIS COUNTY, NEW JERSEY

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Upper Rockaway River in Morris County, New Jersey, published as House Report Number 94–1702, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. Congress, Committee on Transportation and Infrastructure,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2520, VERDIGRE CREEK AT VERDIGRE, NEBRASKA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Missouri River and Tributaries published as House Document 238, 73rd Congress, 2nd Session, and other pertinent reports with a view to investigating water resources problems to determine if any improvements for purposes of flood control, environmental restoration, and other purposes are advisable within the watershed of Verdigre Creek, Nebraska.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2521, WALLACE LAKE, LOUISIANA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the report entitled Final Reconnaissance Report prepared under the existing Red River Basin, Arkansas and Louisiana, Comprehensive Study authority (P.L. 98–63), published as House Document 217, 98th Congress, 2nd Session, and other pertinent reports with a view to determining whether any modifications are advisable at the present time, with particular reference to providing improvements in the interest of flood control and other related water resources purposes in the Wallace Lake area in Caddo and De Soto Parishes, Louisiana.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2522, MOHAWK RIVER BASIN, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mohawk River, authorized by Section 6 of the Flood Control Act approved 11 August 1939, P.L. 396, 76th Congress, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2523, WOOD RIVER LEVEE, ILLINOIS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River between Coon Rapids Dam, Minnesota, and the mouth of the Ohio River, published as House Document 669, 76th Congress, 3rd Session, and other pertinent reports, to determine whether modifications of the recommendations contained therein are advisable at this time, for the purpose of reconstructing the facilities of the Wood River Drainage and Levee District along the Mississippi River in Madison County, Illinois to return the levee and pump stations and other appurtenant features to their original degree of protection.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2524, MONROE RIVER LEVEE SYSTEM, ILLINOIS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River between Coon Rapids Dam, Minnesota, and the mouth of the Ohio River, published as House Document 669, 76th Congress, 3rd Session, and other pertinent reports, to determine whether modifications of the recommendations contained therein are advisable at this time, in the interest of flood control, navigation and related purposes along the Mississippi River and its tributaries with particular reference to that area along or affected by the Mississippi River and its tributaries in Monroe County, Illinois.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2525, PRAIRIE DU ROCHER & MODOC LEVEES, ILLINOIS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River between Coon Rapids Dam, Minnesota, and the mouth of the Ohio River, published as House Document 669, 76th Congress, 3rd Congress, and other pertinent reports, to determine whether modifications of the recommendations contained therein are advisable at the present time, in the interest of flood control, navigation and related purposes along the Mississippi River and its tributaries with particular reference to interior flooding and associated causes or problems within the Prairie du Rocher and

Modoc Levee and Drainage District, Randolph County, Illinois.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2526, BIG FIVE LEVEE SYSTEM, ILLINOIS

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River between Coon Rapids Dam, Minnesota, and the mouth of the Ohio River, published as House Document 669, 76th Congress, 3rd Session, and other pertinent reports, to determine whether modifications of the recommendations contained therein are advisable at the present time, in the interest of flood control, navigation and related purposes along the Mississippi River and its tributaries with particular reference to interior flooding and associated causes or problems within the Preston Drainage and Levee District, the Clear Creek Drainage and Levee District, the East Cape Girardeau and Clear Creek Drainage District, the North Alexander Drainage and Levee District, and the Miller Pond Drainage District in Union and Alexander Counties.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2527, MORRO BAY ESTUARY, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on Morro Bay Harbor, San Luis Obispo County, California published as House Document 103–33, 103rd Congress, 1st Session, and other pertinent reports, to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of environmental protection and restoration and related purposes within the Morro Bay Estuary in Morro Bay, California. In conducting the study, the Secretary shall consider the problems related to sedimentation and shoaling of sensitive habitat and tidal circulation restrictions in the estuary.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2528, AUSABLE RIVER BASIN, CLINTON AND ESSEX COUNTIES, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Ausable River in Essex and Clinton Counties, New York, published as House Document 488, 71st Congress, 2nd Session, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2529, BOQUET RIVER BASIN AND TRIBUTARIES IN ESSEX COUNTY, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Boquet River in Essex County, New York, published as House Document 48, 71st Congress, 2nd Session, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2530, GREAT CHAZY RIVER BASIN, CLINTON COUNTY, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Great Chazy River Basin, Clinton County, New York, published as House Document 490, 71st Congress, 2nd Session, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained there are advisable at the present time, in the interest of water resources development, including flood control, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

U.S. CONGRESS, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC.—RESOLUTION

DOCKET 2531, SARANAC RIVER BASIN IN CLINTON COUNTY, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Saranac River Basin in Clinton County, New York, published as House Document 492, 71st Congress, 2nd Session, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of water resources development, including flood damage reduction, environmental restoration and other allied purposes.

Adopted: May 7, 1997.

Attest: Bud Shuster, Chairman.

There was no objection.

APPOINTMENT OF MEMBER TO THE NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 2501 of title 44, United States Code, the Chair announces the Speaker's appointment of the following Member of the House to the National Historical Publications and Records Commission:

Mr. BLUNT of Missouri.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) after 6:30 p.m. on May 22 and for the balance of the week, on account of district business.

Mr. DEUTSCH (at the request of Mr. GEPHARDT) for today, on account of personal business.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. CANNON (at the request of Mr. ARMEY) for today, on account of attending daughter's graduation.

Mr. MCHUGH (at the request of Mr. ARMEY) for today, on account of official business in the district.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 430. An act to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1650. An act to authorize the President to award a gold medal on behalf of the Congress to Mother Teresa of Calcutta in recognition of her outstanding and enduring contributions through humanitarian and charitable activities, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House oversight reported that that

committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 1650. An act to authorize the President to award a gold medal on behalf of the Congress to Mother Teresa of Calcutta in recognition of her outstanding and enduring contributions through humanitarian and charitable activities, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 7 minutes a.m.), under its previous order, the House adjourned until Tuesday, May 27, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3402. A letter from the Associate Chief, U.S. Forest Service, transmitting the Service's final rule—Small Business Timber Sale Set-Aside Program; Appeal Procedures on Recomputation of Shares [36 CFR Part 223] (RIN: 0596–AB62) received May 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3403. A letter from the General Counsel, Department of Defense, transmitting a draft of two proposed legislative items that would ease current restrictions which preclude the Department of Defense from procuring certain items from foreign sources; to the Committee on National Security.

3404. A letter from the Director, Institute of Museum and Library Services, transmitting a draft of proposed legislation to make technical amendments to the Museum and Library Services Act of 1996; to the Committee on Education and the Workforce.

3405. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Limited Approval of Volatile Organic Compound (VOC) Control Measures for Texas [TX43–1–7333; FRL–5824–6] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3406. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Sustainable Development Challenge Grant Program [FRL–5825–6] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3407. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Underground Storage Tank Program: Approved State Program for Mississippi [FRL–5827–1] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3408. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Export Requirements for Medical Devices; Technical Amendment [21 CFR Part 812] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3409. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Environmental Report—Materials Licenses [10 CFR Part 51] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3410. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast and Western Pacific States; West Coast Salmon Fisheries; Closure from Point Lopez to Point Mugu, CA [Docket No. 960429120–6120–01; I.D. 042997A] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3411. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Rougheye Rockfish in the Aleutian Islands Subarea [Docket No. 961107312–7021–02; I.D. 050797C] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3412. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands [Docket No. 961107312–7021–020; I.D. 050797A] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3413. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Renewable Electricity Production Credit, Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 1997 [Notice 97–30] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3414. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Agency's final rule—Determination of Interest Rate [Rev. Rul. 97–23] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3415. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 97–24] received May 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3416. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation entitled ''Veterans' Compensation Cost-of-Living Adjustment and Benefit Programs Improvement Act of 1997''; jointly to the Committees on Veterans' Affairs and Ways and Means.

3417. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to further acquisition reform government-wide, including at the Department of Defense; jointly to the Committees on National Security, Government Reform and Oversight, and Small Business.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

93. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution 8 urging the U.S. Congress to give an affirmative expression of approval to a policy authorizing the State to regulate, restrict, or prohibit the export of unprocessed logs harvested from its land and from the land of its political subdivisions and the University of Alaska; to the Committee on Agriculture.

94. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 24(RES) relating to challenging the environmental and economic integrity of Alaska timber as Christmas decor for the U.S. Capitol; to the Committee on Agriculture.

95. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2005 urging the Congress of the United States to direct the U.S. Department of Agriculture to establish reasonable, science-based standards by which American wheat growers can market wheat and other grain products containing karnal bunt; to the Committee on Agriculture.

96. Also, a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution 7 supporting continued funding of the Alaska National Guard youth corps challenge program; to the Committee on Education and the Workforce.

97. Also, a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution 9 urging the U.S. Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, AK, to oil and gas exploration, development, and production; to the Committee on Resources.

98. Also, a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution 97–1011 requesting the U.S. Congress to expeditiously pass, and propose to the legislatures of the several States for ratification, an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all Federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year; to the Committee on the Judiciary.

99. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Joint Resolution 1001 declaring the State's sovereignty under the U.S. Constitution and demanding that the Federal Government stop mandates that are beyond its powers; to the Committee on the Judiciary.

100. Also, a memorial of the General Assembly of the State of Maryland, relative to House Joint Resolution 25 requesting the Congress of the United States to propose a Federal constitutional amendment which authorizes the Congress and the States to prohibit the physical desecration of the American Flag; to the Committee on the Judiciary.

101. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 12 memorializing Congress to oppose the closure of the air flight-service center at the Arcata-Eureka Airport, in Humboldt County, CA, and to direct the Federal Aviation Administration to act accordingly; to the Committee on Transportation and Infrastructure.

102. Also, a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution 12 relating to reconstruction and paving of the Alaska Highway; to the Committee on Transportation and Infrastructure.

103. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2002 urging the Congress of the United States to make more Federal highway trust fund moneys available for highway projects that enhance North American Free-Trade Corridors, border infrastructure projects, unified port management systems, and binational transportation planning activities; to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SENSENBRENNER (for himself, Mr. ROHRABACHER, Mr. BROWN of California, Mr. CRAMER, and Ms. JACKSON-LEE),

H.R. 1702. A bill to encourage the development of a commercial space industry in the United States, and for other purposes; to the Committee on Science.

By Mr. EVERETT (for himself, Mr. EVANS Mr. STUMP, Mr. CLYBURN, Mr. BILIRAKIS, and Mr. BUYER):

H.R. 1703. A bill to amend title 38, United States Code, to provide for improved and expedited procedures for resolving complaints of unlawful employment discrimination arising within the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. KELLY (for herself and Mr. TALENT):

H.R. 1704. A bill to establish a Congressional Office of Regulatory Analysis; to the Committee on the Judiciary, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HORN (for himself, Mrs. MALONEY of New York, Mrs. JOHNSON of Connecticut, Mr. BOEHLERT, Mr. CAMPBELL, Mr. CASTLE, Mr. DOOLEY of California, Mr. ENGLISH of Pennsylvania, Mr. GILMAN, Mr. HOBSON, Mr. KOLBE, Mr. LAZIO of New York, Mr. NETHERCUTT, Mr. PRICE of North Carolina, Mr. QUINN, Ms. RIVERS, Mr. TIERNEY, and Mr. STRICKLAND):

H.R. 1705. A bill to amend the Federal Election Campaign Act for 1971 to require political parties to submit reports to the Federal Election Commission on expenditures of any funds used to influence an election for Federal office and to require reports to the Commission on any independent expenditures which mention a political party or a candidate for election for Federal office, and for other purposes; to the Committee on House Oversight.

By Mrs. MALONEY of New York (for herself and Mrs. ROS-LEHTINEN):

H.R. 1706. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for employees who provide child care assistance for dependents of their employees, and for other purposes; to the Committee on Ways and Means.

By Mr. OBEY:

H.R. 1707. A bill making interim emergency supplemental appropriations for immediate needs for the fiscal year ending September 30, 1997, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIVINGSTON:

H.R. 1708. A bill making interim emergency supplemental appropriations for immediate needs for the fiscal year ending September 30, 1997, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCHER (for himself, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Mr. BLILEY, Mr. SMITH of Oregon, Mr. STENHOLM, Mr. HALL of Texas, Mr. COMBEST, Mr. BARTON of Texas, Mr. SAM JOHNSON, Mr. BONILLA, Mr. BRADY, Mr. SESSIONS, and Ms. GRANGER):

H.R. 1709. A bill to permit any State to use nongovernmental personnel in the determination of eligibility under the Medicaid, food stamps, and WIC programs; to the Committee on Commerce, and in addition to the Committees on Agriculture, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTON of Texas (for himself, Ms. ESHOO, Mr. BLILEY, Mr. BILIRAKIS, Mr. GREENWOOD, Mr. DAN SCHAEFER of Colorado, Mr. HALL of Texas, Mr. HASTERT, Mr. MANTON, Mr. TAUZIN, Mr. TOWNS, Mr. OXLEY, Ms. FURSE, Mr. UPTON, Mr. RUSH, Mr. STEARNS, Mr. PAXON, Mr. GILLMOR, Mr. KLUG, Mr. CRAPO, Mr. COX of California, Mr. DEAL of Georgia, Mr. LARGENT, Mr. BURR of North Carolina, Mr. BILBRAY, Mr. WHITFIELD, Mr. GANSKE, Mr. NORWOOD, Mr. WHITE, Mr. COBURN, Mr. LAZIO of New York, Mrs. CUBIN, Mr. ROGAN, Mr. SHIMKUS, Mr. GORDON, Mr. EHRLICH, Mr. RAMSTAD, Mr. WYNN, Ms. MCCARTHY of Missouri, and Mr. PALLONE):

H.R. 1710. A bill to amend the Federal Food, Drug, and Cosmetic Act to facilitate the development, clearance, and use of devices to maintain and improve the public health and quality of life of the citizens of the United States; to the Committee on Commerce.

By Mr. BARTON of Texas (for himself, Mr. GREEN, Mrs. CHENOWETH, Mr. FROST, Mr. CRAPO, Mr. SHADEGG, Mr. CHRISTENSEN, Mr. RADANOVICH, and Mr. SMITH of Texas):

H.R. 1711. A bill to establish a maximum level of remediation for dry cleaning solvents, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself and Mr. EWING):

H.R. 1712. A bill to encourage the People's Republic of China to join the World Trade Organization by removing China from title IV of the Trade Act of 1974 upon its accession to the World Trade Organization and to provide a more effective remedy for inadequate trade benefits extended by the People's Republic of china to the United States; to the Committee on Ways and Means.

By Mr. BILBRAY:

H.R. 1713. A bill to amend the Internal Revenue Code of 1986 to allow an employee to elect to receive taxable cash compensation in lieu of nontaxable parking benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP:

H.R. 1714. A bill to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; to the Committee on Resources.

By Mr. BURR of North Carolina (for himself, Mr. GOODE, Mr. TAYLOR of North Carolina, Mr. PRICE of North Carolina, Mr. CLEMENT, Mr. NORWOOD, Ms. RIVERS, Mr. HEFNER, Mr. EHLERS, Mr. HANSEN, Mr. BALLENGER, Mr. ABERCROMBIE, Mr. JONES, Mr. COOK, Mr. ETHERIDGE, Mr. COBLE, Mr. BORSKI, Mrs. CLAYTON, Mr. WATT of North Carolina, Mr. KLECZKA, Mr. TOWNS, Mr. FATTAH, Mrs. MINK of Hawaii, Mr. SPENCE, and Mr. MCINTYRE):

H.R. 1715. A bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging; to the Committee on Commerce.

By Mr. CASTLE (for himself, Mrs. JOHNSON of Connecticut, Mr. FOLEY, Mr. LAMPSON, Mrs. KELLY, Mr. FROST, Mr. PETERSON of Minnesota, Ms. LOFGREN, Mr. CONYERS, Mr. RANGEL, Ms. CARSON, Mr. MARTINEZ, Mr. MCINNIS, Mr. DOOLEY of California, Ms. ROS-LEHTINEN, Ms. STABENOW, Mr. LIPINSKI, Ms. SLAUGHTER, Ms. JACKSON-LEE, Mr. CRAMER, Mr. TOWNS, Mr. SANDLIN, Mr. DIAZ-BALART, Mr. KILDEE, and Ms. WOOLSEY):

H.R. 1716. A bill to authorize appropriations for the National Center for Missing and Exploited Children, a nonprofit corporation organized under the laws of the District of Columbia, to operate a national resource center and clearinghouse relating to missing children; to the Committee on Education and the Workforce.

By Mr. CRANE (for himself, Mr. ROHRABACHER, and Mr. PACKARD):

H.R. 1717. A bill to provide for the privatization of the U.S. Postal Service; to the Committee on Government Reform and Oversight.

By Mrs. CUBIN:

H.R. 1718. A bill to provide for the conveyance of certain lands in Wyoming to the County of Park, WY; to the Committee on Resources.

By Mr. CUNNINGHAM (for himself, Mr. TANNER, Mr. YOUNG of Alaska, Mr. CHAMBLISS, Mr. PETERSON of Minnesota, Mr. SMITH of Oregon, Mr. POMBO, Mr. GOODE, Mr. HILL, Mr. BARCIA of Michigan, Mr. JOHN, and Mr. HUNTER):

H.R. 1719. A bill to protect and enhance sportsmen's opportunities and enhance wildlife conservation; to the Committee on Resources.

By Mr. DINGELL (for himself and Mr. OBERSTAR) (both by request):

H.R. 1720. A bill to improve transportation safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER (for himself, Ms. MCKINNEY, Mr. ACKERMAN, Mr. BISHOP, Ms. CARSON, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DELLUMS, Mr. FROST, Mr. GREEN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. KUCINICH, Ms. NORTON, Mr. PASTOR, Mr. THOMPSON, Mr. TOWNS, and Mr. WATTS of Oklahoma):

H.R. 1721. A bill to prohibit insurers from canceling or refusing to renew fire insurance policies covering houses of worship and related support structures, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOX of Pennsylvania:

H.R. 1722. A bill to amend various banking laws; to the Committee on Banking and Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts:

H.R. 1723. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to make the restrictions on foreign students added by such act inapplicable to students lawfully present in the United States on the effective date of the restrictions in cases where a public school or adult education program evidences a desire for such result, to the Committee on the Judiciary.

H.R. 1724. A bill to amend the Immigration and Nationality Act to eliminate certain restrictions on foreign students added by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. FRANK of New Jersey:

H.R. 1725. A bill to establish a regional investments for national growth program to identify and fund the metropolitan regional transportation projects that are essential to the national economy, but exceed State and regional financial capacity; to the Committee on Transportation and Infrastructure.

By Ms. FURSE (for herself, Mrs. CLAYTON, Ms. DEGETTE, Ms. HOOLEY of Oregon, Ms. JACKSON-LEE, Ms. LOFGREN, Mrs. LOWEY, Ms. MCKINNEY, Mrs. MALONEY of New York, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Ms. NORTON, Ms. SLAUGHTER, Ms. WATERS, and Ms. WOOLSEY):

H.R. 1726. A bill to establish as an element of the national security of the United States the importance of providing for the health, safety, and education of children in the United States; to the Committee on Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Transportation and Infrastructure, Banking and Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREENWOOD (for himself, Mr. WAXMAN, Mr. BURR of North Carolina, Mr. UPTON, Mrs. JOHNSON of Connecticut, Mr. KLUG, Mr. FRANKS of New Jersey, Ms. LOFGREN, Ms. PRYCE of Ohio, Mr. TOWNS, Ms. DEGETTE, Mr. BOUCHER, Mr. FALEOMAVAEGA, Mr. HORN, and Ms. SLAUGHTER):

H.R. 1727. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for additional deferred effective dates for approval of applications under the new drugs provisions, and for other purposes; to the Committee on Commerce.

By Mr. HEFLEY (for himself and Mr. VENTO):

H.R. 1728. A bill to provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes; to the Committee on Resources.

By Mr. HOUGHTON (for himself, Mr. RANGEL, Mr. WELLER, Mr. ENSIGN, Mr. ENGLISH of Pennsylvania, Mr. MCDERMOTT, Mr. COYNE, Mr. LEVIN, Mr. MATSUI, Mr. MCNULTY, Mr. NEAL of Massachusetts, Mr. CHRISTENSEN, Mr. LEWIS of Georgia, and Mr. WATKINS):

H.R. 1729. A bill to amend the Internal Revenue Code of 1986 to extend and modify the work opportunity credit; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. COYNE, Mr. MCCRERY, and Mr. MATSUI):

H.R. 1730. A bill to amend the Internal Revenue Code of 1986 to provide that the amount of an overpayment otherwise payable to any person shall be reduced by the amount of pastdue, legally enforceable State tax obligations of such person; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 1731. A bill to amend the Internal Revenue Code of 1986 to increase the standard mileage rate deduction for charitable use of passenger automobiles; to the Committee on Ways and Means.

By Mr. KILDEE:

H.R. 1732. A bill to amend the Land and Water Conservation Fund Act of 1965 to provide for off-budget treatment of the receipts and disbursements of the land and water conservation fund and the special accounts established under such act; to the Committee on Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself and Mr. STUPAK):

H.R. 1733. A bill to establish the Saint Helena Island National Scenic Area; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE (for himself, Mr. SISISKY, and Mr. WEYGAND):

H.R. 1734. A bill to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

By Ms. LOFGREN:

H.R. 1735. A bill to amend the Internal Revenue Code of 1986 to allow an individual who is entitled to receive child support a refundable credit equal to the amount of unpaid child support and to increase the tax liability of the individual required to pay such support by the amount of the unpaid child support; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. CASTLE, Mrs. CLAYTON, and Mrs. JOHNSON of Connecticut):

H.R. 1736. A bill to provide for a reduction in the rate of adolescent pregnancy through the evaluation of public and private prevention programs, and for other purposes; to the Committee on Commerce.

By Mrs. LOWEY (for herself, Mr. LAZIO of New York, and Mr. COMBEST):

H.R. 1737. A bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide adequate access to services provided by obstetrician-gynecologists; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATSUI (for himself, Mr. STARK, Mrs. THURMAN, and Mr. FAZIO of California):

H.R. 1738. A bill to amend title XVIII to provide a special Medicare part B enrollment period and MediGap enrollment period and a waiver of the Medicare part B late enrollment penalty for certain military retirees and dependents who live near military hospitals that are closed or that discontinue inpatient hospital services; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR:

H.R. 1739. A bill to amend the Act designating the Boundary Waters Canoe Area Wilderness to clarify certain provisions of law regarding activities authorized within the wilderness area, and for other purposes; to the Committee on Resources.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mr. ENSIGN, Mr. MATSUI, Mr. CRANE, Mr. ENGLISH of Pennsylvania, Mr. HOUGHTON, Mrs. JOHNSON of Connecticut, Mrs. KENNELLY of Connecticut, Mr. KLECZKA, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. RAMSTAD, Mr. THOMAS, Mr. WELLER, Mr. HULSHOF, Mr. HOBSON, Mr. POMEROY, Mr. SAWYER, Mr. ABERCROMBIE, Mr. BATEMAN, Mr. BLUMENAUER, Mrs. CUBIN, Mr. FROST, Mr. GOODE, Mr. HOYER, Ms. KILPATRICK, Mr. MANZULLO, Ms. MCCARTHY of Missouri, Mr. MORAN of Virginia, Mr. OLVER, Mr. PICKETT, and Mr. STUMP):

H.R. 1740. A bill to amend the Internal Revenue Code of 1986 to modify the application of the pension nondiscrimination rules to governmental plans; to the Committee on Ways and Means.

By Ms. PRYCE of Ohio:

H.R. 1741. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers in the process of adopting a child to use alternative information, rather than a TIN, to claim the dependency exemption for the child; to the Committee on Ways and Means.

By Mr. ROTHMAN:

H.R. 1742. A bill to suspend temporarily the duty on certain viscose rayon yarn; to the Committee on Ways and Means.

By Mr. SALMON (for himself, Mr. BOEHNER, Mr. HASTERT, Mr. STUMP, Mr. NORWOOD, Mr. GOSS, Mrs. KELLY, Mr. WICKER, Mr. FOLEY, Mr. COBURN, Mr. BARTLETT of Maryland, Mr. CANNON, Mr. DOOLITTLE, Mr. MANZULLO, Mr. HOSTETTLER, Mr. LARGENT, Mr. BURTON of Indiana, Mr. KOLBE, Mr. CAMPBELL, Mr. PAUL, Mr. MCCRERY, Mr. SESSIONS, Mr. COOKSEY, Mr. BUNNING of Kentucky, Mr. BRADY, Mr. SHADEGG, Mr. ROYCE, Mr. BALLENGER, Mr. PAPPAS, Mr. ROHRABACHER, Mr. HILLEARY, Mr. NUSSLE, Mr. HAYWORTH, Mr. MCINTOSH, Mr. SMITH of New Jersey, Mr. CHABOT, Mr. ENSIGN, Mr. HUTCHINSON, Mr. HOEKSTRA, Mr. TALENT, Mr. CUNNINGHAM, Mr. SENSENBRENNER, Mr. BOB SCHAFFER, Mr. WHITE, Mr. SAM JOHNSON, Mr. GRAHAM, Mr. EVERETT, Mr. SCARBOROUGH, Mr. CRAPO, Mr. METCALF, Mr. MCKEON, Mr. NEUMANN, Mr. SKEEN, Mr. SOUDER, and Mr. COMBEST):

H.R. 1743. A bill to amend the Internal Revenue Code of 1986 to repeal the limitations on medical savings accounts relating to the number of accounts and number of employees of an employer, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHUMER (for himself and Mr. NADLER):

H.R. 1744. A bill to make the antitrust laws applicable to owners of teams of major league professional baseball players, and to leagues composed of such teams, with respect to selecting the site at which any such team plays its regular season home games; to the Committee on the Judiciary.

By Mr. SCHUMER:

H.R. 1745. A bill to reform asset forfeiture laws; to the Committee on the Judiciary, and in addition to the Committee on Ways

and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS:

H.R. 1746. A bill to provide that, in any year in which the Congress does not timely adopt a concurrent resolution on the budget that eliminates the deficit by fiscal year 2002, Members of Congress shall forfeit their right to be paid for the remainder of that year; to the Committee on House Oversight.

By Mr. SHUSTER (for himself and Mr. OBERSTAR):

H.R. 1747. A bill to amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of New Jersey:

H.R. 1748. A bill to amend the Communications Act of 1934 to ban the transmission of unsolicited advertisements by electronic mail, and to require that sender identification information be included with electronic mail messages; to the Committee on Commerce.

By Mr. STARK (for himself, Mr. KILDEE, Mrs. LOWEY, Mr. MILLER of California, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. SANDERS, Mr. TIERNEY, Mr. FROST, Mr. DELLUMS, Ms. CHRISTIAN-GREEN, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. WAXMAN, Mr. RANGEL, Mr. KUCINICH, Mr. KLECZKA, Mr. KENNEDY of Rhode Island, Ms. RIVERS, Mr. MCGOVERN, Mr. BERMAN, and Mrs. TAUSCHER):

H.R. 1749. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to improve and clarify accountability for violations with respect to managed care group health plans; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KASICH:

H. Con. Res. 86. Concurrent resolution setting forth the congressional budget for the U.S. Government for fiscal years 1998, 1999, 2000, 2001, and 2002; to the Committee on the Budget.

By Mr. ARMEY:

H. Con. Res. 87. Concurrent resolution providing for an adjournment of the two Houses; considered and failed of passage.

By Mr. BALLENGER:

H. Con. Res. 88. Concurrent resolution congratulating the Government and the people of the Republic of El Salvador on successfully completing free and democratic elections on March 16, 1997; to the Committee on International Relations.

By Ms. FURSE (for herself, Ms. WATERS, Mrs. MEEK of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCKINNEY, Mr. HASTINGS of Florida, Ms. NORTON, Ms. BROWN of Florida, Mrs. CLAYTON, Mr. JACKSON, Mr. HILLIARD, Ms. KILPATRICK, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. PAYNE, Mr. TOWNS, Mr. FORD, Mr. RUSH, Mr. SCOTT, Mr. WATT of North Carolina, Mr. OWENS, Mr. DELLUMS, Mr. STOKES, Mr. CLYBURN, Mr. WYNN, Mr. DIXON, Ms. MILLENDER-MCDONALD, Mr. BISHOP, Mr. LEWIS of Georgia, Ms. CARSON, Mr. JEFFERSON, Mr. CUMMINGS, Mr. CONYERS, Mr. CLAY, Mr. THOMPSON, Mr. FLAKE, Mr. RANGEL, Ms. JACKSON-LEE, and Ms. CHRISTIAN-GREEN):

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress that the 2004 Summer Olympic Games be held in Cape Town, South Africa; to the Committee on International Relations.

By Mr. KENNEDY of Massachusetts:

H. Con. Res. 90. Concurrent resolution establishing the congressional budget for the U.S. Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002; to the Committee on the Budget.

By Mr. SANDERS (for himself, Mr. PALLONE, Mr. EHLERS, Mrs. MALONEY of New York, Mr. FRANK of Massachusetts, Mr. FILNER, Mr. KLUG, Mr. DELLUMS, Ms. CHRISTIAN-GREEN, Ms. RIVERS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DEGETTE, Mr. EVANS, Mr. HINCHEY, Mr. KENNEDY of Massachusetts, Mr. CONYERS, Mr. BARRETT of Wisconsin, Ms. FURSE, Mr. FRANKS of New Jersey, and Mr. SABO):

H. Con. Res. 91. Concurrent resolution expressing the sense of Congress that the Administrator of the Environmental Protection Agency should take immediate steps to abate emissions of mercury and release to Congress the study of mercury required under the Clean Air Act, and for other purposes; to the Committee on Commerce.

By Mr. SOLOMON:

H. Res. 156. Resolution relating to the disposition of Senate amendments to the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the U.S. Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002; to the Committee on Rules.

By Mr. BEREUTER (for himself, Mr. GINGRICH, Mr. BONIOR, Mr. GILMAN, Mr. HAMILTON, Mr. BERMAN, and Mr. STEARNS):

H. Res. 157. Resolution congratulating the people of India and Pakistan on the occasion of the 50th anniversary of their nations' independence; to the Committee on International Relations.

By Mr. DREIER:

H. Res. 158. Resolution to express the support of the House of Representatives for programs such as the Jump$tart Coalition for Personal Financial Literacy; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mrs. FOWLER introduced a bill (H.R. 1750) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Barefoot Contessa*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

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

H.R. 4: Mr. SMITH of Oregon, Mr. HINOJOSA, Mr. STRICKLAND, Mr. ETHERIDGE, and Mr. RAMSTAD.

H.R. 15: Mr. SKEEN, Mr. BILBRAY, and Mr. WICKER.

H.R. 58: Mr. STEARNS, Mr. SNYDER, and Mr. SPENCE.

H.R. 76: Mr. KILDEE, Mr. WELDON of Florida, Mr. GIBBONS, Mr. BONO, Mr. BARTLETT of Maryland, and Mr. KINGSTON.

H.R. 84: Mr. BONIOR and Mr. FAZIO of California.

H.R. 96: Mr. SUNUNU and Mr. LUCAS of Oklahoma.

H.R. 122: Mr. PETERSON of Pennsylvania, Mr. RYUN, Mr. HULSHOF, and Mr. CALVERT.

H.R. 123: Mr. BILIRAKIS.

H.R. 125: Mr. CALLAHAN, Mr. Dickey, and Mr. HUTCHINSON.

H.R. 195: Mr. TAYLOR of North Carolina.

H.R. 218: Mr. PETERSON of Pennsylvania, Mr. BARRETT of Nebraska, Mr. WAMP, and Mr. KINGSTON.

H.R. 219: Mr. LOBIONDO, Ms. Kilpatrick, Mrs. MEEK of Florida, Mr. PRICE of North Carolina, and Mr. CANADY of Florida.

H.R. 306: Mr. CUMMINGS and Mr. LIPINSKI.

H.R. 339: Mr. ENSIGN.

H.R. 399: Mr. BILBRAY.

H.R. 404: Mr. BARRETT of Wisconsin.

H.R. 411: Mr. BLAGOJEVICH.

H.R. 418: Mr. NEAL of Massachusetts and Mr. BURR of North Carolina.

H.R. 466: Ms. CHRISTIAN-GREEN and Mrs. THURMAN.

H.R. 471: Mr. BONO.

H.R. 475: Mr. BAESLER, Ms. CHRISTIAN-GREEN, Mr. HASTINGS of Florida, Mr. BISHOP, Mr. FATTAH, Mr. CANADY of Florida, Mr. COBURN, and Mr. KLINK.

H.R. 479: Mr. COMBEST.

H.R. 521: Mr. HAYWORTH, Ms. KAPTUR, Mr. SNYDER, Mr. CANADY of Florida, and Mr. PALLONE.

H.R. 536: Mr. MORAN of Virginia.

H.R. 552: Mr. SANDERS.

H.R. 553: Mr. VENTO and Mr. FAZIO of California.

H.R. 559: Mr. EVANS and Mr. ANDREWS.

H.R. 598: Mr. CONDIT.

H.R. 612: Mr. MORAN of Virginia and Mr. BARTLETT of Maryland.

H.R. 674: Mr. DOOLITTLE and Mr. RODRIQUEZ.

H.R. 678: Ms. BROWN of Florida, Mr. CONDIT, Mr. DEUTSCH, Mr. FARR of California, Mr. KUCINICH, Mr. MCNULTY, Mr. MARKEY, Mrs. MEEK of Florida, Mr. SERRANO, Mr. STOKES, Mr. STRICKLAND, Mr. WAXMAN, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BOEHNER, Mr. BURR of North Carolina, Mr. CANADY of Florida, Mr. DIAZ-BALART, Mr. FOX of Pennsylvania, Mr. HAYWORTH, Mr. LAHOOD, Mr. MCINTOSH, Mr. MILLER of Florida, Mr. PAPPAS, Mr. PAXON, Mrs. ROUKEMA, Mr. SNOWBARGER, Mr. STUMP, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. UPTON, Mr. BOYD, and Mr. WEXLER.

H.R. 681: Mr. MARTINEZ, Mr. DOOLEY of California, and Mr. RADANOVICH.

H.R. 695: Mr. HASTINGS of Florida, Mr. DIAZ-BALART, Mr. KING of New York, Ms. SLAUGHTER, Mr. FROST, and Mr. BURTON of Indiana.

H.R. 731: Mr. PRICE of North Carolina.

H.R. 744: Mr. FILNER, Mr. EVANS, and Mr. TORRES.

H.R. 745: Mr. WAXMAN, Mr. ROTHMAN, Mr. PASCRELL, Mr. BARRETT of Wisconsin, Mr. OWENS, Ms. RIVERS, and Mr. CAPPS.

H.R. 753: Mr. KENNEDY of Massachusetts and Ms. CHRISTIAN-GREEN.

H.R. 768: Mr. BILBRAY.

H.R. 778: Mr. KENNEDY of Rhode Island.

H.R. 779: Mr. KENNEDY of Rhode Island.

H.R. 780: Mr. KENNEDY of Rhode Island.

H.R. 805: Mr. ROHRABACHER.

H.R. 813: Mr. SNYDER.

H.R. 815: Mr. MILLER of Florida and Mr. BLUMENAUER.

H.R. 816: Mr. GOODE and Mr. ROYCE.

H.R. 835: Mr. GREEN and Mr. CAPPS.

H.R. 845: Mr. KUCINICH.

H.R. 857: Mr. DEAL of Georgia, Mr. CALVERT, and Mr. JONES.

H.R. 866: Mr. BACHUS.

H.R. 875: Mrs. LOWEY, Mr. GONZALEZ, Mr. CAMPBELL, and Mr. NEAL of Massachusetts.

H.R. 881: Mr. ACKERMAN.

H.R. 893: Ms. STABENOW, Ms. KAPTUR, Mr. DEFAZIO, Mr. CALVERT, Mr. POMEROY, Mr.

ACKERMAN, Mr. PALLONE, Mr. LEWIS of Georgia, Mr. BALDACCI, Mr. WISE, Mrs. MORELLA, Mr. KIND of Wisconsin, Mr. WATT of North Carolina, and Mr. BOEHLERT.

H.R. 894: Mr. CHRISTENSEN, Mr. CALVERT, Mr. POMEROY, Mr. ACKERMAN, Mr. PALLONE, Mr. KIND of Wisconsin, and Mr. WATT of North Carolina.

H.R. 901: Mr. GUTKNECHT, Mr. KINGSTON, Mr. SAM JOHNSON, Mr. CALLAHAN, Mr. BARCIA of Michigan, Mr. KOLBE, Mrs. FOWLER, and Mr. UPTON.

H.R. 906: Mr. LEWIS of California, Mr. ENGLISH of Pennsylvania, Mr. HERGER, Mr. EVANS, Mr. WOLF, and Mr. BATEMAN.

H.R. 916: Mr. LEWIS of Kentucky, Mr. HALL of Texas, and Ms. SLAUGHTER.

H.R. 920: Mr. BARRETT of Wisconsin, Mr. PAYNE, and Mr. BENTSEN.

H.R. 947: Mr. SHERMAN.

H.R. 972: Mr. FRELINGHUYSEN.

H.R. 977: Mr. SISISKY, Mr. SCOTT, and Mr. BEREUTER.

H.R. 979: Mr. EHLERS and Ms. FURSE.

H.R. 991: Mr. SABO, Mr. LAMPSON, and Mr. PETERSON of Minnesota.

H.R. 992: Mr. PETERSON of Minnesota, Mr. STENHOLM, Mr. BARRETT of Nebraska, Mr. CRAPO, Mr. THORNBERRY, Mr. SESSIONS, Mr. SAM JOHNSON, and Mr. NORWOOD.

H.R. 1002: Mr. STUPAK.

H.R. 1009: Mr. THORNBERRY, Mr. LAHOOD, and Mr. WICKER.

H.R. 1031: Ms. FURSE and Mr. GIBBONS.

H.R. 1036: Mr. FOX of Pennsylvania and Mr. CALVERT.

H.R. 1037: Mr. KLECZKA.

H.R. 1104: Mr. WEXLER and Mr. BLUMENAUER.

H.R. 1120: Mr. WEYGAND.

H.R. 1124: Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. NORWOOD, Mr. EHRLICH, Mr. PAUL, Mr. MILLER of Florida, and Mr. SESSIONS.

H.R. 1129: Mr. PETRI, Ms. ROYBAL-ALLARD, and Mr. ENGLISH of Pennsylvania.

H.R. 1134: Ms. ROS-LEHTINEN, Mr. FORD, and Mr. GOODE.

H.R. 1145: Mr. BURTON of Indiana, Mr. BLILEY, Mr. KLUG, Mr. GALLEGLY, Mr. HYDE, Mr. UPTON, Mr. GORDON, Mr. BUNNING of Kentucky, Mr. STUMP, Mr. GOSS, Mr. BAKER, Mr. GRAHAM, Mr. MCCOLLUM, Mr. SAM JOHNSON, Mrs. NORTHUP, Mr. MCKEON, Mr. LATHAM, Mr. CANADY of Florida, and Mr. HAYWORTH.

H.R. 1151: Mr. FATTAH, Mr. OLVER, Mr. EVANS, Mrs. LINDA SMITH of Washington, and Mr. SANFORD.

H.R. 1153: Mrs. KELLY, Mr. PITTS, and Mr. PASCRELL.

H.R. 1169: Mr. RUSH, Mr. DOOLEY of California, Mr. STARK, and Mr. SHAW.

H.R. 1173: Mr. TRAFICANT, Ms. SLAUGHTER, Mr. ROTHMAN, Mr. CUMMINGS, Mr. CAMPBELL, Mr. KING of New York, Mr. DICKS, Mrs. MORELLA, Mr. DELLUMS, Mr. WEYGAND, Mr. JOHNSON of Wisconsin, Mr. PETRI, Mr. BORSKI, Mr. LOBIONDO, and Mr. ABERCROMBIE.

H.R. 1176: Mr. FAWELL and Mr. ROTHMAN.

H.R. 1189: Mr. SHIMKUS, Mr. FROST, Mr. SANDLIN, and Mr. FALEOMAVAEGA.

H.R. 1233: Mr. BONIOR, Mr. ROMERO-BARCELO, Ms. WOOLSEY, Mr. FORD, Mr. KUCINICH, Mr. ACKERMAN, Mr. BORSKI, Mr. BOSWELL, Mrs. CLAYTON, Mr. CONYERS, Mr. ENGEL, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FILNER, Mr. FLAKE, Mr. GONZALEZ, Mr. HILLIARD, Ms. KAPTUR, Mrs. KENNELLY of Connecticut, Ms. LOFGREN, Mrs. MALONEY of New York, Mr. RAHALL, Mr. ROTHMAN, Mr. STRICKLAND, Mr. TORRES, and Mr. WEYGAND.

H.R. 1247: Mr. BARRETT of Nebraska and Mr. SNOWBARGER.

H.R. 1248: Mr. SANDLIN and Mr. KINGSTON.

H.R. 1260: Mr. BOEHLERT, Mr. BACHUS, Mr. MCDERMOTT, and Mr. GILLMOR.

H.R. 1270: Mr. BOEHLERT.

H.R. 1297: Mr. SISISKY.

H.R. 1300: Mr. ROHRABACHER and Mr. FOX of Pennsylvania.

H.R. 1320: Mr. DOYLE.

H.R. 1323: Mr. MARKEY.

H.R. 1329: Mr. ACKERMAN and Mr. PARKER.

H.R. 1330: Mr. PARKER, Mr. THOMPSON, Mr. EVANS, and Mr. DEFAZIO.

H.R. 1335: Mr. BERMAN, Ms. CHRISTIAN-GREEN, Mr. GONZALEZ, Mr. JACKSON, Ms. KILPATRICK, Mr. MALONEY of Connecticut, Mrs. MORELLA, Mr. SANDERS, and Ms. SLAUGHTER.

H.R. 1348: Ms. SANCHEZ and Mr. CALVERT.

H.R. 1350: Mr. DEAL of Georgia and Mr. CRANE.

H.R. 1355: Mr. GOODE.

H.R. 1362: Mr. LAMPSON, Mr. KOLBE, Mr. BACHUS, Mr. DICKEY, and Mr. BLAGOJEVICH.

H.R. 1375: Mr. HAYWORTH and Mr. THOMPSON.

H.R. 1378: Mr. BARRETT of Nebraska, Mr. STEARNS, Mr. HILL, Mr. BURR of North Carolina, Mr. CANADY of Florida, Mr. CALVERT, and Mr. MCINNIS.

H.R. 1382: Mr. TORRES and Mr. KILDEE.

H.R. 1383: Ms. CARSON, Mr. HASTINGS of Florida, Mr. KLECZKA, Ms. MCCARTHY of Missouri, Mr. ROEMER, and Mr. STRICKLAND.

H.R. 1398: Mr. DICKEY, Mr. CANADY of Florida, and Mr. LIPINSKI.

H.R. 1401: Mr. KLUG.

H.R. 1416: Mr. MARTINEZ, Mr. GILMAN, and Mr. ACKERMAN.

H.R. 1432: Ms. DEGETTE.

H.R. 1434: Mr. WATKINS, Mr. MCKEON, Mr. FILNER, and Mr. CANADY of Florida.

H.R. 1435: Ms. WOOLSEY, Mr. CONYERS, Mr. DELLUMS, Mr. FILNER, Mr. FROST, Mr. HASTINGS of Florida, Mr. KENNEDY of Rhode Island, and Mr. JACKSON.

H.R. 1436: Ms. WOOLSEY, Mr. CONYERS, Mr. DELLUMS, Mr. HASTINGS of Florida, Mr. JACKSON, and Mr. TORRES.

H.R. 1437: Mr. FRANK of Massachusetts, Mr. MENENDEZ, Mr. LANTOS, Mr. SANDLIN, Mrs. CLAYTON, Ms. KAPTUR, Mr. BROWN of Ohio, Ms. DELAURO, Mr. HEFNER, Mrs. LOWEY, and Mrs. MORELLA.

H.R. 1475: Mr. DOYLE.

H.R. 1491: Mr. MANTON, Mr. BOUCHER, Mr. FROST, Mr. STARK, Mr. LEWIS of Georgia, Ms. RIVERS, Mr. SNYDER, Mr. EVANS, Mr. DEUTSCH, Mr. DELLUMS, and Mr. KLINK.

H.R. 1492: Mr. BACHUS.

H.R. 1493: Mr. WICKER, Mr. BONO, Mr. HORN, and Mr. DREIER.

H.R. 1496: Mr. BILBRAY.

H.R. 1507: Mr. BOEHLERT, Mr. KILDEE, and Mr. VENTO.

H.R. 1509: Mr. WATKINS and Mr. NEAL of Massachusetts.

H.R. 1510: Mr. DEAL of Georgia.

H.R. 1516: Mr. BROWN of California, Mr. CONYERS, Ms. DANNER, Mr. DELLUMS, Mr. FALEOMAVAEGA, Mr. LEWIS of Georgia, Mr. SERRANO, and Mr. TORRES.

H.R. 1521: Mr. OXLEY.

H.R. 1524: Mr. FRANK of Massachusetts, Mr. LUCAS of Oklahoma, Mr. GEJDENSON, and Mr. PITTS.

H.R. 1525: Mr. SANDERS, Mr. RANGEL, Mr. FROST, Mr. ACKERMAN, and Mr. DEFAZIO.

H.R. 1527: Mr. BILBRAY.

H.R. 1532: Mr. LAHOOD, Mr. BURR of North Carolina, Mr. Mr. REDMOND, Mr. DICKEY, Mr. BARTON of Texas, and Ms. GRANGER.

H.R. 1534: Mr. GOODE, Mr. ROYCE, Mr. SESSIONS, and Mr. BRYANT.

H.R. 1549: Mr. SHAYS.

H.R. 1559: Mr. DREIER and Mr. LIPINSKI.

H.R. 1560: Mr. BRYANT, Mr. MILLER of Florida, Mr. KINGSTON, Mr. SHAYS, Mr. METCALF, Mr. GOODLING, Mr. FOX of Pennsylvania, Mr. BALLENGER, Mrs. ROUKEMA, Ms. DUNN of Washington, Mr. GOSS, Mr. GANSKE, Mrs. EMERSON, Mrs. CUBIN, Mr. NETHERCUTT, Mrs. CHENOWETH, Mr. CLAY, Mr. BLUNT, Mr. SKEEN, Mr. WATKINS, Mr. BLILEY, Mr. BLUMENAUER, Mr. DICKEY, Mr. GINGRICH, Mr. THOMAS, Mr. BARRETT of Nebraska, Mr. BATEMAN, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Ms. FURSE, Mr. REGULA, Mr. FROST, Mr. DEFAZIO, Mr. SISISKY, Mr. SPENCE, Mr. SCOTT, Mr. PICKETT, and Mr. HILL.

H.R. 1568: Mr. FROST and Mr. LAMPSON.

H.R. 1571: Ms. SLAUGHTER, Ms. NORTON, and Mr. ACKERMAN.

H.R. 1573: Mr. SMITH of New Jersey and Ms. RIVERS.

H.R. 1574: Mr. WHITE, Mr. GRAHAM, Mr. KNOLLENBERG, AND Mr. METCALF.

H.R. 1591: Mr. WICKER, Mr. GOODE, Mr. NETHERCUTT, Mr. HASTERT, Mr. GUTKNECHT, and Mr. WATKINS.

H.R. 1592: Mr. NEAL of Massachusetts.

H.R. 1612: Mr. CONDIT.

H.R. 1614: Mr. GILMAN and Mr. TAUZIN.

H.R. 1624: Mr. BROWN of Ohio, Ms. KAPTUR, Mr. VENTO, Mr. MARKEY, and Mr. FATTAH.

H.R. 1636: Mr. OBERSTAR, Ms. KILPATRICK, Mr. RAHALL, Mr. FLAKE, Ms. BROWN of Florida, Mr. FROST, and Mr. UNDERWOOD.

H.R. 1653: Mr. ROHRABACHER, Mr. CALVERT, and Mr. ROGAN.

H.R. 1655: Ms. MCKINNEY.

H.R. 1657: Mr. EWING.

H.R. 1658: Mr. PALLONE.

H.R. 1670: Mr. FROST and Ms. CARSON.

H.R. 1684: Mr. PITTS.

H.R. 1687: Mr. FILNER.

H.R. 1689: Mr. ROGAN.

H.J. Res. 75: Ms. SLAUGHTER.

H.J. Res. 76: Mr. BERRY, Ms. CHRISTIAN-GREEN, Mr. DEFAZIO, Mr. MCNULTY, and Mr. MEEHAN.

H. Con. Res. 52: Mr. KIND of Wisconsin, Mr. LAZIO of New York, and Mrs. THURMAN.

H. Con. Res. 65: Mrs. MORELLA, Mr. HINCHEY, Mr. BILBRAY, Mr. FORBES, Mr. TOWNS, and Mrs. LOWEY.

H. Con. Res. 75: Mr. ACKERMAN.

H. Con. Res. 80: Mr. NEUMANN.

H. Res. 37: Mr. FOX of Pennsylvania, Mr. FAZIO of California, Ms. KILPATRICK, and Mr. HORN.

H. Res. 139: Mr. BACHUS.

H. Res. 144: Mr. BRYANT, Mr. MILLER of Florida, Mr. KINGSTON, Mr. SHAYS, Mr. METCALF, Mr. GOODLING, Mr. FOX of Pennsylvania, Mr. BALLENGER, Mrs. ROUKEMA, Ms. DUNN of Washington, Mr. GOSS, Mr. GANSKE, Mrs. EMERSON, Mrs. CUBIN, Mr. NETHERCUTT, Mrs. CHENOWETH, Mr. CLAY, Mr. BLUNT, Mr. SKEEN, Mr. WATKINS, Mr. BLILEY, Mr. BLUMENAUER, Mr. DICKEY, Mr. GINGRICH, Mr. THOMAS, Mr. BARRETT of Nebraska, Mr. BATEMAN, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Ms. FURSE, Mr. REGULA, Mr. FROST, Mr. DEFAZIO, Mr. SISISKY, Mr. SPENCE, Mr. SCOTT, Mr. PICKETT, and Mr. HILL.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, THURSDAY, MAY 22, 1997 No. 69

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Holy God, help us to be ever mindful of Your presence in every moment of this day. May we practice Your presence by opening our minds to think Your thoughts. May this day be filled with surprises in which You intervene with solutions to our problems and with superlative strength that replenishes our limited endurance. Fill us with expectancy of what You will do in and through us today.

We claim Isaiah's promise, ''You will keep him in perfect peace whose mind is stayed on You.''—Isaiah 26:3. Stay our mind on You so that we may know Your lasting peace of mind and soul. You know how easily we can become distracted; often hours will pass without thought of You or Your will for our work. In those times, invade our minds and remind us that You are in charge and we are here to serve and please You.

Lord, keep our minds riveted on You throughout this day so that we may draw from Your unlimited wisdom for all that we do and say. Especially, we ask for Your guidance as discussion is completed and a final vote is taken on the budget. May our fiscal planning be in keeping with Your priorities for our Nation.

In the name of our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the able Senator from New Mexico, is recognized.

SCHEDULE

Mr. DOMENICI. Mr. President, for the information of all Senators, today the Senate will resume consideration of Senate Concurrent Resolution 27, the first concurrent budget resolution, with 13 hours of debate on the resolution remaining. As under the previous order, Senator MOSELEY-BRAUN will be recognized this morning to conclude debate on her amendment. Senators can expect a rollcall vote between 10:30 and 11 o'clock this morning. Following the disposition of the amendment just mentioned, the Senate will continue to work through the approximately 45 amendments which have been filed to the budget resolution. As the majority leader has indicated, it is his intention that the Senate conclude work on this resolution today. In regard to numerous amendments filed, it is our hope that each and every amendment filed will not require a vote. The Budget Committee has worked through the night, identifying amendments which can be worked out on both sides, therefore expediting this process immensely.

The majority leader has requested the cooperation of all Members in working with the Budget Committee and/or being prepared to debate their amendments during today's session of the Senate. As always, all Members will be notified as soon as any agreements are reached and votes scheduled. Also, before we recess tomorrow, the Senate will consider the CWC implementation bill with a short time agreement, as under the previous order.

I thank all Members for their attention.

MEASURE PLACED ON THE CALENDAR—H.R. 1306

Mr. DOMENICI. Before we begin, I understand that there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 1306) to amend the Federal Deposit Insurance Act to clarify the applicability of host State laws to any branch in such out-of-State bank.

Mr. DOMENICI. I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

CONCURRENT RESOLUTION ON THE BUDGET

The PRESIDING OFFICER. Under the previous order, the clerk will report the budget resolution.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 27) setting forth the Congressional budget for the U.S. Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

The Senate resumed consideration of the concurrent resolution.

Pending:

Murray-Wellstone amendment No. 291, to express the sense of the Congress concerning domestic violence.

Inhofe amendment No. 301, to create a point of order against any budget resolution for fiscal years after 2001 that causes a unified budget deficit for the budget year or any of the 4 fiscal years following the budget year.

Hollings amendment No. 302, to express the sense of the Senate that the Highway Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 303, to express the sense of the Senate that the Airport and Airway Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 304, to express the sense of the Senate that the Military Retirement Trust Funds should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 305, to express the sense of the Senate that the Civil Service Retirement Trust Funds should not be taken into account in computing the deficit in the budget of the United States.

Hollings amendment No. 306, to express the sense of the Senate that the Federal Unemployment Compensation Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Kerry amendment No. 309, to allocate funds for early childhood development programs for children ages zero to six.

Dorgan amendment No. 310, to express the sense of the Senate that the Congress should continue efforts to reduce the on-budget deficit without counting Social Security surpluses.

Warner-Baucus amendment No. 311, to ensure that transportation revenues are used solely for transportation.

Wellstone amendment No. 313, to provide for increases in funding for Headstart and Early Start, child nutrition programs, and school construction, which will be paid for by reducing tax benefits to the top 2 percent of income earners in the United States as well as by reducing tax benefits that are characterized as corporate welfare or tax loopholes.

Wellstone amendment No. 314, to provide that Pell Grants for needy students should be increased.

Abraham amendment No. 316, to express the sense of the Senate that, to the extent that future revenues exceed the revenue aggregates, those additional revenues should be reserved for deficit reduction and tax cuts only.

Gramm amendment No. 319, to ensure that the discretionary limits provided in the budget resolution shall apply in all years.

Gramm amendment No. 320, to ensure that the 4.3 cents federal gas tax increase enacted in 1993 will be transferred to the Highway Trust Fund.

Faircloth amendment No. 321, to express the sense of the Senate that a non-refundable tax credit for the expenses of an education at a 2-year college should be enacted.

Ashcroft amendment No. 322, to add enforcement mechanisms to reflect the stated commitment to reach a balanced budget in 2002, to maintain a balanced budget thereafter, and to achieve these goals without raising taxes.

Ashcroft amendment No. 323, to limit increases in the statutory limit on the debt to the levels in the budget resolution.

Bond amendment No. 324, to express the sense of the Senate regarding the protection of children's health.

Bond amendment No. 325, to express the sense of the Senate concerning the Highway Trust Fund.

McCain-Hollings amendment No. 326, to express the sense of the Senate that the Congress shall take such steps as necessary to reconcile the difference between actual revenues raised and estimates made and shall reduce spending accordingly if Spectrum Auctions raise less revenue than projected.

McCain-Mack amendment No. 327, to express the sense of the Senate with respect to certain highway demonstration projects.

McCain amendment No. 328, to express the sense of the Senate that the revenues generated to finance an intercity passenger rail fund under section 207 should not be appropriated before enactment of legislation to reauthorize and reform the National Rail Passenger Corporation.

Bumpers amendment No. 330, to delay the effectiveness of the tax cuts assumed in the Budget Resolution until the Federal budget is balanced.

Bumpers amendment No. 331, to ensure that the Medicare cuts that will be enacted are not used to pay tax cuts and that instead the tax cuts are completely paid for by the closure of tax loopholes.

Bumpers amendment No. 332, to express the sense of the Senate that no budget reconciliation bill shall increase the Federal deficit.

Lautenberg (for Moseley-Braun) amendment No. 333, to express the sense of the Senate regarding the use of budget savings.

Lautenberg (for Moseley-Braun) amendment No. 334, to express the sense of the Senate regarding the value of the social security system for future retirees.

Lautenberg (for Dodd) amendment No. 335, to ensure that the concurrent resolution conforms with the bipartisan budget agreement to restrict revenue reductions over the ten-year period.

Moseley-Braun amendment No. 336, to provide $5 billion for school repair, renovation, modernization, and construction priorities, offset by closing tax loopholes.

Specter amendment No. 338, to provide for a reduction in mandatory spending and an increase in discretionary spending relating to children's health.

Specter amendment No. 339, to provide for a reduction in mandatory spending and an increase in discretionary spending relating to children's health.

Specter amendment No. 340, to restore funding within the discretionary health function to maintain progress in medical research, offset by reductions in Federal agency administrative costs.

Domenici (for Grams) amendment No. 346, to require that the $225 billion CBO revenue receipt windfall be used to for deficit reduction and tax relief, and that non-defense discretionary spending be kept at a freeze baseline level.

Domenici (for Coverdell) amendment No. 347, to provide for parental involvement in prevention of drug use by children.

Domenici (for Kyl) amendment No. 348, to express the sense of the Senate that the budget resolution agreement does not foreclose the possibility of Congress adopting additional tax cuts in the future, so long as they are paid for.

Domenici (for Snowe-Coverdell) amendment No. 349, to express the sense of the Senate relative to higher education tax relief and higher education expenses.

Lautenberg (for Harkin) amendment No. 350, to express the sense of the Senate supporting an increase in funding for defense 050 account funds dedicated for medical research.

Lautenberg (for Harkin-Bingaman) amendment No. 351, to reduce the incentives to use tax gimmicks that artificially increase revenues in 2002 in ways that make balancing the deficit more difficult after 2002.

Lautenberg (for Kohl-Kerry) amendment No. 352, to express the sense of the Senate on early childhood education.

Lautenberg (for Byrd) amendment No. 353, to expand opportunities to access funding in the Highway Reserve fund.

Lautenberg (for Biden) amendment No. 354, to express the sense of the Senate regarding the extension of the Violent Crime Reduction Trust Fund through fiscal year 2002.

Lautenberg (for Boxer) amendment No. 355, to express the sense of the Senate regarding tax cut benefits.

Robb amendment No. 356, to express the sense of the Senate on Social Security and retirement savings.

AMENDMENT NO. 336

The PRESIDING OFFICER. The Senator from Illinois is recognized to speak on her amendment for up to 50 minutes.

Ms. MOSELEY-BRAUN. Thank you, Mr. President. I yield myself such time as I may require.

Before I start, I ask unanimous consent Senator BAUCUS be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MOSELEY-BRAUN. Mr. President, I am going to yield to my colleagues from Massachusetts and Minnesota in a moment to speak on this. But I would just like to pick up the debate where we left off last evening.

This is the amendment to begin to repair America's crumbling schools and to help provide an environment suitable for learning to the 14 million children who attend school every day in this country, schools with leaky roofs, with crumbling walls, with sewage backing up in the basement, with insufficient electrical equipment to plug in computers, children who attend schools in our country that are not suitable environments for learning. Mr. President, I believe we can do better.

There has been a great deal of debate about who should pay for the crumbling schools. As we know, it is traditional in this country that State and local governments pay for elementary and secondary education. In fact, the Federal Government only supports elementary and secondary education nationwide at about a 7 percent level, so we are barely engaged in the funding formula. But as it is no doubt apparent, and I know it is apparent to everybody in this room, we are facing a crisis of national proportions because the formula for funding elementary and secondary education just does not work in ways that are adequate to meet the needs of our children. It does not work because the property tax base of elementary and secondary funding has been so inelastic as not to provide for the repair, construction, and maintenance of schools over time. So we are faced with a crisis of monumental national proportions.

The General Accounting Office tells us it will take $112 billion to repair our schools, to just bring them up to a level of adequacy—code violations removed, where students can actually learn—without even getting to putting in new technologies. It is pretty clear children cannot learn if their schools are falling down around them. They cannot use computers if there are no electrical systems to plug them into. Unless we engage as a national community to provide local districts and to provide States with some assistance in meeting this huge challenge, the challenge will continue to go unmet and we will hamstring an entire generation and make them less capable of competing in this global economy, this technological age.

We can do better. Our parents turned over to us schools that were adequate to our needs. The public schools were not in this condition. In fact, if anything, most of the schools that most American children attend were built for our generation. We have an obligation to help provide some financial assistance to States and to local districts to repair their crumbling schools.

I wanted to put it on a light note before I turned it over to my colleagues. I thought this was a perfect picture to talk about where we are. This is a cartoon. As a matter of fact, I have two cartoons. The first one says, ''A computer in class opens a whole new world

for us.'' And the little girl says, ''Look, a picture of a school with no leaking roof, no peeling paint, with textbooks for everyone. . . .''

''A whole new world for us'' because this is the real world. It is the crumbling schools, the broken plaster in the walls, the lack of electrical connections, broken plumbing, code violations, lead paint in the walls, asbestos—that is the environment to which we send our children to schools. The new one would be one with no leaking roof, no peeling paint, and with textbooks for everyone. This one, unfortunately, is the reality.

The second cartoon speaks to the reality again as well. Again, these are issues that everybody knows to be true. That is why it is almost surprising to even have to say these things. All you have to do is go out in your State, and you will see schools in this kind of condition. This is Peppermint Patty. Peppermint Patty's crumbling school. Peppermint Patty, in the first few panels, talks about how the roof is leaking again. And then Marcie says, ''Sir, the roof is leaking again and you are getting all wet.''

''I don't like to complain, Marcie.''

''Then I'll do it for you. We were just wondering, ma'am, if perchance you might have noticed . . . the roof is leaking.''

And then the custodian, of course, goes up, falls off the roof, and then, ''How about that, Marcie, I think they fixed the leak in the roof. Let's just hope there aren't some other places where . . .'' and that's when the rain starts coming down on Marcie herself.

As we talk about the importance of education, of a college education, of national standards and goals and the like for education—it is conversation. It is just conversation if we don't give the youngsters an environment in which to learn. They clearly cannot learn if the environment, the setting, is such that it impedes their ability to access the technology, it diminishes their ability to focus in on what it is we are trying to communicate to them.

This last panel which I wanted to bring to your attention, really, I thought, points out the problem altogether. That is, infrastructure, facilities, the environment, the structure have been forgotten. It is everybody pointing fingers at everybody else. It's this unit of government's job, it's that unit of government's job, it is not our responsibility; turning our backs, pointing fingers, and forgetting altogether about the basics. We are talking about computers, but we haven't remembered that you have to have electrical systems to use them. So this last one says, ''This is how it is, Mr. Principal. Half the kids in our class can't read and half can't multiply 6 by 8. None of them ever heard of Bosnia and couldn't tell you who wrote Hamlet.''

''I talked to the principal, sir.''

''What did he say about the leaking roof?'' says Peppermint Patty, who is under a rainstorm.

And Marcie says, ''I forgot to mention it.''

Well, we have been forgetting to mention it. We have been neglecting infrastructure and we have been letting the problem get worse and worse. As with any maintenance issue, if you let it go, it doesn't get better, it just gets worse. So this amendment, this $5 billion, is just a start to try to reach the level of the $112 billion that the General Accounting Office tells us is needed.

Here is reality. I have been showing cartoons, but this is reality. This is a chemistry lab, built probably when I was in high school, if not before—probably when my parents were in high school. Clearly, this is not suitable to teach any youngster chemistry in these times. There is no equipment. It is falling down. You can see this is just age; this is not kids trashing the school. That's just old, outdated—I would imagine, from the type of construction, since I like to do construction, this is probably close to the 1920's, if not earlier.

Here is another. Desks that you and I probably used that have been recycled, Mr. President, with peeling paint. One of the problems the GAO found is a lot of the paint peeling has lead in it, and we know from other research what lead does to youngsters.

Here's another one. The kids may have trashed the lockers, but at the same time the lockers seem to me to have gone a long way toward being trashed before the kids got there. You can't use these things.

But this is the condition of the schools.

Here is another lab. Look at that. What do we tell our children about the value of education? What do we tell them about what we think about them, sending them into conditions like this?

Before I conclude, I want to point out something that may be counterintuitive about this whole issue but that is reality; that is, crumbling schools is not just an inner city problem. Crumbling schools are not just problems in poor communities. Crumbling schools happen all over our country. In fact, the GAO tells us the central cities experience crumbling schools at a rate of 38 percent; the suburban communities at a rate of 29 percent; the rural communities at a rate of 30 percent. Add to that that it is a nationwide problem—in fact, if anything, the West has this problem more than the Midwest, and the East has it more than the Midwest. So it is a problem that is national and is in every kind of community and affects 14 million children every day.

It is shameful to me that we did not have this already in the budget as part of the budget agreement. I was very distressed about that part. But I hope the Members of this Chamber will recognize that this is reality, that we have to have a partnership. We need to help States and local governments meet this need. We are not looking to take anything over. This will maintain local control of the schools, local control of the decisionmaking about what schools get fixed and what features get addressed. But, surely, surely, with a $112 billion national problem, here at the national level we can find $5 billion to help our school districts and our States repair the crumbling schools in which we expect our children to learn.

Mr. President, I yield 10 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 10 minutes.

Mr. KENNEDY. Mr. President, I join my colleague and friend from Illinois, Senator MOSELEY-BRAUN, and commend her for bringing this matter to the U.S. Senate. Her amendment addresses basic and fundamental needs to help children get a good education, and to offset that by closing some of the tax loopholes.

In reviewing the agreements that were made in the balanced budget amendment, it is clear that almost every program is going to bear the brunt of belt tightening—with the exception of tax expenditures. There are over $430 billion in tax expenditures this current year, and that number will increase as we move to enact the tax breaks. We have still not closed the billionaire's tax loophole that permits Americans who have accumulated large amounts of wealth to renounce their citizenship and take their wealth overseas. I think we can afford to close that particular loophole and pay for this particular amendment. There are others that are just as outrageous that, with any fair evaluation of those loopholes, would clearly be closed.

It is entirely appropriate that we give favorable consideration to this measure.

Mr. President, I strongly support the amendment by Senator MOSELEY-BRAUN to provide the $5 billion for improving America's school facilities.

Good education begins with decent places to learn. Yet, in too many public schools across the Nation, children have to run an obstacle course to learn, and that is wrong.

Schools across the country are facing enormous problems with crumbling facilities. Fourteen million children in one-third of the schools are learning in substandard school buildings. Over half of all schools report at least one major building in disrepair, with cracked foundations, leaking roofs and other major problems.

Yet, student enrollments are at an all-time high and will continue to rise, causing even greater overcrowding in many schools. We cannot tolerate a situation in which facilities deteriorate while enrollments escalate.

Massachusetts is no exception. Forty-one percent of Massachusetts schools report that at least one building needs extensive repair or should be replaced; 75 percent report serious problems, such as plumbing or heating defects; 80 percent have at least one unsatisfactory environmental factor.

Faulty boilers and leaky pipes are responsible for sewage leaks and backups at many schools in Springfield. Sixty percent of Springfield schools do not have power outlets and electric wiring needed to accommodate computers and multimedia equipment.

At the Washington School in Springfield, windows are falling out, so they cannot keep the school well heated. At Chestnut school, an entire floor was closed due to disrepair and has not been reopened. To add to the problem, enrollment in Springfield schools has increased by 1,500 students, or 6 percent, over the past 2 years. Facilities are not large enough to accommodate the number of students in the schools, forcing teachers to hold classes in storage rooms, large closets and basements.

In Boston, nearly half the schools need major upgrades in their ventilation systems to meet current air quality standards.

It is interesting, Mr. President, that over half of the schools in my home city of Boston are still not handicapped accessible.

Schools in the city cannot keep their heating systems functioning properly. On a given day, 15 to 30 schools report that their heating systems are not working. Of Boston's 120 school buildings, 90 do not have adequate power outlets and wiring to accommodate today's technology. Roofs are crumbling at the Dearborn School, Hyde Park High School, Dickerman High School, and the Trotter School.

Of the 50 public schools in Worcester, 10 schools need new boilers for their heating systems. Almost every school needs windows replaced. Half of Worcester's schools are not equipped with the wiring and infrastructure to handle new technology, and the vocational high school risks losing its certification because the building is in such poor condition. Its outdated electrical wiring is especially dangerous.

Worcester's schools are also becoming overcrowded. Forest Grove Middle School is at its full capacity of 750 students. They expect 150 additional students to enroll next year, forcing them to rent rooms at a local church to offset the overcrowding.

At Holt School in Whitman, the foundation is cracked. Water damage has loosened the ceiling tiles in the cafeteria, and the ceiling of the boiler room is collapsing.

At the Toy Town Elementary School in Winchendon, the roofs in the gymnasium are leaking, the window caulking is deteriorating, and there is asbestos in the cafeteria ceiling and floor tiles.

It is difficult to teach or learn in dilapidated buildings and overcrowded classrooms. That is why this amendment is so important. It would provide $5 billion in funding over the next 5 years to help school districts meet their priorities for repair, renovation and modernization of their facilities, and it is fully offset by closing the tax loopholes and corporate subsidies in the budget resolution. The amendment does not bind anyone to one specific plan of how to provide support for school facilities. Those details will be worked out later. What the amendment does do is put priority on addressing the urgent needs of schools and the children who learn in them.

It is preposterous to pretend that we can prepare students for the 21st century in dilapidated 19th century classrooms. I urge my colleagues to support Senator MOSELEY-BRAUN's amendment.

This chart indicates, Mr. President, exactly what the conditions are, as pointed out by the Senator from Illinois: Fourteen million children in substandard schools; 7 million attend schools with asbestos and lead paint. This provides for mental retardation and slow developmental learning; radon in the ceilings and wall; 12 million children go to schools under leaking roofs; and one-third of American children study in classrooms without enough panel outlets and electrical wiring to accommodate computer and multimedia equipment.

We are going to spend $7.2 million in the title I program to help children to get the basic math and reading skills they need. But if those children are in dilapidated buildings, we are not spending that money wisely. We are going to be spending about $491 million in Goals 2000, to help States and local communities establish standards so that they can measure the progress that children are making. If the Nation's classrooms are falling apart, When you have the kind of classrooms like this, how can we expect children to meet high academic standards?

As the Senator from Illinois pointed out, we are going to be spending $1.8 billion for computers, electronics, and Internet access in the schools over the next 5 years. If you do not have the electrical outlets in which to plug in the computers, what difference will our technology investment make? We will spend hundreds of millions of dollars in upgrading professional training for teachers, but forcing them to teach in crumbling schools. So we are willing to get computers into the classroom, upgrade teaching, provide additional funding for literacy, and provide the additional funding for early interventions, but are going to ignore the deterioration of our schools? This is a national problem that must be addressed. GAO estimates that communities need $112 billion nationwide to repair their schools. It's a problem across the country—in urban areas, rural areas, and suburban areas. The places I talked about reflect a broad range of Massachusetts schools. Communities in every part of Massachusetts and across the country are facing urgent needs to repair dilapidated schools. You can go all over this Nation and find out this is true, and it is affecting the children of this Nation.

So, Mr. President, this is not the first time that Senator MOSELEY-BRAUN has championed this issue in the Senate. She is not a member of the Labor and Human Resources Committee, but she made her case to us on this issue, and we addressed it.

In 1994, we authorized a grant program in the Elementary and Secondary Education Act. In appropriations, we were able to appropriate $100 million in fiscal year 1995 for the program. But, when the rescissions came, the School Infrastructure Improvement Act was one of the first targets of the Republican leadership—they rescinded 100 percent of the funding. Then we saw her amendment included in the initial budget agreement because individuals—Republicans and Democrats alike—understood the urgent need to repair the Nation's schools. Then overnight, it suddenly disappeared. It was in that proposal initially, and it should have been in it in the final agreement too. Now the good Senator is trying to just put back what was already in the initial draft to make a downpayment on helping to repair the Nation's schools.

This very modest program will help school districts to develop funding mechanisms so that they can go ahead and meet this challenge themselves. There will be some help and assistance communities to subsidize some of the interest rates on bonds so that they can afford to repair their schools. We do not propose to have the Federal Government repair local schools. We propose to let the Federal Government lend a helping hand to those local communities that are hard pressed to do it themselves, to create decent, safe school buildings for their children.

This is a national issue, Mr. President. I am strongly committed, and I know my other colleagues are too, to improving the quality of education of young people in this country. It starts right in the classroom and it starts by having a safe, modern classroom where a child can learn. Senator MOSELEY-BRAUN's amendment will move us in that direction. I commend her, and I hope the Senate will support her amendment.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. MOSELEY-BRAUN. Thank you very much, Mr. President. I thank the Senator from Massachusetts for his eloquence and for his support.

I want to yield some time to the Senator from Minnesota, but first I want to point out a couple of things.

The Senator from Massachusetts talked about the classroom. It is a fact that in America, the rungs of the ladder of opportunity are still crafted in the classroom, and we now know that classrooms all across this country are falling apart and crumbling. The General Accounting Office told us in this report, ''Condition of America's Schools,'' that it is going to take $112 billion nationally to even bring our schools up to code. So this is no mistake, Mr. President. This is something that is documented by an exhaustive

study by the General Accounting Office.

They also then went on to tell us that in addition, ''America's Schools Are Not Designed or Equipped for the 21st Century.'' So they went on to tell us what these charts say and pictures say and all of us know: That you cannot use computers in a classroom with a broken window, with falling ceilings, with peeling paint with lead in it, with no electrical system. This has been confirmed by the General Accounting Office.

Then they went on to tell us, with ''Profiles of School Conditions by State,'' that this is a national problem. This is not just Illinois or Massachusetts or Minnesota, this is all over America, and each State has this problem.

Then they went on to tell us, ''States' Financial and Technical Support Varies,'' that ''America's Schools Report Differing Conditions,'' and that ''State Efforts to Reduce Funding Gaps Between Poor and Wealthy Districts'' are poor and inadequate.

I submit to you, Mr. President, that if all the States and cities, the local school districts, the rural communities all did their best in terms of property tax support for rebuilding our crumbling schools, they would have a hard time coming up with $112 billion without some assistance.

Mr. KENNEDY. Will the Senator yield for two questions?

Ms. MOSELEY-BRAUN. Yes.

Mr. KENNEDY. Is the Senator saying that the Finance Committee ought to be able to find that $5 billion over 5 years out of $2.3 trillion—$2.3 trillion—in tax expenditures, which include the billionaire's tax loophole and other egregious violations? Does the Senator think we ought to be able to find $5 billion out of $2.3 trillion in tax expenditures over the next 5 years?

Ms. MOSELEY-BRAUN. I thank the Senator from Massachusetts for his question, and he is exactly on the point. I absolutely agree. In fact, this is the cookbook; this is the book with the loopholes. It is called a loophole book instead of a cookbook. Here are the loopholes. The people who are billionaires can leave the country, renounce their U.S. citizenship and not pay a dime of taxes. In fact, they do it so they will not have to pay taxes on their money, and that represents more than we are asking for to rebuild our crumbling schools, and yet that is not taken out.

Mr. KENNEDY. Am I correct that this is not a partisan issue? Senator MCCAIN has been a leader in trying to close down some of the tax loopholes. So the idea of closing them is not just something put forth by the Senator from Illinois. This has been recognized across partisan lines that we ought to be able to close some of the tax loopholes in the interest of the American taxpayers.

Finally, I ask the Senator this question, and she touched on it so eloquently earlier: What is the message that we send to school children if we do not pass this amendment? We have been talking about the collapsing roofs, inadequate boilers, windows that have fallen out and haven't been replaced, schools in Boston whose heating systems frequently fail. But what does this say to the schoolchildren of this country about our commitment to them when we are trying to, either as parents or as community leaders, say that continued education, the quality of schoolteachers, and homework is important; that we want young people to apply themselves and develop their own skills to enhance their educational opportunities so that they will have good jobs in the future? What do we say when we impress on them that what the learn is what they are going to earn in the future? What message does it say to them every single day when they go to school to learn in dilapidated classrooms?

Ms. MOSELEY-BRAUN. I thank the Senator from Massachusetts for the question. And I think the message that it sends is that we are a bunch of hypocrites. I think the message that it sends is that everybody talks about education. We have an ''education everything.'' You can find probably an education dogcatcher somewhere in America that ran on a platform: I'm going to fix the schools. But we never seem to be able to get there.

And so after a while the children become cynical and begin to believe that we do not believe education is important, that we do not really put our money where our mouth is, that we are prepared to send them into classrooms that suggest a diminished support or diminished importance of what they do.

We send our children to classrooms every day in conditions that we would allow no worker to work in. We send our children to classrooms every day that we would not for a moment tolerate in our homes. And so if that is the case, then we say, well, we want you to go to learn somewhere that looks like this, that looks like the charts I have had. And we expect you to learn in that environment. What that says is learning is not really important.

As we stand up and make our pious speeches about the globalization of our economy and the information age and the brave new world—again, that is why I thought this cartoon was so funny. ''A computer in class opens a whole new world for us!'' ''Look! A picture of a school with no leaking roof, no peeling paint, with textbooks for everyone * * *.'' That is a whole new world, because the world we give them is one with peeling paint and leaking roofs and no textbooks. I think it is just outrageous and shameful.

Mr. KENNEDY. Finally, how does the Senator address the question that this is going to be a budget buster, a deal breaker? We fully offset the amendment through corporate tax loopholes. If we pass this amendment of $5 billion with an offset of $5 billion, therefore making it revenue neutral, is it challenging to find $5 billion out of $2.3 trillion in tax expenditures to spend on the renovation and repair of the Nation's crumbling schools? That looking out for the children of this country is a deal breaker? I do not find that as a very persuasive argument.

Ms. MOSELEY-BRAUN. That is right. Out of $2.3 trillion, $5 billion pales in comparison. It is just a start. It is not a budget buster by any means. In fact, if anything, it keeps the bottom line constant and just says we are going to give out a little less in tax breaks, we are just going to do a little less on the tax side, we are going to be a little more moderate in how many chickens we try to put in every pot and instead focus on our priorities and provide our youngsters with an opportunity to learn. That is all it does, I say to the Senator from Massachusetts.

Mr. KENNEDY. I hope that the Senator's amendment is approved.

Ms. MOSELEY-BRAUN. I thank the Senator from Massachusetts.

I want to pick up with one other point the Senator made. And that is, there is no reason why this should be a partisan issue. Politics should stop at the schoolroom door. There ought to be Republican legislators and Democratic legislators alike standing up saying, we are prepared to help our States and local governments fix our crumbling schools.

This should not come down to being: The Republicans are for crumbling schools and the Democrats want to fix them. This should not come down to being: Republicans do not care about their States having to meet 112 billion dollars' worth of need that the General Accounting Office has documented State by State.

And I suggest to my colleagues, I know your staffs all have them, but we have sent around copies of a State-by-State analysis. Take a look at what your State has in terms of the cost of bringing the schools just up to code.

We are not talking about bells and whistles here. We are not talking about putting computers in the classrooms here. We are not talking about curtains. We are not even talking about new paint jobs. We are talking about taking care of the foundation, the electrical wiring, the plumbing, the roof, the windows, the basics, the floors.

There was a school in the southern part of our country where the roof caved in altogether, a few minutes after the children had left the classroom; a school in my State where the track team had to use the prison because the gymnasium was so rotted away. It is an outrage and a shame, and we have an opportunity to address this problem on a bipartisan basis this morning.

The Senator from Minnesota has been kind enough to wait here.

I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, let me also thank Senator MOSELEY-BRAUN for bringing this amendment to the floor of the Senate. And I am very proud to support her and be an original cosponsor.

Mr. President, I am just going to build on a few remarks that have been made. There are 14 million children learning in substandard schools; and 7 million children attending schools with asbestos, lead paint, or radon in the ceilings or walls.

Mr. President, this really is a scandal. This is really unconscionable. And this amendment goes to the heart of the question of priorities. What this amendment says is that rather than continuing to spend the hundreds of billions of dollars in a variety of different loopholes and deductions, billionaire tax breaks and all, transfer $5 billion over 5 years and put that into investing to rebuild our schools that are crumbling all across America.

I suggest to my colleague from Illinois, Senator MOSELEY-BRAUN, or Senator DURBIN, that I really believe that in many ways this is the priority vote. I really do, because it is just too dear a price to pay to refuse to go after some of these loopholes and deductions, never mind the fact that behind the loopholes and deductions are the heavy hitters and the people who are connected and the people who have the clout.

This is all about who gets represented in the Senate. It is too dear a price to pay to not ask for a little bit of sacrifice over here and plug some of these loopholes or deductions and not make this investment.

As I look at this budget agreement right now—I will be speaking about it more this afternoon with an amendment that I have on the floor of the Senate; so I want to stay within the framework of Senator MOSELEY-BRAUN's amendment—I just ask the question, where are the funds to rebuild schools that are crumbling all across our Nation? There is not one penny.

Where are the funds—we went through this yesterday—to get health care coverage to every child who lacks it? We are still not willing to do that.

And I say that any budget that does not provide at least some funds to begin to rebuild some of the schools in our country, schools that are crumbling all across the Nation, is hardly a budget that represents a bridge to the next century. This is not a budget that represents a bridge to the next century. Not one penny is invested in our crumbling schools.

Mr. President, this is wrong. I wish we could just do an instantaneous poll and get the results in, because I know that people in the country would say it is wrong that 14 million children learn in substandard schools, it is wrong that 12 million children go to school under leaky roofs, it is wrong that 7 million children attend schools with asbestos, lead paint.

How well could we do our jobs if we were here and the toilets did not work and the heating systems did not work or the air-conditioning did not work, and we were cold during the winter, hot during the summer, if there was asbestos or lead paint, the ceilings and the walls were decrepit?

It is not that way here. This is splendor. And thank God that it is. This is the Nation's Capitol. Can't we have some of this splendor for children in America?

In all due respect, we are getting way ahead of the curve with $35 billion that goes to tax credits, deductions for college. I was a college teacher. Fine. But we have to get our children to the point where they are able to attend higher education. That does not happen unless we make this investment.

This is the amendment. Do we continue to just fork out lavish subsidies to billionaires and large multinational corporations that do not need them or do we at least begin to make the investment in the schools that are crumbling all across this country?

This speaks to the very issue of justice and fairness. This is a critically important amendment. I hope we will pass it.

I thank the Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank the Senator from Minnesota for his eloquence and for his passion and support as well.

To the Senator from Florida, Senator GRAHAM, I yield——

Mr. GRAHAM. Five minutes.

Ms. MOSELEY-BRAUN. I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Thank you.

Mr. President, I appreciate this opportunity to rise on behalf of the amendment that is being offered by our distinguished colleague from Illinois.

Frankly, my own criticism of her proposal is that I think it is too modest in relationship to the challenge that we face as a Nation. As she has pointed out, our own General Accounting Office has indicated that there is a need in this Nation to bring existing schools up to a standard of basic safety, health, and educational adequacy of over $100 billion. What is not included in that number, Mr. President, is what is required to build the new classrooms for the exploding student population.

If I could use my own State as an example, Mr. President. Last year we had over 55,000 new students enrolled at the public schools in the State of Florida. That number will continue, in terms of angle rate of growth, for the foreseeable future.

Similar numbers are true in States across America, as the baby boom population is now having babies and those babies are reaching school age. So we have a crisis not only in terms of rebuilding our older schools, but also in assuring new schools in order to avoid overcrowded classrooms.

If I could tell a personal story, my own daughter was a kindergarten teacher in Dade County, FL. Her last year teaching in a brand new elementary school she had 38 5-year-olds in her kindergarten class. My daughter is a wonderful teacher. I would defy anyone to truly educate 38 5-year-olds in one classroom.

I might say, she went on from that experience. She was married, she taught for a brief period in Virginia, and now is a mother. In fact she is not only a mother, she is a mother of triplets. And so she said she was the only mother of triplets who ended up with 35 fewer children to deal with.

Mr. President, that personal story underscores what is happening in too many classrooms to too many of our young Americans. And that is, that because we have fallen so woefully behind in maintenance as well as new construction, we are not providing the educational facilities that students need.

The question is asked, ''Well, that's a State and local responsibility. Why are you here in Washington talking about this? You, a former State legislator, a former Governor, you certainly understand where the responsibility for education lies.'' Absolutely.

I would defend the right and the importance of maintaining our tradition that States and local communities especially be responsible for those things that happen inside the classroom, curriculum, personnel policy, teacher relationships. But, Mr. President, there is a role for the Federal Government in the physical facilities of schools.

We have demonstrated this for a long time in higher education. There is probably not a major college or university in America that cannot point to a substantial number of its physical facilities having been built with totally or in part Federal funds. We have recognized that distinction of concrete and steel from what happens inside the classroom and the appropriateness of a Federal role in meeting those facilities challenges.

If we are serious about the proposition that the key to a competitive America in the 21st century is going to be how well our Americans are educated, and how well they will be able to compete in the increasingly globalized economy, certainly the Federal Government has a role in seeing that the physical places in which that preparation is going to take place meet acceptable standards. They do not meet those standards in too many communities in America today.

And we, Mr. President, are about to exacerbate that situation. One of the reasons that we have 55,000-plus new students in the Florida public schools is because of Federal immigration policy.

The Federal Government has adopted policies which have resulted in tens of

thousands of young people who were not born in the United States now being in the United States and being educated in our public schools. I think the Federal Government has a moral responsibility to assist when it is the precipitator of a significant amount of the challenge that school districts face.

We are about to consider some substantial enhancements in the opportunity for young people to go to college through credits and deductions toward that tuition. Mr. President, that could have a significant effect on college tuition.

I have a letter from the Assistant Deputy Secretary of the Treasury which indicates that the estimate of enrollment which will increase substantially in higher education as a result of the proposal for credits and deductions for college tuition is between 120,000 and 1.4 million. So we are about to consider a proposal which has the potential not only of creating a substantial surge in additional enrollment in higher education but would have a spillover effect in terms of the number of students and the kinds of educational opportunities that would be expected, particularly within our secondary schools.

Mr. President, the Federal Government has a second responsibility because we are a significant part of the policies which are causing the demands that are occurring on the physical facilities of our public schools.

Finally, one of the reasons that the reports are as dire as the General Accounting Office report states is so many States and local school districts are against the wall in their capacity to finance the maintenance of their schools and new construction. It has not been people at the local level that are indefinite, it is not that they are blind to the problem, it is that they are in many cases out of options as to how to deal with the problem, either because of statutory or economic limitations.

I believe there is an appropriate Federal role to be a partner, and I underscore the word partner, with States and local school districts in meeting their school construction needs. This proposal is a beginning toward that new very important relationship.

I commend the Senator from Illinois for her leadership in this matter. I hope her voice will be heard by our colleagues. I can tell you it is being heard out in America. They understand the importance of this issue. They understand the need to have Washington respond in a meaningful and tangible way. The question is whether we hear those voices here in this Chamber.

The PRESIDING OFFICER. The time allotted to the Senator from Florida has expired.

Ms. MOSELEY-BRAUN. The Senator from Florida raises a very good point that I did not touch on but I think it is important to mention and that is that we at the national level do not even pay for the Federal mandates. We are not even paying or giving the States and local governments the assistance they need to pay for the things we have told them to do.

Small wonder that the resources get diverted, and so we wind up with crumbling roofs and classrooms that look like this. Small wonder. We put this burden on them, and now we are saying in terms of what you need to do, we are not going to help.

Well, I hope that is not the message this morning. I hope that Republicans and Democrats alike will come together on behalf of giving our children a decent environment in which they need to learn.

Less than 1 percent of this budget, less than 1 percent goes to support elementary and secondary education. Less than 1 percent. So we stand up and we have education this, that, and the other—the education Senator, the education President, the education Governors, the education mayors, and less than 1 percent of this budget goes to education. None goes to fix our crumbling schools unless we pass this amendment.

(At the request of Ms. MOSELEY-BRAUN, the following statement was ordered to be printed in the RECORD.)

● Mr. HARKIN. Mr. President, as the Bible says, ''To every thing there is a season, a time to break down and a time to build up.''

The unfortunate truth is that too many of our Nation's schools have broken down. It is long past the time for us to build our schools back up—literally.

You have heard my colleague from Illinois cite some of the details—$112 billion is needed across this country to rebuild, repair and renovate schools. Some 14 million children attend school daily in facilities that are unsafe and inadequate. To put this in some perspective, this is almost five times the population of the entire State of Iowa.

This as a national problem and needs a national response. A Federal program to assist needy communities in rebuilding schools will not and should not circumvent the primary local and State control of education. However, I firmly believe the Federal Government needs to become a better partner for States and local communities with respect to education, in general, and construction of school facilities, in particular.

Senator MOSELY-BRAUN has done a good job talking about the need nationally. I want to take a few moments to talk about the state of school facilities in my State.

Iowans take great pride in education. Our State has a long tradition of placing a high value on education. In fact, Iowa students often lead the Nation in performance on national and even international assessments. This is a tribute to the teachers, families, school boards, administrators, and State policymakers who have made education a top priority for decades. I applaud the commitment that Iowa has made to education. However, we still have much to do.

The General Accounting Office report found that 79 percent of Iowa schools report a need to repair or upgrade buildings to bring them up to overall good condition.

Like many of my colleagues, I frequently visit schools in my State. I am often struck by the fact that many schools have not changed much since I was a student. We won't talk about how long ago that was.

However, our homes, offices, shopping centers, cars and just about every thing else has changed radically. However, reinvestment and renovations have not been made to our Nation's schools. As a result, we are trying to prepare our children for the 21st century in facilities that hardly make the grade in the last one. We can certainly do better than that.

In 1994, Senator MOSELY-BRAUN secured legislation to authorize funding for school infrastructure. At that time, I served as chairman of the education appropriations subcommittee and provided $100 million for new school infrastructure. I was very disappointed when that modest downpayment was rescinded the following year.

A problem that was a critical need then, has gotten even worse. In 1995, Iowa State University conducted a comprehensive survey about the condition of school buildings in the state and estimated that $3.4 billion is needed to repair and rebuild these facilities. This survey was updated a few months ago and the tab has risen to $4 billion.

This is a problem that gets worse by the day and the impact on high quality learning is significant. It is long past time for the Federal Government to step up to the plate and help remedy this problem.

The amendment I am offering with the Senator from Illinois is a very important response to this urgent national concern. We believe that children in a nation as rich as ours should not have to attend schools that look more like they belong in the third world. We implore our colleagues to help us provide a modest sum to rebuild our crumbling schools.

Mr. President, I am fully aware that many of my colleagues will say that this problem is just too big for the Federal Government to handle. Our critics will point out that the need is enormous—$112 billion and we are proposing a $5 billion solution. However, this plan will generate $20 billion in newschool construction. To provide this additional funding we simply call for closing additional tax loopholes.

Our amendment continues to build on the positive aspects of this budget. The underlying legislation increases funding for activities related to education and training by 13 percent over the next 5 years by calling for expanded access to Head Start and increased funding for Pell grants. In addition, the budget makes changes to the Tax Code to help Americans pay for college by providing tuition tax credits and deductions for postsecondary education. These investments are vital to

the future of the United States and our ability to remain competitive in the international marketplace.

The problems facing school facilities across our Nation are enormous and will not be solved overnight. However, as they say, Rome wasn't built in a day. Further, if we had that attitude in the 1950's we would not have built the Interstate Highway system or put a man on the Moon in 1969. As we know, every journey begins with one step.

This is a very important step for us to take. One that will help provide safe, sound learning environments for millions of children. I urge my colleagues to support the amendment.●

Ms. MIKULSKI. Mr. President, I rise today to support the amendment offered by my colleague, Senator CAROL MOSELEY-BRAUN, to help rebuild our Nation's schools.

This amendment would ensure that any budget agreement that we reach will include funding for school construction. I believe that we must ensure that we meet the needs of our local communities to help them upgrade the Nation's schools.

I am an original cosponsor of S. 456, the Partnership to Rebuild America's Schools Act. This bill would provide $5 billion over 4 years to subsidize up to 50 percent of the interest or other financing costs for school construction.

These funds would help States and localities leverage scarce resources to help upgrade, repair, and build new schools.

In my State of Maryland, school enrollment is at an all time high. Many of the counties in Maryland like Prince Georges and Montgomery are rapidly expanding and the school districts are struggling to keep pace.

I hear from parents, students, and teachers about the need to upgrade the schools. Our children must be in environments which are conducive to learning. Over one-third of the schools in Maryland are in desperate need of repair.

Under S. 456, Maryland would receive approximately $57.9 million in Federal funds to support $231.6 million for school construction. Baltimore public schools would receive $31.4 million.

I believe that funding school construction has to be a priority for our Nation. Children cannot learn in schools with leaky roofs, poor ventilation, crumbling walls, and other problems. This problem is especially acute in rural areas and inner cities. Many of these schools fail to meet even minimum local health and safety codes.

I urge my colleagues to support this amendment. Our Nation's school children deserve no less.

Mr. DODD. Mr. President, I am pleased to rise in strong support of the amendment offered by Senator MOSELEY-BRAUN to begin a vital undertaking—the rebuilding of America's crumbling schools.

Mr. President, we all talk a good game here about children. We say time and time again that America's children are at the center of our efforts—be it education, job training, or tax policy. However, this amendment asks us to support more than rhetoric, it asks us to support the actual foundations of our schools.

Unfortunately, our schools are in desperate need of help in this area. In the richest Nation in the world, we have schools without adequate heat or plumbing and leaky roofs. One-third of all students in this country go to school in buildings that are considered inadequate, and 60 percent of American students attend school in buildings that are in need of repair. There are schools just minutes from us here today, where whole sections of the school are unusable because they are too dangerous for children to be in. Beyond basic repairs, schools are also lacking electrical and telephone capabilities necessary to install computers in the classrooms.

These problems are everywhere, but here are a few examples from my State. Seventy-seven percent of Connecticut's schools report a need to upgrade or repair on-site buildings to reach a good overall condition. Sixty-eight percent of schools report at least one unsatisfactory environmental factor, 32 percent inadequate roofs, 23 percent inadequate exterior walls or windows, and 29 percent inadequate electrical systems. One of the stated goals of our national education policy is to connect every school in the country to the Internet and teach every student to use the Internet by the age of 12. Well, I have heard from principals in my State who can only dream of computers in the classroom, and they simply hope to obtain a few telephones with voice mail capacity to improve communications with parents.

Mr. President, this is a national travesty. We expect children to be ready for the 21st century, and we encourage them to stay in school, go to college, and work hard. But we are not keeping up our side of the bargain. Schools with no heat, plumbing that doesn't work, windows that don't open, and no capacity for technology—these are schools that fall short of anyone's expectations, particularly the expectations of our students.

The amendment we are debating here today takes a modest step to begin to address this serious challenge. The General Accounting Office has estimated that over $110 billion is needed to repair our schools. This amendment would dedicate an additional $5 billion that would be significantly leveraged at the State and local level to $20 billion to begin this task and lead the way in this effort. I am pleased to be an original cosponsor of this amendment, and I urge my colleagues to join me in supporting it.

Mrs. MURRAY. Mr. President, I rise today to support the amendment offered by my colleague, Senator MOSELEY-BRAUN. I want to thank her for her tireless efforts to educate the Senate and the American people about the tremendous problems in our nation's school facilities.

People talk about the role of the Federal Government in local school policy. By championing this issue, Senator MOSELEY-BRAUN has pointed out quite accurately that the Federal Government does have a role in K–12 education in this country. That role is not in passing down curriculum or trying to tell teachers how to teach. The role is guaranteeing certain minimum standards for health, safety, and quality—and that is what this proposal is all about.

There are schools in our Nation that are rundown, have falling plaster or open holes in floors or ceilings, schools with water leaks or no air-conditioning in hot climates. There are schools, like Lewis and Clark High School in Spokane, WA, an 85-year-old urban high school, that are badly in need of improvements. There are school districts in places like the small town of Raymond, WA, which the General Accounting Office has previously identified as needing help with school construction funding—which cannot renovate all their schools due to local economic factors. This amendment could have as much as a $40 million cumulative impact on my State.

This amendment is absolutely critical to the students, parents, and families in our country who think education is of primary national priority. How can we say that we truly care about public education, when our school rooms smell of mildew, or are far too cold or hot or crowded? How can we say that we care about students learning that all Americans are equal under law, if their track meet across town is at a much nicer school?

Senator MOSELEY-BRAUN showed a cartoon on the Senate floor, in which students were using computers to look at other student's much nicer school buildings. This problem is symbolic. Students in this country deserve decent places to learn. We must make sure that the Moseley-Braun school construction amendment is included in this budget.

Ms. MOSELEY-BRAUN. Mr. President, I will reserve the remainder of my time. I understand that Senators TORRICELLI and DURBIN will speak with time yielded from the budget resolution.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Parliamentary inquiry. What hour are we supposed to vote on the amendment of the Senator from Illinois?

The PRESIDING OFFICER. The Chair would observe that there is no agreed upon time to vote. The Senator from New Mexico has 9 minutes and 43 seconds, the Senator from Illinois has 5 minutes and 30 seconds, and the vote will occur after that time expires pending any other agreements reached on the Senate floor.

The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I would very much appreciate it and I will do the same for you if we could keep the debate on amendments to a minimum—not taking away the prerogatives but not adding to the time. I assume that you all could live with that.

If you need, on this particular amendment, an extra 5 minutes off the bill—but after that we ought to try and stick to a limited amount.

Mr. LAUTENBERG. I agree, Senator DOMENICI, that we have to start constraining time because the list is long and unless we get after it we will not have a chance for everybody to be heard on the amendments that they care about.

I suggest, however, we give 5 minutes to the Senator from New Jersey and after that, 5 minutes to the Senator from Illinois, who has requested time, as well, and we will try to button it up. I know the sponsor of the amendment has a few minutes that she will complete.

Mr. DOMENICI. How much time, then, would the Senator desire?

Ms. MOSELEY-BRAUN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 5 minutes and 30 seconds remaining.

Mr. DOMENICI. So that means three Senators with essentially 5 minutes each, and then you are finished on your side.

Mr. LAUTENBERG. Five minutes each from the resolution.

Mr. DOMENICI. She will use hers off of the bill. She has 5 minutes left.

Mr. LAUTENBERG. Will that be enough time to finish your remarks, the 5 minutes you have remaining?

Ms. MOSELEY-BRAUN. Yes, it will.

Mr. LAUTENBERG. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, first of all, there is no precedent for Federal involvement in the construction of elementary and secondary institutions except the Education Infrastructure Act of 1994.

It has an interesting history. The program had a total appropriation of $100 million and that was rescinded in 1995, no funding was provided in 1996, and no funding was requested by the President of the United States in his 1997 budget. No funding was provided in 1997. In fact, it is very interesting, the President, in his fiscal year 1996 Department of Education budget said the following: ''The construction and renovation of school facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers. We are opposed to the creation of a new Federal grant program for school construction.'' That was the President of the United States speaking not too long ago.

The justification for this initiative is a 1995 GAO report which was based on a national sample of schools and school officials who were surveyed about construction and renovation needs. These schools estimated the Nation needed about $112 billion to repair and upgrade America's schools. The GAO concluded that if that is the case, if that is their conclusion, I say this money will not even make a ripple of positive effect on the horizon on the difficulties that are out there.

Scarce resources would be better spent on clear-cut Federal priorities, clear-cut education priorities, clear-cut issues like children with disabilities. This budget resolution assumes $5 billion increase for special education and for programs which there is a very clear Federal role.

Now, from what I understand of this amendment, the amendment would be paid for by, once again, reducing the level of net tax reductions allowable for the American people. It seems to me that every time we turn around somebody wants to say, ''We want to give the American people less of a tax cut.'' We have this great need for something so we will just take it out of the tax-cut package that was going to Americans, including a $500 child care credit to American families who are raising children and having a difficult time getting them through school.

So when the time is up, while I laud my colleague for her efforts here on the floor, I will move to table this amendment. I hope there would be broad support to go along with the conclusions which the President of the United States so brilliantly stated in 1996 when he said that the Federal Government should not be involved in the construction and repair of public school facilities, that that was the responsibility of local government. I paraphrase, but nonetheless I do state accurately what the President of the United States thought just about 18 months ago.

I reserve the balance of my time.

Mr. LAUTENBERG. I yield 5 minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. TORRICELLI. I thank my colleague for yielding me the time.

Mr. President, in my brief tenure in this institution I have never felt more motivated on an individual amendment and in addressing a higher national priority than endorsing and speaking today on the amendment of CAROL MOSELEY-BRAUN regarding school finance. She has made an enormous contribution to this institution.

Mr. President, like every Member of this Senate, I share the priority of balancing the Federal budget. It is due, it is required, and it is essential.

We do no service to the country, however, if in our desire to balance the Federal budget we also lose sight of all other Federal priorities. Balancing the Federal budget is important, but it is not the only business of this country. It is noteworthy that the principle contribution in reducing the Federal debt in recent years has come from neither reducing spending nor raising taxes. It is the unmistakable result of a growing, expanding economy.

The amendment before the Senate is relevant and not an obstacle to reducing the debt of the U.S. Government because education is the foundation of an expanding economy. My goal is not simply to see us balance the Federal budget for the next few years but for the next generation. That is unachievable in a Nation with a $100 billion inventory of crumbling schools, schools which cannot teach modern technology, where children cannot even sit safely in a classroom.

The GAO has reported that 14 million of our own children are in schools with extensive need of repair or requiring total replacement. Half of our schools are unable to take advantage of the latest technology because of inadequate wiring. Mr. President, 74 percent have outlived their usefulness.

Recently, I toured some of the most troubled schools of my own State of New Jersey. In Perth Amboy, Newark, Jersey City, and Paterson, I saw students sitting in classrooms trying to learn the latest of mathematics and science with buckets next to their desk to collect the rain, classrooms that were being held in school corridors because science classes were not safe, gymnasiums used for lecture halls because of inadequate space.

It may be that what we do today involving the Federal Government and the rebuilding of our schools is a precedent. So be it. There was a time when the Federal Government had no role in the building of roads. It was local. Then we built a national economy. There was a time the Federal Government was not involved in transportation. Then we saw the need for expanded interstate commerce.

Today there can be no misstating that this country will go no further and no farther in the education of our children and their preparation for the future.

I respect my colleagues who may have a different view. But I would ask this: If you believe that this is not a crisis, that there is no Federal role, and that we can build a modern economy, pay our bills and balance our budget into the future without rebuilding these schools, come to New York, Los Angeles, Chicago, Newark, or Camden and stand in those schools. Look those children in the eyes. Tell them they have a future and they can play a role in expanding the American economy competitive with other students around the world without rebuilding these schools. Tell them and convince yourselves that there is a strong and stable American economy without this effort.

Mr. President, only a few months ago the President of the United States came to this Congress with a single new domestic initiative. He too recognized that we live in times of limits. The budget must be balanced. He provided the leadership that got us to this

day in sight of a balanced budget. But his single new initiative, his single promise to this country for the next year, was the rebuilding of these schools.

There is a $5 billion program represented today by the Senator from Illinois that will allow $20 billion worth of construction across America by reducing the local costs of borrowing; $20 billion will not solve the problem with a $100 billion inventory. But it is a real contribution. It is a real beginning by having this country address this extraordinary and deep problem.

Mr. President, I, too, support the tax cut provisions of the balanced budget plan. I do not want to see it lessened or diminished in any way. That is why it is significant.

The provisions by the Senator from Illinois will allow the Finance Committee to either eliminate some tax loopholes or provisions of corporate welfare to compensate so that we can reach a balanced budget and keep the current tax reduction plan.

The PRESIDING OFFICER. The Senator has spoken for 5 minutes. The time allotted to the Senator has expired.

Mr. TORRICELLI. Thank you, very much. I urge support for CAROL MOSELEY-BRAUN's amendment.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois [Mr. DURBIN] is recognized.

Mr. DURBIN. Mr. President, I yield 5 minutes to myself to speak in behalf of the Moseley-Braun amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DURBIN. Mr. President, yesterday we had a vote that was very important about health care for children. I thought it was a watershed vote, because it is an issue which very few American families would quarrel with. Children were not insured. They weren't receiving adequate health care. A suggestion was made by Senators HATCH and KENNEDY that we have a bipartisan response and raise the cigarette tax, take the money and ensure the children. We lost. We called it for a vote and we lost. Health care for children failed yesterday.

So we start this morning with another challenge. If you won't provide health care for children, how about education? Let's test that question before the U.S. Senate. Have we provided in this great Nation the resources for education for our children?

Senator MOSELEY-BRAUN of Illinois brings that challenge to the floor this morning. She says to the U.S. Senate, let's test this theory. If we are committed as a nation to education, are we committed enough to cut tax loopholes that some of wealthiest Americans enjoy, take the money and put it into building our crumbling schools? She is not talking about carpeting schools in America. Senator MOSELEY-BRAUN is not talking about air conditioning for every school in America. She is talking about the basics: safety in the schools and a learning environment so that our children can walk into a clean classroom, heated in the winter, cool in the hot days of summer, and have the ability to learn.

If you go to your State, whatever it is, and look around, you know what you are going to find. The Government is spending money today for that very type of room: A clean, comfortable room for young people. Is it a classroom? No. It is a prison cell. It is a juvenile detention center. We are building them in Illinois at a record pace. And I will bet you that in every State of the country you will find the same is true.

As juvenile crime increases, we are building more boot camps, more detention centers and more prisons. If you visit them, many of them are not luxurious. But they are a heck of a lot better than the school building just a few blocks away.

Should we have clean and adequate facilities for the detention of young people? Of course. But think about it for a second. We drive past a high school that is falling down, a junior high school that is totally inadequate, an elementary school where they don't have heating, where the windows are busted out and the ceilings are falling down, and, a few blocks beyond that, see a detention center all brand new and shiny and modern. What is the lesson there for the children, or for us as taxpayers? Where is the priority? Wouldn't we say that we would have at least as high a priority in providing a school building that is good for children? That is what Senator CAROL MOSELEY-BRAUN has proposed.

Let me add another element that is very important as far as I am concerned. In the old days, a school building opened up at 7:30 or 8 o'clock in the morning and closed up at 2:30 or 3 in the afternoon, and that was it. Kids went home to mom and dad in the ''Ozzie and Harriet'' setting of cookies and milk, or ''The Partridge Family,'' whatever, you name it—good, old American values. That isn't what the American family looks like today. Those kids coming home at 2:30 or 3 in the afternoon are lucky to find anybody at home. The parent or parents are usually out working. And they sit around for 2 or 3 hours waiting for an adult to show up. Their choices in life at that point are television or trouble. Sad choices.

So we are expanding the concept of schools beyond just learning, to be community centers so that at the end of the ordinary schoolday the kids stay there in a safe learning environment. They would stay there until the parents were home in the evening, and they would have a positive experience.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DURBIN. If we are going to use our schools so that kids have a better chance in life, don't we want them to be decent, safe buildings? Honest to goodness, if we fail, if these kids go out in the street, get in trouble at the malls, or wherever it happens to be, and get arrested, they are going to head off to a public facility that is better than the school they left. Does that make sense? What does it say about America?

So, today, we are going to test a new premise. If we cannot afford, as America, health care for children, which we voted yesterday, we will have a chance today on Senator CAROL MOSELEY-BRAUN's amendment to see whether or not we can afford adequate schools for our children.

I yield the floor.

The PRESIDING OFFICER. Who yields time—hopefully, within the appropriated time by the Chair?

The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. How much time remains on this side?

The PRESIDING OFFICER. The Senator has 5 minutes and 30 seconds remaining.

Ms. MOSELEY-BRAUN. I reserve my time until 5 minutes of 11.

Is the vote scheduled to start at 11 o'clock?

The PRESIDING OFFICER. The Chair would observe that the Senator does not have a right to specify the time in regard to 5 minutes and 30 seconds. The time will run equally between the two managers of the bill. But the Senator from Illinois does have 5 minutes and 30 seconds remaining on her time.

Ms. MOSELEY-BRAUN. I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The time will count equally between the managers of the bill.

Who yields time?

Mr. DOMENICI. I would like to know why the Senator wants to do this. This is not the normal way. She has to get consent from the Senate. Her time is running right now. As soon as I sit down, it is running. I don't understand.

Ms. MOSELEY-BRAUN. I yielded the floor. And my time is not running if I yield the floor.

Mr. DOMENICI. I wanted to ask, why does the Senator want to break up the time? We don't break up time. People use their hour. I am asking. It isn't normal.

Ms. MOSELEY-BRAUN. At the outset, I ask: Is this conversation on my time or not?

Mr. DOMENICI. Let the Senator speak on my time.

The PRESIDING OFFICER. The time is being utilized by the Senator from New Mexico.

Ms. MOSELEY-BRAUN. I say to the Senator from New Mexico that I would just as soon have a slot at the close of the debate. Is my understanding that the vote was scheduled at 11 o'clock? If we can use the intervening time—you have not. No? I would like at the moment to consult with the Senator from

New Mexico, because it is my understanding the vote was scheduled for 11.

Mr. DOMENICI. I am so sorry. We had a misunderstanding. There is no time set. So we will vote as soon as the time of the Senator from Illinois has been used.

Ms. MOSELEY-BRAUN. That is wonderful. Then I would like to do that.

Mr. DOMENICI. If the Senator would let us to do something for about 2 minutes, then we will get back to her and the Senator can use her time, I will use mine, and then I will move to table.

Ms. MOSELEY-BRAUN. And then we will vote. Thank you very much.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 355

Mr. DOMENICI. Mr. President, last night Senator BOXER introduced an amendment. We agreed that we would accept that amendment without a rollcall vote.

I would like to ask unanimous consent that the Moseley-Braun amendment be set aside temporarily while we move back to the Boxer amendment, at which time Senator DURBIN would like to speak for a couple of minutes, and then we will accept it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question pending is Boxer amendment No. 355.

Mr. DURBIN. Mr. President, I am happy to sponsor this amendment with Senator BOXER. I am happy that the chairman of the committee has agreed to accept the amendment and make it part of this budget resolution. I would like to speak for a very brief period about this amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. I ask unanimous consent that I be added as a cosponsor of amendment No. 355, and that Senator KENNEDY be added as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. This amendment, so it is understood by the membership, is very straightforward. I can read it in two sentences and describe it as well with these words.

''A substantial majority of the tax cut benefits provided in the tax reconciliation bill''—which is a part of this agreement—''will go to middle-class working families earning less than approximately $100,000 per year, and the tax cuts in the tax reconciliation bill will not cause revenue losses to increase significantly in years after 2007.''

Senator BOXER and I are trying to establish as basic principles that the tax cut package that will emerge from this budget agreement will do one thing and avoid another. The thing that it will do is to gear more than a majority—a substantial majority—of the benefits to middle-income families. We think, if this ends up becoming a tax cut for wealthy people, that it is not in the best interests of sparking this economy and helping working families cope with the expenses of life that they face every day.

Second, we want to make certain in this resolution that we make it clear that any tax cut package will be measured not only to the year 2002, when we hope the budget will be in balance, and 5 years beyond to 2007. We have great fear and concern by reports that have come out recently from the Center for Budget and Policy Priorities that some of the tax cut provisions that are being debated will literally explode in cost in the outyears, causing great dislocation in terms of the Federal budget and a great burden to Federal taxpayers.

Let us make sure these tax cuts are affordable and they are targeted to families that need them. Then, I think we can say to the American people that we have not only balanced the budget, but we have given you a tax cut that is responsible for the future of our economy.

I yield the remainder of my time.

Mr. DOMENICI. I yield any time that I have.

The PRESIDING OFFICER. If there is no objection, the Boxer amendment is agreed to.

The amendment (No. 355) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COATS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 336

Mr. DOMENICI. Mr. President, we are going to return quickly to Senator MOSELEY-BRAUN for her wrap-up. I have a couple of minutes, then we are going to ask Senator WARNER—we are notifying him now—if he would be ready for his highway bill. That would occur after the vote. Obviously, if the motion to table is not agreed to, then Senator WARNER will have a little more of a wait. But, other than that, that is the sequence we have asked for.

The PRESIDING OFFICER. The question recurs on amendment 336.

The Senator from Illinois has 5 minutes remaining on her time and is recognized.

Ms. MOSELEY-BRAUN. Mr. President, I would like to respond at the outset to my friend, the Senator from New Mexico, who says this is the first time we have ever been involved in trying to repair our Nation's schools, that it is a new initiative, that we have never done this before. In fact, between 1933 and 1939, the Federal Government aided 70 percent of all new school construction. Mr. President, a lot of our children are attending those very same schools.

In fact, in America today, 74 percent of the schools are over 25 years old and a third of the schools are over 50 years old. So there is no question that if you do not repair a 50-year-old building, it is going to begin to look like this. This is one of the reasons why we have the troubled-school phenomenon.

The second issue that has been raised has to do with the contributions of State and local governments. Again, I would point out this is not looking to take over anything. We just want to have a partnership to help State and local governments meet the $112 billion amount it is going to take to repair their crumbling schools.

The President did, in fact, support this in his State of the Union Address. He said our children cannot raise themselves up in schools that are literally falling down around them. Similarly, the Department of Education has a long letter talking about the leveraging and the financing assistance that we will give the States should this amendment be approved.

But let me say to my colleague, in the final analysis, really, this modest contribution is not about setting a precedent. It is about whether or not we will allow for elementary and secondary education to get up to 1 percent of our total budget we are voting on here to help begin to tackle 112 billion dollars' worth of rot in our schools. We are asking that it come out of the tax breaks that we are giving in this budget, in some instances to the very wealthy.

I thought it was kind of ironic; in yesterday's New York Times there was a headline talking about ''Tax Breaks Costly for Schools in Cleveland.'' I want to point out that tax breaks are going to be costly for schools all over America because we are giving tax breaks at a time when we are saying we do not have the wherewithal to provide a modest amount to help States and help local communities meet the challenge of repairing their crumbling schools.

I hope that on both sides of this Chamber, Republicans and Democrats alike will send a message that we are willing to help, we are willing to help States and local communities provide an environment that is suitable for learning by our children. They are, after all, the children of all. They are America's children. Just as the generation before us stepped up to build new schools and provide environments for learning for our time, I believe our generation has an obligation to step up to the plate to assist in meeting this $112 billion challenge and help rebuild the crumbling schools which we ask our children to attend.

I have already made the point it is a national issue. It is in every kind of community—urban, suburban and rural. It is all over America. Mr. President, $5 billion is just a contribution, a contribution to the States and local governments so they can borrow the money they need to meet what is a national challenge.

Senator DURBIN actually hit the nail on the head when he made the analogy to our roads. If we just built roads based on what a local community could do, you could not get from one end of this great Nation to the other. But we cooperate and collaborate with each

other to build a highway system so that we can have transportation that serves our national interests.

Mr. President, crumbling schools are not in our national interest. Crumbling schools hurt our country. Crumbling schools hurt our children. If we are going to give our country the ability to be competitive in this global economy, if we are going to give our children the capacity to command information technologies that are so much a part of their time, we cannot expect them to learn in environments like this.

We can make this modest contribution, recognizing that it is an appropriate Federal role to provide this kind of support and help. I hope that when this vote happens, we do have bipartisan support; that this does not become a matter of Republicans saying they are not willing to provide this assistance to State and local governments to help provide children, our children, with an environment suitable for their education. I hope my colleagues on the other side of the aisle will see that this is something we can do within the context of this budget; that we can do this without causing harm to anyone. We ought to be able to close a few tax loopholes so we can provide modest support for our children and for State and local government efforts to repair our crumbling schools.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMENICI. Mr. President, I yield 4 minutes——

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the Chair. I yield 4 minutes to Senator NICKLES of Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 4 minutes.

Mr. NICKLES. Mr. President, with great respect for my colleague from Illinois, I urge our colleagues to vote no on this amendment.

This amendment basically says, taxpayers, you pay $5 billion more in taxes and now we are going to have a new Federal program designed to build new schools or to renovate schools.

Is that really a Federal responsibility? I do not think so. We already have the Federal Government involved in education in many areas; as a matter of fact, a lot more than I was quite aware of. I asked my staff to find out, and they told me. I heard originally the House said there were 760 programs. We find out now there are 788 programs. I asked my staff, how much does it cost? And they said about $100 billion, and I sent them an E-mail and said, ''That can't be right.''

It is right. I will insert it into the RECORD. It is $96.8 billion that we spend on these 788 programs. We have a little program for construction. The total cost of it is $627 million, I might mention. I am going to guess that is for military schools and Indian schools, and so on. But this says, well, let us have a $5 billion education building program, a new program, one that would have to comply with Federal rules, like Davis-Bacon. In other words, if a school is going to be built in South Dakota—they may have to build a new school in South Dakota because of the floods—they would have to build according to Federal rules, and that includes Davis-Bacon. That means the Federal Government is going to determine what the wage rates are. In all likelihood the wage rates might be 30 percent more than they are in South Dakota. So you get a lot less school built for the same amount of money.

My point is that this really is not a Federal responsibility, and $5 billion cannot come close to scratching the surface of the need. I do not doubt that you could have a lot of pictures of dilapidated school buildings. Is that really the Federal Government's responsibility? I do not think it is. Even if we had a surplus, I do not think that is a Federal Government responsibility.

How in the world could we in Washington, DC, decide which State, which school, which local area should have their schools fixed or renovated? If we made this available, I could see just for the District of Columbia or just for any State—New Mexico, Oklahoma, Illinois, any State—a lot of schools. A lot of cities have real needs. Are we going to be the superintendent? Are we going to be deciding who should get the renovation and who should not? We will not come close; $5 billion would not scratch the surface. I am sure $5 billion could not take care of all the public school needs in the State of Illinois or in the State of New York.

So, my point being this is not a Federal responsibility. It is not a Federal obligation, and I think it would be a serious mistake for us to start down this line of new spending which would have an ever-growing demand that we would never be able to fill, so I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mr. DOMENICI. Could I just make an announcement off the bill because I want to discuss something with the Senate.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. A short while ago, when the Senator wanted to reserve the time until 11, I said there is no agreement to vote at 11, and there is none. But I have understood now that the Republican leadership had agreed with the Democratic leadership that because of a conflict on the other side we would not vote until 11. So we have about 3 minutes of a hiatus here. I was speaking what I knew and the Senator was speaking about something she had understood, and I apologize for whatever discomfort I might have caused.

Ms. MOSELEY-BRAUN. I thank the Senator from New Mexico. It is very nice of him to mention that, but I was prepared to take his word that he knew what the agreement would be.

Mr. DOMENICI. I thank the Senator. I will use time off the amendment which I understand is just a couple minutes. I want to quote—yes, Senator NICKLES.

Mr. NICKLES. I ask unanimous consent a couple of charts be inserted in the RECORD accompanying my statement.

Ms. MOSELEY-BRAUN. Reserving the right to object, charts having to do with this issue?

Mr. NICKLES. I am going to insert a couple documents in conjunction with my statement.

Ms. MOSELEY-BRAUN. I think that is inappropriate if we have not seen them. I think it is appropriate for us to see them, and obviously, then, there would not be an objection.

The PRESIDING OFFICER (Mr. BURNS). The Chair asks that the Senators address the Chair.

Mr. NICKLES. Mr. President, if the Senator will yield further, I would like to ask unanimous-consent three pieces of paper, a chart showing the 788 Federal school programs, and the $98.1 billion that we currently spend on educational programs, be inserted in the RECORD accompanying my statement.

The PRESIDING OFFICER. Is there objection?

Ms. MOSELEY-BRAUN. No objection.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL EDUCATION PROGRAMS BY CATEGORY

Category	Number of programs	Funding
Construction	9	$627,096,000
Education Research	14	841,534,000
General Education	52	684,250,501
K12	181	25,920,623,342
Libraries	9	249,869,103
OMB 1&2	33	577,929,000
Professional Development/Teacher Training	60	731,528,342
Postsecondary	259	44,765,196,759
Preschool	17	5,770,992,000
Research	27	1,711,255,000
Social Services	42	6,790,978,287
Training	79	8,178,372,048
Set Asides	6	19,719,038.
Total	788	96,869,343,420

DEPARTMENTS, PROGRAMS AND FUNDING

Department	Number of programs	Federal funding
Appalachian Regional Commission	2	$2,000,000
Barry Goldwater Scholarship Program	1	2,900,000
Christopher Columbus Fellowship Program	1	0
Corporation for National Service	11	501,130,000
Department of Education	307	59,045,043,938
Department of Commerce	20	156,455,000
Department of Defense	15	2,815,320,854
Department of Energy	22	36,700,000
Department of Health and Human Services	172	8,661,006,166
Department of Housing and Urban Development	9	81,800,000
Department of Interior	27	555,565,000
Department of Justice	21	755,447,149
Department of the Treasury	1	11,000,000
Department of Labor	21	5,474,039,000
Department of Transportation	19	121,672,000
Department of Veterans' Affairs	6	1,436,074,000
Environmental Protection Agency	4	11,103,800
Federal Emergency Management Administration	6	118,512,000
General Services Administration	1	0
Government Printing Office	2	24,756,000
Harry Truman Scholarship Foundation	1	3,187,000
James Madison Memorial Fellowship Program	1	2,000,000
Library of Congress	5	194,822,103
National Aeronautics and Space Administration	12	153,300,000

DEPARTMENTS, PROGRAMS AND FUNDING—Continued

Department	Number of programs	Federal funding
National Archives	2	5,000,000
National Institute for Literacy	1	4,491,000
National Council on Disability	1	200,000
National Endowment for the Arts/Humanities	13	103,219,000
National Science Foundation	15	2,939,230,000
Nuclear Regulatory Commission	3	6,944,000
National Gallery of Art	1	750,000
Office of Personnel Management	1	0
Small Business Administration	2	73,540,000
Smithsonian	14	3,276,000
Social Security Administration	1	85,700,000
State Department	1	0
United States Information Agency	8	125,558,000
United States Institute for Peace	4	3,371,000
United States Department of Agriculture	33	13,339,630,410
U.S. Agency for International Development	1	14,600,000
Total	788	96,869,343,420

Mr. DOMENICI. Did you get that resolved, Mr. President?

Mr. President, I just want to end this debate by saying that the President's thinking in 1996 was much better than his thinking in 1997, because in 1996 in submitting his budget, the President made the following statement:

The construction and renovation of school facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers. We are opposed—

Continues the President in 1996—

to the creation of a new Federal grant program for school construction.

Now, I understand the President has the right to change his mind in 12 months, but I submit his thinking was much, much better in 1996.

Ms. MOSELEY-BRAUN. Will the Senator yield?

Mr. DOMENICI. I only have 30 seconds remaining.

Ms. MOSELEY-BRAUN. Is it not a fact that that statement was associated with the rescissions of the appropriation for a grant program, whereas this amendment relates to a leveraging approach to give States and school districts assistance—different approaches to the issue?

Mr. DOMENICI. It is obvious that it is about a different program, but I am merely mentioning that the President was firm of mind in 1996 when he quite appropriately said that this is not a responsibility of the Federal Government, and I just quoted the President. Now, he has a right to change his mind about another way to help build schools, but I submit that we also should share with the American people that that change occurred over a 12-month period and, frankly, I believe we ought to agree with the President in 1996, not the President in 1997.

Now, having said that, has my time been used up?

The PRESIDING OFFICER. The majority managers' time is 50 seconds.

Mr. DOMENICI. Since we have until 11 to vote and time is finished on this amendment, my colleague from New Mexico desires to speak, if Senator LAUTENBERG would concur, for the remainder of the time until 11 o'clock.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask that I be permitted to speak for up to 4 minutes, if that is possible, the time yielded off the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, let me first say that I am an original cosponsor of the amendment by the Senator from Illinois for funding for school construction. There is a great need in this country for this. In my view, one failure, one defect of the budget resolution before us is that we give great emphasis to higher education and very little emphasize to elementary and secondary education. The needs are great in my State for school construction funding, and I think this is a beginning. I grant it is a modest beginning, but it is a step in the right direction. I commend the Senator from Illinois for offering this amendment, and I intend to support it.

I rise as an original cosponsor of the Mosely-Braun amendment to restore funding for school construction to the resolution.

The lack of school construction funding is one of the many ways that this resolution reveals its strong emphasis on higher education rather than improving elementary and secondary schools.

In fact, the lack of funding for the repair and construction of schools is perhaps the most obvious and compelling gap in this resolution.

I believe this is especially true since New Mexico is facing such a serious problem with its schools:

As of 1994, 94 percent of our schools needed to upgrade or repair onsite buildings, and 29 percent had crumbling roofs.

In 1996, 44 percent of districts in New Mexico had at least one building in need of serious repair or replacement—much higher than the 33-percent average nationwide.

Over 70 percent of high school students in my State attend schools of 900 or more students, a size that is too large to be an effective learning environment, some studies say.

There is a $475 million backlog in school construction and repair for BIA schools, of which there are 45 in New Mexico.

Meeting the demand to repair and build schools is difficult because New Mexico is one of the fastest growing States in the Nation, and 47 percent of its student population attends school in rural areas.

Small and isolated communities such as these simply cannot generate sufficient funding to pay for repairing and building new schools required by skyrocketing enrollments.

Over the last 10 years, student enrollment in New Mexico has jumped by 57,000 students, 23.7 percent.

In just 3 years, enrollment will grow by another 20,000 students—the same number of students as are in Las Cruces, the State's second largest district.

Having visited and heard about schools that are crumbling, incapable of handling modern computers, and overcrowded, I know

Let me also say on the resolution more generally that clearly a balanced budget is an important component of the fiscal health for the Nation. It is very important that we pursue this. I do believe, however, that before we complete the process, before we complete a reconciliation bill and tax legislation, we need to look at the details as they will impact on the lives of average citizens in our country.

Obviously, in my State, we have a very high rate of poverty, a high rate of inadequate health care coverage, great needs in education, great problems with unemployment. I want to be sure that the implementing legislation, particularly the tax provisions that we wind up adopting, is consistent with the needs of average citizens in my State.

I intend to support passage of the budget resolution. I do believe it is extremely important that we are closing in on a balanced budget. That has been a goal that many have pursued, myself included, for a long time here in the Congress, and we need that type of fiscal responsibility. But I am concerned that when we get into implementing legislation, if we are not careful, we could adopt some tax provisions which would institutionalize in the next century, in the first and second decades of the next century, a new and increasing disparity between what we raise and what we spend.

I pledge my best efforts to work with the leadership here in the Congress and in the Senate to see that that implementing legislation is acceptable and is fairly balanced. I hope that is the case, and I hope I am able to support the reconciliation bill as I intend to support this budget resolution.

Mr. President, I yield the floor and I thank the managers for the time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I move to table the pending amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs now on the motion to table the amendment (No. 336) offered by the Senator from Illinois. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa [Mr. HARKIN] is necessarily absent.

I further announce that, if present and voting, the Senator from Iowa [Mr. HARKIN] would vote ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 56, nays 43, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—56

Abraham	Ford	Mack
Allard	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Roth
Burns	Hagel	Santorum
Chafee	Hatch	Sessions
Cleland	Helms	Shelby
Coats	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Stevens
Craig	Kempthorne	Thomas
DeWine	Kyl	Thompson
Domenici	Lieberman	Thurmond
Enzi	Lott	Warner
Faircloth	Lugar	

NAYS—43

Akaka	Feingold	Mikulski
Baucus	Feinstein	Moseley-Braun
Biden	Glenn	Moynihan
Bingaman	Graham	Murray
Boxer	Hollings	Reed
Bryan	Inouye	Reid
Bumpers	Johnson	Robb
Byrd	Kennedy	Rockefeller
Campbell	Kerrey	Sarbanes
Conrad	Kerry	Specter
D'Amato	Kohl	Torricelli
Daschle	Landrieu	Wellstone
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

NOT VOTING—1

Harkin

The motion to lay on the table the amendment (No. 336) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Can we have order?

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. DOMENICI. Mr. President, I have talked with Senator LAUTENBERG about this. I ask unanimous consent that we permit Senator COATS of Indiana to proceed for 10 minutes to speak on the bill. He has a conflict this evening and would like to explain that to us, along with his words about the effort. Then, if Senator LAUTENBERG has a Senator who wants to speak on the bill rather than on an amendment, if they are here before the end of that 10 minutes, that they be allowed up to 10 minutes, and then at the expiration of that, we proceed to the Warner amendment immediately thereafter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, with reference to the Warner amendment, Senator WARNER has agreed that the time that we use on his amendment will be 1 hour equally divided. He will control the time on his side, and I will control the time in opposition.

Mr. WARNER. I wish to thank the distinguished chairman and the distinguished ranking member. This is an amendment on behalf of the distinguished Senator from Montana and myself. While the control will be under the Senator from Virginia, it will be jointly shared with the distinguished Senator from Montana [Mr. BAUCUS]. We will control 30 minutes under our time jointly. I thank the Chair.

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 10 minutes.

Mr. COATS. Mr. President, thank you, and I thank the Senator from New Mexico for his courtesy.

I regret that I probably will not likely be in the Chamber when the final vote comes on the resolution, though the schedule has been changed so much, I do not think anybody is sure when that vote will come. If I am not, it is because of a priority of mine, the only priority I think, that would exceed voting for something as important as the budget resolution.

My good wife, who has supported my efforts in Congress for 17 years now, who has missed many events, and has done a lot of waiting for me to vote and to come home, is graduating this evening with a master's degree from Johns Hopkins University. It is the result of 3 years of strenuous effort. She is a star student. It is something that I very much want to attend.

I had thought and had been told that we would be finalizing the budget agreement last evening. We were not able to do that, and it looks like action on the resolution will go through the day.

This is a priority I want to keep, and I think that, as important as the budget agreement is, I want to be there and honor this important date, and celebrate her achievement. As I said, she has done a lot of waiting around for me, made many sacrifices, and missed a lot of things because of our uncertain schedule here. There are times, however, when I think we have to establish priorities in life, and this is a priority.

[Applause.]

Mr. WARNER. Hear, hear.

Mr. COATS. Mr. President, I also want to use this opportunity to explain why I would have, if I am to miss the vote, opposed the budget resolution. I have examined this very, very carefully. In fact, I have tried to come up with sufficient reasons to support the budget.

I know that the leader, Senator LOTT, the leadership of our Congress, of the Senate, the work of Senator DOMENICI has been honest, it has been an honest effort at finding a true balanced budget. They have toiled for hours. There have been compromises that have had to be made as a consequence of not controlling the executive branch and the turmoil that will result for the rest of the year if a budget agreement is not reached. This budget clearly makes some important steps in the right direction, and there is much to commend about the efforts of those who have put this together.

However, I have been here since 1981, and there have been a lot of promises about balancing the budget. When I first ran for Congress, one of my top three priorities was to balance the budget. I felt that it was unconscionable, immoral to pass on to future generations a debt burden so that this present generation could enjoy benefits without having to pay for them. I have toiled now for 17 years to attempt to achieve a balanced budget in the Congress and have not been able to do so.

My greatest disappointment is, probably, our failure on two occasions by one vote to pass a constitutional amendment in this body and send it to the people of the United States to let them determine whether or not they think we should be held constitutionally responsible for balancing the budget. We were not able to do that.

This budget, like all the previous six budgets, promises a balanced budget in 5 years. I have gone home after the passage of these budgets, spoken to my constituents and said, ''We balanced the budget.''

And they said, ''We're skeptical of that.''

''No, no, no, we have put in place a mechanism to balance the budget.''

Well, six times we promised that, and six times we failed. This is the seventh. Our Policy Committee, which I support, tries to put the best light on this budget. I have here a report published by the committee, it says, ''Balanced Honestly by 2002, First Time Balance Will Be Achieved Since 1969.'' I have seen that phrase written over and over again. I have uttered it myself. It has not come true. It will not come true this time.

People need to understand that 5-year, 7-year agreements really only commit us to the first year, and even with that, with supplementals, failure to enact rescissions, contingencies that come up—in fact, we have already seen a proliferation of attempts to change this budget, to add money to this budget, to change the spending priorities—Congress has the right to waive this agreement any time it chooses.

We actually increase the deficit in this budget in the next 2 years from the current level estimated at $67 to $90 billion in fiscal year 1998 and 1999, and like all of our budget gimmicks in the past, all of the deficit reduction comes in the outyears, in 2001 and 2002.

All of the tough decisions come after the next midyear election, after the next Presidential election. I have announced my resignation, so I will not be here. I will not be here to protest that ''Here we are again. Remember back in 1997 when we promised a balanced budget?''

Here we are at 2001 putting together the next promised balanced budget which pushes us out now to 2006 or 2007.

All the rosy scenarios about the assumptions of no economic decline in the next 6 years, I hope and pray it happens. I doubt very much that it will.

The other thing that distresses me is that in this budget we had the opportunity for meaningful entitlement reform and we once again took a pass on it. It seemed to me that everything was lined up in order for us to do this.

We had a Republican Congress that had gone on record as supporting meaningful structural changes in entitlements, changes that we know we are going to have to face for if we don't, we are going to find ourselves in severe economic distress in the future. We had a President who had just been re-elected and was not going to run again. He did not have to worry about getting re-elected or pleasing certain constituencies. And we thought he would step forward and provide real leadership on this. And he took a pass.

Congress took a pass because somehow we materialized some additional revenue because of the economy, not because of anything we have done to hold down spending, but because of the good economy that we have in this country. And revenues were flowing in. And at the last minute we came up with $250 billion and said we can take a pass again.

So when we say we have averted the crisis of Medicare's imminent bankruptcy until 2007, yeah, we have done that. We have done that with a gimmick of shifting home health care from part A to part B and applying more revenues to cover the deficit that is coming instead of implementing reform and giving the windfall in revenues back to the American people to whom it belongs.

We have had to narrow our tax cut because we have not exercised the discipline on spending. I can go on and on. But I am going to abbreviate my remarks here so we can keep moving on this.

It is worth pointing out that, rather than taking the $255 billion in unanticipated revenues and using it for deficit reduction or tax reduction, we have used it to increase spending. Rather than capitalize on the momentum that we had for meaningful entitlement reform, we used budget gimmicks and price controls to delay the crisis and postpone the tough decisions once again. Rather than reduce the size of the Government, baseline budget tactics are used, tactics which Republicans used to criticize—assuming automatic increases in the baseline and then making reductions in that baseline and calling it a cut when it is not a cut, it is an increase. This deceptive practice is continued in this resolution, and now Republicans have bought into that practice.

In the end, this resolution simply postpones deficit reduction into the next millennium and lets everybody off the hook on tough decisions that ought to be made now.

As stated in an article in the May 10 issue of the National Journal called ''The Easy Way Out'':

Historic the deal may be, but not so much because of what it includes as because of what fell out: just about anything unpleasant for incumbents of either party. From a political point of view, it may indeed be a triumph; certainly, at a minimum, it is clever. From a reformer's point of view, however, it is a washout.

We need reformer practices. We have said that; many have, since I have been here. I am now in my 17th year. We have not used reformer practices. Once again, we have used tricks and unexpected revenues to postpone the tough decisions.

I have said from the beginning, and will continue to say it, we will not make the tough decisions until we are constitutionally forced to do so. We will not achieve meaningful reform in our budget until we are constitutionally required, by raising our hand and pledging to support that Constitution, that we will honestly balance the budget and not create deficits and not pass on debt to future generations.

I am ashamed of the fact that during my watch, while I was here, the national debt has grown from less than $1 trillion to approaching $6 trillion. That is a national disgrace. And it has happened on my watch. I tried everything I could to keep that from happening. I think my voting record indicates that. Nevertheless, it happened on my watch.

So for me, someone who will not be here to protest in future years, I cannot in good conscience support this budget. Is it an improvement? Yes. Is it probably everything that the Budget chairman could have achieved under the circumstances? With divided Government and an administration bent on spending more and making a mockery of their statement that the era of big Government is over, I think the Budget chairman did everything he could under the circumstances. I commend him for his work and commend the leadership for their work.

But let us not pretend. Let us not pretend. And let us not pass on to the American people that we are giving them an honest balanced budget by the year 2002. I do not believe that is going to happen any more than the previous six promises on balanced budgets in the last 15 years have proven to be true to the American people.

I regret that I have to vote against this, but I, in all honesty, cannot support this budget resolution.

The most glaring problem with this budget resolution is that the deficit actually increases dramatically next year, from an estimated $67 billion for fiscal year 1997 to over $90 billion in fiscal year 1998, and does not begin to come down until 2001. The deficit then drops precipitously by nearly $84 billion between 2001 and the end of 2002.

This rosy scenario is hard to believe. In fact, the only years that really count in this budget agreement are the next 2, when Members and the President can be held accountable to abide by their commitment. The heavy work of deficit reduction is postponed, and becomes someone else's problem. Even then, 97 percent of deficit reduction included in this package is based upon economic assumptions that seem implausible at best. They are based on sustaining the current state of the economy for another 6 years.

This resolution fails to address the looming crisis in entitlements. Rather, it delays dealing with the issue through budget gimmickry.

The resolution purports to secure $115 billion in Medicare savings. However, the overwhelming majority of this savings is secured through price control gimmicks that have failed in the past. Even then, the preponderant majority of this savings comes after the year 2000, when there is no guarantee of enforcement.

The plan calls for further reducing payments to health care providers. We have tried this many times before with no success. In fact, costs have continued to rise while the quality of health care for our seniors has continued to be diminished.

In addition, the current proposal shifts the Home Health Care Program, the fastest growing Medicare program, from the Medicare part A fund, to part B. This trick postpones the collapse of the Medicare trust fund from 2001 to around 2008, and serves to delay having to confront the long-term Medicare crisis.

Failure to implement meaningful reform in Medicare represents the greatest single missed opportunity in a budget proposal rife with deferment and missed opportunity. In fact, the resolution creates a $16 billion health care entitlement for low-income children. It is important to note that this entitlement goes beyond covering poor children already covered under Medicaid.

The key to busting the logjam in negotiations on this budget agreement was a midnight-hour $255 billion windfall from the Congressional Budget Office. This money came from larger than anticipated revenues from a robust economy. However, rather than using this money to both reduce the deficit and reduce the tax burden on the American people, negotiators went on a spending binge.

The result of this is that the budget resolution actually increases, not decreases the size of the Government. For fiscal year 1998, spending is increased over fiscal year 1997 projected spending levels by an estimated 4.32 percent, or $70 billion above the freeze. This is the largest increase of the Clinton Presidency, $5 billion more than the President requested in his original budget proposal, and outpaces inflation by nearly 1.5 percent.

This dramatic increase in domestic spending is based upon the concept that spending on these programs has been limited in recent years. In fact, according to economist Stephen Moore, over the past 10 years, 1988–97, Federal domestic spending has soared from $622 billion to $1.116 trillion. After adjustments for inflation, this is an increase

of 40 percent. And now, under this agreement, we will be increasing this spending by a rate of 1.5 percent above inflation.

There are no spending reductions in the budget. The savings are actually reductions in projected baseline spending. This type of baseline gimmickry is something that conservatives have long rejected. However now, for political expediency, this plan is based entirely upon it.

James Glassman writes in his column entitled ''Bad for Everyone'': ''The reason that the Federal deficit is projected at zero under the new budget is not that Government will be smaller, but that revenues from taxpayers will be larger—much larger.'' Mr. Glassman goes on to point out: ''According to the President's February budget, the Treasury was expected to collect $1.5 trillion from citizens and businesses in 1997. According to the new bipartisan budget, that figure will rise to $1.9 trillion in 2002. Meanwhile, spending will rise from $1.6 trillion to $1.9 trillion. And there you have it: A balanced budget.''

Is this what reform is all about? Rather than use windfall tax revenues as an opportunity to decrease spending and accelerate the path to a balanced budget, this resolution gobbles up taxpayer money with substantial spending increases and postpones the tough decisions for another day.

If there is anything hopeful in this budget resolution, it is some progress toward tax reduction. There is roughly $135 billion set aside for tax cuts. However, $50 billion of that number is offset by tax increases elsewhere in the budget, leaving a beginning net tax cut of $85 billion. This represents just 1 percent of the $8.5 trillion in estimated tax revenues over the next 5 years.

Even then, the President's tax priorities for education, totaling $35 billion, is locked in, leaving Congress to spread the remaining benefit between a $500 child tax credit, capital gains reduction, expanded IRAs, and estate tax relief. The $85 billion net tax cut comprises about one-third of the money needed to offset all of these tax cuts fully. In fact, the Heritage Foundation estimates that the full cost of the $500 dollar-per-child tax credit alone is $105 billion over 5 years.

However, the game doesn't stop there. A key aspect of the agreement is the assumption that the Bureau of Labor Statistics will adjust the CPI downward by approximately .3 percent. The result would be a hike in income taxes by approximately $6 billion dollars. Thus, the real total net tax cut under the agreement is $79 billion or less. Again, according to Heritage Foundation estimates, Americans will receive a grand total of 67 cents in tax relief for every new dollar of spending on Government programs contained in the agreement, or less than one cent on every tax dollar sent to the Federal Government.

In fact, the entire net tax cut contained in the Resolution is less than one-fifth of this $255 billion dollar windfall discovered by CBO, and used to blow the ceiling on spending. The result is that much needed tax relief will have to be phased in, with the bulk of it falling, once again, in the out years. The child tax credit, touted as middle class tax relief, will likely have to be limited to low income families.

Already, discussions regarding a capital gains tax cut have gone from an early 50 percent reduction proposal, to a cut of 10 percent, and is now moving toward a limited maximum rate of 21 percent. This is hardly the type of capital gains tax cut needed to free the hundreds of billions of dollars in encumbered capital in our economy.

I do not believe that this is what the American people have in mind. And I have no confidence that future Congresses, faced with the skyrocketing spending and rosy economic assumptions contained in this agreement, will follow through on fully implementing tax relief.

This budget is full of missed opportunities. Rather than taking the $255 billion in unanticipated revenues and using it for direct deficit and tax reductions, it has been used to increase spending. Rather than capitalize on momentum for meaningful entitlement reform, budget gimmicks and price controls are used to delay the crisis and postpone the tough decisions. Rather than reduce the size of Government, baseline budget tactics are used to simulate smaller Government.

In the end, this resolution simply postpones any deficit reduction into the next millennium and lets everyone off the hook on the tough decisions. As stated in the May 10 National Journal article entitled, ''The Easy Way Out'':

> Historic the deal may be, but not so much because of what it includes as because of what fell out: just about anything unpleasant for incumbents of either party. From a political point of view, it may indeed be a triumph; certainly, at a minimum, it is clever. From a reformer's point of view, however, it is a washout.

I thank the chairman of the Budget Committee for allowing me this opportunity to speak. I regret that I might not be here this evening. But I think I identified the right priority in my life. And I am looking forward to being, for once, not the person in the limelight in our family but the person applauding the one that is in the limelight, which is my wife who will be receiving the degree which she worked so hard for.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Nebraska is recognized.

Mr. KERREY. Pursuant to the previous unanimous-consent request, I ask unanimous consent that 10 minutes be taken off the resolution so I can speak.

The PRESIDING OFFICER. The Senator is correct.

Mr. KERREY. Mr. President, before I talk about the resolution itself, what it does, what it does not do, I do want to go back to 1993, as many of my colleagues have done, and discuss the Deficit-Reduction Act of 1993.

Since I only have 10 minutes, I will not go into detail about the one that happened in 1990 under President Bush's watch. Both of those were very unpopular budget resolutions. I noticed when I went home, in both cases, there was substantial criticism from people who did not like various aspects of it.

One of the unique things about this particular budget resolution compared to those is that I do not expect to find a similar sort of outcry against it. I think it tells us a lot about what is in this one as well as the progress that we have made toward reduction over the last 4 years.

That resolution, Mr. President, that act, OBRA, 1993, brought the deficit down by 77 percent, a substantial reduction in the deficit. It occurred, it must be said, as a consequence of the economic recovery that had begun in 1992. It did not produce all of the growth by any measure. I do not argue that the economy turned around as a result of that Deficit-Reduction Act, but there is no question that we had demonstrated in 1993 that there was a connection between growth and deficit reduction, that it is possible for us to take action with our budget to produce good things out in the private sector.

I would argue that the greatest victor in this Deficit-Reduction Act of 1997, the Deficit Elimination Act of 1997, the greatest victor is economic growth. Four percent real growth in the first quarter is what has really enabled us relatively easily to take the last step.

There were a lot of terrible things that were said were going to happen as a result of the 1993 OBRA. People said it would result in lost jobs. We stood here on the floor and said, if we voted for OBRA 1993 there were going to be higher deficits and there was going to be higher national debt, so on and so on. About the only dire prediction that turned out to be true was that people who voted for it were not reelected because, as I said, it was very unpopular. It was very difficult deficit reduction, very substantial deficit reduction.

We have evidence, in short, that if we are willing to cast a tough vote, if we are willing to reduce spending and reduce our deficit, that not only is there economic gain coming as a consequence, but that that political risk can pay off long term. We can stand and say that though we have asked people to take a bit less, there will be benefits coming as a consequence of this reduction in the rate of growth of spending that is contained in this budget resolution.

So I stand here today to say, where do we go from here? And I have to confess, there is a part of me, Mr. President, that says, ''Well, now that we've gone from a Democratic majority to Republican majority,'' in part, if not in large part, as a result of the unpopularity of the 1993 Deficit-Reduction Act, ''maybe we ought to hold our

breath on this side and let you all figure it out on the other side, let the distinguished occupant of the chair and the other guys on that side of the aisle, let you all address it and cast the tough votes this time around.'' I do not think that would be responsible of us, Mr. President.

There is a lot I do not like in the budget resolution. There is a lot I did not like in 1993 and in 1990. But given the benefits that occur as a consequence, I do not think that it is good for the country for me to stand here in a petulant fashion and say I am not going to participate as a consequence of what happened politically in November 1994.

I do believe that the budget resolution in front of us today will, on balance, produce economic growth, and I do believe that it will balance the budget in the year 2002, if Congress keeps its eye on the ball and keeps its attention focused on what is going on outside of these Halls, and that is to say what is going on in the private sector, and what is going on with our economy.

If our tax, our regulatory, and spending policies produce economic growth, all the rest of it gets relatively easy, as we are learning indeed with OBRA 1997.

We need to start thinking about economic growth. We need to start asking ourselves the question, what do we do, not only to produce the growth, but when is the growth good for us and when are we willing to step in and say the growth is not good?

I mean, all of us, I suspect, universally would say, I do not care if it does produce jobs, I am not in favor of pornography, and I am not in favor of spoiling our environment, and I am not in favor of making our streets unsafe. There are lots of examples where we would step in and put a law in place even though it might prevent somebody freely from being able to produce jobs. We will say that those particular jobs are not good for us and thus we are going to put a law in place to prevent that activity from happening.

There is a larger problem as well, Mr. President. I do think, though, growth lifts all boats, that a rising tide will tend to lift all boats. As we have seen with the dramatic narrowing of economic inequality and income inequality that has occurred in the last 4 years, that there is still going to be large sectors of our economy, large sectors of our population, individuals and their families that are going to be left out of the benefit of that growth.

That is especially true if you take the position, as I do, that we ought to put in place laws that say the United States of America is going to lead the effort to lower trade barriers, that we believe that generally speaking we are better off competing in a global economy. In that global economy with technology, with immigration, with the welfare-to-work programs that are going on, people at the lower end of the wage scale are going to suffer. They are going to be under a lot of pressure.

People making $5.15 an hour, $6, $7, $8, $9, $10 an hour are going to be under a great deal of pressure. They are going to be working more than one job. They are going to be paying child care. They are going to have lots of other problems they are going to face.

It is important for us to pay attention to our capacity to give them the opportunity to get a good education, get retrained, go to college, if they choose to. We have to look at those sorts of things, and keep our eyes open to special problems that exist today that did not exist 30 years ago.

Perhaps the most dramatic difference is that in the 1990's the amount of debt accumulated to go to college exceeds all the debt that was accumulated in the 1980's, 1970's, 1960's combined. By the end of the century $50 billion of new debt will be acquired by American youth who are trying to go to college; graduating today with an average of $10,000 debt, growing by some 14 percent a year.

The President's response to try to direct some additional resources for education, I believe, is good. I also think it is important for us to try to come up with mechanisms and enable Americans, using the laws of the land, to acquire the wealth that they need to make those kinds of purchases not just for education, but for retirement as well.

This balanced budget will produce, in short, economic growth. But I do not believe that this balanced budget will take us in every single instance in directions that we need to go.

I think that we are still going to have problems with our schools. I think we still have problems with fighting the war on drugs. I think we still have problems in a number of other areas where our current policies are inadequate to the task. They are going to require us to reach down and look for different ways of doing things if we want to change our future.

The three areas that I would like to address here this morning, Mr. President, where this law does not change our future adequately is the percentage of our budget that is going for entitlements versus discretionary, the amount of wealth that individuals have in order to be able to plan for their retirement, and, Mr. President, I also believe we need to look at the mix of people over the age of 65 versus under the age of 20. I still do not believe we adequately adjusted to the problem that we are going to face when that baby-boom generation begins to retire.

I would like, Mr. President, just to run through a couple of charts here very quickly. You all probably have seen them before. It is what everybody wants to do—look at another chart here on the floor of the Senate.

This is a line that shows the births in the United States from 1910 through 1920. I bring this to the floor because it is a demographic problem that we face, not a problem that was caused by Ronald Reagan or George McGovern or Phyllis Schlafly, or secular humanists. This is a problem that was created as a consequence of 77 million Americans who were born between the years of 1945 and 1965. And then the birthrate dropped for about 15 years afterward.

Thus, what that has produced is a relatively small number of people who will be supporting a much larger number of people who will be retired out there in the future.

This is a dramatic change, Mr. President, that Congress needs to factor into our thinking because this is our future. This is where we are going. As I said, I am confident 5 years from now, 1997, we will have a balanced budget, but we have not addressed this problem. This is the future for America:

In 1997, 29 percent of our population is under the age of 20; 13 percent is over the age of 65; 79 million in one group, 34 million in the other group. In 2030—all the speeches we give about children, 4 million babies born in America this year, those babies will be 33 years of age in 2030, and all of us understand how quickly 33 years go by. In 2030, when those babies are now out there working, there will be 24 percent of our population, down from 29 percent, under the age of 20. The under-20 population will only have grown by 4 million. But the over-65 population, Mr. President, will have doubled, going from 34 million to 68 million. If you look at the number of workers per retirees, it is even more dramatic, a doubling of the population over the age of 65 and a 20 percent increase in the size of the American work force.

Mr. President, we have simply got to address this problem. The only way for us to do it, in my judgment, is to look at the mix of our budget that is going to mandatory versus discretionary. In 1963, 30 percent of our budget went to mandatory spending, 70 percent went to discretionary spending. At the end of this budget resolution it will be exactly reversed, 70 percent mandatory, 30 percent discretionary. Mr. President, in about 10 or 12 years after that it will be 100 percent mandatory and 30 percent discretionary.

A much bigger and more difficult problem for us to face as a Congress than balancing the budget is balancing the mix of mandatory and discretionary spending. It is not a mathematical formula, Mr. President. If we do not take action on this, people who will retire 15, 20 years from now—and again, this is a problem for the baby-boom generation; this is not a problem for the current generation. There are enough workers in the workplace today to support current retirees. But those people who will be retiring out in the future, Mr. President, they are not going to like that future as a consequence of the kinds of choices that will be forced upon them later, unless we take action earlier to accommodate.

Mr. President, I would like to see this budget resolution changed. I am hopeful we can build some bipartisan

consensus to change it. Senator LIEBERMAN and I, Senator BREAUX, and a number of others have been working on a proposal called Kids Save that would alter the child care credit in this resolution that would enable us to help working families acquire wealth. Unless you expect to hit the lottery, unless you expect to inherit the wealth, the only and the best and most reliable way to generate wealth is to save a little bit of money over a long period of time. Kids Save enables us to do that. It enables working families to have that wealth. If they want to use it for education, if they want to use it, preferably, for retirement, they will have it when they get there.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, Senator WARNER of Virginia is recognized at this time.

AMENDMENT NO. 311

Mr. WARNER. Mr. President, I call up an amendment at the desk by the Senator from Virginia.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself and Mr. BAUCUS, proposes an amendment numbered 311.

(The text of the amendment is located in the RECORD of May 21, 1997.)

Mr. WARNER. Mr. President, we ask now for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. Mr. President, the Senator from Virginia, throughout my career in the U.S. Senate, has fought for the balanced budget as hard as anyone. I say that with humility. I am sure the distinguished Senator from Montana has a like record and a like commitment.

We are also entrusted with the responsibility, in my case as chairman and the Senator from Montana as the ranking member of the Subcommittee on Public Works and Environment, to see that our Nation's infrastructure of highways, and to a certain extent mass transit—although that is primarily in another committee—constantly is administered in such a way as to promote growth in this country.

Talk about a balanced budget. That balanced budget is dependent on the ability of Americans to get to their place of work, to return safely, to provide for their families, and every Member of this body knows that we are falling behind every minute in our ability to keep in place the infrastructure of roads and bridges, much less modernize it to make it safer and more efficient. We are steadily falling behind. But as we fall behind in providing the necessary dollars, the dollars that they are paying in the tank are accumulating in the Treasury in an account called the highway trust fund.

Now, Mr. President, I like to do homework. I learned it as a child under the supervision of two good, strong parents. So I went back to 1955 when in this very Chamber resonated the voices of the chairman of the Environment Committee, Mr. Chavez, and incidentally, the chairman of the subcommittee, Albert Gore, Sr., the father of our distinguished Vice President. When they came forth with the legislation to establish the highway trust fund, they picked the name ''trust.'' They could have called it the highway fund. They could have said there is a line in the Treasury for just where to put the tax dollars, but they called it a trust fund.

Today the Congress, together with the executive branch, are using it as an escrow account—not a trust fund, but an escrow account—to hold these dollars almost as if they were poker chips to play with them as we see fit, not in keeping with the intention of the founders of this piece of legislation.

I read from the 1955 CONGRESSIONAL RECORD, page 6716, of May 20—is that not interesting, May 20, coincidental in time, Mr. President, 42 years ago—in which Senator Gore concluded by saying, ''Had the committee thought it advisable to recommend a more vigorous program than that which is contained in S. 1048, I am sure it would have done so. The sentiment in the committee, if I interpret it correctly, was to act as fast and as energetically as we could while still ensuring that the taxpayer received a dollar's worth of road for his [and I insert her] tax dollars.'' There it is, a commitment by the U.S. Senate, right in this Chamber, the origin of that legislation, and we are breaking that trust, that fiduciary relationship today.

Mr. President, 18.3 cents is paid by every American and all those using petroleum at the local gas station; 4.3 is taken out for the deficit. That is another argument. We are not dealing with that today. Fourteen cents remains, of which 12 cents is for the highway and 2 cents for mass transit.

We have another piece of legislation under the auspices of Senator BOND and Senator CHAFEE, which I support, saying a dollar in, a dollar out. That is what this does. This amendment is designed to put every Member of this body on record when he or she goes back home that, ''I fought to see that your tax dollars that you pay are returned to you and you can apply them to improve that infrastructure to strengthen America's economy.''

Critics say, well, Senator WARNER and Senator BAUCUS, you did not provide offsets. Well, we did not have to provide offsets, I say to my colleagues, because the offset is there in the word ''trust.'' That is what it means—trust means exactly that. The people of this country trust the Congress of the United States, and in this instance, more specifically, the Senate, trust them to find the necessary means to balance the budget without a breach of trust to those who contribute at the gas tank, consistent for 42 years, given by the U.S. Senate.

I say to my colleagues, weigh heavily when you cast this vote. Put this amendment on. Let it go to conference. Let the distinguished chairman and the distinguished ranking member in the context of a conference decide how to continue the preservation of the balanced budget but at the same time keeping trust with the American people to return their dollars, their hard-earned dollars, submitted at the gas tank.

I yield such time as my distinguished colleague desires with the caveat that I would like to reserve for the Senator from Virginia 2 minutes at the end and 2 minutes for the distinguished Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I want to first commend the chairman of the Budget Committee, the ranking member, the President, and negotiators for putting together a bipartisan agreement. I know it was not easy. It was difficult. But I think the American people are very gratified that the President and the Congress put together the outlines of a budget agreement which brings the budget deficit down to zero.

One of the provisions in that agreement is the amount we will spend on highways and transit for the next 5 years. Under the budget agreement, the highway and transit programs will receive funding levels equal to the estimated revenue collected each year.

But Mr. President, I would suggest we need to do better.

That is why the Senator from Virginia and myself are offering this very simple amendment. Under the amendment, whatever comes into the trust fund through gasoline taxes and diesel fuels, et cetera, plus interest on what is earned on the balances in the trust fund, is available to be spent. In otherwords, whatever revenue comes in, will go out. This is truth in budgeting. It is a very modest amendment.

Mr. President, current balances in the highway account of the highway trust fund is $14.3 billion. If you look at this chart, you will see that the balances in the highway account will almost double by the end of the 5 years covered by the budget resolution. Under the resolution, the balance in the highway trust fund will grow to almost $27 billion. It just seems to me, Mr. President, and to all of us who are concerned about the balances in the highway trust fund, that it is wrong for that balance to continue to grow or double when those are dollars being contributed by motorists who expect to see transportation benefits.

I might add, Mr. President, that motorists are already paying 4.3 cents a gallon which goes to deficit reduction. Over the 5 years of the budget resolution will amount to about $35 billion.

If our amendment does not pass, there are serious consequences. If our amendment does not pass, I must tell

Senators that they are not going to receive funding levels close to the highway funds or the mass transit funds that their States expect. That is what is shown in this chart. I apologize for the small print on this chart, but we have after all 50 States and it is difficult to get every State on the single chart.

This chart shows what will happen to a State's anticipated funding under the various highway bills that have been introduced, such as STARS 2000, STEP 21, NEXTEA and ISTEA Works. Senators have signed onto those bills anticipating certain funding levels. If the Warner-Baucus amendment does not pass, each State will receive a reduction in funding.

I look at the Presiding Officer. New Hampshire—as an example, New Hampshire signed up for the ISTEA reauthorization bill. If New Hampshire thinks it is going to get $142 million a year, that is wrong. If my amendment does not pass, New Hampshire is going to receive $30 million less. If my amendment passes, New Hampshire will get the $142 million.

That same example holds for every single State.

So it is very clear that Senators are not going to get the money they think they are going to get if this amendment does not pass.

I want to also add that there are other reasons to increase transportation spending.

Our Department of Transportation says that we need about $50 billion dollars annually to maintain our highway system. The $26 billion provided for under this amendment is a little more than half of that. That is all.

Think of the competition in the world. The Japanese spend four times what we do as a percentage of GDP than the United States. The European Union, spends twice as much.

We are hurting ourselves in not keeping our transportation system up to snuff.

In addition, if the budget resolution becomes the law, areas that are experiencing growth or areas with an aging infrastructure will not get the money they need. And programs that mean a lot to Members, such as the Congestion Mitigation and Air Quality program, or enhancements and bike trails, will not have the money they need.

Our proposal is very simple: That we pass this amendment, which will increase the deficit in the last year from a $1 billion surplus to about a $2 billion deficit. That is all. Over all 5 years, $12 billion. It does not go to the core of the agreement. It does not touch Medicare or Medicaid and does not touch taxes. It does not touch any of the provisions that Senators have been arguing about over the past few months as to what should or should not be in the bipartisan agreement. It doesn't touch those at all. It just says let's spend the interest, plus what comes into the trust fund as revenue each year. That way we can prevent further deterioration of our highways and bridges.

If this amendment should pass,—the Senator from Virginia and I will work with the managers of the Budget Committee and with the administration to try to find some way to accommodate this $12 billion increase in conference.

I want a balanced budget. I think every Senator wants a balanced budget. Fifty-seven Senators have written the Budget Committee asking for more money in transportation. In fact, what they asked for was a full $26 billion every year for 5 years. We are only asking for a ramp up to the $26 billion level over the 5 years. This is very modest and nowhere close to the request made by 57 Senators who have asked for a full $26 billion to be included in transportation for every year.

This is a very small change in the agreement which the budget and administration negotiators put together. It can very easily be accommodated in conference.

I might add, to those Senators from the Northeast who are concerned about mass transit, this amendment also—the $12 billion increase in outlays I mentioned—includes increases in mass transit.

So, Mr. President, it is really very simple. I grant that it is technically an increase in the deficit by $12 billion. I am also saying that we as Senators should not be caught in a box. We should not be rigid. We should not be knee-jerked. We are elected to be thoughtful. We are elected to do what is right. We are elected to be creative.

What do the American people think is right? First, balance the budget; second, do it in a way which is fair to our country and our country's needs.

It is clear that we can balance the budget, including the framework agreed to by the budget negotiators, the administration, and the leadership, and still meet our States' infrastructure needs.

It is a very modest amendment. Again, it just says spend what comes in, plus interest, to the trust fund. In fact, even under our amendment we end up with a $17 billion balance in the trust fund. So under our amendment, we are not spending anywhere near the amounts the trust fund could sustain. But the Senator from Virginia and I are trying to be modest.

So, I again urge Senators, just go the extra mile. Vote for this. We will all work together to balance the budget in a way which also does not hurt the core provisions of the agreement but addresses the very serious transportation needs of this country.

I reserve the remainder of my time.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first, I commend my distinguished colleague. We worked together as a team on this. He has spent a good deal of his career in the U.S. Senate fighting to improve America's infrastructure and transportation.

I am going to place at the desk at the time of the vote a letter signed by 66 Members of this body supporting precisely what it is we have before them today in this amendment, together with letters from each of the Governors. All 50 Governors support a higher level of funding for our highways.

Senator BAUCUS and I, as we worked on this amendment, decided not to take the top dollar. As Senator BAUCUS clearly said, $17 billion remains in the trust fund. We tried to take a reasonable amount of increase.

This chart shows the green line of what this budget resolution does in terms of highways—flat. Our amendment takes this up at a gradual increase to where we reach the $26 billion, that figure subscribed to by 66 Senators, that figure subscribed to by all 50 Governors.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that we temporarily set aside the amendment that is pending and permit Senator PAT ROBERTS to speak for up to 10 minutes on the bill, after which we return to the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object.

Mr. BAUCUS. Reserving the right to object. I am sorry. I did not hear the request.

Mr. DOMENICI. I had checked with Senator LAUTENBERG. All we did was ask that the Senator set aside his amendment for 10 minutes and return immediately to it after PAT ROBERTS speaks for 10 minutes.

Mr. BAUCUS. How much time is remaining on the amendment?

The PRESIDING OFFICER. Twenty-nine minutes on Senator DOMENICI's side and 12 minutes on Senator WARNER's side.

Mr. BAUCUS. Thank you. No objection.

Mr. INHOFE. Mr. President, I rise on a point of personal privilege.

The PRESIDING OFFICER. Who yields time?

Mr. INHOFE. I ask unanimous consent to be allowed 2 minutes to count against either side.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLARIFICATION OF PRESS REPORT

Mr. INHOFE. Mr. President, I was shocked a little bit this morning to read in the Washington Times a story by Ralph Hallow in which he quotes a statement that was supposedly attributed to me by Mr. Paul Weyrich. I would like to read it.

Hallow writes that:

Mr. Weyrich said that at his regular Tuesday meeting for conservative leaders, Senator James Inhofe, Oklahoma Republican,

accused Mr. LOTT of having ''betrayed the national-security interests of the country.''

I have to tell you, Mr. President, that I don't think anything like this has ever happened to me. Even though I don't have thin skin—I have been beat up by the liberal media quite often—this is not the case. I never made such a statement.

I even checked the tape of a TV show that I had with the gentleman, Mr. Weyrich recently, and I find nothing but compliments which I made about Mr. LOTT. I did say on a couple of occasions that I disagreed with him on the chemical weapons stand. I disagreed with him on his suggestion in terms of potential punishment for Lt. Flynn. However, I was very complimentary of him.

Just a few minutes ago I received a memo from Paul Weyrich which clarifies the matter. I want to read into the RECORD the first half of that memo, dated this morning.

Once again Ralph Hallow has caused a problem. He called me on my private line and asked my views on Lott and Lt. Flynn, which I was happy to give. He asked me about the rest of the movement, and I told him that at the Wednesday lunch we gave Senator Inhofe a message to take back to the Steering Committee which was supported almost unanimously by the 65 or so in attendance. I then quoted Frank Gaffney as saying that twice in a month Senator Lott had betrayed the security interests of the United States. Instead, he attributes this quote to Senator Inhofe, who refrained from criticizing Lott even though he disagrees with him. Believe me, Hallow did not misunderstand what I told him because he even called me back and said he had interviewed Inhofe and he—Inhofe—refused to be critical of Lott.

Thank you, Mr. President.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 10 minutes.

Mr. ROBERTS. I thank the Chair. I thank the distinguished chairman of the Budget Committee.

Mr. President, I rise in support of the overall balanced budget plan and rise expressing some reservations in regard to many of the amendments that we are considering, the pending amendments; some 45 of them, as a matter of fact.

If nothing else, I wanted to pay a personal tribute in behalf of the taxpayers of Kansas and thank the chairman of the Budget Committee for his leadership, his perseverance, his patience. He has the patience of Job. I must confess, having come from the lower body, as described by Senator BYRD, and being the chairman of the House Agriculture Committee, I am not sure I had the patience of Senator DOMENICI. We now spell ''persevere'' D-o-m-e-n-i-c-i.

How many hours, I ask of the chairman, if he could respond, how many days, even years, have been involved? Does he have any estimate in regard to the hours he has spent late, early—he and Chairman KASICH of the House? If he gives me an estimate, what is it? 10,000?

Mr. DOMENICI. On this agreement itself, just this year, I would estimate 1,000 hours.

Mr. ROBERTS. 1,000 hours. I said hours and minutes; even years.

This has been the third year on this particular budget plan. This is the culmination of 3 years of hard work that the Senator from New Mexico has put in, all members of the Budget Committee, as well as the staff. This has been a Lonesome Dove Trail ride. I hope we get through the tall grass and balanced budget with all of our body parts intact. If we do, the chairman will get most of the credit.

In the last session of the Congress we had two balanced budgets. We worked very hard and very diligently. They were vetoed by the President. We even came to a Government shutdown. Nobody wants to repeat that. I understand that when you are doing a budget for the U.S. Government, you have many, many strong differences of opinion. After all, for better or worse, the Congress of the United States reflects the diversity we have in this country and the strong difference of opinions. Goodness knows, we have good diversity and strong differences of opinion. The House, the other body, just the other night stayed until 3 a.m., and, finally, by a two-vote margin, succeeded in defeating an amendment that was a deal breaker. It involved highways. As a matter of fact, it involved transportation, the very issue we are discussing on the floor at this very moment other than my comments. Two votes was the difference. Goodness knows, everybody in the House of the Representatives, everybody in the Senate cares about transportation and cares about highways and the infrastructure.

We came within five votes of a deal breaker on the floor of the Senate. I think it was five votes in regard to health care for children. Who can be opposed to additional funds for health care for children? As a matter of fact, the chairman has worked very hard to provide $16 billion in regard to that goal.

So we had highways, health care, and we had a situation in regard to the construction of our schools, to fix the infrastructure of the Nation's schools—$5 billion—with a $100 billion price tag, which set a very unique precedent.

I don't question the intent. I don't question the purpose nor the integrity of any Senator, nor, for that matter, anyone who would like to propose an amendment or a better idea in regard to the budget. But I would suggest that the high road of humility and responsibility is not bothered by heavy traffic in this instance.

Most of the amendments—I have them all here. Here is the stack, 45 of them. Most of the pending amendments right here are either sense of the Senate or they have been rejected outright as deal breakers.

Sense of the Senate means it is the sense of the Senate. It has no legal standing, has no legislative standing. It is just a Senator saying this would be a good idea in terms of my intent, my purpose, what I think we ought to do. And there are a few that are agreed to that obviously will be very helpful.

But here are the 45. Most of them are simply not going anywhere but raises the point. I took a little counting here. There are 8 Democrats and 11 Republicans—11 Republicans who have decided that they will take the time of the Senate, take the time of the American people, take the time of the chairman of the Budget Committee and staff and go over and repeat their priority concerns in regard to the budget.

There is nothing wrong with that. I understand that. Each Senator is an island in terms of their own ideas and their own purpose and their integrity. I do not really question that but in terms of time, I mean after 3 years of debate, after hours and hours and hours of careful deliberation between the President and the Republican leadership and 45 pending amendments.

I have my own amendments. I have my own amendments. I should have had some sense of the Senate amendments. I feel a bit left out. I thought we had a budget deal. I thought we were going to vote on it. I thought that we were going to conclude. And then during the regular appropriations process, during the regular order, if you will, of the rest of the session, why, perhaps we could address these things that I care very deeply about.

Maybe we ought to have a sense-of-the-Senate resolution introduced by Senator ROBERTS that all wheat in Kansas should be sold at $6. That is a little facetious, to say the least, but I do have concerns about crop insurance, a child care bill I have introduced, along with a capital gains bill, capital gains and estate tax. I think capital gains should be across the board. I think estate tax should be at least $1 million. I want a sense-of-the-Senate resolution or amendment declaring that. Or maybe an amendment—I tell you what we ought to have, if the chairman would agree. I think you ought to make a unanimous consent request to consider an amendment that all Senators who offer an amendment on the budget process must be required to serve 6 months on the Budget Committee. Why not? Perhaps in the interest of time, since all of the time that is being spent by the 11 Republicans and the 8 Democrats—oh, I forgot my sense-of-the-Senate resolution on defense. I do not think we have enough money committed to our national defense with the obligations we hear from the Secretary of State, the Secretary of Defense, the administration and everything else. So add that one in Roberts' sense of the Senate.

Maybe we ought to have a unanimous consent request, to save time, to get

this business done, to accept the responsibility for the budget, I could just ask unanimous consent that all amendments pending be laid on the table and considered en bloc and ask for the yeas and nays and we could get the budget deal and go home. I have not made that unanimous consent request. That would be untoward. That is the mildest word I could use for it because it would violate agreements the distinguished chairman has made with other Senators.

So let me say this to all the Senators who introduced all these sense-of-the-Senate amendments, fell asleep, issued a lot of press releases back home and got a lot of credit. And I laud their intent, laud their purpose. What about breaking the deal? What about the law of unintended or intended effects? What about the responsibility of delaying the Senate and possibly delaying 3 years of work, 3 years of work to get to a balanced budget?

As you can see by the tone of my remarks, perhaps my patience as a new Member of the Senate is not near the patience of Chairman Job, Chairman Job DOMENICI, in regard to the Budget Committee.

Now, I had intended on reading the names of all the Senators, their amendments and lauding their intent in behalf of all the things that we would like to see done. As I say, I have them all here. They range from everything from highways to education to defense to making sure that we have proper tax relief across the board. I will not do that. But I would at least ask my colleagues in the Senate to consider the job and the mission and what our distinguished chairman and members of the Budget Committee have brought to the floor of the Senate. And if we could, if we could plead for a little bit of expeditious consideration, because you know what is going to happen. Time will run out and then we will engage in what the Senate calls a votearama, and the votearama is like ''Jeopardy'' or any other game you play on television. You will not even hear what the amendment is. We will just hear an amendment by X, Y, or Z, Senator X, Y, or Z and then we will vote on it and obviously that will make a good statement back home and we can consider that very serious bill, that serious legislative intent during the regular order which should have been considered that way from the first.

Again, I thank the chairman so much.

Mr. ASHCROFT. Will the Senator yield?

Mr. ROBERTS. I will be delighted to yield.

Mr. ASHCROFT. I appreciate the Senator's remarks. When the Senator holds the stack of amendments, is he suggesting there should be no amendments or is he just focused on sense-of-the-Senate amendments?

Mr. ROBERTS. I think if I could further clarify that, of the 45 amendments there are about 6 deal breakers, if my conversation with the chairman is correct. Most of them are sense of Senate. And there are others that have been agreed to. But my basic premise is—and goodness knows, this new Member of the Senate is not about to say that we should change the process of the Senate. And this Member of the Senate is not about to preclude any Member from offering any amendment.

The point that I am trying to make is that every amendment, every sense-of-the-Senate amendment, every deal-breaking amendment also to some degree interferes with the process and the conclusion of a balanced budget which has taken us 3 years. And I know because I have been sitting in the chair presiding, listening to the same speeches that are made today in the Chamber during morning business, and people can make them in their districts; they can make them on the steps of the Capitol; they can make them here, and that is quite proper of the Senate and is advisable.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERTS. Could I have an additional minute?

The PRESIDING OFFICER. The Senator seeks an additional minute. Who yields him time?

Mr. DOMENICI. How much time does the Senator desire?

Mr. ROBERTS. One additional minute.

Mr. DOMENICI. I yield it.

Mr. ROBERTS. I find it rather untoward or awkward after talking 10 minutes and expressing concern of the time here I would go on and on about this. I think the point is well taken. I know the Senator from Missouri has a very laudable amendment in regards to something I would agree with and I would not deny him that opportunity. But can we not get on with it after 3 years?

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 311

Mr. DOMENICI. Mr. President, let me make it very clear to everyone in the Senate, first of all, I have nothing but the highest respect and admiration for both the sponsors of this amendment, the distinguished Senator from Virginia, who has worked diligently to try to create the transportation programs in the committee he serves and do it in the best interests of our whole country, and believe you me, he has had a tough job, and so has Senator BAUCUS in doing a great job, whether working on the committee or with transportation infrastructure.

Their job is very difficult because they have to balance frequently the interests of all 50 States or those that are rural versus those that are very dense in terms of population and thus roadway needs are very different in his State or mine as compared with New Jersey, if you just take into account how much gasoline tax is taken in because we are small, with small populations, but we cannot get from one place to another without roads, so we are in a different category. And over the decades we have all worked very hard to figure out how to do that balancing act. And then it turns out when it is all finished, the House does it differently than the Senate because the Senate is represented two Senators to each State. So Senator BAUCUS and his co-Senator represent a very small population but they are two. In the House, they always load the bills with the heavy populated States and over here we try to do it with a little more fairness, more fair play.

They have had to be referees over that. In fact, I might tell the Senators, they probably do not remember, but I was a referee on that once as a conferee, and that was pretty interesting, how we found a formula that year.

I might say, in spite of these accolades, this is a very, very strange amendment, to say the least. Here we have been for all these days discussing a balanced budget, and as a matter of fact even those who would break this budget did not unbalance the budget. Or even those who had deal breakers because they would take the principal components of the budget and change them, as our leader said yesterday, pulling the wheels out from under the cart so it would break down. This amendment makes no effort to try to offset the $12 billion that they add to this budget.

In other words, Mr. President and fellow Senators, this amendment is bold enough to say it just does not matter about a balanced budget. We just want to put in $12 billion more for highways. Frankly, I am sorry we do not have the money in this budget for that. But we did in fact, we did in fact increase the President's proposal by $10.4 billion. That is $10.4 billion more than the President had in mind, and we balanced the budget. We offset it somewhere or in some way reduced the amount of tax cut we were going to have in the overall sense of putting the package together.

But this amendment just comes along and says, well, we just want this additional money spent on highways, and we will wait until another day to worry about the balance. Frankly, we had a very meager surplus in the year 2002. This particular amendment costs $4.5 billion in the year 2002, and that will bring us out of balance by over $2.5 billion.

So I urge the Senators who want to support this amendment or this concept, they ought to come down to the floor and cut $12 billion out of this budget so it is still in balance. Then we would understand what would be hit—education and everything else we have been trying to fund.

So I must say on this one the administration supports us. We were not so

sure yesterday morning, I say to my good friend from Kentucky, but they support us. They sent a letter up here saying they do not support this amendment. They support our efforts to see that it does not pass.

Frankly, I would be less than honest and less than fair with the cosponsors—it is clear we are going to have to do something when the ISTEA Program comes along in the not too distant future. We are going to have to make some serious, serious adjustments. And I think those are going to happen. Perhaps the Senators will help expedite that a bit today by calling to the attention of the Senate the situation as you see it.

But essentially, we have many trust funds in the United States, many trust funds. I used to know how many. But I think it is probably fair to say we have 100 trust funds. I think that is low by 50. I think we have 150. But let us just say we have 100 of them.

Frankly, we do not spend every penny that comes into those trust funds every year, nor do we take them and set them out on the side and say whatever comes in goes out. We have put them in the unified budget. I am not sure—people argue on both sides of that concept. Should you break Government up into 150 pieces and then find some more pieces and have no central government running things, no unified budget, I should say. Forget who runs it, just a budget representing them all. And I have come down on the side of putting them all in and leaving them in, and if there is surpluses take credit for the surpluses. As a matter of fact, it is pretty clear that at some point we are going to have to change the way we are doing business, not perhaps spend more. But I would urge Senators not to vote for this amendment today. I will move to table it. I think it breaks the budget. It unbalances the budget. The intentions are very, very good, but this is not quite the way to do it.

Now I yield to Senator LAUTENBERG—

Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. Of course.

Mr. WARNER. I thank him for the courtesy. Let's clarify a little bit just how the Senator as chairman of the Budget Committee—and certainly we commend him for the hard work he has done. What is the meaning of a trust fund?

Let's be honest. You are keeping $26 billion, according to my calculation, holding it back, of the revenues paid at the gas tank, as if it were poker chips to play where you so desire elsewhere in the budget. We specifically did not put in offsets because the offset is there in a trust fund established 42 years ago with a legislative history which clearly said that it belongs to the people and should be returned to the people. That is why we did not have an offset. The offset is there in the form of the money in the highway trust fund. Shall we rename that budget deficit fund?

Mr. DOMENICI. Senator, you will be writing the new ISTEA law. If you will care to rename it, it will be renamed under your direction, not under mine. But I would say, from what I can find out, this $26 billion trust fund surplus—we spend about $20 billion each year and they have done that for a long time. This $26 billion that is referred to is made up of two things: $20.6 billion of it is compounded interest, and $5.9 is committed to projects. Frankly, that does not mean we have an awful lot of money to spend. As a matter of fact, we probably do not have very much. But, from my standpoint, this trust fund balance is a very reasonable balance to keep in the fund. If at some point we can get to a better plan and do it over a period of time, you are going to find this Senator on your side.

Mr. BAUCUS. Will the Senator yield?

Mr. DOMENICI. Did Senator LAUTENBERG want to speak now?

Mr. LAUTENBERG. I do.

Mr. DOMENICI. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from New Mexico has 20 minutes left; the other side has 12 minutes.

Mr. BAUCUS. Mr. President, we all deeply appreciate the amount of work the Senator from New Mexico has made to try to put this together. It is an almost impossible task. He made an interesting statement, though, that I would just like to follow up on a little bit. He turned to the Senator from Virginia a few minutes ago—if I heard you correctly; I do not want to put words in your mouth—and said something to the effect: Yes, you are right. At some future time when we take up ISTEA we are going to have to deal with deficiencies that are otherwise going to be available to be spent on the highway bill, ISTEA.

If I heard him correctly, if that is what he meant, I would just like to explore with the chairman where we might find some of those additional dollars if it's not in the context of this budget resolution.

Mr. DOMENICI. Senator, you did not quote me so incorrectly that I would say you didn't quote me right. But, in essence I am just expressing the notion that is pretty rampant, that outside of this budget resolution, at a later date, that in various committees we will be working on what do we do with this highway trust fund and what do we do with the new formula, where there will be a new formula.

All I am suggesting is at some point that debate is going to occur, but I don't believe it should occur here on the floor of the Senate, taking $12 billion and just adding it to this budget and saying we are just going to go in the red because we have not figured out any other way. There is going to be another way to look at this situation.

Mr. BAUCUS. But again I ask you, at what time, at what point would we begin to find the additional dollars that we all know we need for transportation?

Mr. DOMENICI. Senator, look, the committees in the U.S. Senate are marvelous institutions, and how you work out problems that are complicated and difficult and frequently of longstanding—the Senate is historic in its wise ways of doing this.

Mr. BAUCUS. I understand.

Mr. DOMENICI. All I am suggesting is there is going to be a way.

Mr. BAUCUS. I understand, but I bow to the mighty power of the Budget Committee, when we see the limitations that otherwise are incumbent upon us—

Mr. DOMENICI. I might suggest, I served on that committee for a long time, Senator WARNER. In fact, I would have been chairman three times over with the longevity I would have if I would have been there.

Mr. WARNER. Mr. President, we want the Senator where he is. Please stay. By the way, I volunteered three times to serve on the Budget Committee, and my name will be on there one of these days.

Mr. DOMENICI. All right. Now, how much time do we have left?

The PRESIDING OFFICER. The Senator from New Mexico has 17 minutes left.

Mr. DOMENICI. I wanted to yield to Senator LAUTENBERG, who is my ally here on the floor on this issue, and then find a little time of mine out of it to yield to the Senator from Rhode Island.

Mr. LAUTENBERG. I am not going to take that much time, Mr. President. I think the chairman of the Budget Committee has fairly directly and succinctly made the arguments. The fact of the matter is that none of us are happy with the level of funding that we have for our investments in highways and our transportation needs. We are more deficient, in many ways, than countries down the Third World list. I think we rank about 55th in per capita spending for infrastructure.

So, one would not disagree with the distinguished Senator from Virginia or the distinguished Senator from Montana in terms of the need, the need to correct the situation. But unfortunately, and it is unfortunate for me because I have long been an advocate of more spending on transportation in this country. I think it is common knowledge that the Senator from New Jersey has been an advocate of mass transit, of rail transportation, improving our highway system, of fixing our deficient bridges, which number in the thousands. But we have a proposal in hand that takes a priority, unfortunately, for the moment. That is, to complete the work we started on a balanced budget. We are committed to it.

Believe me, this is not a place I enjoy being, because I do not agree with everything that is in the budget resolution. But I agree with it enough to say that there is a consensus that we fulfilled an obligation that we talked about to children, children's health, to the senior citizens, to try to make

Medicare solvent, to try to not further burden the impoverished in terms of Medicare, to try to take care of those who are in this country legally and become disabled. We fulfilled those obligations.

The economy is moving along at a very good rate and we are still running the risk, in my view, with some of the tax cuts that have been proposed, of taking us away from the direction that we are moving in, which is to continue to reduce the budget deficit until the year 2002, when there will be none.

So we have an imperfect, but pretty good, solution in front us. And, now what we are discussing, in terms of transportation—and this is like me talking against motherhood—but the transportation funds that are there are inadequate because of the structure of our budgeting structure, the budgeting arrangement that we have in our Government. The fact is that we have unified budgets. If one wants to start, as has been claimed here several times, establishing truth in budgeting, under that nomenclature I think one would have to start with Social Security.

Are we prepared today to say we are going to add $70 billion to our deficit each year? We certainly are not. Yet I think, when you talk about a trust fund, there is no more sanctified trust fund than Social Security, something people paid in, they are relying on for their future, for their ability to get along. But we nevertheless still have the unified budget. That problem, I assure you, is going to get intense scrutiny over the next several years.

Senator ROBERTS said something—I don't know whether you were here, Senator DOMENICI, when he said: Everybody, in order to have the budget fully understood, every Senator should be sentenced to 6 months on the Budget Committee. I thought immediately, there is a constitutional prohibition against cruel and inhuman punishment, so we could not do that, even if we wanted to. I am on the Budget Committee by a quirk of circumstance. When I came here, a fellow I had known who was a Senator said that he would do me a favor and that he would vacate his seat on the Budget Committee for me. And I will get even.

The fact of the matter is, we complain and we gripe, but the money is where the policy is, the money is where the direction is. We take this assignment with a degree of relish, because we want to do the right thing. None of us want to throw the taxpayers' money away. But we are where we are.

It is with reluctance that I am opposing this amendment because both Senators, Senator WARNER and Senator BAUCUS, have been very actively involved in highway funding and highway legislation as a result of our mutual service on the Environment and Public Works Committee. But we are spending more than we did last year. We are spending more than the budget resolution of just 2 years ago.

I was able, with a lot of hard work and with the support of the chairman of the committee, to get an $8.7 billion increase over the President's budget request for transportation. I had asked that transportation be included as one of the top priorities in the budget. Unfortunately it is not there. But there is a plan, that we expect to be fulfilled, to have a reserve fund that would allow significantly more funding for some of the transportation needs.

But I want to point out one thing about the trust fund. That is, there is a slow payout in highway projects. I think everybody is aware of that—5, 7 years on many of these things. If we shut down the revenue source now, interest alone would not carry the obligations that are already out there. The obligation ceiling as contrasted with the contract authority are quite different things. We have these obligations that have to be fulfilled, they are there and one day must be met. The balances in the fund, I think, will start coming down with the adjustments that are expected to occur in ISTEA. We have the chairman of the Environment and Public Works Committee on the floor. That will be opportunity to make some of the changes that are being contemplated here.

I just think it is a terrible time to say we ought to burden the budget deficit by $12 billion, roughly, right now, when everybody has worked so hard, and this budget has been scrubbed, reviewed, rewashed, rehashed—you name it. We are where we are, in a fairly delicate balance, I point out to my colleagues. There are very delicate opportunities that will, I think, upset the balance that has been achieved. So, again, I repeat myself when I say with reluctance I am going to vote against it.

Mr. WARNER. Will my colleague yield for a brief question?

Mr. LAUTENBERG. Sure.

Mr. WARNER. Mr. President, the distinguished Senator, a member of our committee, Environment and Public Works, is, according to my records, a cosponsor of a piece of legislation called ISTEA—NEXTEA. Am I not correct?

Mr. LAUTENBERG. That is correct.

Mr. WARNER. In that, it is interesting, there are three bills put in by Members of the Senate. I am coauthor—Senator BAUCUS, Senator GRAHAM of Florida; STEP 21, Senator BAUCUS is 2000, you are with Senator CHAFEE.

Mr. LAUTENBERG. Right.

Mr. WARNER. ISTEA. Look into that bill. Right in there is a provision saying we want $26 billion each year, far more than what the Senator from Virginia is asking. I build up to $26 billion in the fifth year. You want it beginning this year. In other words, you are saying to the Senate, in a cosponsored piece of legislation together with the distinguished chairman of the committee, you want $26 billion. Now you stand on this floor and talk in direct opposite. That is what leaves me at a loss. So the question is, you are a cosponsor and——

Mr. LAUTENBERG. Mr. President, in response to the question, before the speech, I would say this—yes, I sponsored that legislation.

My heart is in more funding for transportation, and no one here can say differently. The problem is that we are in a different point in time, and if you want to take it out of highways and say forget the children's health care bill, if you want to take it out of highways and forget the pledge we made to the senior citizens, or take it out of this bill and forget the pledge that we made to those who might be disabled, let's do it, let's talk about that. Let's talk about balancing the budget, because I know the distinguished Senator from Virginia has been a proponent of a balanced budget almost from the day the words were invented around here.

So now we have a different occasion. We are not talking about transportation; we all agree that transportation is definitely underfunded. What we are talking about is at what price do we make this change, and the price is at, again, children's health or otherwise, because we are committed to balancing this budget. And this is strange talk for a fellow like me.

Mr. DOMENICI. I think it is right on, and I hope you make it about five or six times in the remaining couple hours. I look forward to hearing it more times than one.

Mr. President, I wonder, how much time do we have remaining?

The PRESIDING OFFICER. The Senator from New Mexico has 7 minutes; the Senator from Virginia has 10 minutes, almost 11 minutes.

Mr. DOMENICI. Mr. President, I yield 5 minutes to the distinguished Senator from Rhode Island, the chairman of the full Committee on Environment and Public Works, Senator CHAFEE.

Mr. CHAFEE. Mr. President, I thank the distinguished manager of the bill.

I rise in opposition today to the amendment offered by the Senator from Virginia and the Senator from Montana. I might say, these are two Senators for whom I have tremendous respect. I have worked with them. The Senator from Virginia, I think we first started our association in 1969, and the Senator from Montana, I started working with him the first year he came to the Senate, which I think was 1978, 1979, and we have been closely associated ever since.

However, this amendment, which would increase outlays for transportation spending above the levels provided in the resolution before us, I find to be inconsistent with the achievement of a balanced budget by the year 2002.

The Senator from Virginia just said it went beyond the bill, the so-called NEXTEA bill that goes beyond this, and that is absolutely right, but that was before we had a target from the Budget Committee. I believe strongly in the budgetary process we have set up. I voted for it, and I support it.

I think we all can agree that the Nation's roads and bridges are in need of repair. No one argues with that. Transportation plays a critical role in our Nation's economy. We recognize that. In the United States, more than 12 million people, more than 11 percent of the gross national product, is involved in transportation.

Earlier this year, I cosponsored a measure to increase, within the context of a unified budget, the level of transportation spending from the highway trust fund. I am pleased that the budget agreement, crafted by the Senator from New Mexico and the Senator from New Jersey, increases the spending levels implicit in that proposal, the so-called Bond-Chafee proposal. It is $13 billion over a freeze baseline. That is pretty good.

Would we like more? Sure we would. But I think it is terribly important to recognize that any proposal that boosts highway spending or transportation spending without corresponding offsets is something I personally cannot support. So, I agree with Senators WARNER and BAUCUS that transportation spending should be increased, but not in a manner that would undermine the careful agreement reached by the Budget Committee.

Do we like everything in this budget? No, but it is the best we can get. I am supporting that agreement. It seems to me we simply cannot afford to retreat from our efforts to eliminate the Federal deficit.

So that, Mr. President, is the reason I cannot support this amendment that is before us today. I thank the Chair and thank the manager and thank the distinguished chairman of the subcommittee that deals with these matters. He has worked on them, and I know his heart is in this. As always, he argues his case with vigor and considerable force.

Mr. WARNER. Mr. President, might I ask a question on my time of my distinguished chairman?

There are three bills pending before the Senate relating to the reauthorization of ISTEA. I mentioned that. Seventy-four colleagues have signed one of those three bills. Each one of those bills has the higher level of $26 billion. I say to my colleague, he also is a cosponsor of the Bond-Chafee/Chafee-Bond legislation. The principle that Senator BAUCUS and I are arguing today precisely is the Chafee-Bond bill. I ask the Senator, does he feel there is any difference in principle?

Mr. CHAFEE. Yes. First of all, I am pleased to call it the Chafee-Bond proposal.

Mr. WARNER. Call it what you want.

Mr. CHAFEE. We call it that in Rhode Island. What the Chafee-Bond proposal does is it says that what came in in the previous year—we do not deal with the interest, we do not deal with——

Mr. WARNER. Mr. President, I do not need an explanation. In principle, pay it in, take it out, isn't that right, in simple English?

Mr. CHAFEE. That's right.

Mr. WARNER. Fine, that's all I need to say.

Mr. CHAFEE. What comes in this year goes out next year, and that principle is in this budget.

Mr. WARNER. That principle is in this amendment. I thank the distinguished Senator. That is all we are asking. But it is interesting we are asking for less than what is paid in to come out, recognizing the challenge before the Budget Committee.

So I say, once again, 74 colleagues have signed on to legislation. We are going to have to answer to our constituents, Mr. President, on this vote. You say one thing in sponsoring the bills, and we will see how consistent you are. I will put a letter on the desk signed by 56 Senators as to how they spoke to this. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Will the Senator from Virginia yield for a few minutes?

Mr. WARNER. Mr. President, I yield all but a minute and a half, 2 minutes I have reserved.

Mr. BAUCUS. Mr. President, we heard today from both the chairman and the ranking member of the Budget Committee that we need to address this problem; the problem that there is a deficiency in highway-mass transit-infrastructure spending that must be dealt with at sometime. But they are also saying they feel constrained to say they cannot deal with it here because they feel constrained by the budget resolution, a resolution agreed to principally between the White House and the leadership.

They talk about an $8 billion increase. That does not include interest. And because the country is growing, because of additional needs we have and the crumbling bridges, if this resolution is adopted, Senators should know that they will receive less in dollars than they will need for their State's infrastructure.

The Senators, the chairman and ranking member, say, ''Well, we will deal with it in the future at sometime,'' acknowledging that there is a problem and we need more transportation dollars. I must remind Senators that we have a difficult problem ahead of us. When we in the Environment and Public Works Committee in the coming weeks write a bill dealing with CMAQ, dealing with formulas, donor States, donee States, so on and so forth, what do we look at? We look at the number that the Budget Committee sends to us. We are constrained by that number. We must then write a 5- or 6-year bill which locks in the spending limits that the Budget Committee prescribes for us. We are locked in for 5 or 6 years.

Those lower levels cannot be changed next year by a new budget resolution, cannot be changed until or unless this Congress writes a new highway bill. I am not so sure this Congress is going to want to write a new highway bill every year. So I am saying that this is the time to deal with this problem. It is now. Otherwise, we are locked in for 6 years to inadequate numbers.

We want to make an adjustment of less than one-tenth of 1 percent of our Federal budget, less than one-tenth of 1 percent of our Federal budget, which I am fully confident can be dealt with in conference. It is critical that this amendment be adopted so that we are not locked in over the next 6 years to inadequate numbers. We will be locked into these numbers if this resolution is adopted. We can make adjustments in all the other accounts and still maintain the core provisions of the bipartisan agreement.

So I urge Senators to, therefore, vote for this so we can do what we know is right.

The PRESIDING OFFICER. The Chair notes 2 minutes remain for the Senator from Virginia.

Mr. WARNER. Mr. President, is that all the time that is remaining?

The PRESIDING OFFICER. That is correct. The Senator from New Mexico has 2 minutes; the Senator from Virginia has 2 minutes.

Mr. WARNER. Mr. President, I commend my distinguished colleague. He, in his concluding remarks, gave the clarion call: When we cast the vote, we simply cast a vote to say to the Budget Committee, ''Go back and look for that very small fraction so we can avoid this flat green line which is correctly represented on this chart, and allow our several States to build that infrastructure necessary to compete in this world market.''

What we have left out, my distinguished colleague and myself, are pages and pages of added requests by our colleagues. I totaled over $7 billion in addition to what is to be allocated under the formulation for superb programs that are badly needed by the country: Appalachian highway system; for the Indian reservation roads; for expansion of the intelligent transportation system; for innovative financing initiatives; for new funding to meet infrastructure—on and on it goes.

We want to, Senator BAUCUS and I together with other members of our subcommittee and full committee, try and do this, but those we haven't even discussed today. We will never get to one nickel of this unless we are given some additional flexibility.

So we say, with all due respect, we are simply asking a voice mandate in support of our constituents to the Budget Committee, ''Go back and reexamine the desperate need of America for these dollars.''

I thank the Chair. I yield back all time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Do I have 2 minutes and that is it?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, let me suggest, again, to Senators who might be listening or those who might be listening in their stead, in this budget, we

have tried to do many things. We have tried to cut taxes for the American people; we have tried to cover little children who are uninsured with $16 billion; we have tried to cover the National Institutes of Health with a 3.5-percent increase.

We heard from people what America had to be doing, and, in each instance, we had to get rid of something. In fact, I have not said it yet, but the President gave up 50 percent of his initiatives in the compromise that was made, and every time we did it, we said, ''Let's balance the budget; let's balance the budget.'' We would come back and say, ''Well, we want to add this, what do we take out?'' And we would take something out. What we have here today is $12 billion as if it just flopped out of the sky; no effort to balance the budget, no effort to offset it with expenditures so we can all see where do you pick up the $12 billion that is needed for highways?

Everybody understands that highways are very much needed in America, but this budget, for the first time, will permit us to spend every cent of new taxes that comes into that fund every single year. We are moving in the right direction. Every cent of new gasoline tax that goes into this fund under this budget agreement will be spent in that year that it comes in, obligated during that year. That is a giant stride in the direction that we have been asked to go by many people in our country.

Frankly, every Governor in America sends a letter in. They want more money. And then some of them get up and criticize that we do not balance the budget right. The lead Governor in America, the head of the association, he wants every penny of highway funds, but this budget resolution just does not get the job done right.

The PRESIDING OFFICER (Mr. ENZI). All time has expired.

Mr. DOMENICI. I yield back the balance of my time, and move to table the amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—51

Allard	Coverdell	Gorton
Bennett	Craig	Gramm
Biden	D'Amato	Grassley
Bond	Daschle	Gregg
Breaux	Domenici	Hagel
Brownback	Durbin	Hutchison
Campbell	Enzi	Kohl
Chafee	Feingold	Kyl
Cleland	Feinstein	Landrieu
Cochran	Ford	Lautenberg
Collins	Frist	Lieberman
Lott	Murkowski	Santorum
Lugar	Nickles	Smith (NH)
Mack	Reed	Smith (OR)
McCain	Roberts	Snowe
Moseley-Braun	Rockefeller	Stevens
Moynihan	Roth	Thompson

NAYS—49

Abraham	Graham	McConnell
Akaka	Grams	Mikulski
Ashcroft	Harkin	Murray
Baucus	Hatch	Reid
Bingaman	Helms	Robb
Boxer	Hollings	Sarbanes
Bryan	Hutchinson	Sessions
Bumpers	Inhofe	Shelby
Burns	Inouye	Specter
Byrd	Jeffords	Thomas
Coats	Johnson	Thurmond
Conrad	Kempthorne	Torricelli
DeWine	Kennedy	Warner
Dodd	Kerrey	Wellstone
Dorgan	Kerry	Wyden
Faircloth	Leahy	
Glenn	Levin	

The motion to lay on the table the amendment (No. 311) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. History was made with this vote, by two votes, and two votes in the House—that resonates all across this land. It is a wake-up call to all those entrusted with the responsibility of keeping America's infrastructure modernized and safe so we can compete in this one-world market. This is but the first of a series of battles that will be waged on this floor on behalf of America's transportation system. It is my privilege to be a part of that team.

I thank the Chair.

Mr. DOMENICI. Mr. President, I yield myself 2 minutes. I want to compliment those who offered the amendment for the way they have handled matters and to tell the same American people that were listening to the distinguished Senator from Virginia that there will be additional highway funding in years to come, there is no doubt about it, but it will not be done at the expense of unbalancing the budget. It will not be done at the expense of just saying we will spend some money even if the deficit goes up. I look forward to the day we do it in such a way that it is balanced and that, as a matter of fact, if we increase, we cut some things to make up for the difference so we stay in balance.

Mr. STEVENS. Will the Senator yield?

Mr. DOMENICI. I yield 2 minutes to Senator STEVENS.

Mr. STEVENS. As chairman of the Appropriations Committee, I want to tell the Senate that those of us who are voting against some of these amendments are doing it because there is no money to fund these sense-of-the-Senate resolutions. I say to any of you that want to offer amendments that change this budget, that authorize additional funds—show me the money. Show me where the money is when you offer amendments that change the budget plan agreed to with the President.

I have discussed this with the distinguished Senator from West Virginia. We will have the obligation to allot money within the budget among 13 subcommittees. A sense-of-the-Senate resolution does not give us any more money but it gives us the problem that you have sent a message to America that there is money in this budget to do something the Senate votes for in a sense-of-the-Senate resolution.

When the budget resolution, just before, was voted I asked for a chance to come to the floor again, and I ask for you to reserve some time and we will show where a commitment has been made by the Senate to fund items where there is no money. I urge the Senate to wake up. We are voting against these matters not because we are against highways or aid for children who need insurance. We are voting—the Senators from New Mexico and New Jersey have brought us a resolution. We had a budget that has been worked out with the President and we have a chance to vote for a balanced budget. I do not want to be accused of being a tightwad when we allocate the money under 602(b) of the budget act and then we do not cover the sense-of-the-Senate Resolutions.

Again, if anyone is going to accuse us of being tightwads and not following the sense of the Senate, I tell you, if you vote for one of these things, you show us where the money is and we will allocate it. We will not be misled by these attempts to gain publicity and to gain some credit at home on a bill like this. This is a very serious bill. The two of us are going to have a horrendous job trying to meet our duties even within this budget, so do not give us any more of this funny money. You show me real money and I will allocate it to your function.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. I yield.

Mr. BYRD. Mr. President, I wish to associate myself in considerable measure with the distinguished Senator from Alaska [Mr. STEVENS]. We have been voting for a lot of sense-of-the-Senate resolutions. I think we had one yesterday, 99–0. We know it is not going to be paid for.

On this business about infrastructure, we hear it said that there is no money. I am from a State that needs infrastructure. We say there is no money. I shall state why I supported the Warner-Baucus amendment. We do not need a tax cut in this country right now. We do not need a tax cut. I say that with respect to the Republican tax cut and with respect to the tax cut that is supported by the Administration. We do not need a tax cut. When we see what we are doing in this budget resolution with respect to cutting taxes—cutting taxes at a time when we are within reach of balancing the budget, if we were to use that money that is going for the tax cut, we would balance this budget much earlier than it is expected to be balanced now and we could also use some of that money for infrastructure. If we want to know where we

can get the money, that is where it can be found. Let's vote against the tax cut.

I am going to vote against this resolution if we have the tax cut tied with it.

I thank the distinguished Senator.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Jersey.

Mr. LAUTENBERG. I yield myself 2 minutes off the resolution.

Mr. President, I don't like being put in the position that appears to be developing here, that I am against investment in infrastructure. I stand on my record of having fought as hard as anyone in this body to invest more money in highways, in mass transit, in rail and aviation, whatever was called for. I never met a transportation project I didn't like if it was a well-founded and well-thought-out project. But the insinuation by our distinguished friend from Virginia to caution us and to lay down the scare that we will be counted upon or we will be looked upon by the Record and by the voters, I want to say this: The Senator from Virginia took the liberty yesterday of voting against the funds for crumbling schools, against schools that are tattered and falling apart, where children can't possibly learn. That was OK to vote against. And the appeal wasn't made, and there was no threat that if you vote against this, you are committing those kids to an even more difficult assignment to try and lift themselves up.

I have defended investments in transportation as chairman of the Subcommittee on Transportation of the Appropriations Committee. Without fail, I have defended investing more. But the onerous comparison is that we neglected our responsibility. It is almost as if you are unpatriotic.

I don't really like everything in this budget resolution. But I am committed by my constitutional responsibilities. If I take the assignment, I have to work on it. We negotiated in good faith, and I don't like some of the tax concessions we have in there. But I think middle-class people in this country are entitled to some tax relief. I think those who want to send their kids to college are entitled to some help to get them the first step up on the economic ladder.

No, I don't like it all. But I have my duty to do, and I did it. It wasn't pleasant. It wasn't pleasant when I went into the Army in World War II, either, but I did it. And the insinuation that somehow or other I have deserted my responsibility is one that really offends me.

We did what we thought was best, each one of us, whatever the vote was.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Mr. KERRY. Mr. President, it is my understanding that I was to be able to call up an amendment at this time.

Mr. LAUTENBERG. That is in the order. That is true.

Mr. KERRY. Mr. President, before I use any of that time, just as a matter of courtesy and parliamentary process, my distinguished colleague is also standing for recognition.

If I could ask the Chair what the Senator's intent might be, we might be able to work out an arrangement.

Mr. DORGAN. Mr. President, my intention, having talked to the ranking Member, was to seek 10 minutes for debate on the resolution. Whatever fits with the schedule of the Senator from Massachusetts will be fine with me.

Mr. LAUTENBERG. It is a commitment that was made, I say to the Senator from North Dakota. But the Senator from Massachusetts did have a priority and was on record as being next in line. If an accommodation can be made between the two—if not, the Senator from Massachusetts has an opportunity to offer an amendment.

Mr. KERRY. Mr. President, I ask unanimous consent that the Senator from North Dakota be permitted to proceed for 10 minutes, and subsequently, when he completes, that I be recognized for the purposes of calling up my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I thank the Senator from Massachusetts for his courtesy. I wanted to speak for a couple of minutes on the resolution itself that is brought to the floor of the Senate. I want to talk just for a moment about what it is and what it is not.

This piece of legislation is a budget agreement that I intend to vote for on final passage. I think a substantial amount of work has been done by the chairman of the Budget Committee, the ranking member, and many others in the House and the Senate and in the White House. They have negotiated in very difficult circumstances the terms of a budget agreement. But, as I said, I want to talk about what this is and what it is not.

This is a budget agreement that provides a balanced budget of the unified budget. Is that something that has merit? Yes, it is. Is that something that moves in the right direction? Yes, it does. But it is not a balanced budget amendment that balances the budget without the use of trust funds, such as the Social Security fund. I want everybody to be clear about that.

On page 4 of this budget resolution, which is on the desks of all Senators, it says ''deficit.'' On line 24, it says ''deficit'' in the year 2002, ''$108 billion.'' Why does it say that?

It says that because this piece of legislation balances what is called the unified budget. Many of us believe there is another step to be taken after that. That is to balance the budget without the use of trust funds, especially without the use of Social Security trust funds.

For that reason, I voted for the initiative offered yesterday by the Senator from South Carolina. It got very few votes, I might say. But he said, let us balance the budget and not do tax cuts and not do added investments at the start so that we balance the budget completely without using the trust fund, and then, as the economy strengthens and as we have extra money, let us provide for the tax cuts and let us provide for the added investments. Obviously, that proposal failed.

I will vote for this budget agreement. But it is not truly a balanced budget. It moves in the direction, and it moves the right way. But it will leave this country, still, with a deficit. That must be the next step following action on this document.

There are several steps here in climbing a flight of stairs to get to the point where we make real progress. One step we took in 1993. I was one who voted for the budget in 1993. I am glad I did. I said at the time it was a very controversial vote. It passed by one vote in the U.S. Senate—a budget agreement to substantially reduce the Federal budget deficit. It passed by one vote, the vote of the Vice President of the United States.

Some paid a very heavy price for that vote because it was controversial. It cut spending. And, yes, it raised some taxes. But what was the result of that vote in 1993? The result was a dramatically reduced budget deficit.

In that year, the unified budget deficit was close to $290 billion. Again, using the unified budget, the Congressional Budget Office now says the unified budget deficit is going to be, at the end of year, $67 billion.

What has caused all of that? Well, a good economy and a 1993 budget act that a lot of people here had the courage to vote for, that passed by one vote, that says, let's put us moving in the right direction; let's move us in the right direction to substantially reduce the budget deficit. And only with that vote, and only with the progress that came from that vote, are we now able to take another very large step in moving toward a balanced budget.

What was the result of that vote? It was interesting. We had people in 1993 on the floor of the Senate who said, if you cast a ''yes'' vote and pass this budget, the economy will collapse; the country will go into a recession; it means higher deficits and a higher debt; it means the economy goes into a tailspin.

It passed with my vote—and, yes, the votes of some of my colleagues who decided to say to this country that we are serious, that we are going to move this country in the right direction even if the choice is painful for us to cast this vote.

What happened? What happened was 4 years of sustained economic growth, inflation coming down, down, down, and down, and unemployment coming down and down for 4 years in a row. We have more people working. This country now has 12 million more people on

the payrolls that we did in 1993. We have an economy that is moving ahead, a deficit that is moving down, and inflation that is at a 30-year low.

I wonder if those who predicted doom from that vote now won't join us and say, ''You did the right thing. It wasn't easy to do. But because you did it, we stand here today now able to take the next step.'' The next step is a step in which we now try to choose priorities.

What do we make investments on in our country, and where do we cut real levels of spending?

That is what this document is about. It is a compromise between Republicans and Democrats, between a President and Congress, that tries to establish priorities. Frankly, while it reduces spending in some areas, it cuts out entire classes of spending in others. It also increases some investment in spending in yet other areas.

What are those? Education: It makes a lot of sense for us even as we attempt to move toward solving this country's fiscal problems to say that we don't solve the problems of the future by retreating on things like educating our kids.

So this piece of legislation says education is a priority—more Pell grants, more Head Start, more investing in education, from young kids to college age and beyond. It says we are going to invest in education.

Then it says the environment and health care. It says these areas are priorities. They are areas that make this country strong, and we will continue to invest in those areas even as we move to reconcile our books so that we are not spending more than we take in.

That is why this is important, and it is why it is successful. I am pleased, frankly, after all of these years, to be on the floor of the Senate saying this is something that is bipartisan. Finally, Republicans and Democrats, rather than exerting all of their energy to fight each other and beat each other, are deciding there are ways that we can join each other and pass a piece of legislation that moves this country in the right direction. I think the American people probably think it is a pretty good thing that bipartisanship comes to the floor of the Senate in the form of this budget resolution.

I started by saying I would talk about what this is and what it isn't. I am going to vote for this. It moves this country in the right direction. It preserves priorities that are important to preserve, and investment in this country's future. It represents a compromise. Many of us would have written it differently. We didn't get all we wanted. But it moves this country in the right direction while preserving the kinds of things most of us think are important as investments in our country's future.

This is not a balanced budget, not truly a balanced budget. It balances something called the unified budget. But it is a major step in the right direction. I hope we will take the next step beyond this to say that, on page 4 of the next budget resolution, line 24, we will say ''zero'' in a future year. That is when we will truly have completed the job.

But the choices here are not always choices we would like. The choice that we now ask ourselves is, does this move us in the right direction with respect to the things I care a great deal about—one, fiscal discipline; a more deficit reduction; investment in education, health care, the environment—things that make this country a better place? The answer, unequivocally, is yes. This moves America in the right direction.

Is it an exercise between the President and Congress, between Democrats and Republicans, that will give this country some confidence that the past is over, that the reckless, the irresponsible fiscal policy of saying let's spend money we don't have on things we don't need and run up trillions and trillions of dollars of debt for our kids and our grandkids to assume? Is it a message to the American people that we are beyond that period and have moved on to a new day of bipartisanship to decide together we can plot a better course and move this country toward a brighter future? The answer to that is yes.

If the past is any experience, since 1993, the vote we took then to put us on the road to balancing this budget is a proud vote and one that I am glad I cast. I will be glad I cast this vote as well, because this is the next major segment of the journey to do what the American people want us to do on their behalf and on behalf of so many children who will inherit this country. They will inherit a better country because of what we will have done in this Chamber this week.

Mr. President, I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, it is my understanding that we have under normal regular order an amount of time at this point.

The PRESIDING OFFICER. That is correct.

Mr. KERRY. I thank the Chair.

I yield 4 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator has no time. The Senator hasn't called up his amendment.

AMENDMENT NO. 309

Mr. KERRY. I call up amendment No. 309.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], for himself, Mr. ROCKEFELLER, Mr. KOHL, Ms. MOSELEY-BRAUN, Mr. WELLSTONE, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BINGAMAN, proposes an amendment numbered 309.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. KERRY. Mr. President, I now yield to the Senator from Minnesota 4 minutes.

Mr. President, before I yield let me just take 1 minute to explain. This is an amendment to hold out a possibility—I yield myself such time as I may use—to hold out the possibility that when we come back in the appropriating process, we may be able to find some money to deal with the issue of early child development. We do not spend money now. We do not trade money. We do not have an offset. We do not spend. We simply want to be able to reserve the capacity to come back at a later time to deal with this issue. I will explain why I feel that is so important, as do the other Senators joining me. This is an amendment that is cosponsored by Senators KOHL, MOSELEY-BRAUN, WELLSTONE, ROCKEFELLER, MIKULSKI, MURRAY, and BINGAMAN.

I now yield 4 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 4 minutes.

Mr. WELLSTONE. Mr. President, I will be very brief.

I see the Senator from New Mexico.

Mr. DOMENICI. Will the Senator yield?

Mr. WELLSTONE. I will be pleased to yield

Mr. DOMENICI. How much time is the Senator going to use in total? I am trying to be accommodating. Use as much time as you like. Do we have any idea?

Mr. KERRY. Mr. President, I cannot tell the Senator precisely, but I can absolutely tell you I am going to yield back time. I think it will be somewhere in the vicinity of a half-hour.

Mr. DOMENICI. My problem is, Mr. President, I have to go to an important meeting with the minority and the majority leaders, and I have not had a chance to speak to the Senator about this amendment. I want to speak to him about it. I am wondering, if the Senator does use his whole half-hour, could we then get another amendment ready and call it up and set the amendment aside?

Mr. KERRY. I will be delighted to set this aside for whatever period of time the manager would like. I do want to engage in a dialog on it.

Mr. DOMENICI. Will the Senator agree when he is finished——

Mr. KERRY. I will agree to request that this be set aside.

Mr. DOMENICI. When the Senator is finished, will he suggest the absence of a quorum and I will return as soon as I can?

Mr. KERRY. Mr. President, I will be happy to agree with the Senator from New Mexico.

Mr. DOMENICI. Then I ask unanimous consent that when they are finished with the argument, the quorum call be called for and I will then attend the meeting and return as quickly as I can.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. We cannot do that. We all understand.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will have an opportunity to have an amendment and speak on it a little later this afternoon, so let me be very brief.

I rise to support this amendment that Senator KERRY has introduced. I think more than anything else it is an amendment that almost asks us to engage in some reflection. It does not call for spending any additional money. It asks us to pause and think deeply about our priorities and at least consider the possibility that we might eventually be able as we go through this reconciliation process to make some significant investment in these very critical and very important early years.

As a former college teacher, and I think more importantly as a parent and grandparent, I am absolutely convinced from my own experience and from spending time in a school in Minnesota about every 2 or 3 weeks during the school year we have to get to the point where every child who comes to kindergarten has been read to widely, that we have to get to the point where every child who comes to kindergarten knows the alphabet and knows how to spell his or her name, knows colors, shapes, and sizes. And we have to get to the point where every child who comes to kindergarten comes with that sort of wonderful readiness to learn.

The critical challenge for all of us, which kind of speaks to what we are really about, speaks to what our goodness is, is to make sure that each and every child enters kindergarten with this wonderful readiness to learn. The problem is that for all too many children this does not happen. I am sure that Senator KERRY has referenced so much the neuroscience evidence that is coming out now. I think we know what to do. I do not think it is true we do not know what to do. And we just have to get it right. There is sort of an interconnection of the nutrition part and the health care part and the intellectual development and child care part and we have to do much better for children in this country.

Hopefully this amendment will be an amendment that will generate bipartisan support. I think it is a plea. I think it is a call upon all of us to reflect. It is an effort to say to all of us, think deeply and let us, at least, hold out the possibility as we move through this reconciliation process we can invest in these children and their opportunities.

I yield the floor.

Mr. KERRY. Mr. President, I thank the Senator from Minnesota not just for his support for this but especially for his long-term commitment to it and his enormous understanding as a former teacher of how important these ingredients are.

Mr. President, I yield 5 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 5 minutes.

Mr. KOHL. I thank the Senator from Massachusetts.

Mr. President, I rise today as a supporter of this budget and as a cosponsor of the Kerry amendment.

This budget deserves the support of the Senate for several reasons. It is bipartisan and it is centrist. It funds priorities like education and child health that transcend party lines. It includes reasonable tax relief targeted toward families and economic growth. It balances the budget by the year 2002 and it produces surpluses to reduce the debt in the years after that.

This good deal will be made better by adopting the Kerry amendment which makes clear the Senate's commitment to very young children. A compelling amount of research on the brain has confirmed what scientists have long talked about for years, that the most significant period in a child's development is between the years of zero to 3. Unfortunately, the Federal commitment to early childhood education has not caught up with our understanding of how important the first 3 years of life are. Early education and child care receive fewer resources for teacher training, salary, and even respect than the rest of the education system.

According to data compiled by the Rand Corp., while 90 percent of human brain growth occurs by the age of 3, public spending on children in that age range equals only 8 percent of spending on all children.

And so, Mr. President, we are clearly missing a unique opportunity. A look at the current Department of Education budget shows the stark funding disparity against early childhood education. Of $29.4 billion in current estimated education expenditures, only $1.5 billion or 5 percent is spent on children from birth to age 5. A new commitment to quality child care is a necessary response to the fact that children between the ages of zero and 3 are spending more time in care away from their homes. Almost 60 percent of women in the work force have children under the age of 3 requiring care. Many of these working families will not be able to find quality child care for their young children. And while Federal, State, and local governments have helped build a strong education system for 5- to 25-year-olds, care and education for zero to 5-year-olds is largely unstructured, undervalued, and scarce. Resolving this inequity will require solutions through the public and private sector.

I proposed legislation to encourage the private sector to invest in child care for their employees through a new tax credit. I intend to work with Senator HATCH who is the primary cosponsor of my bill to see to it that this important child care incentive is included in the overall tax provisions of the budget.

The amendment before us now would give us the opportunity under this budget to enhance innovative early childhood programs focused on the educational needs of children in the zero to 3 age group. This initiative does not earmark a specific amount of money. It does not create any new bureaucracy and it does not threaten this budget. So, Mr. President, a solid and sensible commitment to early childhood education specifically focused on children from zero to age 3 is long overdue. I urge my colleagues to support this amendment, and I yield the floor.

Mr. KERRY. Mr. President, I am particularly grateful to the Senator from Wisconsin for his support because as a supporter of the budget—and he has long been an advocate of balancing the budget and reducing the deficit—he has taken some tough votes in the Senate in an effort to do that, sometimes separating himself from colleagues on this side of the fence, but he is supportive of this amendment.

My hope is that colleagues on the other side of the aisle will not see this amendment as a threat but, rather, see it as an opportunity for us to simply reserve the possibility that as we go into the process of reconciliation we may find that revenue expectations are better or that we are in a better position to take money from some other program that people have thought differently about and invest some of it in early childhood development and education.

I have been working to try to develop a way to do that with Senator COATS from Indiana, Senator MCCAIN, Senator BOND, and Senator DEWINE. We have not yet resolved exactly the methodology by which we would want to do it, but I think it would be a mistake were the Senate to preclude the opportunity, to have potential points of order and all kinds of parliamentary gobbledygook restrain us from coming back to this if Senators on both sides of the aisle can find a good means of coming together on this. I think there are enough people on both sides of the aisle who recognize why this is important and why we ought to do it, but my principal objection to this current budget that is in front of us is the absence of a sufficient commitment to our children.

We hear an enormous amount of talk in and out of the Senate, all around the country, properly so, about the implosion of family, about the absence of family values, the absence of community in many cases in our life.

If you look at the statistics with respect to the increase of juvenile violence and you look at the statistics with respect to the condition of some of our education system and schools, if you look at the absence of after-school programs, the absence of sufficient drug treatment and other problems, it is clear that in many ways what we are doing is running a national farm system for the trouble spots. We are running a national farm system for young people to move up the ladder of difficulty, ultimately to become $50,000- or $80,000-a-year wards of the State.

Now, that is not an exaggeration. That is a reality that is documented by facts, implacable facts that none of us can deny. The truth is that since 1969, the gross domestic product of the United States has doubled, but in that same span of time child poverty has increased in the United States of America by 50 percent. As I stand here today in this Chamber, all of us know that there is a huge problem in America with births out of wedlock. Some people may say all right, what does that have to do with this budget and where we are heading?

We are living in an age where 33 percent of all the children in America are born out of wedlock. One-third of America's children are born into a single parenting situation. And in a world where 60 percent of the mothers of children from 6 on down are at work in the workplace, we have got to stop and think about what is the availability of surrogate parenting, of care for those children when they are away. What you know is that if 33 percent of your children are being born out of wedlock without even measuring the difficulty that many two-parent families have, you know that the vast majority of that one-third are born into a state of crisis, a very difficult structure for parents to adequately be able to teach and adequately be able to instill those children with the values we talk about.

Now, some people may say, well, that is going to happen automatically. The fact is it does not happen automatically. I just share with you the results of that.

In our country, while the stock market is at the rate of 7,290 or so points, while chief executives of our corporations are earning a record 200-plus times the average worker, while we have a record level of employment and a record level of control of inflation at least for some 30 years, we find that an American child drops out of school every 8 seconds; an American child is reported neglected or abused every 10 seconds, is arrested every 15 seconds, is born with a low birthweight every 2 minutes, born into poverty every 34 seconds, is killed by gunfire—an American child is killed by gunfire every hour and a half and commits suicide every 4 hours.

The costs to our society of these children who are being raised without adequate supervision, without adequate input, are simply enormous. Business Week estimated, in a study that it released recently, that we are spending $425 billion a year annually on crime in the United States. The total annual economic cost to society of drug abuse is $67 billion. So we are just losing $67 billion out the door as the cost of people who wind up being part of the drug culture, largely as a consequence of their lack of capacity to make a better choice.

We have learned a lot in the last years. I used to be a prosecutor and I spent a lot of time, and I still spend a lot of time, talking to young kids, 14 and 15 years old, or 16 years old, who are in trouble. Almost every kid I have ever talked to, once they finally get into some kind of mentoring program, once they finally have some kind of adult supervision in their lives, has said to me: Senator, this is the first time in my life that somebody has provided a structure for me. This is the first time in my life that somebody has told me I am valuable. This is the first time in my life somebody said I can be somebody, I can do something. It is the first time in my life I had to get up in the morning and do chores and be responsible for myself.

Inevitably, anybody of good sense is going to stand back from that and say, wait a minute, why are we waiting until they are 15 or 16 years old for kids to be able to say this is the first time these experiences, which hopefully most normal kids get all through their lives, are experienced?

I have sat with my friends on the other side of the aisle and we talk about this. We talk about, what do you do if 33 percent of your kids are born into a situation where it is almost predictable that they are going to have trouble? I respectfully suggest it is not enough to simply say, oh, it's individual responsibility. Oh, it's up to the parents. Because, obviously, these are situations where the parents have already failed and where there is no individual capacity to make a difference.

The question for all of us here is, who is going to make a difference? Or, are we going to be so blind, and even sometimes so stupid, that all we are going to do is wait until they come down that track, get into trouble, and we are finally going to make great speeches and say, throw the book at them, send them away.

We have learned a lot in the last years about the science of brain development and of children. It is not altogether new to all of us, because the fact is that pediatricians and people of good sense, child psychologists and others, have been telling us a lot of this for a long period of time. But what we now know scientifically is that the brain of a baby develops almost fully in the first 3 years—almost fully. The brain of a child, when it is born, has about 100 billion neurons in it and those neurons are rushing around, making the connections that empower that brain to be able ultimately to create the capacity to relate to people, to do certain tasks, to learn.

Mr. President, this is a CAT scan of two brains. These brains were originally shown to doctors and the doctors were asked, ''What do you see there?'' The doctors said, ''Well, those are the two brains; one is an adult's brain fully developed, and the other is the brain of an adult with Alzheimer's disease.''

They were wrong. These are both the CAT scans of 3-year-old brains, both of them. One is the 3-year-old brain fully developed, with the area of red, yellow and green which represents the full development of that brain. Here in the dark areas of this brain there is nothing. It is blank. The scientists now tell us that the brain of a 3-year-old, properly stimulated so those neurons properly make connections, will be 25- to 30-percent larger than the brain of a child that does not receive that kind of stimulation.

I want to read to you what that is all about. This is from ''Nightline.'' Ted Koppel did an interview with the doctors who were involved in this. I want to share with you what Dr. Stanley Greenspan at George Washington University says. He said:

> Well, what we've learned is that a lot of commonsense makes common sense, but we've added a few little twists onto common sense. For example, we've identified the six kinds of experiences in the early years that will help promote not just our intelligence, but our morality and our sense of self. It starts with a baby learning to pay attention. We figured out that babies attend differently. Some babies like high pitched sounds, some low pitched sounds, some bright lights, some dull lights. So now we can cater the experiences to the baby's senses.
>
> We've also learned that babies fall in love, the second step, differently. Some babies need to be wooed. We need to pull them in. We need to smile a lot. Other babies reach right out and charm us.
>
> The third step in the building of our intelligence and our morality and sense of self, learning to be logical. By eight months, babies are capable of give and take games with smiles and smirks and head nods and back and forth, but some babies we need to woo into these interactions.

He goes on to say that, later on, at toddler stage, babies learn to be problem solvers and that one can develop the intelligence much further by encouraging that child in that problem solving, and so forth.

Unfortunately, when so many of our children are born into this state of crisis, when so many of our children are even the sons and daughters of children, of 15- and 16- and 17-year-olds, they do not have a clue about these interactions. They don't understand what parenting is at that stage.

And if we are not going to inherit a significant number of those children as children with learning disabilities, children with health problems, children with sociopathic problems, with the inability to adjust, the inability to relate—then somehow, if we are going to come back from this precipice, I respectfully suggest to my colleagues we need intervention in the place of that incapacitated parent. In the absence of the parent, who is going to provide the structure for that child to have the values that all of us want that child to have?

I am not here to suggest it should be the Government. I don't want the Government to do it. We've learned a lot about the downside of that. I am not here to suggest that it ought to be another big Federal program. We've learned a lot about that. I am here to suggest that we have to create a new model, a new way to think about this.

I think Senator COATS and Congressman KASICH and some others have

thought about that a lot. But I do not happen to agree with their methodology of how they get the resources for it. I do agree with the notion that there are thousands of efforts out there in this country, Boys Clubs, Girls Clubs, YWCA, YMCA, the Youth Build, the ABC mentor programs, Success by Six, Smart Start—North Carolina, by Governor Hunt—a host of efforts that are proving their capacity to provide grassroots, local, home-grown efforts that make a difference in the lives of these children.

But every single one of them is drowning in the demand, and there isn't a sufficient supply. I was in an early infant toddler care center in Boston the other day, the Castle Square Child Development Center. There are about 67 children in there, early infant toddlers, getting this kind of input. But for the 67 that are in there, there are 400 on the waiting list. And those 400 will never cross the threshold of that place because they will be 6 years old before there is room for them.

What I am respectfully suggesting is that there is an ability for us to reduce these costs that we are spending on drug abuse, on imprisonment, on the violence in our streets, on the back end, and rescue a whole generation from this problem of lack of sufficient input at the early stage, if we would think about how to empower those local entities directly; not with big Federal bureaucracy, but directly.

Mr. President, in the last 10 years, we have taken our prison population in America from about 450,000 to 1.5 million. So we are filling up our prisons, and we are building more prisons. There has been, I think it is, a 248-percent increase in prison spending in the last few years. I want to show you the spending on children, because it is absolutely inverse.

This blue line represents the line of brain development. It goes up, obviously, dramatically in the first 3 years. It grows a little bit as you go on from there, and when you reach about 14 years old, it flattens out, regrettably, and then for all of us who are getting older, at the back end, it starts to tail down.

Mr. President, a 15-year-old's brain versus the brain of a child, a baby, the brain of the baby is growing 1,000 times faster than the 15-year-old. The brain of a baby is growing 10,000 times faster than the brain of a 50-year-old.

Here is the line of expenditure of the United States. We are spending exactly inversely to the most important years of brain development. We spend the most money at the very tail end; we spend the least amount of money up front.

I want to underscore what we are trying to do here. This is not coming to the floor with a specific program. It is not coming to the floor saying money will go to early Head Start or money will go to the charitable institutions I talked about, although I would like to see that happen. We are merely trying to reserve the capacity to be able to agree in the course of the next months that we will do something to address this vital issue. I am confident that we will be able to find a bipartisan place to begin in order to be able to focus on what really works.

I would like to see us at least have some pilot projects that invest in the capacity to put some leverage directly into those charitable institutions so we can see the grassroots do a better job at the local level of being able to reach out and intervene. It is my hope that colleagues will recognize the wisdom of at least reserving a place in line so that we can argue about this at a later time.

Mr. ROCKEFELLER. Mr. President, I thank the Presiding Officer and I thank the Senator from Massachusetts. I was listening to his speech. It was very interesting.

Mr. President, I should say at the beginning, I am an original cosponsor, of Senator KERRY's bill, and proud to be the second on a distinguished list. I think there is a tendency in this body, when we do something for children—let's say we do a tax credit or we do something in Head Start or where we do something in health care—to say that we made a dent and we can go on the next issue in the next year. I think of all the areas of life that we deal with in the Senate, that is the most inaccurate assessment and approach. When it comes to what our children need to prepare for their futures and what they are going to be like as adults, we need to follow through. And we must begin in the earliest years.

I spent a number of years in Japan. In Japan, when a baby is born, and while the baby is growing to a certain age, they do not have cribs. They do not have cribs, because in Japan the baby sleeps between the mother and the father. Why is that so? That is so because they, as a matter of culture and history and instinct, know that bonding has to start at the beginning. That is about the clearest form of bonding that there can be.

But even before that, there is a Japanese word called taikeo, in which the pregnant mother talks to—and this is standard in Japan—they talk to the baby in the womb on a regular basis. That would make a fairly strange sight, I guess, walking down the streets of Washington, DC, or West Virginia. But the Japanese understand something that Senator KERRY showed with his graphics there about the two brains, that we clearly don't. They understand when you are looking at the raising of children and their future, you have to take a holistic approach. You have to start with early childhood development. You have to follow through, and keep providing the support, education and development support. And you must keep at it. That is both enormously frustrating, but, in a nation which purports to care about its children, it is absolutely essential that we understand that helping children and strengthening families is an unending job. The work on behalf of children is never finished, no matter how much we do. In the private sector, as individual parents, it is not good enough. No matter what we do in the public sector, there will be more that could and should be done if we are serious about the real definition of children's future—and we must be for their sake, and the sake of our society.

I spent, as I have said before, as this Senator said before on this floor, 4 years as the chairman of the National Commission on Children. We took a comprehensive look at children's needs—income security, health care, education, values, and the effects of media. We did everything, and we came out of it with a unanimous report. I picked the name for the publication that we put out. I liked it. It was called Beyond Rhetoric. That is what we have to come to terms with in this body, that we are very good at the rhetoric. In fact, on children—our rhetoric tends to be more bipartisan than other subjects which is good. And we actually do some good things, insofar as the public has any role in that, as apart from parental responsibility and even children's responsibility to themselves.

But we are in a huge new world of responsibilities as parents, which I am as a private citizen and concerned father. I am also public citizen and a Member of the Senate. I have obligations to children as both a private citizen and member of my community, and as a public official as well. We are just not going to get off easily if we accept the challenge to move beyond rhetoric and really do something for children.

So I think on this floor, we are going to have to start thinking about those graphs, about those two brains. They are studies of contrasts—both kids' brains, one kid getting attention, one kid not getting attention. What a difference it makes.

I will say another final thing. We do not purport or believe that we are doing everything for the future now with this amendment. What we are trying to do here is a reserve clause to capture the attention of the people. An argument that gets used here often, but not very effectively, is extremely compelling in this case—we need to take action because of the children, but we also need to act to save money for the taxpayers in the future.

We hear that a lot. People discount it. They say, ''That's nice that for Head Start, you save $10 for every dollar you put in now.'' But, we have to spend the money now, to save the long-term costs of neglecting our children's early development. That is what our problem is. We are in a budget resolution here.

But in the case of children, we are talking about spending billions and billions of dollars more on crime and remedial education, if we do not do the right thing in the early years for children.

Senator KERRY has focused on the zero-through-6 period. He is doing that

with an intensity, with a passion which is absolutely unmatched and which attracted me. I tend to be a Member who votes against amendments on this floor to protect the integrity of this budget deal, which I think we have to adopt. But I feel so strongly that he is on the right track and he is doing the right thing and that I support the Kerry amendment. We have to learn to discipline ourselves to exempt children from the way we ordinarily look at problems: Pass legislation, get the private sector to do something, and then go on to the next thing. Children, their problems, their growth, their development are vital and with us forever. The time to start thinking about children and their futures is right now.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I am particularly grateful to the Senator from West Virginia. His work as the head of the National Commission on Children was absolutely extraordinary. It was way ahead of its time. I am very honored to have him working as part of this effort.

I just say to him that the example about Japan that he raised, that in 1965, when PAT MOYNIHAN first talked about 27 percent then known as illegitimacy in America, the rate of illegitimacy in Japan was 1 percent. It is now 33 percent overall in America; that is up from 27 percent. He was referencing only African-Americans. It is now 69 percent among African-Americans in America; 49 percent among the Hispanics; and 27 percent among the whites. It is still 1 percent in Japan—1 percent.

What is interesting is the Japanese have an adage that the Senator is obviously familiar with. They say that the soul of a 3-year-old will be with you for 100 years. They have been way ahead of us; they have understood that. I am particularly grateful to Senator ROCKEFELLER for his participation and effort in this.

Mrs. MURRAY. Mr. President, I rise to speak on a topic which significantly affects every citizen in America. An issue that has consequences for every child and parent, and tremendous bearing on our Nation's economic status and welfare—early childhood development.

Recent research has proven that an infant's brain initially holds approximately 100 billion neurons. However, without the proper care, nurturing, love, stimulation, and involvement of adults—which most of us were lucky enough to receive—these neurons will not make connections essential for healthy development. The amount of brain development which occurs between the ages of zero and 3 has enormous consequences later in a child's life. Children who are rarely touched develop brains 20 to 30 percent smaller than normal for their age. The 2-year-old girl whose mother is too preoccupied with her job to provide the proper care will not be as likely to develop to her potential. This child might feel deprived and angry. The good news is that if parents are given up-to-date information on how to promote brain development, they will be able to raise healthy children. The result will be more productive young adults.

Clearly, we must do something as a nation to provide help when help is needed. The most practical, ethical, and cost-effective way to solve such problems as a nation is to increase funding for early childhood development.

Mr. President, a person's brain develops the most rapidly between the ages of zero and 3, by 350 percent. Ironically, we spend the least amount of Federal money on children during this period, only 20 percent of the public expenditures from which they will benefit prior to adulthood. Between the ages of 3 and 18, however, while the brain develops by another 50 percent, public spending on children increases by 800 percent. We need to change this discrepancy. Parents need more and better information about how to best care for their infants. They need the tools to provide this care most easily.

With greater attention to early childhood development, we will spend less money on children later in their lives. National studies have found increased violence and crime among youth when they do not receive adequate developmental care as young children. Furthermore, greater attention to early childhood development will help children avoid falling through the cracks. It will help them succeed. They will make important contributions to our country—instead of possibly ending up in jail, institutions, or on welfare. The Early Childhood Development Act makes investments now that will benefit our society later by saving money, keeping us competitive, and preventing needless suffering.

I personally know that this is a worthwhile investment. As a preschool teacher 15 years ago, I saw children in need of nurturing. For some children, I was their only source of such care. I knew that my assistance was helping these 2- and 3-year-olds to lead productive adult lives. As a parent educator, I had information to give parents the tools they needed to provide the best possible environment for their children. All parents have something to gain from learning these skills—we just need to make the tools available to everybody.

Senator KERRY's early childhood development amendment puts us on the road toward this goal. The amendment gives grants to States to establish State Early Learning Coordinating Boards. These boards give grant funds to community projects for child care improvement, including parent education and involvement in schools. The amendment establishes forgiveable loans for child care workers, who earn a degree in early childhood development and agree to work in early childhood development for 2 years. This will not only increase general awareness for early child care, but it will empower individuals to access quality care. This amendment also expands currently successful programs. The Family and Medical Leave Act is expanded to grant parents time to become involved with school. Early Head Start will also have increased funding, which will improve health and nutrition services for low-income infants and toddlers. In addition, this amendment will fully fund WIC, ensuring that every mother has adequate nutrition—and a healthy baby. This will save taxpayers tremendous amounts of money in health care expenditures avoided.

A child learns more from its experiences in the first 3 years of life than at any other time, and the dollars we invest in early childhood now save billions later in welfare, emergency room, and court costs. I have seen a tremendous amount of commitment to children, by many caring adults, in my own experiences teaching preschool. But in order to make a real difference, we need a widespread sense of commitment to improve early childhood development services everywhere. We need a national strategy for informing parents, so they can send their children to the right child care providers, and take an active role in their development.

This amendment is a catalyst for all of these desperately-needed improvements. As policymakers, we must encourage and allow America's children to grow into healthy adults. We need to positively influence the lives of young people right now. Let us change the message we are sending to children, by investing in their futures.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the quorum call be charged equally off the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that my amendment be temporarily set aside and that the time remain as it is on both sides.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 331

Mr. BUMPERS. Mr. President, I call up amendment No. 331.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 331.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. BUMPERS. Mr. President, this amendment is very simple, and I will not belabor the Senate's time. It will just take me 4 or 5 minutes to explain it.

I have two amendments, incidentally, 331 and 332. I hope we can dispose of both of them right now.

Under this budget agreement, we assume $135 billion in tax cuts over the first 5 years of this budget. And of that $135 billion, $115 billion is in Medicare cuts.

Mr. President, I yield to the distinguished floor manager.

Mr. DOMENICI. Mr. President, I say to Senator BUMPERS, I inadvertently made a mistake. Our understanding was that we would just consider a Democratic amendment, and Senator SPECTER from the Republican side was entitled to make the next amendment, and then Senator BUMPERS was next. I think we knew that. It has been very difficult. Senator SPECTER has waited around a long time. I wonder if you would consider——

Mr. BUMPERS. Certainly I will accommodate the Senator any way I can.

Is Senator SPECTER here ready to go?

Mr. DOMENICI. We will send out word that if Senator SPECTER is ready, he should come down.

Mr. BUMPERS. I hope to dispose of mine before he even gets here.

Mr. DOMENICI. Maybe we can do that.

Mr. BUMPERS. I will proceed. If he comes, I will lay my amendment aside.

Mr. DOMENICI. I thank the Senator.

Mr. BUMPERS. So anyway, Mr. President, the budget resolution calls for a $115 billion cut in Medicare, ostensibly to provide some solvency in the Medicare trust fund.

The Finance Committee, in my opinion—in my opinion, we should not go forward with this budget and allow the people in this country who depend on Medicare for their very lives, we should not allow them to believe, as they have a perfect right to believe, that we are cutting $115 billion out of Medicare and, make no mistake about it, they will suffer.

We say we are going to take it out of providers', hospitals', and doctors' hides. They are going to take it out of the patients' hides and the patients are going to get fewer services.

So I do not want to go home and face my constituents and have them say, ''You cut $115 billion out of Medicare, and that's all laudable as long as it goes into the trust fund to make the thing more solvent. But did you do that, did you put this on the deficit?'' ''No.'' ''Did you put it on child health care?'' ''No.'' ''Did you put it into education?'' ''No.'' ''What did you do with it?'' ''We gave it to the wealthiest people in America in tax cuts.''

That is the accusation that every Senator should be prepared to face up to when he goes home this fall and in the election year next year.

So what I am saying is, it is a laudable thing to try to make the Medicare trust fund solvent, but what we are doing here is using that $115 billion to provide $135 billion in tax cuts. We say, ''Well, we're going to make up $50 billion of that; the net tax cuts will only be $85 billion.'' What I am saying in my amendment is we require the Finance Committee to come up with a total of $115 billion in offsets to offset what we are cutting Social Security by. Otherwise, we stand fairly accused of using Medicare funds to cut taxes for the wealthiest people in America.

Look at this chart. Here is the Medicare savings—$115 billion. That is the cut in Medicare. What we are going to do is we are going to use that as an offset to accommodate $135 billion in tax cuts. That is undeniable, unarguable, unassailable. We are using $115 billion of Medicare cuts to provide tax cuts.

So what I am saying is, let us instruct the Finance Committee not just to put the airline ticket tax in at $32 billion over the next 5 years, but come up with enough additional offsets to offset the entire $115 billion in Medicare savings. That is not hard to understand, Mr. President. I hope my colleagues will support this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS. If nobody wishes to debate that amendment further, I would like to call up amendment No. 330. I do not want to do this while the chairman's attention is diverted.

Mr. DOMENICI. I am sorry, I say to the Senator.

Mr. BUMPERS. I say to Senator DOMENICI, I will follow up with my other amendment and debate it right now unless you wish to speak on the one I just offered.

Mr. DOMENICI. The Senator wants to offer another one?

Mr. BUMPERS. Yes.

Mr. DOMENICI. Does the Senator reserve any time on the one he offered?

Mr. BUMPERS. I will be happy to have 10 minutes equally divided.

Mr. DOMENICI. On this one?

Mr. BUMPERS. I am finished on this one.

Mr. DOMENICI. You must have great confidence in it.

Mr. BUMPERS. I am hoping we can get back home and tell people how great it is.

Mr. DOMENICI. When Senator SPECTER comes, we will call on him.

I ask unanimous consent that we further set aside both the Kerry amendment and the Bumpers amendment No. 331 while Senator BUMPERS offers his second amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 330

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 330.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. BUMPERS. Mr. President, my second amendment is one I feel strongly about—both of these—but I want you to listen to this.

It would delay the tax cuts that are provided in this budget resolution. We are going to face all of this later on in the reconciliation bill. I know that. But what we ought to do is delay the tax cuts until the year 2002. All I do in this amendment is I strike the first $63.3 billion of tax cuts over the years 1998 to 2001.

You know what that does, Mr. President? It does not balance the budget in the year 2002. It balances the budget in the year 2001. Now, why would we not, after reading the paper this morning and seeing that the Treasury Department reaped a gold mine in April—the surplus in April of income versus expenditures was $97 billion.

CBO has now said that the deficit could be as low as $65 billion come September 30. That is a remarkable achievement.

On this floor in August 1993, we passed a bill called the Omnibus Budget Reconciliation Act of 1993. I regret, Mr. President, not one single Republican voted for it. You know what the effect of that was? I told the President as far as I am concerned that is going to be his legacy. All these other things he is trying to accomplish, they are all laudable. I have no quarrel with them. But 5 solid straight years of real budget deficit reduction is going to be his legacy.

But I will tell you how that legacy can be destroyed. That is to proceed with a budget that we have right here which cuts taxes by $135 billion for the wealthiest people in America, and revenues go down every single year—every single year. If we were to postpone these tax cuts until the year 2002, we could balance the budget in the year 2001.

Let me tell you something else. If we do not strike while the iron is hot, we are going to regret it. I promise you, the assumptions in this bill that our economy is going to be as hot as these assumptions say it will be over the next 5 years is a very dicey situation. We have already had an unbelievable prosperity for the past 6 years. Nothing looks like it since Eisenhower was President. To assume it is going to continue another 5 years is the height of folly. You cannot depend on this budget to balance anything unless you agree with those economic assumptions, and I do not.

I have spent 22 years in the Senate standing in this aisle, screaming my head off about budget deficits. In 1981, when Ronald Reagan was riding the crest the likes of which has never been seen since Franklin Roosevelt, the herd instinct swept through this body and all my screaming was for naught. It did not do a bit of good.

I said—and I will send anybody a copy of the speech that would like to see it—you pass this budget and you are going to create deficits big enough to choke a mule. You cannot cut taxes, increase defense spending and balance the budget any more than you can lose weight on five chocolate sundaes a day. That is the five-chocolate-sundaes-a-day diet. And that is exactly what we are coming back to.

What does it take to educate this body? If you do not learn from past experiences, what are you going to learn from? When Ronald Reagan left office 8 years later, the national debt—which at that time was $1 trillion and took 200 years to get to $1 trillion—when he left, all his 8 years later, it was $3 trillion. He had tripled the national debt because of the folly, the political folly, the political herd instinct that swept across this body in 1981.

I am proud to tell you, Mr. President—a little self-serving—I did not vote for it. There are only 11 Senators who voted against the tax cuts. There were only three Senators who voted against the tax cuts and for the spending cuts. We could have balanced the budget by 1985 easily if everybody had voted the way those three Senators voted.

So here we are, back at the same old stand: It did not work before, but it'll sure work this time. We will cut taxes, are going to cut taxes, going to increase spending, and bring you a balanced budget.

While the deficit goes from $67 billion anticipated this fall, the fifth straight year, from $290 billion in 1992—$290 billion—to $67 billion this year, 5 straight years of deficit reduction, what does this budget do? Why, it takes it back up to $97 billion next year and $97 billion the following year and $83 billion the following year and $50 billion the following year. Then the following year a $1 billion surplus.

I have some great land in the Everglades I would like to sell you if you believe that is going to happen.

Mr. President, all we have to do is vote very simply to postpone the tax cuts. I am not saying do not ever cut taxes. But you are either for cutting taxes or for balancing the budget, but you cannot be for both and be economically sound in the process.

So I am asking my colleagues to say, postpone the tax cuts until the year 2001 and balance the budget at the soonest possible date. Then you can argue all the other economic nonsense. But our first priority is to balance the budget. You are not going to do it with this budget. If you assume that the economy is going to stay like it is right now for the next 5 years—I do not know whether I will be here or not. I would just like to be around at the end of 5 years so I can say, I told you so. I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I say to Senator BUMPERS, I wonder if we could ask how much time the Senator used, and I would use the same amount of time, and then there would be no more time used.

Mr. BUMPERS. Mr. President, I will be happy to reserve 2 minutes.

Mr. DOMENICI. Two minutes.

Mr. BUMPERS. Of additional time.

If I may, Mr. President, I ask unanimous consent to add the Senator from Virginia [Mr. ROBB], as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, while I am having a great deal of difficulty discerning the difference between the two amendments, let me tell the Senate what I believe the sum total of the two amendments are.

The distinguished Senator from the State of Arkansas does not believe in tax cuts. It is just that simple. When you go to work on a budget, you ask the American people to let you reform some programs that are out of control, and you save some money.

When you ask the American people to let you reduce spending in some other areas, or at least keep it intact, when you do that, you come up with a surplus, and you say, we want to give that back to the American people. You know that is a tax cut.

We do not have any other way to give back to the American people what is theirs. We give the American people a lot of programs. But when you reduce taxes, you are giving them back what is theirs. They already earned it.

No matter how you cut it, both of these amendments—one says in this budget resolution you are permanently prohibited from giving any tax cuts. That is plain and simple. That is one of them. Now maybe my friend will explain it with relation to other things, but that is, plain and simple, what it is.

What we have done in the overall budget, we have restrained Government such that there is sufficient funding to give the American people a modest tax cut, a net of $85 billion out of a tax take in the trillions. It is not like we are giving them a huge tax cut. Well, let us give them something. Balance the budget and give them some kind of balance. What is the use of having a balanced budget if there is nothing in it for the people?

We are trying to get the economy running better, and to do that we want to get a balanced budget and to make sure the American people feel better about their day's work and their taking a chance on investing. You want to give them some back. To those mothers and fathers raising kids under 18 years of age, we would like to say to them, we understand your problem and we have enough savings in this budget we will give you a tax break. It is not pie in the sky.

The economic assumptions, and I know we are not supposed to talk about technicalities, but the distinguished Senator said he would not rely on any of these assumptions. Mr. President, let me tell you, there are literally thousands of American businesses who do economic planning, thousands of them, and the biggest of them in America rely on more generous economic assumptions than are in this budget resolution. The Office of Management and Budget has more generous economic assumptions. We have the most conservative set of economic assumptions you will find from any major institution or business in America. We did that because that is a way of saying if you should have a downturn, if you should have a downturn you have taken that into consideration by using very, very conservative economic assumptions. Nobody does it any differently. Nobody comes along and says, well, let's write a 5-year budget and in the third year, let's have a recession and plug it in. First, nobody wants to do that because they are frightened to death of such a concept, but what economists do is build in low economic assumptions. That is what we did.

Frankly, I do not want to be on the side that says there is no room in the Federal budget to balance it and give the American taxpayers a break. I believe there is. In fact, I believe, absent some untoward happening, something untoward happening, I believe we will be balanced ahead of 2002 because I believe the economic assumptions are so low that we will do better for at least 2 out of the next 4 years than are estimated here. I did not choose to put that in. I choose to use modest, conservative economic assumptions.

Now, the Bumpers amendment that tries to allude to Medicare has nothing to do with Medicare. The President of the United States joined with Democrats and Republicans and said to the senior citizens of America, we want to do something for you in this budget that is positive and good. Lo and behold, what we have done is make the Medicare trust fund solvent for 10 years. That is not bad. It is bankrupt in about 3 years if we do not do that. That is No. 1 on the positive side, we made it solvent for 10 years. We told the providers in America that they will get paid differently, and for the most part paid less. We told the Medicare people that run the program, give the seniors all kinds of options because there are options to get better service at cheaper rates. We also moved part of home health care out of the trust fund and said we will take care of it under a more generous program, all of which contributes to the senior citizens of America in a very mighty way.

Now nobody can kid anybody anymore. The tax cuts have nothing to do with that. Let me tell you, you wipe out the tax cuts—let's just do that. We will think it out here, take out the tax cuts. But also if you think through Senator BUMPERS's proposal—maybe we ought to wipe out all those reform measures that save money for the Medicare fund, or what I am saying in another way is that all of the savings for the Medicare goes back to Medicare. All of the savings for Medicare go back to Medicare. They do not go to taxpayers, they go back to making that program solvent. That is pretty logical, it seems to me, when you have done that, and balanced the budget and found room for a tax break.

We relish the idea of voting on these two amendments today. We Republicans want to vote on them. We hope a lot of people vote against it, but not a single Republican should. I hope they do not. Because what we are saying is, the modest tax cut in this budget resolution ought to be carried out, and it ought to be carried out in a manner prescribed in this budget resolution.

If I have additional time on the amendment, I reserve it but I do not think I will speak more than 1 minute on either of the two amendments. If Senator BUMPERS wants to use 2 minutes, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I remember a great lesson when I was a boy about Joseph having a dream. Everybody in this body knows the rest of the story. Joseph dreamed there was going to be 7 years of plenty and 7 years of starvation. So he told the King of Egypt, if you want to survive, you better start saving everything you can the first 7 years.

I want to relay that to every Senator in the U.S. Senate. I am telling you, if you have the 5 years, if you have the 5 years you are talking about here, do not assume that the deficit will continue to go down and we will start paying on the national debt, because we have never had prosperity for that length of time.

I give you Joseph's admonition: Strike while the iron is hot and while the economy is hot.

The Senator from New Mexico said I do not believe in tax cuts. I do not believe in using Medicare for tax cuts from the most vulnerable people in America, our elderly, who go to bed petrified every night fearing what their medical bills might be. I do not believe in using Medicare and I do not believe in tax cuts at the expense of balancing the budget.

Every poll I have seen has shown overwhelmingly that people will take a balanced budget to tax cuts, and that is the option. As far as my liking taxes or not liking taxes, the present small business exemption for people who invest in small businesses, which the President endorsed in 1993, was mine. I am the author of it, trying to help small business.

Right now, I have a bill up here in case we cut capital gains, and we are going to, to 19.8 percent—I reduced the capital gains on small business investments to half that, 9.8 percent.

Mr. President, I used to have a little dachshund, a female dachshund. Betty and I worshipped that little dog, but we had a problem. We could not train her, could not train her to go outside. The only perfect analogy to that is the U.S. Senate. We cannot seem to train the U.S. Senate that you cannot cut taxes and balance the budget. I do not care how many times we do it. We did it in 1981 and paid a disastrous price, and we are about to do it again, and we will probably pay another disastrous price. We cannot resist the siren song of tax cuts. Politically, it is wonderful to go home and say, ''Oh, yes, oh yes, I voted to cut your taxes, you bet.''

''How did you do it?''

And then you start obfuscating and trying to confuse the issue. You do not want to tell them you did it at the expense of a balanced budget.

Mr. President, this amendment makes eminent good sense and there is not a Senator in the U.S. Senate—I take that back, there might be a few—who does not know that what I am talking about is pure common sense. It makes common sense in your life. It makes economic sense for the Nation to save up and to balance the budget, something the people in this country have been yearning for as long as anybody can remember.

I have not announced whether I will run again or not. I do not mind telling you that two things that sort of make me want to be around here the next few years are that I would like to be here after investing 22 years in trying to balance the budget. I would like to be here when it happens. And the other thing I would like to be here for is when we change the way we finance campaigns. Why in the name of all that is good and holy we continue to cherish this absolutely outrageous system for raising money for campaigns, when every time you take a vote they rush and see whether somebody gave you money last year or the last time you ran, and how that affected your vote. Why would we not want to get rid of a system like that?

If anybody believes this great Nation, the greatest democracy on Earth, with the oldest Constitution on Earth, can continue to survive when the people we elect and the laws we pass depend on how much money we put in it, is daydreaming. It cannot last forever. Those are two things that I would give anything in the world to see happen before I leave the U.S. Senate.

So I plead with my colleagues, I plead with you, vote for common sense and vote to postpone these tax cuts and balance the budget in the year 2001. What is sacred about 2002? I have been hearing 2002 for I do not know how long. What is sacred about 2002? If you have a chance to do it in 2001, do it. That is what I am asking you to do.

I yield the floor.

Mr. DOMENICI. Has the time of Senator BUMPERS elapsed on the amendments?

The PRESIDING OFFICER. No formal consent——

Mr. BUMPERS. I am prepared to yield. I wish Senator SPECTER was here so we could get something going.

Mr. DOMENICI. We will be going, do not worry. We will be ready shortly.

AMENDMENT NO. 332 WITHDRAWN

Mr. BUMPERS. I have an additional amendment at the desk, I think 332, and I ask unanimous consent I be permitted to withdraw that amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 332) was withdrawn.

Mr. DOMENICI. The list is down to 70 amendments, I guess. I am just kidding.

Mr. President, I yield to Senator LAUTENBERG.

AMENDMENT NO. 330

Mr. LAUTENBERG. Mr. President, far be it for me to seek an argument with our distinguished colleague from Arkansas. I cannot argue the other side very effectively.

Tax cuts at this point in time, I do not think, are the best idea. What I think are some good ideas are the facts that we will, by virtue of this tax cut, we will be saving the middle-class families, those in more modest income circumstance. This will help pay for the insurance of your children. If they choose not to go to a 4-year college there is a program in here that will give them $1,500 worth of tax relief if their child wants to go to a 2-year college or a vocational school.

I find it hard to disagree totally with my friend from Arkansas. I do want to say this, and this may not be the appropriate defense, but I have to look at it as a member of the Budget Committee and also as a member of the Appropriations Committee as an advance toward something that we want to do. We would like to be able to pay down our deficit, and I think that one day in the not-too-distant future, half a dozen years, which is not much in the lifetime of a country, that we will be able to start paying down our debt, starting to relieve ourselves of the biggest costs we will soon have in the budget which is the interest on the debt. That will happen and it happens because there is a compromise that has been fashioned, and as usual, the compromise is a consensus of minds but not a consensus of hearts.

I do not really like everything that I am supporting here but there are things that I really love that I am supporting. I love the fact we will take care of 5 million children's health needs, and I love the fact we are not saying to those that are here legally if some accident or sickness befalls you that renders you disabled you will not be kicked off the rolls, which was an intent here for some time.

There is going to be some relief for the impoverished, up to 150 percent, approximately, of the poverty level for any increases in the part B premium necessary as a result of the switch from part A to part B of home health care. That will help make that part A more solvent. I think that is a worthwhile objective.

Meanwhile, we see that the economy is boiling, as you suggested, and that there is some hope that it will continue, and the economic assumptions, I think, are relatively conservative. So there is room to achieve the objectives that we want to without simply saying that the tax cuts are the thing that are driving this. That is not the case. The tax cuts are part of it. I do not approve of the tax cuts, either, but I voted for this bill because I think it is an essential part of getting our books in balance and working our way out of debt and not leaving our children with ever larger debts to pay off.

So while I agree with the Senator in principle, the fact of the matter is that I think we have a job to do here that robs us of some of the things we would like to see. I voted against investments in transportation. That was really painful for me. I voted against expanding programs for children. That was painful to me. I do not like doing those things, but I like doing the job here as conscientiously as I can, which is to say at some point we want to reduce our debt, we want to reduce our deficits, we want to invest in our society, but we do not want to continue to pay the incredible interest rates that we are forced to pay, something around $250 billion a year.

It is an outrageous thing for us to have to be subjected to. But we are trying to fix it. That is what this is about.

I hope that the Senator will try at another opportunity to make the adjustments that he is talking about.

Mr. DOMENICI. Mr. President, we are still on our side expecting Senator SPECTER to arrive. I assume Senator BUMPERS will not mind if we stack some votes, if we have him present his, and in due course we will get to his. Then I will have a chance to discuss further with the distinguished Senator from Massachusetts his pending amendment.

I want to close now on this note. I truly wish Senator BUMPERS would not have tied Medicare to this tax cut.

First of all, Mr. President and fellow senior citizens—I can say ''fellow senior citizens.'' I just turned 65 a few days ago. But the truth of the matter is we have far more savings from other accounts than the reforms in Medicare to pay for tax cuts. In fact, there are almost three times as many savings in the first 5 years from other sources—two times from other sources, and from the reform measures that are part of Medicare.

My last remarks are: If you wipe the tax cuts out of here, you still have to do all those things for Medicare to keep it solvent. You have to do those kinds of things or raise taxes, which nobody has suggested we do.

So, I close by saying I opt for a balanced budget that includes some tax relief. I am comfortable and confident we can do both this time. We have done much in moderation in this budget, which has caused some of our friends who want to do much more, both in cutting the budget and cutting taxes, to opt out of this agreement, not wanting us to pass it. But I think we have had a moderate approach to both sides. I for one hope both of these amendments get defeated overwhelmingly to show the American people that they deserve a tax break along with this balanced budget.

I am prepared now to move on to another amendment.

Did Senator BOND want to proceed?

Mr. BOND. I am ready.

Mr. DOMENICI. I am not aware that the Senator is next in line.

Is there any commitment on the part of the Senator that he is next in line?

Mr. BOND. That was my understanding.

Mr. DOMENICI. I think the Senator from Missouri was supposed to be after Senator SPECTER and after Senator ASHCROFT. But Senator SPECTER is not here.

How much time does the Senator want on his amendment?

Mr. BOND. Mr. President, there are a couple of people who want to speak. I think 20 minutes.

Mr. DOMENICI. Which amendment is the Senator calling up?

Mr. BOND. Disproportionate share of hospital payments, sense of the Senate.

Mr. DOMENICI. I hope that the Senator will take less time. We will accept the amendment.

Mr. BOND. We would like very much to have a vote on it. If they were stacked, that would be acceptable. But this one is a very serious matter to the States of Missouri, Texas, and Washington.

Mr. DOMENICI. I, once again, have put myself between a rock and a hard place because I thought Senator SPECTER would be next. We do not know who will follow him. I told Senator ASHCROFT he would be next.

Let's do it this way. I believe Senator SPECTER will be awhile arriving. So will the Senator let us go with Senator ASHCROFT, and then the senior Senator from Missouri would go next?

Mr. ASHCROFT. Yes. I yield to the senior Senator.

Mr. DOMENICI. I ask unanimous consent that the pending amendment be temporarily set aside so that we can proceed to Senator BOND's amendment.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Without objection, it is so ordered.

Mr. BOND. Mr. President, I thank the distinguished chairman. I know that this is an extremely difficult time. The analogy of loading frogs in a wheelbarrow is very apt when dealing with scheduling budget proceedings. The chairman has done an outstanding job.

AMENDMENT NO. 324

Mr. BOND. I call up amendment No. 324.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself, Mrs. MURRAY, Mr. GORTON, and Mr. ASHCROFT, proposes an amendment numbered 324.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

AMENDMENT NO. 324, AS MODIFIED

Mr. BOND. Mr. President, I send a modification to the desk and ask unanimous consent that the modification be included.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The amendment (No. 324), as modified, is as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING THE PROTECTION OF CHILDREN'S HEALTH.

(a) FINDINGS.—The Senate makes the following findings:

(1) Today's children and the next generation of children are the prime beneficiaries of a balanced Federal budget. Without a balanced budget, today's children will bear the increasing burden of the Federal debt. Continued deficit spending would doom future generations to slower economic growth, higher taxes, and lower living standards.

(2) The health of children is essential to the future economic and social well-being of the Nation.

(3) The medicaid program provides health coverage for over 17,000,000 children, or 1 out of every 4 children.

(4) While children represent ½ of all individuals eligible for medicaid, children account for less than 25 percent of expenditures under the medicaid program.

(5) Disproportionate share hospital (DSH) funding under the medicaid program has allowed States to provide health care services to thousands of uninsured pregnant women and children. DSH funding under the medicaid program is critical for these populations.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that the health care needs of low-income pregnant women and children should be a top priority. Careful study must be made of the impact of medicaid disproportionate share hospital (DSH) reform proposals on children's health and on vital sources of care, including children's hospitals. Any restrictions on DSH funding under the medicaid program should not harm State medicaid coverage of children and pregnant women.

Mr. BOND. Mr. President, in addition, I ask unanimous consent that Senator HUTCHISON of Texas be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, today I rise to discuss a sense of the Senate amendment on behalf of myself, Senators MURRAY, GORTON, ASHCROFT, and HUTCHISON, which simply states that ''careful study must be made of the impact of Medicaid disproportionate share hospital, or DSH, reform proposals on children's health and on vital sources of care including children's hospitals.''

It is our strong belief, and the sense of the Senate indicates, that any restrictions on DSH funding should not harm Medicaid coverage of children and pregnant women.

While I recognize and strongly support the need to control Federal spending, I am deeply concerned about the impact of billions of dollars in new Medicaid DSH spending reductions.

I know that my colleague, the distinguished chairman of the Budget Committee, can point to some States in which there may be disagreements about how the DSH payments were used. I don't say that there has been the same kind of usage of Medicaid disproportionate share payments in other States as there has been in Missouri.

But I do know from our standpoint that since 1981 the Medicaid DSH Program has enabled hospitals who provide care to a disproportionate share of low-income people to serve as a safety net for those with little or no access to health care.

In Missouri, the DSH Program has been a key variable in expanding health care coverage to thousands of pregnant women and children. More than a quarter of a million, more than 250,000, people have been served as a result of the DSH payments.

These payments have enabled my home State to successfully reduce the number of uninsured Missourians by enrolling them. It has improved access to health care services for those who remain uninsured.

In addition to using DSH funds appropriately, our State of Missouri also uses them efficiently.

For Federal Medicaid benefits plus DSH payments per beneficiary: The national average is $2,454; in Missouri the figure is $2,288 versus the national average of $2,454.

Overall Medicaid spending in Missouri is also below the national average. A recent report by the Kaiser Commission illustrates the efficiency of the Missouri program. Missouri spends $3,190 annually per Medicaid enrollee compared to the national average of $3,290.

Yet, reductions in the Federal DSH payments would be devastating for Missouri, a State which has used its Federal DSH dollars in an efficient, effective, and appropriate manner.

Anywhere from 56,000 to 348,000 Medicaid beneficiaries in Missouri could lose health coverage if the DSH reforms that have been publicized are enacted, and there is no compensating source of revenue funding for them.

President Clinton's proposal specifically would eliminate Medicaid benefits for 162,000 Missourians.

This is simply the wrong approach. Reducing DSH payments does not focus on cutting the fat in the Medicaid Program. Instead, it cuts crucial health care benefits for low-income pregnant women and children whose lives depend upon this critical coverage.

Yes, Congress should increase State Medicaid flexibility, as this budget resolution calls for. But we should not target DSH funding—funding which has allowed many States to expand health care coverage to our Nation's most vulnerable population.

Again, I reiterate that this resolution fully recognizes and supports the need for a balanced Federal budget. At the same time it guarantees that when working out the details of achieving Medicaid savings, Congress will have sufficient information to ensure that reforms in disproportionate share payments will not threaten low-income pregnant women and children, as well as providers of health care such as children's hospitals, public hospitals, and other safety net hospitals.

I look forward to working with the Finance Committee in the coming months regarding this issue, and I am confident that we can structure a plan that takes into consideration the health of our most vulnerable citizens.

I ask unanimous consent that several statements in support of this amendment be printed in the RECORD. I ask unanimous consent that statements by Lawrence McAndrews, president and CEO of the National Association of Children's Hospitals; Governor Met Carnahan of the State of Missouri; Douglas Reis, president of Cardinal Glennon Children's Hospital in St. Louis; Ted Frey, president of St. Louis Children's Hospital; and Randall O'Donnell, president and CEO of Children's Mercy Hospital in Kansas City be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY LAWRENCE A. MCANDREWS, PRESIDENT AND CEO, NATIONAL ASSOCIATION OF CHILDREN'S HOSPITALS

The National Association of Children's Hospitals strongly supports Senator Kit Bond's resolution on children's health and Medicaid.

He is absolutely right on all three counts. A balanced budget is very important to children. Medicaid is very important to children. And Medicaid disproportionate share payments are very important to children, especially the patients of children's hospitals and other safety net hospitals.

Medicaid is far more significant to children's health than most of us realize. It pays for the health care of one in every four children and one in three infants.

Medicaid and Medicaid disproportionate share hospital payments are far more important to children's hospitals than most of us realize. On average, children's hospitals devote nearly half of their care to children who are covered by Medicaid or are uninsured.

If it weren't for Medicaid disproportionate share payments, some children's hospitals could be in jeopardy. Even with such payments, Medicaid often does not pay enough to cover the full cost of children's health care.

For example, even with these extra payments, children's hospitals still average only about 80 cents from Medicaid for every dollar of health care they provide. Without them, they would receive closer to 70 cents for every dollar of care.

As a former CEO of Children's Mercy Hospital in Kansas City, I know just how important Medicaid and disproportionate share payments were to our ability to serve all of the children of our community, no matter how poor or sick.

Senator Bond's resolution fully supports the balanced budget. It simply makes sure that in working out the details of changes in Medicaid spending, Congress will have the information it needs to ensure that changes in disproportionate share payments will not jeopardize children or other safety net hospitals.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, MO, May 19, 1997.

Hon. CHRISTOPHER BOND,
U.S. Senate,
Washington, DC.

DEAR KIT: I write to inform you of my serious concern about the Medicaid provisions in the budget resolution.

As you know, the resolution calls for savings of around $17 billion over five years from the Medicaid program. It is presumed that this savings level would be achieved primarily through reductions in disproportionate share (DSH) payments to states. Such a plan could have a devastating impact on Missouri's Medicaid program, and more importantly, on the citizens of our State who rely on Medicaid to meet their health care needs.

Missouri runs a very well-managed and fiscally responsible Medicaid program. Our spending is frugal and already below most other states. In fact, Missouri's per capita spending on Medicaid for adults is the lowest in the nation. We are willing to swallow hard and do our share to balance the federal budget. But to disproportionately reduce the DSH program to achieve Medicaid savings, the federal government would merely be using DSH cuts to subsidize the cost of Medicaid in other states, many of which have chosen to develop overly generous and costly programs.

Medicaid has already made a massive contribution to deficit reduction. In February, the Congressional Budget Office lowered its baseline projections of future Medicaid spending by $86 billion. States are achieving these savings through implementation of a number of innovative measures such as Missouri's Medicaid managed care program, MC+. At the same time, we are considering expanding Medicaid to cover more uninsured. We want to continue making this progress, but we may be unable to do so if our Medicaid funding base is eroded through extensive reductions in the DSH program.

It is my understanding that a portion of the Medicaid savings called for in the budget resolution may also be achieved through a package of state flexibility initiatives. We will be working with the House Commerce Committee and Senate Finance Committee over the next couple of weeks in hope that they will craft a package of Medicaid savings that is both fair and responsible, and one that does not disproportionately harm the DSH program. I hope you will do all in your power to assist us in this regard.

Thank you for your attention to this extremely important issue for the State of Missouri. If I can provide you with further information, please don't hesitate to let me know.

Very truly yours,

MEL CARNAHAN,
Governor.

CARDINAL GLENNON CHILDREN'S HOSPITAL,
St. Louis, MO, May 21, 1997.

Hon. CHRISTOPHER S. BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: The officers and staff of Cardinal Glennon Children's Hospital support your amendment to express the sense of

the Senate regarding the protection of children's health.

As a provider of tertiary health services to a broad geographic region including metropolitan St. Louis, Missouri and Illinois, the disproportionate share funding under Medicaid is critical to our mission. Your efforts and those of your colleagues to sustain momentum in providing health care coverage to uninsured pregnant women and children is directly dependent on the expanded use of disproportionate share funding.

Thank you for your continued support for this important funding source.

Sincerely,

DOUGLAS A. RIES, FACHE,
President.

ST. LOUIS CHILDREN'S HOSPITAL,
St. Louis, MO, May 21, 1997.

Hon. CHRISTOPHER ''KIT'' BOND,
U.S. Senator
Washington, DC.

DEAR SENATOR BOND: Thank you for supporting fair and adequate Medicaid payments for disproportionate share hospitals (DSH). As you know, St. Louis Children's Hospital serves a patient population which consists of approximately 50 percent Medicaid patients. We have qualified as a DSH provider ever since the Medicaid program recognized the need for additional funding to those hospitals serving an extraordinary Medicaid and uninsured patient load.

We certainly agree with the Senate's observations regarding the high priority which should be placed on the health care needs of low income pregnant women and children. In Missouri, restrictions on Medicaid DSH funding would seriously impair our Federal Reimbursement Allowance (FRA) program. The FRA targets DSH payments to hospitals serving a high volume of Medicaid and low income patients. As Governor Carnahan points out in his May 19 letter, Missouri has made significant progress expanding Medicaid eligibility in recent years and we would hate to see our program threatened by proposals which may not have been carefully evaluated in terms of impact.

Please contact me if there is anything I can do to help and thank you again for your continued leadership on behalf of all children.

Sincerely,

TED W. FREY,
President.

THE CHILDREN'S MERCY HOSPITAL,
Kansas City, MO, May 21, 1997.

Hon. KIT BOND,
U.S. Senate,
Washington, DC.

DEAR KIT: On behalf of The Children's Mercy Hospital in Kansas City, Missouri, I wish to thank you for your resolution on children's health and Medicaid. The Children's Mercy Hospital recognizes the need to control federal spending, but we are deeply concerned about the impact of billions of dollars in new spending reductions in Medicaid, which would come on top of major savings states already have begun to achieve.

Never has the Medicaid safety net for children been more important than now. Without the Medicaid safety net, the numbers of uninsured children would increase dramatically. It is of paramount importance that any Medicaid proposal preserve a base-year formula that includes all ''disproportionate share hospital (DSH)'' payments in order to continue to serve all of the children in our community.

We applaud your dedication to children and the betterment of their lives. Your efforts will not only benefit the children of Missouri, but the children of the entire country for generations to come. Thank you for your continued support.

Sincerely,

RANDALL L. O'DONNELL, Ph.D.
President/Chief Executive Officer.

Mr. BOND. Mr. President, I yield the floor and reserve the remainder of my time.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Senator BOND has not yielded his time. Has he reserved?

Mr. BOND. Mr. President, I have reserved time. I see one of the cosponsors of the amendment on the floor. When she finishes, I would be willing to have this set aside to accommodate the Senator from Pennsylvania.

May I ask the Senator from Washington how much time she requires?

Mrs. MURRAY. I will only take 30 seconds.

Mr. BOND. I yield 1 minute.

Mr. DOMENICI. Mr. President, before we yield to Senator MURRAY, let me once again ask my friend, Senator BOND.

You know, we are reaching a deadline here with an awful lot of things that haven't been handled. From my standpoint, the way the Senator has accommodated his amendment in working with us is acceptable. I urge that he let us accept it at some point and not insist on a rollcall vote. I assume the rollcall vote will probably be 100 percent. But I don't think that helps the Senator any more. I am trying to tell him as clearly as I can that is not going to help him any more than if he lets us accept it. It is going to a conference which is on an expedited process. I want to help him. I am doing everything I can. I don't know if I want to go through a rollcall and then, you know, be very helpful after that.

I yield the floor.

Mr. BOND. Mr. President, I appreciate the good advice from my very wise leader on the Budget Committee.

The PRESIDING OFFICER. Who yields time?

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am pleased to join with my colleague from Missouri in offering this amendment. I have been extremely concerned about the impact of a $14 billion reduction in the disproportionate share hospital payments.

The Bond/Murray amendment sends a strong message to the authorizers that the health care needs of low-income pregnant women and children remain a priority in developing any DSH reform legislation. I am not opposed to reforming the program to ensure that payments are being targeted to those most in need, but we cannot allow reform efforts to threaten the delivery of care to our most vulnerable populations.

Massive changes in DSH implemented in order to be a deficit reduction target could jeopardize the ability of many hospitals, especially children's hospitals to serve low-income children, pregnant women, and the disabled. For many hospitals, DSH payments are the difference between solvency and bankruptcy.

As we all know, few States would be in a position to off set the loss of Federal DSH payments. Meaning that hospitals would have little choice but to eliminate or reduce services for the most vulnerable in our society. Without the flexibility of DSH, States cannot hope to expand Medicaid coverage for uninsured children or pregnant women. In addition, any efforts to expand Medicaid for HIV positive individuals in order to prevent the onset of full blown AIDS, could be impossible.

I am hopeful that the authorizers will carefully craft a reform proposal drive by policy, not just numbers. DSH is too important to allow simple numbers to be the guiding influence.

I urge my colleagues to support this amendment to send an important message that DSH reform should not result in the loss of health care coverage for children, the disabled and low income pregnant women. We need to use extreme caution to prevent any further eroding of health security for these vulnerable populations.

I thank Senator BOND for his efforts in bringing this amendment to the floor and I look forward to working with the authorizing committee in developing a fair and equitable DSH reform legislation.

Mr. DEWINE. Mr. President, I rise in strong support of Senator BOND's resolution, the sense of the Senate regarding the protection of children's health. While I believe that our children will be best served by a balanced budget, we also must ensure that this agreement sends a strong message that we must preserve the access of low-income children to quality health care.

May children's hospitals are designated as disproportionate share hospitals or DSH hospitals because they serve a disproportionate share of low-income children. DSH payments make a vital difference in the ability of hospitals to serve this population. They are a critical part of the health care safety net for vulnerable children.

For example, two of the largest children's hospitals in Ohio have informed me that approximately 40 percent of the children they serve are covered by Medicaid. Without the additional DSH payments, the ability of these hospitals to serve low-income children would be seriously impaired.

DSH payments are even more important to independent children's teaching hospitals that do not receive Medicare support for graduate medical education, known as DSH dollars. In fact, I'm working on a letter to the Finance Committee about this GME inequity now.

But my point here is that if DSH funds are cut from children's hospitals—that already are not receiving dsh funds—then these hospitals will

find it very difficult to provide quality care for poor children. Although we must balance the Federal budget, we also want this balanced budget to make children's health and well-being a top priority.

Senator BOND's resolution is consistent with that message. It recognizes how important a balanced budget is, and it recognizes that some changes in DSH payments may well be necessary. But, it also recognizes how important—within such a budget—DSH is to children's health. I strongly support the Bond resolution.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I do not want to get myself into another situation where I am confused. Senator BOND has a lot of time. Has he yielded his time?

Mr. BOND. Mr. President, I had several other cosponsors who wished to speak. I would like to reserve 5 minutes for them to speak and yield back the remainder of the time. In the meantime, until they come to the floor, I would be happy to ask unanimous consent to have the amendment temporarily set aside so I can confer with the chairman and give an opportunity for the cosponsors to speak.

Mr. DOMENICI. Could we establish this, however? Either before we accept the amendment, if that is the approach, or before we vote on it, if that is the approach, the Senator from Missouri would use 5 minutes immediately prior thereto.

Mr. BOND. I would be agreeable with that.

Mr. DOMENICI. I ask unanimous consent that that be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I understand that we could temporarily set aside the pending amendments and proceed now to Senator SPECTER, the Senator from Pennsylvania, for one of his three amendments. I understand that the Senator from Pennsylvania has agreed that the other two will not be called up.

Mr. SPECTER. Mr. President, the distinguished manager articulates it correctly. I will offer one amendment.

Mr. DOMENICI. Thank you, very much.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 340

Mr. SPECTER. Mr. President, I call up amendment No. 340.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 340.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. SPECTER. Mr. President, this amendment adds $1.1 billion to function 550, which is the health function, for fiscal year 1998, with an offsetting $1.1 billion reduction in nondefense discretionary functions, which would hold Federal agency administrative costs to 96 percent of the estimated 1998 level.

The offset constitutes a reduction in nondefense spending of four-tenths of 1 percent. This four-tenths of 1 percent could be accommodated by reducing administrative costs only 4 percent, so that the net effect would be to have Federal administrative costs reduced by 4 percent to 96 percent of the estimated 1998 level.

This amendment is being offered, Mr. President, because the Senate yesterday adopted, by a vote of 98 to nothing, a sense-of-the-Senate resolution to increase spending for the National Institutes of Health by $2 billion. And while that sounds good, to those who are unaware of the inner workings of the Senate, a sense-of-the-Senate resolution does not have any real effect but just says what we would like to have occur. This amendment will be directed toward having hard dollars placed in the budget resolution for the National Institutes of Health. I am offering this amendment on behalf of Senator HARKIN, Senator MACK, Senator D'AMATO, Senator JEFFORDS, Senator INOUYE, Senator COLLINS, Senator HUTCHISON, Senator FEINSTEIN, and Senator REID.

Mr. President, there is a general acceptance that the National Institutes of Health has been one of the real treasures of the U.S. Government, making enormous advances in the most dreaded diseases which we face today. There have been enormous advances in cancer, breast cancer, prostate cancer, enormous advances in Alzheimer's disease, cystic fibrosis, more recently in schizophrenia; a new generation of AIDS drugs are reducing the presence of the AIDS virus and HIV-infected persons to nearly undetectable levels, and the phenomenal work being done by the National Institutes of Health has led to a consistent rise in funding for that agency.

Since becoming chairman of the Subcommittee on Labor, Health and Human Services and Education, we have raised the funding for NIH by some $643 million in fiscal year 1996. We have raised the funding for the National Institutes of Health by $820 million in fiscal year 1997, but this year we are faced with a reduction in the health account. So that if this budget goes forward, and this budget signifies what funding will be available for NIH, there will be a cut in all health accounts and accordingly, on a pro rata basis, a cut on the National Institutes of Health.

The total allocation and funding for the health account, account 550, was frozen from last year at $25 billion, and in this budget it is in at $24.9 billion, or, as I say, a cut of some $100 million.

This is $400 million short of what the President's original budget mark was for 1998, and over $3 billion short for the 5-year budget period. The budget would cut the health account by some $2.2 billion through the year 2002. But, most importantly, from the point of view of what we are doing here today, we have the President coming forward with a budget increase of some $400 million, and this account is now cut by $100 million.

If this is left to stand, Mr. President, we will have the anomalous, or hard-to-understand situation where the Senate has said we ought to increase the National Institutes of Health by $2 billion, and then when it comes to my committee where I chair and have the responsibility for establishing the mark, suddenly we will find not only no money for an increase, but the account is cut by $100 million. So, on a pro rata basis, there would have to be a decrease.

We find this at a time when other accounts have increases in spending. Defense spending rises by $3.2 billion in fiscal year 1998; international affairs rises by $900 million in fiscal year 1998; energy rises by $400 million in fiscal year 1998; natural resources and environment rises by $1.3 billion for this year; commerce and housing goes up $300 million; education and training goes up $4.3 billion; administration of justice up by $1.4 billion, the general Government rises by some $800 million. But no one has come to the floor on any of these lines and has said there ought to be a $2 billion increase. The only line in the items which I have just spoken about would be defense. But for the National Institutes of Health, yesterday we had a spirited presentation with many speakers saying NIH ought to go up by $2 billion. The reality is it is all Confederate money unless there is some allocation which is more than a sense-of-the-Senate or our very best wishes but a specific amount which has a specific offset.

That is, in itself, somewhat of an oversimplification, but that is very close to the reality. The whole budget resolution, in a sense, is an expression by the Senate, by the Congress of what we ought to have done, contrasted with the specific appropriations bills which are then legislated and then ultimately signed by the President.

I conferred with the distinguished chairman of the Appropriations Committee after talking this over with the distinguished chairman of the Budget Committee, and Senator DOMENICI said, well, you better see how Senator STEVENS is going to respond to it. And Senator STEVENS says we need to have the hard dollars through the budget process. So that if the National Institutes of Health is to avoid having a cut, this amendment is going to have to be adopted.

It goes without saying that as one Senator who chairs a certain subcommittee, I am bound by the will of the Senate. If the Senate says in this vote that the National Institutes of Health is not to have an increase but, in fact, is supposed to have a decrease, to the various interest groups who want breast cancer to be funded, who want prostate cancer to be funded, who want Alzheimer's to be funded, who want heart disease to be funded, who

want AIDS to be funded, then I can say I went to the floor and I laid the case on the line—and I am not totally without experience as an advocate—and the Senate said, no, we are not going to increase the funding for the National Institutes of Health. I have a specific offset, and that is administrative costs that go down 4 cents on the dollar. I think that administratively you can cut 4 percent. It is four-tenths of 1 percent across all discretionary nondefense budgets, but it comes out of, could come out of 4 cents on the dollar on administrative costs.

If the Senate says that on Wednesday night we said put it up $2 billion, that is what we would like to see, but when the Senate faces the hard choice and has to put its money where its mouth is, a sense-of-the-Senate amendment is where the Senate's mouth is. This budget resolution is where the money is. If the Senate says we are not going to put our money where our mouth is, that is on the record. And when people say NIH did not get an increase, it is because the Senate turned it down.

So this is an opportunity for the Senate, bluntly speaking, to put its mouth where its money is. Mr. President, we have only 1 in 4 approved grants funded, and we have people dying as we speak from cancer, dying as we speak from heart disease, dying as we speak from many, many ailments. The National Institutes of Health has been our very best capital investment in the health of the American people.

That, in effect, lays it on the line in just a very few moments. So at this point I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so that I might present an amendment, which will only take 5 minutes, and then we can go back to the amendment, unless the Senator just wants to wait for someone else to speak.

Mr. SPECTER. Mr. President, I have no objection to my distinguished colleague proceeding.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? If not, who yields time to the Senator from Texas?

Mr. DOMENICI. Mr. President, I yield—how much time, I ask the Senator?

Mr. GRAMM. Five minutes.

Mr. DOMENICI. Five minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 320, AS MODIFIED

Mr. GRAMM. Mr. President, I send to the desk a modification to amendment No. 320. I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

If the Senator will withhold, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself and Mr. BOND, proposes an amendment numbered 320, as modified.

Mr. GRAMM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. . DEPOSIT OF ALL FEDERAL GASOLINE TAXES INTO THE HIGHWAY TRUST FUND.

(a) FINDINGS.—The Senate makes the following findings:

(1) Since 1956, federal gasoline excise tax revenues have generally been deposits in the Highway Trust Fund and reserved for transportation uses.

(2) In 1993, Congress and the President enacted the first permanent increase in the federal gasoline excise tax which was dedicated to general revenues, not the Highway Trust Fund.

(3) Over the next five years, approximately $7 billion per year in federal gasoline excise tax revenues will be deposited in the general fund of the Treasury, rather than the Highway Trust Fund.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions in this resolution assume that the Congress should in the extension of the Budget Enforcement Act, ISTEA reauthorization, appropriations acts, and in any revenue bills, that all revenues from federal gasoline excise taxes, including amounts dedicated to general revenues in 1993, should be dedicated to the Highway Trust Fund so that such taxes may be used for the purpose to which they have historically been dedicated, promoting transportation infrastructure and building roads.

Mr. GRAMM. Mr. President, I ask unanimous consent that Senator BYRD be added as a cosponsor to amendment No. 320 with a modification in its stated purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, we set up the highway trust fund in 1956, and from 1956 until 1993, every time we had a permanent gasoline tax, that gasoline tax as a user fee for use of the highways was deposited in a highway trust fund that was spent largely for highway construction, though in recent years some portions of it have been dedicated to other purposes like mass transit. But from 1956 to 1993, when somebody went to the filling station and stuck that nozzle in their gasoline tank and filled up their car or truck, they were paying a tax on gasoline that was used to build the roads that they would drive over using that car or truck.

In 1993, in the budget and subsequent tax bill that flowed from it, for the first time in American history since the adoption of the highway trust fund, we had a permanent gasoline tax of 4.3 cents a gallon that went not into the highway trust fund but into general revenues, so that for the first time since we set up the trust fund we had a gasoline tax that was adopted for the purpose of paying for general Government and not building highways.

We know from the vote in the House on the Shuster amendment, we know from the vote in the Senate on the Warner amendment that there is a strong belief that money collected on gasoline taxes ought to be used to build roads and it should not be taken to fund other programs of American Government.

I have put together and sent to the desk in my modification to amendment No. 320 a very strong sense-of-the-Senate resolution that simply makes note of the fact that this 4.3-cent-a-gallon tax on gasoline, which has been diverted for the first time ever from the highway trust fund, should be returned to the highway trust fund, and that as we move on to consider our Budget Enforcement Act, as we consider ISTEA reauthorization, as we consider appropriations acts, and as we consider other revenue bills, all revenues coming from a gasoline excise tax, including the 4.3 cents a gallon that currently goes to general revenues, should be deposited in the highway trust fund and should be used for the purposes that the trust fund has been historically dedicated to: building roads and paying for other modes of transportation. This is the first of many amendments that we will have, aimed at moving the 4.3-cent a gallon tax on gasoline out of general revenue, where it funds general Government, into the highway trust fund so that this roughly $7 billion a year can go for the purpose that the gasoline tax was collected. I know this is a controversial amendment in some areas, but I believe there is a strong consensus in Congress that we need to move in this direction. I do believe that later this year, when we do a tax bill, that this will be done. So my purpose here is simply to begin the process of putting the Senate on record.

Let me also say, and I discussed this with Senator DOMENICI, and I feel a little sheepish about doing it, but when we had so many people who felt so strongly about this issue, one of the things that I promised them was that they were going to get an opportunity to vote on it. So, what I would like to do is simply ask that this be put with another amendment, possibly a unanimous consent that this be a 10-minute vote following some other vote that we would have, so we might actually give people a chance to be on record on this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I cannot agree to the unanimous-consent request regarding the 10 minutes. Would the Senator leave that up to us as we schedule it? Does the Senator want to get the yeas and nays?

Mr. GRAMM. Yes.

Mr. DOMENICI. I ask unanimous consent it be in order we get the yeas and nays.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I ask for the yeas and nays.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. I thank the Senator from Texas. I intend to support his amendment.

The PRESIDING OFFICER. Who yields time?

AMENDMENT NO. 340

Mr. SPECTER. Mr. President, I ask Senator SANTORUM be added as original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time on the pending amendment?

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time on the pending amendment?

Mr. SPECTER. Mr. President, I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I want to inquire parliamentary wise, how much time does Senator SPECTER have remaining on his amendment?

The PRESIDING OFFICER. The Senator from Pennsylvania has 50 minutes remaining.

Mr. DOMENICI. How much?

The PRESIDING OFFICER. Five-zero, 50 minutes.

Mr. DOMENICI. How much time did he have for the amendment? I thought he had an hour. He only spoke 10 minutes?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. I am sorry. I thought he spoke much longer than 10 minutes.

Would the Senator agree to reduce his time to 30 and we will take 15 on our side?

Mr. SPECTER. I do.

Mr. DOMENICI. I so propose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I might inquire, the sequence has been somewhat misunderstood, but I think we are close to an agreement. If Senator ASHCROFT, from the State of Missouri, can agree to 30 minutes on his, then I would proceed to ask that he go next, and then Senator WELLSTONE go next; but in the event Senator WELLSTONE is inconvenienced for 5 or 6 minutes, that we do other business but not deny him the next amendment to be called up to be his, after Senator ASHCROFT.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, might I just inquire of the Senator from New Mexico, I believe my colleague from Missouri is planning to take the full half-hour?

Mr. ASHCROFT. That is correct.

Mr. WELLSTONE. I say to my colleague from New Mexico, I think I will be here. I thank him for his courtesy. If I am not, a 1-minute quorum call will do the job and I will be ready to go.

Mr. DOMENICI. We will send out word for you and we will give you a little time, because you accommodated us and I appreciate it.

Does the Chair have an inquiry of the Senator?

The PRESIDING OFFICER. The Senator yields the floor?

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER. Mr. President, I inquire of my distinguished colleague from Iowa, how much time he would like? The distinguished ranking member of the subcommittee on Labor, Health, Human Services and Education, former chairman of the subcommittee?

Mr. HARKIN. And the proud cosponsor of your amendment, I might add. How much time do we have?

Mr. SPECTER. We have 20 minutes left. Parliamentary inquiry, how much time does remain on my side?

The PRESIDING OFFICER. It is the understanding of the Chair that the request was for 30 minutes, equally divided.

Mr. DOMENICI. No, that was not our intention. I asked the Senator if he would agree with a total of 30 minutes, and then I would agree to 15 minutes.

Mr. SPECTER. That is correct. That was my understanding.

Mr. DOMENICI. And that is the consent. He has, whatever time he has used, the total he is going to get is 30 minutes on the amendment and I have agreed to reduce my time from an hour to 15 minutes in rebuttal. Is there something wrong with this that makes it complicated? I thought it is very, very simple.

The PRESIDING OFFICER. So the Senator from Pennsylvania has 15 minutes?

Mr. SPECTER. I have 20 minutes. Mr. President, the statement was made that I had spoken 10 minutes. Senator DOMENICI asked a few moments ago how much time remained on my account: 50 minutes, 5–0. I spoke for 10 minutes. I have agreed to speak for 30. So 10 from 30 would leave 20. Senator DOMENICI has agreed to accept 15 minutes. So the total time remaining would be 20 minutes on my side and 15 minutes on Senator DOMENICI's side.

The PRESIDING OFFICER. Then that will be the order.

Mr. HARKIN. May I have 10 minutes?

Mr. SPECTER. I yield 10 minutes to Senator HARKIN.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 10 minutes.

Mr. HARKIN. Mr. President, I am pleased to join my colleague, the chairman, Senator SPECTER, to support this important amendment. Yesterday the Senate went on record in support of doubling research at NIH with the adoption of the Mack sense-of-the-Senate amendment, a unanimous vote last time. This amendment that Senator SPECTOR is offering is a modest first step toward making good on that commitment.

Senator SPECTER said the amendment would add $1.1 billion to the health account to restore, first of all, the $100 million cut contained in the resolution and additional moneys to enable our subcommittee to provide adequate funding for NIH and other health programs. Without our amendment, it will be virtually impossible to provide even an inflation adjustment for medical research in the year 1998.

Mr. President, the resolution before us, despite the other merits, is, to put it kindly, extremely shortsighted when it comes to support for finding cures and more cost-effective treatment and prevention for the many diseases and disabilities that affect us. In so doing, it shortchanges our future, shortchanges Americans' health, and shortchanges efforts to control health care costs and keep Medicare solvent in the long run. At the same time we are shortchanging basic investments in health care, the Pentagon gets another multibillion-dollar increase. Here is a chart right here that will show you. Here is the shifting priorities. This is our budget agreement versus last year's spending.

Defense gets $3.2 billion more; health gets $100 million cut. Wrong priorities.

Another way of looking at it is to see what is happening with our spending on discretionary health funding. The President's budget had $25.3 billion; the 1997 budget was $25 billion; the budget agreement is $24.9 billion. That is where that missing $100 million is. We are going in the wrong direction in spending for basic research in this country.

Let me just give a couple of examples to show the folly of what we are doing. Last year, the federally supported research on Alzheimer's disease totaled about $300 million. Yet it is estimated that we spend about $90 billion annually caring for people with Alzheimer's. In other words, for every $100 we spend caring for people with Alzheimer's we are spending about 3 pennies on research for Alzheimer's. Supported research on diabetes is about $290 million a year, yet it is estimated we spend over $25 billion on diabetes care. Mental health, research is about $613 million a year, estimated $130 billion a year spent annually on mental health care.

So, these penny-wise and pound-foolish statistics are even more illogical

today. We are at a time of great promise. Just about every day we read about new discoveries and new breakthroughs, new therapies and new treatment strategies. We are making progress. But, while we aren't suffering from a shortfall of ideas, we are suffering from a shortfall of resources. I have often made this analogy, when it comes to medical research. It is like we have 10 doors and they are all closed. We want to find out what is behind those doors. If you look behind one door, the odds are 10 to 1 you are not going to find what you are looking for. Right now, we are funding less than 25 percent of the peer reviewed, accepted grant proposals at NIH. That means we may be looking behind door No. 1, but doors 2, 3, and 4 are still closed.

That is the odds. They are not good odds we are going to find the right treatments, strategies, cures, interventions. ''Let's Make A Deal'' had better odds than that. Maybe there is a cure for breast cancer behind door 3, or Alzheimer's behind door No. 4, or Parkinson's behind door No. 2, but we don't know because we aren't committing the resources to unlock those doors.

There is another impact that lack of medical research funding has. Young people, maybe looking ahead, thinking about pursuing a career in medical research, yet they see the resources are not there to let them do long-term research. So the doors are locked to the cures but so are the doors to careers.

Our lack of investment in research is discouraging people from pursuing careers in medical research. Here is a figure. The number of people under the age of 36 applying for NIH grants dropped by 54 percent between 1985 and 1993.

I know there are a lot of factors, but we believe that the lower success rate among all applicants is making biomedical research less and less attractive to young people. This amendment, by Senator SPECTER, provides a very modest downpayment on what is needed. It begins to put us on the right path, the path that we committed to last night unanimously by adopting the Mack amendment. This amendment today will have a real impact on efforts to support medical research. But let me be clear, even with adoption of this amendment we can't get the job done. The budget resolution before us makes it clear that the only way we can devote the resources we need to help research, to help health research and stop robbing Peter to pay Paul is by going outside of the regular discretionary spending process.

This resolution calls for $24.2 billion in discretionary health spending by the year 2002. That includes NIH, CDC, Community Health Centers, Older Americans Act, health professional training, maternal and child health care, and on and on. To double funding for NIH, as this body committed to do last night, would cost over $26 billion by the year 2002. That is $2 billion more than the entire health function is allotted by the year 2002.

So even if you eliminated all funding for breast cancer screening, Meals on Wheels for seniors, drug treatment, Older Americans Act, community health centers, and on and on, if you eliminated all of that, this budget resolution would still not enable us to meet the goal that we said last night by a vote of 98 to 0 that we wanted to meet by the year 2002, which is to double NIH funding.

The only way we are going to get this is through another mechanism. I believe the best other mechanism is called for in S. 441, National Fund for Health Research Act, that Senator SPECTER and I introduced. Basically, what this trust fund says is, look, we spend about $650 billion a year in health plans—Blue Cross/Blue Shield, Aetna, HMO's, on and on. All we are asking is that 1 percent, 1 penny out of every dollar that we spend on health care in this country, be remitted to a trust fund, just like a highway trust fund. Every time you buy a gallon of gas, you put money into the highway trust fund. It is like an airline ticket tax; you put money in to keep the airports going.

What we are saying is, it is unconscionable that we spend all this money in health care in America and we put nothing from that health care budget into research.

The bill Senator SPECTER and I have introduced, S. 441, will do that. It will take 1 penny out of $1 to put into a research trust fund, because if we do not do it, then all we did last night were just words, so much hot air. Ninety-eight Senators last night said they want to double funding for NIH by the year 2002. Let's put our resources where our mouths are.

The first step toward that is adopting the Specter amendment to at least meet the needs next year to make sure that we do not have this $100 million cut in health spending, and to make sure that we have higher-than-inflation-spending resources for the National Institutes of Health.

Mr. President, expanding our commitment to research will promote health care, control health costs, create jobs and strengthen our economy and competitive position in the global marketplace. This amendment is an investment in our future.

I urge the adoption of the Specter amendment so that we can meet—start to meet—what we said we were going to do last night when we adopted the Mack resolution.

I yield back whatever time I have remaining.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Parliamentary inquiry, Mr. President. When I suggest the absence of a quorum, how is that time charged?

The PRESIDING OFFICER. The time is charged to the Senator from Pennsylvania.

Mr. SPECTER. And when no one speaks and the Senate is in session, there is no quorum call, how is that time charged?

The PRESIDING OFFICER. Time is charged equally between both sides.

Mr. SPECTER. I do not suggest the absence of a quorum.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER. How much time remains?

The PRESIDING OFFICER. The Senator from Pennsylvania has 9 minutes, 36 seconds; the Senator from New Mexico has 15 minutes remaining.

Mr. SPECTER. I will not yield time but await response, if any, from the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to make sure my friend, Senator GRAMM, has 4 or 5 minutes, so will you remind me when I have used 5 minutes, and then I will yield as much time Senator LAUTENBERG needs and then withhold a few minutes for the Senator from Texas. If not, I will take it off the resolution.

First of all, let me say it is with great regret that I cannot support this amendment. It does not make any difference what the U.S. Senate said last night in a sense-of-the-Senate resolution. They expressed a wish, a hope. The truth of the matter is that we cannot afford this amendment, nor will it work as proposed by the proponents of the amendment.

First of all, it is without saying, that no matter what we do to try to add money to the function of Government that the two Senators who are proposing this control in the appropriations process, that the allocation of the moneys will be done by the chairman of the Committee on Appropriations. So, in a sense, we are going through an exercise as if we are really increasing NIH when we really are not. There is no doubt in my mind that if this amendment were to be adopted, that Senator STEVENS would not have any chance of being fair to all the rest of the parts of Government and take $1.2 billion and add it to this function of Government.

The second point is, just to be absolutely frank and honest, even if we did it and the chairman of the Appropriations Committee did not agree and did not put any money in, there is plenty of money in the subcommittee to increase NIH by $1.1 billion if the chairman and ranking member chose to do so. They will just have to do what all the other committees do; they will

have to reduce a lot of other spending within their committee to make an addition of $1.1 billion to NIH.

So, in a sense, this is like expressing a desire, but in this one, we actually change the numbers and presume that this is going to be what is going to be carried out. I do not think we ought to do that.

For Senators who would like to know what the effect of it is, because there is nothing free, you take $1.1 billion out of the rest of the functions of Government and here is what I assume: First, I assume that the agreement between the President of the United States and the leadership, with reference to preferential accounts, will hold, and that in the subcommittees, we will fund those items that are preferred. The distinguished Senator from Pennsylvania has a huge amount of money for these protected items, most of them in education, but I assume they are the largest number of protected accounts wherein more money is put in the subcommittee than any other subcommittee.

Having said that, I am going to assume in this explanation to the Senate that we protect all the other accounts we have agreed to protect, which are considerable. This small amount of money that they are talking about cutting, on that assumption, would yield cuts like this: Veterans, $190 million; WIC, $38 million; LIHEAP, which many around here worry about, emergency energy, $14 million; Social Security administrative expenses, $36 million.

Frankly, I do not think we ought to be doing that here today. I have the greatest admiration for the distinguished Senator from Pennsylvania, and, yes, indeed, he has done a marvelous job in seeing to it that he can push NIH up as much as possible, for which we are all grateful. And, yes, I will say he has been very helpful to the Senator from New Mexico, and I hope this debate on the floor will never change that. But I just cannot, in good conscience, let the Senate take $1.1 billion, which I assume is going to come from the unprotected accounts of this Government, and put them into the function that is called 550, where it could be spent for anything in that function. There is nothing we are going to do here today which says you put it in and it must be spent for NIH. The good judgment of the chairman and ranking manager will be what controls it. They could put more in education if they like and nobody could stop them.

Until the chairman of the Appropriations Committee looks at all the money available in the nonprotected accounts and determines how much he wants to give this subcommittee, we are not going to know how much the subcommittee has to spend, and I regret that, but I believe that is the case.

I do not think we ought to do this to the rest of the budget. Yesterday evening, when we debated the desire of the institution, called the U.S. Senate, to do more for NIH, you did not hear the Senator from New Mexico say, ''And that assures you in this budget we are going to change it by $1.1 billion,'' and had anybody asked me, I would have said it does not assure you of that. This budget is finished. That wish is in the future, and I think the proponent of that amendment knows we are not going to get there very easily doubling NIH. It is just we want to shoot for the stars when it comes to science research, especially biomedical research.

I yield the floor and yield whatever time Senator LAUTENBERG wants, and if we have a few minutes left, I will yield to Senator GRAMM.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Once again, Mr. President, I find myself on the opposite side of an amendment that, frankly, I would not mind supporting. I do not think we do enough to combat the diseases that plague our society, things that we could ultimately save, I think, a fortune with if we could develop some of the programs that are now kind of just showing up with a light at the end of the tunnel.

I met with a group of drug executives last week in New Jersey, and when they laid out the programs that are near completion—some of those are in testing now in FDA—and the prospect of saving costs for long-term diseases, whether it is Alzheimer's or osteoporosis and so many other things, it is a great advantage for us, both financially and functionally, as a society.

Because we are in this bind where the funds would come from functions like education, environment, crimefighting, frankly, I am going to have to oppose it. It is one of the tasks we inherit when we take on an assignment like budget, which was declared earlier in this Chamber to be one of the least popular assignments in the place. As a matter of fact, one Senator suggested that every Senator ought to have a sentence of 6 months on the Budget Committee to understand what it is like. Budget committees are fun when there is lots of money. When there is not much money, to put it mildly, it is a drag.

Mr. President, I yield back any time remaining.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from New Mexico has 6 minutes 30 seconds.

Mr. DOMENICI. I yield 4 minutes to Senator GRAMM.

The PRESIDING OFFICER. The Senator from Texas is recognized for 4 minutes.

Mr. GRAMM. Mr. President, I am in favor of doubling funding for NIH, and I am going to vote for it. When the appropriations bill comes to the floor and we are shooting with real bullets, as I like to say, I am going to offer this amendment if nobody else does. I think we ought to vote on funding NIH, but I want to make it clear that we are not voting to fund NIH here. We are voting to give the Labor-HHS Subcommittee another $1.1 billion, with no guarantee where that money is going to go.

I would like to make this point: There is no program under their jurisdiction that is more popular than the National Institutes of Health. The National Institutes of Health is going to end up getting this $1.1 billion no matter what we do here, but if we did transfer this money and if the Appropriations Committee actually decided to do it, something we cannot mandate they do, what we are doing is larding the very social programs that make up the biggest growth in this budget.

The President of the United States said, in one of his most honest statements, this budget provides the largest increase in social spending we have had since the 1960's. The point is, most of those programs are under the jurisdiction of the Labor-HHS Subcommittee, chaired by the distinguished Senator from Pennsylvania. All we are asking is that we not give that subcommittee more money; that they have to set priorities, and if we are for the National Institutes of Health, we have to decide that there are other programs that are less important than it is.

I remind my colleagues that the discretionary allocation alone to the Labor, Health and Human Services Appropriations Subcommittee is going to be at least $60 billion.

The National Institutes of Health gets about $13 billion. So we could quadruple funding for the National Institutes of Health in 1 year if we were willing to take it away from other programs.

So I am glad we are voting on this amendment now because when we have this appropriation come to the floor of the Senate, if NIH does not have this money and nobody else on the committee and no one who is on the subcommittee offers an amendment to give it to them by taking it away from other social programs, I intend to offer the amendment to see that NIH gets the $1.1 billion.

But let us not today give the fastest growing part of the domestic budget, Labor, Health and Human Services, another $1.1 billion with no guarantee that we are protecting the National Institutes of Health but every guarantee that we are larding programs that many of the Members of the Senate do not even support, much less do not support giving more money to.

So if you want to raise funding for NIH, vote for it when the appropriations bill is on the floor. But there is over $60 billion in discretionary funding under the jurisdiction of this subcommittee. If they want to quadruple NIH next year, they can do it.

But they have to do it the way families make a decision about sending their child to Texas A&M University. They have to say, ''Well, look, I wanted to buy a new refrigerator. That was great. I wanted to go on vacation. That

was even better. But I didn't do those things in order to send my child to college.''

If we want to fund NIH, let us fund it. And let us do it by giving less money to things that are less important. I think that basically is what this amendment is about. That is why I am going the oppose it.

The PRESIDING OFFICER (Mr. SANTORUM). Who yields time?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 9 minutes 30 seconds.

Mr. SPECTER. Mr. President, I will be interested to see when the distinguished Senator from Texas offers his amendment during the appropriations process what his offsets will be. On my time, I am interested to hear them now, if the Senator from Texas would care to give us a preview.

Mr. GRAMM. Well, let me say that I do not have the listing before me, but I can certainly tell you that it would be my intention to go through the list and to look at many of the areas where we are funding programs that are of a lower priority than the National Institutes of Health.

When a family decides they are not going to go on vacation, that is not because it is not important. It is just because they have other things that are more important.

Mr. SPECTER. Mr. President, I appreciate the answer from my distinguished colleague from Texas. But I ask him if he would cut the Social Security administrative costs which total some $6 billion or cut the Medicare administration costs or if he would cut the job training programs or student aid or Pell grants?

I understand that, in posing this question to the Senator from Texas, it is not possible for him to give a very meaningful answer without having the list before him, but I suggest at the same time that when he says we could quadruple the accounts because we have $60 billion; we had $74 billion last year and the funding was very, very short. And contrary to what the distinguished Senator from New Mexico says, that we are just talking about expressing a wish and a hope, that the accounts are going to be set by the appropriators, that really is not so.

When the chairman of the Appropriations Committee, the full committee, sits down for the 602(b) allocations, what the Budget Committee has done will be very, very important. When the Senator from New Mexico says that we can make allocations, yet at the same time has stated that there are protected accounts on education that cannot be utilized for the health account, it is just a little bit inconceivable to this Senator how the Budget Committee comes up with the 550 account which is less than a freeze on last year's account. The reality is that there will not be the funds for us to make an allocation for the National Institutes of Health.

If this amendment passes, there will be a statement from the U.S. Senate to the Appropriations Committee that there ought to be an increase by $1.1 billion, which will net out to about $1 billion for NIH, and that when you go through, as the Senator from New Mexico did, and specify what the costs will be other places, that it is doable to have a cut of 4 percent in administrative costs. The administrative costs are $25 billion today. Nobody can tell me that you cannot cut 4 cents out of a dollar on administrative costs.

What we did last night in talking about a $2 billion increase for NIH is ''talking about it.'' What we are doing now is putting our money where our mouths were last night.

If the Senate votes this down, then there is a ready answer that this Senator will have because I have the responsibility as chairman, Senator HARKIN has the responsibility as ranking member, of saying what we are doing. On this date of the record, it looks like there is going to be a $2 billion increase.

How does the American public, how do the people understand what the sense of the Senate is? You say it is the sense of the Senate. Is there a sense? Yes, there is a Senate. Does the Senate have any sense? Well, not really if you pass a sense-of-the-Senate resolution which does not mean anything; $2 billion. Does the Senate have any sense? Well, not if you pass a sense-of-the-Senate resolution which is vacuous and meaningless.

This is the money. Where is the money? It is in this amendment. If you do not pass this amendment, fine. I have a way to tell the people who want breast cancer to be financed, there is not the money. The Senate voted no. I have a way to say to the people who wanted money for mental health, there is no money to increase mental health.

The fact is that there has to be a pro rata cut. You have less in the 550 health account. There is no way to have an increase for inflation. Now, if that is sense, then the Senate does not have any sense.

How much time remains, Mr. President?

The PRESIDING OFFICER. Four minutes thirty seconds.

Mr. SPECTER. I yield 2 minutes to my distinguished colleague from Iowa.

Mr. HARKIN. I will try not to take more than a minute.

The Senator from Texas said, if I heard him correctly, that we can double in 1 year the funding for NIH if we would just set our priorities straight.

Mr. SPECTER. If the Senator will yield for 1 minute?

Mr. HARKIN. Sure.

Mr. SPECTER. He did not say, ''double.'' He said, ''quadruple.''

Mr. HARKIN. In 1 year?

Mr. SPECTER. In 1 year. That is what he said.

Mr. HARKIN. I thought it was double.

We are spending about $13 billion a year at NIH.

Mr. SPECTER. Four times 13 is $52 billion, and we have $8 billion left over according to the $60 billion figure. But we only have worker safety and child care and education.

Mr. HARKIN. I ask if the Senator from Texas would amend his statement in the RECORD and provide us with a table. If the Senator from Texas says we can quadruple spending for NIH, please tell us how. Please put in the RECORD for all to see what the Senator from Texas would like to cut in order to increase that kind of funding for NIH. If he does not, well, then the words are just words; they do not mean anything.

So I challenge the Senator from Texas to back up his words with examples of where we are going to get the money to quadruple in 1 year funding for NIH.

Lastly, let me just say, again for the record, there has been some talk we put the money there, but we don't know where it is going to go. We offer the amendment as chairman and ranking member of the subcommittee as cosponsors. We have the votes on his side and our side to make sure that is where the money goes, to NIH. There should be no doubt in anyone's mind that that is where this money is going to go.

I thank the chairman for taking the lead on this.

Mr. SPECTER. Mr. President, beyond the assurance as to where the money is going to go, there is money there, so that if there needs to be a reallocation, there will be some funds that can be allocated.

The subcommittee has the responsibility for job training, student aid, Pell grants, LIHEAP, the Center for Disease Control, child care, Social Security administrative costs, Medicare, and a long list of items which have very, very high priority. And when the Budget Committee returns to the health account less money than it had last year, obviously, there is no money for NIH because the other items have been cut to the bone as it is.

The last 2 years Senator HARKIN and I consolidated or eliminated 134 programs to save $1.5 billion to put into NIH and to put into education. And the additional funds here are on projected programs.

So it is a very clear vote. It is a vote as to whether we want to put our money where we spoke so eloquently last night on $2 billion or whether we want to have NIH unable to have an inflation rise and, in fact, have a pro rata cut.

How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator from Pennsylvania has 1 minute 22 seconds.

Mr. DOMENICI. Is the Senator finished?

I yield 2 minutes to Senator GRAMM.

Mr. GRAMM. Mr. President, I want to go back to this issue a moment because I think it makes my point. I was thinking in terms of yesterday in talking about $60 billion for this subcommittee. They are now up to $74 billion. They blew through $60 billion in a hurry, and then another $14 billion.

My point is this—and I stand by the point—if they wanted to give this project more money, they could do it. But the point is they have got to take it away from somebody else. Actually, they could increase it fivefold. I was being overly conservative, as usual.

But let me just give you an example. I do not have the list in front of me. I will have to have the list when I offer the amendment on the floor to provide this money. I will have to cut some.

Let me give you one example. $491 million for Goals 2000. Maybe local education could do without Federal Government telling them how to run the primary and secondary schools. Maybe we could sacrifice and not obligate that $491 million of budget authority. That would be about half of the way home toward meeting this goal.

So I just begin with that one example. I will start that out of the bidding process. You can have all $491 million of that project. My guess is with the list before me, in another 45 seconds I could probably come up with the other funds it would be required to do this.

But the point is, not that it is easy, not that you want to do it, but the point is, their argument is sort of like the parent saying, ''Well, you know, I'd really like my child to go to college but, you know, I've got to buy a new refrigerator. We have been planning to go on vacation.'' The point is, families make those decisions; why cannot Government?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SPECTER. Mr. President, if it were the old U.S.S.R., and Senator GRAMM were Premier Stalin, he could cut the $400 million for Goals 2000. That happens to be one of the President's premier projects. Every time you turn around within that item, there are matters which are very, very important to someone.

But I will await the vote. I will abide by the will of the Senate. I will be fascinated to see Senator GRAMM's amendment.

I yield the floor.

The PRESIDING OFFICER. Does the Senator yield back his remaining 50 seconds?

Mr. SPECTER. Mr. President, not until I hear what Senator DOMENICI says.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield myself 3 minutes. What I do not have I will take it off the bill.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I guess I would like to once again compliment the sponsors and certainly indicate that I have great respect for their desire to fund programs like NIH.

But I tell you, fellow Senators, to say you are going to go across the entire budget of the United States and you are going to get rid of some administrative costs and then you are going to take those administrative costs and you are going to put them in this subcommittee so it can spend it on NIH is a pipe dream.

There is not going to be any 4-percent cut or 2 percent, whatever it is, in overhead unless it is made by each subcommittee who is doing that. What this amounts to is deciding here on the floor of the Senate that all of the other subcommittees of the U.S. Senate that handle everything from the Department of the Interior to Veterans—in fact, if I were the chairman of the Veterans' Subcommittee I would be here on the floor and I would say, ''I don't think the U.S. Senate has given the veterans enough.'' I would ask John ASHCROFT, ''Will you help me? Why don't we just say, let's cut overhead and give the veterans $5 billion more? After all, they're preferred people in America.''

Boy what an amendment that would make up here at the desk. Who is going to turn it down? It does not cost you anything—does not cost you. Of course it costs you something. Huge numbers of other programs are going to have to be cut. All I am suggesting is, we ought to wait for the appropriators to make that decision.

I think I am glad we stopped the amendments and there are not any more. I would look at very popular programs and send the subcommittee chairman over here and say, well, let's just cut 8 percent out of the Subcommittee on Health and Human Services, the one they are adding to, and just cut 8 percent out of overhead, and stand here and tell the Senate, well, we did not hurt anything in the subcommittee; we took 8 percent out of overhead and put it in the veterans.

Maybe you can think of a good one, or maybe you can think of a good one. I gave you some ideas, but I do not want you to do that. I tell you, that is what this amounts to. What we ought to do is leave it up to the appropriators as we have in the past.

It has been said that the Budget Committee's numbers are important as to how they allocate. Let me tell you, sometimes I am pretty puffed up about this process. Other times I wonder what in the world am I doing working so hard at this process. The truth of the matter is, in the last 14 years, the appropriators have used the allocations of the Budget Committee how many times, would anybody think? Once. One time Senator Mark Hatfield said, ''I am brand new at this job as chairman, so I am just going to take your allocations and just accept them.'' Boy, that did not last very long. By the next year, they figured out what their allocations ought to be and that was the end of that, and they probably departed from it by $5 billion. In other words, they moved it from here to here but stayed with the total.

I think we ought to stay with the totals. Frankly, I hate to do this because I am a strong supporter of NIH. In fact, I may very well urge that Ted STEVENS put more money in NIH when we look through all the accounts of Government and see how we can fit it. I do not think it is fair to come here and say it is not going to cost anybody anything, it is a tiny bit of overhead. The other phrase we used to use is ''fraud and abuse.'' The best fraud and abuse salesman around here was Senator Dennis DeConcini. He used to come down here at the end of the whole process and say, ''I am not spending anything. I just want to tell the Government to save $600 million on fraud and abuse,'' and he would write up an amendment, fraud and abuse, take the $6 million, put it in the subcommittee, and say we will spend it there, and everybody went home and he got a press release. The truth is, nobody found the $600 million or the $400 million in fraud and abuse, and so what happened, another committee has to eat it.

That is what we are asking to do here. I do not think that is the way to do it. We will have a little more time spent on this amendment before we finish here today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I am delighted I did not have an offset here on fraud and abuse. I have an offset on administrative costs.

As the distinguished chairman knows, there has to be an offset. I chose an offset which I think is realistic. When the distinguished Senator from New Mexico says the appropriators are going to do whatever they want to do, I wonder why we are here at all. Why have we been spending the last 2 days on a budget process that does not mean anything? The fact is that it does mean something.

When the Senator from New Mexico says, call on the subcommittee chairman of Veterans' Affairs, how about the chairman of Veterans' Affairs? I chair the Veterans' Affairs Committee. Let me tell you, it would be a boon to that committee to have this researched.

Now the question is whether there is going to be any sense of the Senate at all, and if there is, this amendment will be adopted.

Mr. DOMENICI. I understand this amendment will be stacked in the normal manner that we are planning, or if we have not gotten that agreement, we have a number of amendments we will stack by unanimous consent soon. But we have another amendment to call up, and I ask whatever the pending amendment is, that it be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 322

Mr. ASHCROFT. I call up an amendment numbered 322, and I ask unanimous consent that Senators MCCAIN and INHOFE be added as original cosponsors, and Senator GRAMM is now reflected as a cosponsor of the amendment, but, if not, I ask his name be added.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT] for himself, Mr. GRAMM, Mr. COVERDELL, Mr. ABRAHAM, Mr HELMS, Mr. FAIRCLOTH, Mr. MCCAIN and Mr. INHOFE, proposes an amendment numbered 322.

(The text of the amendment is printed in the RECORD of May 21, 1977.)

Mr. ASHCROFT. Mr. President, I rise today with an open mind, for I have not yet decided how to vote on the budget resolution before the Senate. I understand and I appreciate that we should not let the perfect become the enemy of the good. If I forget that, the leadership and the Senator from New Mexico will be quick to remind me, I am sure.

Having been a Governor, I understand that budgeting requires choices, choices that will not satisfy everyone but should benefit everyone. Like Senator BOND, who served as Missouri Governor before me, I balanced eight budgets in our State of Missouri, working with our State legislature. The economic results were a strong, growing economy, more jobs, low taxes, and the Nation's highest bond ratings. We developed a record of which we could be proud in balancing the budgets. We developed a rainy day fund, several hundred million dollars in the cashflow operating reserve.

But the State law that we had equipped us with the necessary tools to balance our budget. We had a constitutional provision and requirement that we balance the budget. We had the line-item veto. We had the requirement and the power to balance our budgets and then the tools to enforce our agreements. We worked with good people who had good intentions, and we reached good agreements. But we also had a good process to ensure that our agreements were kept.

I have only been in the Senate for a relatively short period of time, but it seems to me there is no shortage of good people with good intentions here in Washington. What disturbs me is that here in Washington we do not have good processes in place to ensure that the budget agreements we make 1 year will be kept the next year. Particularly, we lack the right kind of mechanical structural devices in Government to make sure that the budget agreements we make in one year, like 1997, would be kept in the year 2002.

You can believe in and trust the people who reach disagreement in good faith, and I do believe in them and I trust in them. But the history of failed budget agreements and the continuous deficit spending without enforcement measures makes a mockery of good people and it makes a mockery of good intentions. We need more than good intentions and good people. We need good guarantees. We need strong enforcement provisions. We need the limits contained in the agreement to make sure that the agreement is not broken.

We have heard a lot on the floor of Senate that if you do this to the budget, it will be a deal-breaker. Well, I want to make sure that we add some enforcement so that we have a deal-keeper. I hope that there will not be folks anywhere in this Chamber who say that because you have an enforcer of this agreement that it is a deal-breaker. It would be awfully difficult to hear people argue that anything that forces us to keep the agreement breaks the agreement. I think what we have here is the need for a deal-keeper and a deal-keeper cannot be a deal-breaker.

Most of the people who are involved in the debate might not be in office 5 years from now. The President certainly will not. So if we expect to balance the budget, we need a principled process, we need the structure of protection to be added to this agreement. We should not trust the next generation's future to a handshake agreement between people who will not even be around when the real crunch time comes. That would be the triumph of hope over experience.

For me, a balanced budget in the year 2002 is worth voting for, but good intentions are not enough to be worth voting for and good intentions alone will simply not protect us until we get there. The budget resolution which we have before the Senate today claims to reach balance by the year 2002. The American people will furnish every single dollar that is taxed and spent under this budget deal. I believe they are entitled to the very strongest possible guarantees, guarantees that promises made under this deal today will be promises kept tomorrow. People outside the Washington Beltway have a healthy skepticism of promises to stay on course for a balanced budget.

The amendment which I have introduced and which I am introducing with those other Senators whose names have already been recited enforces the assurances that the leadership is promising under this plan. It does not change the bipartisan agreement between the President and the constitutional leadership. It simply adds additional enforcement mechanisms to ensure that the Nation actually reaches balancing its budget by the year 2002.

Now, if we are truly committed to balancing the budget, we must have adequate enforcement mechanisms. This amendment ensures that any legislation, any legislation would be out of order if it caused total outlays to exceed total receipts for the year 2002, or any fiscal year thereafter, unless three-fifths of the whole number of each House provide for a specific excess of outlays over receipts by a rollcall vote. Under this amendment, any legislation would be out of order if it caused an increase in the public debt above the levels in the fiscal year 1998 budget resolution for fiscal year 1998 through 2002, remaining at the 2002 level thereafter unless three-fifths of the Members of each House provided for such by rollcall vote. Under this amendment, any legislation would be out of order if it caused an increase in revenues unless approved by a majority of the whole number of each House by a rollcall vote. That is the requirement for an absolute majority in the event of any increase in taxes.

Now, over the past 30 years Congress has not been very good at exercising self-control in budgetary matters. We need these enforcement tools to lock in our commitments to the American people to balance the budget by the year 2002. Senators should recognize these concepts which I have just mentioned. The fact that it would be out of order to increase the debt above the levels in the agreement, it would be out of order to have outlays that exceeded our income, it would be out of order to have tax increases without the whole of a majority of each whole House in a rollcall vote, because these are the very provisions, these are the very provisions which we all voted for, which 66 Members of this Senate voted for in the balanced budget amendment to the Constitution debate.

I say to the 66 Members who voted in favor of this, this should be the structure we work in perpetuity, as long as this Nation exists. If it was good enough to put in the Constitution as long as America would exist, it ought to be good enough to put into this budget agreement for the next 5 years. It is that simple.

Deficit spending has wrested power from the people it has deposited here in Washington. We have inverted the Framers' will. They expected us not to spend the money of the next generation. This approach is to do one thing, and one thing alone, and it is to curtail the deficit. It is to put enforcement and teeth into this agreement. It is to hold this agreement in place during the next 5 years. It is not to add spending to this agreement or take spending out of this agreement. It is simply to make this agreement an honest agreement for the people of the United States of America.

Our ability to spend the money of the next generation is one of the skills we have refined to a very high level, and it is a skill we ought to curtail and guard against. This amendment would guard against it.

We have tried time and time again to deal with the dilemma of recurring debt. We have not been able to deal with it. We simply have not been able to summon the discipline. Well, I say put the discipline in this agreement. We should make part of this agreement the kind of guarantee that will make sure we keep our word. Put ''deal-keeper'' into this agreement. Stop talking

about deal-breakers. Make this a deal-keeper.

Chronic overspending does not simply result when one group decides that it will try and stop it. We have to have the right structure in place, and the amendment which I have offered today is the right structure for doing that.

This budget agreement suggests that Congress will balance the budget by the year 2002. We must have the enforcement provisions necessary to ensure that this goal is actually reached to place the very provisions in this agreement, the very provisions which were voted for overwhelmingly by this Senate when it sought to pass the balanced budget amendment to the Constitution. Sixty-six Members voted for those items. That makes good sense.

Incidentally, for those who didn't vote in favor of the balanced budget amendment, the rest voted against it and almost universally said give us a chance to vote for this as a statute.

We don't need to tamper with the Constitution. Here is that chance. This is a chance to say, ''Yes. We agree that statutorily the very conditions which were so favorably received in the balanced budget amendment proposal are available as statutory law here.'' I believe this is an addition to the budget agreement, which won't be a deal breaker but which would be a budget agreement keeper.

If the Senators believe that this budget deal will lead us to a balanced budget by the year 2002, then they shouldn't fear adequate enforcement provisions that will make this a certainty. The American people are rightly skeptical that this deal will lead to a balanced budget. Firm enforcement would go a long way to assure the American people of Congress' resolve to do the right thing and to keep its promise to balance the budget.

As I mentioned, 66 Senators voted to abide by the enforcement provisions in this amendment when they voted for the balanced budget constitutional amount.

I hope that they will join in support of these very items which would provide an assurance that the conditions of this agreement would indeed be met.

Senator INHOFE and I have combined forces on another amendment. I wanted to thank him for his cooperation in getting that done.

I yield the remaining time to Senator INHOFE.

Mr. INHOFE. Let me yield 2 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. I thank my colleague from Oklahoma.

Mr. LAUTENBERG. Mr. President, parliamentary inquiry: Perhaps I didn't understand the Senator from Missouri. Was the Senator yielding time to the Senator from Oklahoma to speak on the Ashcroft amendment?

The PRESIDING OFFICER. The Chair understands that the Senator from Missouri yielded his remaining time to the Senator from Oklahoma.

Mr. INHOFE. If I could be recognized for a point of clarification, I believe that the Senator from Missouri was recognized for the purpose of explaining the provisions of the amendment 323, and inadvertently said ''322.''

Mr. ASHCROFT. I had two amendments. The second amendment I was going to use at the same time.

Mr. INHOFE. We are going to ask for the yeas and nays.

Mr. ASHCROFT. I would like to ask for the yeas and nays on amendment 322.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I want to congratulate our colleague from Missouri.

This is a very important amendment. Quite frankly, the only reason anybody would oppose this amendment is if they don't believe that this budget agreement is going to produce a balanced budget. I think this budget agreement is really short on enforcement. I think enforcement is very important in a budget because you are talking about what you are going to do 5 years from now.

We all know the old adage: ''After all is said and done more is said than done.'' And in politics that adage should grow by some multiple. In fact, we have stood on the floor of the Senate on many occasions and pounded our chests and said we balanced the Federal budget. It is not balanced yet. And, in fact, we are a long way from the goal line.

As I pointed out yesterday, 97 cents out of every dollar of deficit reduction, as compared to current discretionary spending and current law, in this budget comes from assuming good things are going to happen in the future.

What the amendment of the Senator from Missouri does is say that is just great, but, if it doesn't happen, we are going to have an enforcement procedure that says you have to have a three-fifths vote to raise the debt to pay for this deficit, that you have to balance the budget by the year 2002 unless 60 percent of the Senators vote to waive it. Obviously, they are going to be under political pressure to live up to their promise—and that you have to have a rollcall vote and a constitutional majority on raising taxes.

These provisions weren't made up by the Senator from Missouri last night. These provisions weren't simply dreamed up or written on the back of an envelope. We enshrined these agreements forever when 66 Members of the Senate voted to make this part of the Constitution of the United States of America. In fact, had two of our colleagues, who had pledged to vote for it, not changed their votes it would be part of the Constitution today, and this wouldn't even be needed.

If 66 Members of the Senate were willing to make this the Constitution, why couldn't 51 of them vote to make it part of this budget agreement, that for the next 5 years as a part of this budget agreement we have the same enforcement procedures we would have had had one more person voted for the balanced budget amendment to the Constitution?

So I want to congratulate our colleague from Missouri. I think this is a very important amendment. If you have any concerns that Congress may not live up to what it said, if you have any reason to be suspicious that all may not go well or as planned and you want to buy a little insurance policy that says there is something different about this budget than all of the others that we have adopted, vote for this amendment. I intend to vote for it. I think it is a very important amendment. I urge my colleagues to do the same.

I thank our colleague for yielding me this time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I send a second-degree amendment, numbered 323, to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. A second-degree amendment is not in order until all time has expired on the amendment.

Mr. INHOFE. Does the Senator from Missouri yield back all his time on 322?

Parliamentary inquiry: As I understand it, if the Senator from Missouri would yield back the remaining time on amendment No. 322, then it would be in order for me to send this to the desk.

The PRESIDING OFFICER. If the Senator from Missouri and the Senators who control the time yield all time, then the amendment would be in order.

Mr. INHOFE. Mr. President, I ask unanimous consent that I send a second-degree amendment to the desk and ask for its consideration and that it be accepted.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. Objection.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma has the floor.

Mr. INHOFE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I yield such time in opposition to the amendment by the Senator from Missouri to the Senator from New Jersey as he may use.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank the Chair.

As we examine the amendment sent up by the Senator from Missouri, it kind of recalls some other debates that we have had here, and he so aptly reminded us, that included the balanced budget debates and the subsequent vote that took place. And it therefore seems to me to be out of range to attempt to do that on this budget resolution.

Frankly, in discussions that we have been having informally, it is my understanding that this amendment not only is opposed by me on behalf of the Democrats but also is opposed by the Republican management, and I certainly hope so because this is outside certainly the structure of this budget resolution.

We are, Mr. President, working with a set of estimates. That is the best that can be done. One cannot put this into concrete and say that absolutely at the end of your fiscal year 1998 or even at the end of the fiscal year 1997, which is relatively imminent, we are going to be able to precisely gauge exactly what the outcome is going to be. It cannot happen. So we are working with estimates.

But there is something else we are working with, and that is the good faith of the institution. I have heard it said on this floor in recent moments that the implication is that we in this body can't be trusted. And the words that were uttered came from a Member or Members of the institution.

I don't know who it is that can't be trusted. Is it everybody else except the speaker? Is it everybody on this side of the aisle? Is it everybody on that side of the aisle? The one thing I must tell you I find difficult to comprehend—now, my background is business and I spent 30 years doing that. We didn't find everybody always meeting their word. But typically, if someone had a position of responsibility, you gave them the benefit of trust. And if there was, sometimes, a misunderstanding on an agreement, why, we chalked it up to a misunderstanding, we chalked it up to a misinterpretation. But to suggest that there is no trust in the U.S. Senate, sent here, 100 of us, by 260 million people—what fools those people are to send us here. We can't be trusted. You hear it coming from those who work here, those who have been sent here: Oh, no, we can't be trusted.

I will tell you this. I don't know anybody here—anybody here, on either side of the aisle, who can't be trusted. I may disagree with their point of view. I may disagree with their judgment. I wouldn't say—I am trying to think of the instances where, perhaps, in my 15 years here, that I have run into someone who you just can't trust. There are rumors about a person here or there. But to suggest that the body is not trustworthy and therefore we need special shackles, special handcuffs, special rules, special procedures?

It is not enough to say, look, I was sent here by, I don't know, 2 million people in the voting booths, or that I represent a State with 8 million people, or this one represents a State with almost 50 million people, or that one represents a State with 18 million, or that one represents a State with 350,000 people—to say those people are either naive, stupid, don't know what is going on? They made a choice that suits their intellect and suits their view of what life is about, what they need to carry on their responsibilities. I don't think we need these constraints.

I want to look at the record. I look at a record and if we get partisan about this, I look at a record of two parties, one Republican, one Democrat. The Republicans came into power in full force in 1980. President Reagan was a popular President, among the most popular in the history of the country. He came in, made decisions about tax cuts, $2.8 trillion worth of tax cuts—$2.8 trillion. By the way, in this budget, we have $250 billion, and there is a fair amount of debate. I didn't hear a lot of people say, don't trust him. It was voted, it was part of the law, and we succeeded in creating skyrocketing deficits, year after year, growing more each year than the year before, until we were almost at our wit's end.

In 1992, a Democrat was elected President, a Democrat from the tax-and-spend party. That Democrat brought the budget deficit down from $290 billion to what is anticipated this year to be below $70 billion, 1992–97, 5 years' worth. We have been doing pretty good. That, to me, looks like we kept our word, all of us, because we have legislated. We have been lucky, too. We have had a very good economy to bolster the revenue side of things.

But Government is smaller than it was by a significant measure, over a couple of hundred thousand people. We have tightened up in lots of ways that needed tightening up, and the results are pretty good. We have close to 12 million new jobs, unemployment is at its lowest point in 24 years, inflation at a steady rate, very low. There is not too much concern—a little worry, but it's not like it used to be. It's not like it was when it finally worked its way up to 21-or-so percent some years ago. It has been modest. Things have been happening.

Our tax-to-GDP ratio is the lowest among the industrialized nations. Our ratio of deficit to GDP, very low. Signs are pretty good. Is this going to last forever? I don't know. Neither does anybody else here. Is it going to get worse immediately? No one knows that here, either.

We look at the statistics. They look pretty good: PPI down, CPI down, everything in the right direction. That, again, does not mean it is going to last, but it does mean this is a heck of a time to, after struggling, struggling to get a balanced budget amendment on the books—and we are this close, Mr. President, this close to a balanced budget. It can be done in this body within hours from now, within hours, 4 or 5 hours; pass a balanced budget amendment—a balanced budget. I am sorry. A balanced budget. That was a slip of the tongue. Not one I meant to make, I can tell you. Within 4 hours, we can have a balanced budget, bipartisan—their side, my side.

I don't know that we are walking arm in arm, but as I said for the newspaper the other day, at least we are not looking nose to nose, we are looking shoulder to shoulder, which I think is a better way to do it, and feeling pretty good about a lot of hard work.

I don't get paid overtime. I don't want to get paid overtime. I did it because I took the job I wanted to have. I am so privileged to serve in this body. So many times I go over to my desk and I lift the top drawer—this is for the Senator from Missouri. I lift the top of my desk. It is right back there. Underneath that top, it says, ''Truman, Missouri.'' There is only one Truman I know, who was the President of the United States. I think his name was Harry—''Truman, Missouri.'' The man who stood for don't pass the buck: ''The buck stops here.'' The distinguished Senator from Missouri had served as Governor of that State. He is someone highly thought of. But I could not disagree with him more on this resolution.

When I see things going as they are, and we have an opportunity for us to work in a bipartisan fashion, 6 weeks, roughly, of long days, long nights of sitting across the table from one another—no growling, no grousing, no anger, no fits or bursts of temperament, walk out of the room—none of that stuff. We disagreed. We discussed it. But nobody tried to put anything over on the other person. And we had the President's people in the room with us, three parties to the agreement.

And I tell you, talking for myself and for my colleagues over here, there are things in here that we just don't like. I can be sure that there are things over there that they just don't like. But in a consensus arrangement—I have heard that even occurs sometimes in marriage. Two people get along, have nice kids and all that. Sometimes they disagree. Hard to believe?

In any event, here we are. We have worked together and we walked out of that room, that day, feeling pretty good, even though we had the disagreements that followed on. We have worked, now, for these couple of days to try to get this agreement in place so it could go over to the House, have a conference on it, get the President to sign it and say to the American people—I hold my head high when I do it, in conscience. And my conscience—my name means a lot to me. It means a lot to me because whenever I am in here, I always remember that my parents were brought here as children by their parents from Europe—poor, hard-working people. They always said to me, ''FRANK, get an education. That's the

way up. That's the way you get out of this. That's the way you get out of the store,'' with my mother waiting on the tables, cleaning them off all day and all night.

So, my name means a lot to me. When I lent my support to this agreement, I did it feeling full well that I had done it with all the knowledge that I had available to me, that I did it in good conscience and that we were going to be able to get this agreement passed, out of the way and passed, and that we would be working hard to make sure that we met the objectives that are in here.

The budget amendment says—and I perhaps paraphrase here because I am not reading from the amendment but I am reading from a summary. It requires a three-fifths vote of the Members of each House to provide for specific excess of outlays over receipts or to provide for such an increase in the level of the public debt.

That is pretty significant. Normally, we operate with a majority, except in some special cases—veto override or supermajority that are required, sometimes, in budget affairs. But typically it is 51 votes takes it all.

Here we say that, no, even though it is now in order, even though it is on paper, even though these are estimates, I once again say, and even though it was done with the best judgment that people could exercise, no, we are now going to go back to the debate on the balanced budget amendment. That is essentially what this is. Because we saw it defeated when it was presented here. It needed 67 votes. It got 66, as I remember. And one of the Senators on the floor before said that we would have had a balanced budget amendment if a couple of people hadn't changed their minds. We would have had it in place. It would have been attached to the Constitution.

Far be it. It took a lot of States. They had to make a lot of votes; 50 of them had to vote to approve it before it got into place—not all 50 of them, but three-quarters of them.

So it would not be in place. To now be doing a balanced budget amendment when we have a balanced budget 5 years in duration, 10-year projections, we don't expect—we could be wrong, but that's judgment. That is why we were sent here. Use your judgment, make sure your conscience is clear in things that you do. We could be wrong, but it looks in the 10 years, in the next 5-year cycle, that there will not be an explosion of growth in tax cuts, there won't be an explosion in the annual deficit, that we will be able to muster a surplus so we can start paying down some of that debt and get rid of some of the interest we have to pay every year. We have to pay more than a quarter of a trillion dollars in interest every year that every citizen in this country pays for in one way or the other, that children, future generations, will be called upon to pay your debt. They didn't sign any papers to acquire that debt. But we are on the way to solving some of those problems.

Now, when I look at this amendment, it says, further, that it waives these provisions for any fiscal year in which a declaration of war is in effect, certainly, or the United States is engaged in a military conflict which causes an imminent and serious threat to national security. Are there threats to our society other than war? Is instability within our society a threat to this society? Is violence in the street a threat to our society? Is constant tension and hostility between parts of our society, one with the other, classes in our society? I think that is a real threat to national security. But there are no provisions if we are all wrong and a recession starts; if, worse, a depression occurs. If we had the same rules in place today in the early 1930's, then the Depression—everyone who knows anything about business or economics, who studied the problem, will tell you the Depression would have been considerably ameliorated if we had unemployment insurance, if we had other protections for people during that period of time.

I think, frankly, as we look at this amendment, demanding now a 60 person vote in order to change things, to try and anticipate all the problems you have, is a terrible mistake. I think it violates the structure of the budget resolution. It will blow this agreement out of the water absolutely, because I know that there are not enough people who would vote to sustain a point of order if that is called upon. I expect to do just that.

So, Mr. President, I hope that we will leave well enough alone in this case, get on with the business at hand, pass the balanced budget resolution, and let us start solving our problems and not create new ones.

I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. I yield such time on the amendment as I may use.

Mr. President, my colleague and ally from New Jersey a few moments ago said of the amendment of the Senator from Missouri on this case I could not disagree more. I must say I could not disagree less and still disagree, but disagree I must do.

The reason I put it in that form is that the Senator from Missouri has presented us with an amendment that is for all practical purposes in statutory form the constitutional amendment on the balanced budget that was supported by almost but not quite two-thirds of the Members of this body. It differs, of course, not just in being in budget resolution language but in being effective immediately rather than several years from now, and in dealing with declining budget deficits as if each of them was the triggering mechanism for the supermajority requirements that are included within it.

It is, nevertheless, a theory with which this Senator and the manager of the bill, the Senator from New Mexico, agree. The point with which we disagree, however, is the proposition that this philosophy should be added to this budget resolution. The issue is an important one. It is an appropriate one to be debated.

I can remember personally a decade ago when I had serious enough reservations about a constitutional amendment on the balanced budget when I felt that this philosophy ought to be passed in the form of a statute so that we could determine as a country whether or not it worked before we moved toward placing it in the Constitution. Personally, I would still be willing to do that.

However, it is important enough, it is vital enough that it ought to be debated independently of a budget resolution, which, as the Senator from New Jersey has said, marks the first time on which we have had a budget resolution in the time that I have been here at least that was supported largely by both sides of the aisle and in this case by the President of the United States.

And so while it is possible to argue, I suppose, that this amendment does not formally or technically breach the bipartisan agreement on the budget, as did yesterday's amendment on a tobacco tax and several of the other amendments that have been voted on here, it clearly breaches at the very least the spirit of this budget resolution agreement. It also clearly represents a vitally important policy decision which should not be debated for an hour or 2 hours as an amendment to this bill and then added to it.

It is for that reason, keeping what this Senator believes to be a commitment to pass this budget resolutions essentially in the form in which it was presented to this body, that I regret to say it is not acceptable to the leadership on this side as it is not to the leadership on the other side.

Now, Mr. President, for the information of other Members of the Senate, when all time has been yielded back on this debate—and I intend to yield our time back in just a moment—the Senator from New Jersey will raise a point of order against this amendment. I believe that the Senator from Missouri will move that the point of order be waived, will ask for a rollcall vote on that subject, and then we will stack that rollcall vote after the one previously ordered. We will go on to a similar but not identical amendment that will be sponsored jointly by the Senator from Missouri and the Senator from Oklahoma, and I suspect, although I cannot guarantee this, that when debate on that is completed we will probably have a series of votes, all of the votes that have been stacked at that time, which might very possibly take place at or around 6 o'clock.

With that, Mr. President, I am prepared to and I do yield back the remainder of my time on this amendment.

Mr. ASHCROFT. I yield back the remainder of my time on amendment 322.

The PRESIDING OFFICER (Mr. HAGEL). All time is yielded back.

Mr. LAUTENBERG. Mr. President, the pending amendment is not germane and therefore I raise a point of order that violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. ASHCROFT. Mr. President, I move to waive the point of ordered and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ASHCROFT. Mr. President, I ask that the amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 323

Mr. ASHCROFT. Mr. President, I call up amendment 323.

The PRESIDING OFFICER. The clerk will report.

Mr. WELLSTONE addressed the Chair.

The assistant legislative clerk read as follows.

The Senator from Missouri [Mr. ASHCROFT] proposes an amendment numbered 323.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. ASHCROFT. Mr. President, I believe we are prepared to agree that debate on this amendment be limited to 30 minutes in total.

Mr. LAUTENBERG. Mr. President, I would ask the Senator from Missouri if he would permit the exchange that we expected to have—the chairman of the Budget Committee is here—and that was that we would switch side to side. Now, we have had an amendment from Senator GRAMM, from the Senator from Pennsylvania, one amendment from the Senator from Missouri. Meanwhile, a commitment was made to the Senator from Minnesota, who has been waiting virtually all day. We have not had a chance to deal with it and I think——

Mr. DOMENICI. I think unless Senator WELLSTONE and you want to yield a second opportunity to our side, we have had three in a row. I did not know Senator ASHCROFT was going to offer two. I said let's have one. And if you do not want to yield to them, they will be next after Senator WELLSTONE.

Mr. WELLSTONE. Mr. President, that would be my preference.

I thank the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

AMENDMENT NO. 313, AS MODIFIED

Mr. WELLSTONE. Mr. President, I call up amendment 313.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows.

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 313.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

AMENDMENT NO. 313, AS MODIFIED

Mr. WELLSTONE. Mr. President, I ask unanimous consent to modify my amendment.

Mr. GORTON. Objection.

The PRESIDING OFFICER. Objection is made.

Mr. WELLSTONE. Mr. President, this is a typographical error. I believe we sent it to the staff earlier.

Mr. President, I am pleased to work this out. We had given it to Senator DOMENICI's staff several hours ago.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I inform the Senator from Minnesota there will be no objection to his modifying his amendment.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I send a modification to the desk. I thank my colleague from Washington.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. WELLSTONE. I thank the Chair.

The amendment, as modified, is as follows:

On page 3, line 3, increase the amount by $1,650,000,000.

On page 3, line 4, increase the amount by $2,190,000,000.

On page 3, line 5, increase the amount by $3,116,000,000.

On page 3, line 6, increase the amount by $4,396,000,000.

On page 3, line 7, increase the amount by $5,012,000,000.

On page 3, line 11, increase the amount by $1,650,000,000.

On page 3, line 12, increase the amount by $2,190,000,000.

On page 3, line 13, increase the amount by $3,116,000,000.

On page 3, line 14, increase the amount by $4,396,000,000.

On page 3, line 15, increase the amount by $5,012,000,000.

On page 4, line 4, increase the amount by $5,400,000,000.

On page 4, line 5, increase the amount by $1,601,000,000.

On page 4, line 6, increase the amount by $2,539,000,000.

On page 4, line 7, increase the amount by $4,141,000,000.

On page 4, line 8, increase the amount by $6,543,000,000.

On page 4, line 12, increase the amount by $1,650,000,000.

On page 4, line 13, increase the amount by $2,190,000,000.

On page 4, line 14, increase the amount by $3,116,000,000.

On page 4, line 15, increase the amount by $4,396,000,000.

On page 4, line 16, increase the amount by $5,012,000,000.

On page 21, line 25, increase the amount by $1,101,000,000.

On page 22, line 1, increase the amount by $1,690,000,000.

On page 22, line 8, increase the amount by $2,039,000,000.

On page 22, line 9, increase the amount by $2,616,000,000.

On page 22, line 16, increase the amount by $3,541,000,000.

On page 22, line 17, increase the amount by $3,796,000,000.

On page 22, line 24, increase the amount by $5,843,000,000.

On page 22, line 25, increase the amount by $4,312,000,000.

On page 26, line 6, increase the amount by $400,000,000.

On page 26, line 7, increase the amount by $400,000,000.

On page 26, line 14, increase the amount by $500,000,000.

On page 26, line 15, increase the amount by $500,000,000.

On page 26, line 22, increase the amount by $500,000,000.

On page 26, line 23, increase the amount by $500,000,000.

On page 27, line 5, increase the amount by $600,000,000.

On page 27, line 6, increase the amount by $600,000,000.

On page 27, line 13, increase the amount by $700,000,000.

On page 27, line 14, increase the amount by $700,000,000.

On page 38, line 14, decrease the amount by $700,000,000.

On page 38, line 15, decrease the amount by $2,700,000,000.

On page 40, line 17, decrease the amount by $5,000,000,000.

On page 41, line 7, decrease the amount by $5,012,000,000.

On page 41, line 8, decrease the amount by $16,364,000,000.

On page 43, line 21, increase the amount by $1,101,000,000.

On page 43, line 22, increase the amount by $44,000,000.

On page 43, line 24, increase the amount by $2,039,000,000.

On page 43, line 25, increase the amount by $1,366,000,000.

On page 44, line 2, increase the amount by $3,541,000,000.

On page 44, line 3, increase the amount by $2,546,000,000.

On page 44, line 5, increase the amount by $5,843,000,000.

On page 44, line 6, increase the amount by $4,312,000,000.

Mr. WELLSTONE. Mr. President, this amendment assumes increases in funding for Head Start and early start, child nutrition programs, school construction, and this additional funding will be paid for by reducing the tax benefits to the top 2 percent of income earners in the United States as well as by reducing tax benefits that are commonly characterized as corporate welfare tax loopholes.

Mr. President, it has been said about this budget—I might ask my colleague from North Dakota, does he have an inquiry?

Mr. DORGAN. I wonder if the Senator will yield to me for a question.

Mr. WELLSTONE. I am pleased to yield, Mr. President.

Mr. DORGAN. I appreciate the fact we are on a very important amendment the Senator from Minnesota is offering. I am increasingly concerned this afternoon. It is now 5:30 in the afternoon. As the Senator from Minnesota knows, a number of us in this Chamber have been working on a disaster supplemental bill providing disaster relief in an appropriations bill for people who have been involved in disasters, and we are nearing a point in time when time will run out on the passage of the bill. And some say, well, maybe the disaster bill will not be passed before the Senate goes out for the Memorial Day recess. Some others say, well, maybe not only will we not pass the emergency supplemental appropriations bill that we have been working on for weeks, but we will not pass the emergency portion of it.

I ask the Senator from Minnesota, is it not the case that in Grand Forks and East Grand Forks we have 10,000, 15,000 people who are waking up not in their own beds because they are homeless and a disaster bill must be passed? We cannot adjourn this session of Congress and take a recess unless a disaster bill is passed that deals with these critically needed funds. We have victims of floods and fires and blizzards out there who are waiting for a disaster bill to be passed. I am not suggesting here anyone is to blame for anything. I am just saying in the waning hours, we need to find a way to bring a disaster bill to the floor of the Senate.

Is it not the case we have thousands of people homeless in your area, East Grand Forks, and in Grand Forks who are awaiting some word about whether a disaster bill is going to be passed?

Mr. WELLSTONE. Mr. President, I say to my colleague from North Dakota, I am pleased he raised this question. I certainly want to speak about this amendment. I think it goes to the heart of the question of what the budget is about. But I think it is important to take a few moments right now in the Chamber to speak about this. I say to the Senator from North Dakota I know how hard he has worked on this for people in North Dakota. I know how hard Senator CONRAD has worked. I know how hard Senator GRAMS, the other Senator from Minnesota, has worked and Senator JOHNSON and Senator DASCHLE.

I just think that would be unconscionable. I hope this does not happen, the House of Representatives going into recess without getting the work done. Because in this particular case—it is quite one thing to say we want to get the work done, for example, on the budget, though the truth of the matter is 10 days from now the budget could be done and it really would make no difference. In this particular piece of legislation, we are talking about emergency assistance for people. This needs to be done right away.

So I say to my colleague, we cannot adjourn. I mean there is no way we can adjourn until this work is done. He is quite right in the question that he put to me.

Mr. DORGAN. If the Senator would yield for one additional question?

Mr. WELLSTONE. Certainly.

Mr. DORGAN. Mr. President, the disasters that have occurred in our country that now result in a requirement to pass a disaster bill have been the most significant disasters that occurred in North Dakota statehood: 3 years worth of snow in 3 months; a 500-year flood in the Red River; thousands and thousands of people homeless, still homeless.

I appreciate very much the cooperation that we have seen here in the U.S. Senate in trying to write a disaster bill. We got one out of committee and got into conference. I am a conferee. I know a lot of Members of the Senate—the chairman of the committee, the ranking member, and others—have been working hard to get this done.

I do not know what is happening on the other side, but I know this: If the result of the coming hours will be that there are those who want to adjourn the Congress and go on a Memorial Day recess and decide that it is all right later to pass some kind of disaster relief bill, I will say to them, it is not all right with this Senator and not all right with a number of others, because people awaiting disaster relief are going to understand that this Senate has an obligation to do it.

We must not and cannot take a Memorial Day recess until we have addressed the disaster needs of victims who have suffered now for weeks.

In Grand Forks alone, nearly 15,000 of whom are still homeless, we do not need those folks to be looking at the Congress and saying ''Why? Why on Earth were we not able to get the help we were promised and help that was needed?'' I want them at the end of this session to be able to say thanks to Members of Congress who worked hard to say to them, ''You're not alone. Here's some help. Here's some help to reconstruct and recover.'' I want them to say thanks for that.

But I just say to my colleagues, I do not quite know where we are. I worry about some of the things I am hearing in the last hour or so. At the end of this process, we must have passed some kind of disaster relief bill. This Congress cannot—cannot—possibly adjourn for the Memorial Day recess and leave the victims of those disasters wanting and needing help that will not come.

So I appreciate the Senator from Minnesota yielding.

Mr. WELLSTONE. Mr. President, that is fine.

I want to go on with this amendment, but I see my other colleague from North Dakota on the floor. If he has an inquiry to put to me, I would be pleased to hear from him.

Mr. CONRAD. I thank my colleague from Minnesota.

I just say, I talked to the mayor now of Grand Forks, our good, mutual friend, Mayor Owens. I am sure she is in contact with the mayor of East Grand Forks over in Minnesota, Mayor Stauss, your good friend. She has said to me that, if Congress adjourns without taking action, it will be a terrible blow, given the fact that this city that was entirely evacuated, nearly all 50,000 citizens had to leave their homes. Many of them still have not been able to return.

The supplemental has been going through Congress with good, bipartisan cooperation, certainly an excellent effort here in the Senate, one which has been on both sides of the aisle very accommodating, very willing to help out.

I see our good friend, the Senator from New Jersey, who is the ranking member on the Budget Committee, who personally came forward with a very generous contribution to help the people in Grand Forks and East Grand Forks, which we deeply appreciate. Now we are being told that there is a view by some in the other body that they should just leave town without taking further action. That would be a disaster all of its own.

I say to my colleague, and I ask him, wouldn't that be a disaster in and of itself to say to those local officials, ''We can't tell you what resources you have available to rebuild because we've got to take a break''? I mean, we could understand if they cannot get the entire disaster bill done, although that ought to be the first priority. But if they cannot get that done, they should at least be able to get the emergency measures in that disaster bill done so those towns are not left in the lurch.

I ask my colleague from Minnesota, wouldn't it be a disaster, a second disaster—actually a third disaster—for the people of our communities if Congress decided just to leave town before taking action at least on the emergency measure?

Mr. WELLSTONE. Mr. President, I respond to both my colleagues—and please understand I think about what is happening to the people in Grand Forks. Everybody had to leave their homes. Those people were refugees. I know the pain of the people in East Grand Forks and other communities of Minnesota.

I say to both my colleagues that this is a nightmare. I just—this is a nightmare. I guess I never would have believed it, that we are on the floor right now—this is away from the amendment. We will get back to it, I say to the Senator from New Jersey. But my colleagues come to the floor and raise these questions.

This is a nightmare. I never would have dreamed that there would even be any thought that we would go into recess without finally providing this assistance to people. People need this. These people are trying to figure out how to get back to their homes. People are homeless.

We cannot—we cannot—leave without doing this. I have heard that over in the House there is some discussion they are going to just adjourn.

I just make a plea to Democrats, Republicans, and the independent in the House, everybody, every breed of political person, regardless of your point of view, please do not do this. I think from our point of view, it is just unacceptable.

I mean, I think all three of us are saying, we just cannot have a Congress going into recess without passing through at least this emergency assistance. What people do not agree on, I say to both my colleagues, they can set aside; but what we cannot set aside is this emergency.

Let me emphasize that word again, ''emergency'' assistance that people need. They need it now. It would be the worst possible thing for this Congress to go into recess without providing this.

Mr. DORGAN. I wonder if the Senator would yield for one additional question?

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I say to the Senator from Minnesota, I appreciate your yielding to me.

The flood that occurred—let me take Grand Forks and East Grand Forks to discuss why we have the need for an emergency response here.

The Red River flood was a flood that became 150 miles by 40 miles nearly. You could not see a river; it became a huge lake in the Red River Valley. But the point of it all is this. When this flood came—let me just use Grand Forks, ND, and East Grand Forks, MN, represented by Senator GRAMS and Senator WELLSTONE who worked so hard on this. Nine thousand people—when those dams broke and that water came rushing down the streets, the people got out of their houses, in most cases with only the clothes on their backs. They rushed to the end of the streets, were pulled up by National Guard trucks and by other devices, and they lost their homes, lost their vehicles.

Then we saw them at a hangar, big aircraft hangar out at the Grand Forks Air Force base sleeping on cots—4,000 of them from every other small town for 100 miles around.

In Grand Forks, 50,000 people, 90 percent of the town was flooded. I was in a boat of the Coast Guard in the main street of Grand Forks, ND. You would hit a car. You could not see the car. All you could see was 2 inches of the top of the radio antenna.

In the downtown, a major fire destroyed 11 of the huge buildings in downtown Grand Forks in the historic district.

In the middle of all of this, with two cities evacuated, we had the head of FEMA come to our region, James Lee Witt, and say, ''We're going to help you.'' We had the Vice President come to our region and say, ''You're not alone.'' We had President Clinton in Air Force One fly into Grand Forks and East Grand Forks and put his arm around some of those victims living in that aircraft hangar, and he said, ''We're with you. The rest of the country wants to extend a helping hand and say you're not alone.''

We have had enormous cooperation from everybody. In this Chamber, the chairman of the Appropriations Committee and the ranking member and the subcommittees have done a remarkable job of saying to us, ''We want to help you.'' And they put in the disaster supplemental bill the resources that were needed. Congratulations to them. Every single one of them have come to us and said, ''We want to help you.'' And they provided the resources in this bill here in the Senate that we then sent to conference.

What a remarkable effort by the Members of the Senate on a bipartisan basis. Then we went to conference. In fact, all of the disaster issues that are important to us to provide the necessary resources in conference are now agreed to. We do not have any outstanding issues. They are agreed to.

Why is it important that this get done? Because in the cities of Grand Forks and East Grand Forks—the Red River runs in the middle of those two cities—they have to establish a new floodway. When they establish a new floodway, it means there will be hundreds and hundreds of homes that will no longer be able to be located there. Most of them are now destroyed anyway. In order to describe the new floodway and have a buyout of those homes, those mayors need to have the resources to begin that process now.

Today, they do not have the resources, so those hundreds of families—well over 1,000, incidentally, are near and in that floodway—they now cannot be told by anyone, will their home be there or will it not be there? Will it be bought out or not? No one knows and no one can know until the resources are available to have that buyout. That is why this is urgent. If it waits 1 week or 2 weeks, they cannot make those decisions. Those folks can never move back into their homes. They cannot move back into their homes.

So anybody who says, ''This is not urgent. It can wait. It can wait 1 week or 2 weeks,'' let me give them the names of the young boys and the young girls who will sleep on cots, sleep in shelters, sleep in strange homes during those 2 weeks, part of which Congress will have been in recess. And then have them send them a letter to say, you know, we just could not get this done.

Not getting it done is not acceptable. We have done our work. The disaster supplemental is largely agreed to in all of these areas. We must at a minimum take that out of the disaster supplemental, those resources that are necessary to help those people, and pass that on an emergency basis. The failure to do that—a decision, for example, by the other body to say we will not do that, we are going to take a recess, will be a devastating blow to people who do not deserve that, having been victimized by these disasters.

So the Senator from Minnesota has been generous in yielding for a question. I just make the point that this Congress cannot adjourn without addressing the emergency needs of this disaster.

Do I feel passionate about this? You're darn right I do. I am not going to let 15,000 people who are not yet back into their homes be told that Congress took a break for Memorial Day and the people who are homeless can wait a couple of weeks for a solution to this problem. I will not be a part of that kind of decision.

So if there are those who think that any adjournment resolution will pass by this Congress failing to pass an emergency bill dealing with this disaster, it is going to be a long, long few days.

I ask for the cooperation of everyone. We have had wonderful cooperation of Republicans and Democrats, and I might say in the Senate I cannot feel prouder of all the people I have worked with on the Appropriations Committee. I will just encourage and urge everyone involved in this process to decide and determine that we must get this done.

I appreciate very much the Senator yielding. I understand that you have an important amendment and I apologize for intervening on that, but I think this message must be understood. This is not an option. We must pass a disaster relief bill.

Mr. WELLSTONE. Mr. President, I thank both my colleagues, and I appreciate their graciousness. I think that what both my colleagues are trying to say is we have an emergency now, and, Mr. President, I just do not think there is any way that this Congress can go into recess without passing this disaster relief bill. I mean, it is just too important. I mean, it truly is an emergency measure, and both my colleagues were speaking to that. I have told them I am in complete agreement.

So let us hope that the House will be able to do the work. We have had great cooperation over here on the Senate side.

Mr. President, the discussion about the budget, much of the discussion is about the balance, that this is a responsible budget, this is the responsible thing to do.

Mr. President, let me just be really clear. I have some good friends who believe that. I respect their work. I have tremendous respect for their work. But from my point of view, as a Senator from Minnesota, when you do not invest to rebuild schools that are crumbling across this country—7 million children's schools with asbestos and lead—I do not think that is the responsible thing to do.

When there are not the funds to assure that every child who now goes without health care still does not receive that health care, to me, that is not responsible. And when there are not the funds and there is not the investment to make sure that, in fact, there is a school breakfast program for

children, for whom that really is their only nutritious meal in the morning so that they are not going to school hungry, when there is not the investment in nutrition programs to make sure children are not malnourished in America—there are some 13 million children that are now malnourished in America—that does not seem balanced or responsible to me.

Mr. DOMENICI. Will the Senator yield?

Mr. WELLSTONE. I am happy to yield to the Senator.

Mr. DOMENICI. I ask unanimous consent that Senator WELLSTONE be permitted to follow the amendment he has with a second amendment that he has pending and that there be 30 minutes available to the Senator from Minnesota on both amendments, and for the opposition on both amendments that we have 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Senator from New Mexico, and on my second amendment I know I will be joined by Senator REED from Rhode Island.

Mr. President, this amendment that is before the Senate right now essentially says this. We make sure that the tax cuts in this budget resolution do not go to the top 2 percent of the population. We look at some of the loopholes and deductions, and what Senators have called corporate welfare. There is several hundred billion dollars that fits into this category.

Instead, we take the following steps, which seems so reasonable. First of all, since we cut child nutrition programs by roughly $3 billion for 6 years, this amendment restores $2.7 billion. Let me repeat that: Last year, we made cuts in child nutrition programs. This amendment says, can we not take some of this out of corporate welfare? Can we not take it out of loopholes for billionaires? Can we not make sure that the tax cuts go to middle-income families and small business people and not the top 1 percent and 2 percent? And instead, could we not provide just a little bit, over 5 years, $2.7 billion, could we not invest that in nutritional programs for some of the poorest and most vulnerable children in America? They do matter. They do count.

Mr. President, currently, there are 6.5 million children who participate in the school breakfast program. However, in many States, this program reaches only 50 percent of those eligible. In the State of Minnesota, the school breakfast program, much like the national, reaches just under 50 percent of those students eligible.

Mr. President, what we are talking about is all across the country we have schools who are not able to participate. The welfare bill last year wiped out grants for schools to start up or expand school breakfast programs, and we have 13 million malnourished children in America. I do not know how my colleagues think some of these children will do well in school when they come to school hungry. I have talked to kindergarten teachers in Minnesota, and every single Senator here, I think, has had similar experiences with their teachers who surely say it breaks their heart to know some of the students in their class come to school hungry.

Mr. President, there is another food nutrition program, the summer food service program. Many of my colleagues may not be aware of it, but I want you to be aware of it because these children, when they are not in school, are no longer able to receive school lunch or breakfast if that program is not available now during the summer. What we try to do is serve meals at summer schools or recreational centers or other nonprofit groups—a lunch, a breakfast or a snack—some way of making sure that these children have at least one nutritious meal a day.

Over 14 million children, unfortunately, are low income enough to be eligible, and only 2 million are served—only 2 million are served. In Minnesota, only 16 percent of low-income children who are served throughout the school year are served during the summer.

Mr. President, is it too much to ask to take just a little bit from loopholes, deductions for billionaires, large multinational corporations, and others that do not need it and invest a little bit in nutrition programs to make sure the children in our country have at least one nutritious meal?

Mr. President, the Head Start Program has been discussed so there is no need for me to go into it in great detail but just to say one more time, that the President, in his budget, in this budget proposal, intends to serve an additional 1 million children. That is fine until we find out that that there are 2 million children who are eligible who are not participating. This does not even deal with Early Start, that is to say, age 2, age 1. So what this says is if we are serious about doing well for all the children in this country, surely we will dramatically expand the number of children that can participate in Head Start. That is worth it. That is an investment, an investment all of us can be proud of.

Mr. President, the final part, of school construction, and I do not even need to go into it, again, this amendment says invest the $5 billion that was in the original agreement—at least that was being negotiated; it was taken out. This is too painful a contrast. On the one hand, tax cuts not targeted, going to be skewed to the very top of the population; on the other hand, not a pittance when it comes to going after corporate welfare, but being unwilling to invest in crumbling schools all across the country.

Mr. President, let me use this amendment for a final conclusion about this budget. One more time, I have heard it said that this budget is balanced, represents balanced values. I do not see the balance. I do not see the balanced values when on the one hand the tax cuts are skewed to the top and on the other hand we do not invest in crumbling schools across the Nation. I do not see the balance when we cannot invest in nutrition programs to make sure children are not hungry in America. I do not see the balanced values when we talk about a compelling problem of children going without adequate health care and we are not willing to fully fund health care for those children.

I think this is a budget without a soul. It is interesting what is not on the table. What is not on the table is the $12 billion more than the Pentagon wanted. That is for defense. I would have thought we could have used that for some of our investment. What is not on the table are the tax preferences to special interests that are, quite candidly, a result of those who make the large contributions and have the power. What is not on the table is the deterioration of public institutions which are supposed to be so important to the quality of our lives. If we are going to rebuild a sense of community in America, Mr. President, that means attending to this deterioration. We have fewer good schools, fewer good libraries, and too many hospitals and clinics that are unable to provide the best care. This budget does not build a bridge to the next century. We do not invest in these critical areas of life.

Mr. President, what is not on the table, perhaps most of all, is a set of social arrangements that allows children to be the most poverty stricken group in America. There is no concept of justice or virtue that justifies our willingness to allow millions of children to suffer involuntary poverty. What principle can we possibly invoke to absolve ourselves of responsibility for the fate of children too young to comprehend their expulsion from the American promise, denied the pleasures of childhood, their natural capacity stifled, their mind and spirit under attack from birth? Their impoverishment is our disgrace and it is a betrayal of our Nation's heritage.

Mr. President, if this balanced budget agreement is to be the great accomplishment of 8 years of a Democratic Presidency, then history will judge us harshly. This agreement is a triumph of the past. This is not a bridge to the century to come.

Mr. President, we have lost our way. I say this to the Democratic Party, to some of my colleagues I think we have lost our way. Our party, from Jefferson to Jackson to Roosevelt to Kennedy was a party that stood for justice, a party that expanded opportunities for citizens. We have always been at our best when our party has been there for people.

Mr. President, this budget does not represent the best of the Democratic Party. This budgets turns our Nation's gaze away from too much of what is important about America—equality of opportunity, justice, the very essence

of our Nation. Mr. President, for that reason, I will vote against this budget resolution.

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

AMENDMENT NO. 313, AS FURTHER MODIFIED

Mr. WELLSTONE. Mr. President, I ask unanimous consent to send a modification to the desk to amendment numbered 313. This was a typographical error.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 313), as further modified, is as follows:

On page 3, line 3, increase the amount by $1,650,000,000.

On page 3, line 4, increase the amount by $2,190,000,000.

On page 3, line 5, increase the amount by $3,116,000,000.

On page 3, line 6, increase the amount by $4,396,000,000.

On page 3, line 7, increase the amount by $5,012,000,000.

On page 3, line 11, increase the amount by $1,650,000,000.

On page 3, line 12, increase the amount by $2,190,000,000.

On page 3, line 13, increase the amount by $3,116,000,000.

On page 3, line 14, increase the amount by $4,396,000,000.

On page 3, line 15, increase the amount by $5,012,000,000.

On page 4, line 4, increase the amount by $5,400,000,000.

On page 4, line 5, increase the amount by $1,601,000,000

On page 4, line 6, increase the amount by $2,539,000,000.

On page 4, line 7, increase the amount by $4,141,000,000.

On page 4, line 8, increase the amount by $6,543,000,000.

On page 4, line 12, increase the amount by $1,650,000,000.

On page 4, line 13, increase the amount by $2,190,000,000.

On page 4, line 14, increase the amount by $3,116,000,000.

On page 4, line 15, increase the amount by $4,396,000,000.

On page 4, line 16, increase the amount by $5,012,000,000.

On page 21, line 25, increase the amount by $1,101,000,000.

On page 22, line 1, increase the amount by $1,690,000,000.

On page 22, line 8, increase the amount by $2,039,000,000.

On page 22, line 9, increase the amount by $2,616,000,000.

On page 22, line 16, increase the amount by $3,541,000,000.

On page 22, line 17, increase the amount by $3,796,000,000.

On page 22, line 24, increase the amount by $5,843,000,000.

On page 22, line 25, increase the amount by $4,312,000,000.

On page 26, line 6, increase the amount by $400,000,000.

On page 26, line 7, increase the amount by $400,000,000.

On page 26, line 14, increase the amount by $500,000,000.

On page 26, line 15, increase the amount by $500,000,000.

On page 26, line 22, increase the amount by $500,000,000.

On page 26, line 23, increase the amount by $500,000,000.

On page 27, line 5, increase the amount by $600,000,000.

On page 27, line 6, increase the amount by $600,000,000.

On page 27, line 13, increase the amount by $700,000,000.

On page 27, line 14, increase the amount by $700,000,000.

On page 38, line 14, increase the amount by $700,000,000.

On page 38, line 15, increase the amount by $2,700,000,000.

On page 40, line 17, increase the amount by $5,000,000,000.

On page 41, line 7, increase the amount by $5,012,000,000.

On page 41, line 8, increase the amount by $16,364,000,000.

On page 43, line 21, increase the amount by $1,101,000,000.

On page 43, line 22, increase the amount by $440,000,000.

On page 43, line 24, increase the amount by $2,039,000,000.

On page 43, line 25, increase the amount by $1,366,000,000.

On page 44, line 2, increase the amount by $3,541,000,000.

On page 44, line 3, increase the amount by $2,546,000,000.

On page 44, line 5, increase the amount by $5,843,000,000.

On page 44, line 6, increase the amount by $4,312,000,000.

AMENDMENT NO. 314

Mr. WELLSTONE. Mr. President, I call up amendment numbered 314.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. REED, Mr BINGAMAN, and Mr. MOYNIHAN, proposes an amendment numbered 314.

(The text of the amendment is printed in the RECORD of May 21, 1977.)

Mr. WELLSTONE. I ask unanimous consent Senator MOYNIHAN be added as a cosponsor, along with Senator REED of Rhode Island and Senator BINGAMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

I yield 10 minutes to my colleague from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I want to thank my colleague from Minnesota for yielding me this time and also for sponsoring this amendment along with Senator BINGAMAN and Senator MOYNIHAN.

Today we are offering an amendment to increase the maximum Pell grant to $3,500. The Pell grant holds a very special meaning for me. In the last 6 years as a Member of the other body I have worked to open up further access to higher education. The foundation of that access to higher education is the Pell grant.

As you know it is probably the enduring legacy of my predecessor, Senator Claiborne Pell of Rhode Island. One of his most significant accomplishments was the creation of the basic educational opportunity grant program in 1972 during the reauthorization of the Higher Education Act. Later, this basic opportunity grant was named in his honor and has become the famous Pell grant. Its purpose then and now is to assist low-income Americans to gain access to postsecondary education, access which is critical not only to their future but to the future of this Nation.

Going back to the very beginning of the Pell grants, the avowed purpose was to ''in combination with reasonable family and student contributions and other Federal grant aid meet at least 75 percent of the student's costs of attendance.'' Sadly, we have not met that 75 percent, and we need, in fact, to raise the Pell grant so that we can begin to recoup some of the original purpose and allow students to meet the significant cost increases in higher education.

This program was premised on Senator Pell's belief, which is my belief, and indeed I believe the belief of so many people in this Chamber, that everyone who is qualified should have the opportunity to pursue higher education. The Pell grant has been the cornerstone of this effort for many, many years. Since its creation, over 60 million Pell grants have been awarded, providing over $75 billion in aid to students across the Nation.

In the first year of the program, 1973–74 over 176,000 students received the Pell grants. By 1980–81, this total had grown to 2.7 million recipients. Today, over 3.6 million American students receive Pell grants. In my home State of Rhode Island, that includes 16,000 recipients.

This investment clearly assists our neediest students. In 1995–96, 54 percent of Pell grant recipients had income levels of less than $10,000. Only 9 percent of recipients had incomes over $30,000.

In 1992, during the reauthorization of the Higher Education Act, I worked closely with Senator Pell to increase the authorization level of the maximum Pell grant from $3,100 to $3,700 for the 1993–94 award cycle with increases thereafter of $200 a year with the hopes that by 1997–98 that we would have a maximum Pell grant on the order of $4,500 a year. But, as we are all aware, we have not come even close to that figure. Indeed, this year the appropriated maximum Pell grant was only $2,700—too little to meet the needs of so many students across this country.

This lack of resources has had a dramatic impact on students struggling to go to college. Indeed, as college costs have increased over the past two decades at an annual rate of between 5 percent and 6 percent, consistently outpacing inflation, there has been a decline in the purchasing power of the Pell grant.

According to the College Board, for 4-year private institutions the average tuition has gone up by over $14,000 between 1980 and 1996. In that same period the maximum Pell grant has only increased by about $950, and the average Pell grant only by about $733. As a result, back in 1980 the maximum Pell grant covered 33 percent of the tuition costs of a 4-year private institution. Now it only covers 14 percent. The average Pell grant covered 18 percent of costs of 4-year private colleges in 1980 and now it only covers 9 percent.

If you look at public institutions—those great institutions which we feel have a special obligation to educate all of our citizens, particularly those coming from disadvantaged backgrounds—the maximum Pell grant back in 1980 covered 72 percent of a 4-year public college. Today it only covers 22 percent.

As I said before, the grant has not hardly kept up with inflation. If we had simply paid the Pell grant at inflation we would today be looking at not a $2,700 maximum grant but a $4,300 maximum grant.

So, before us we have the obligation to raise the maximum Pell grant. I am pleased to note that the proposal in the budget does increase it by $300. But that is not sufficient to keep up with the accelerating costs that I have described. The Wellstone-Reed amendment builds on this request within this budget—the President's request—by increasing the maximum Pell grant from $2,700 to $3,500. This would be a $500 increase above the President's proposal.

It calls for a $6 billion investment over five years by an offset of additional reductions in corporate tax loopholes and corporate welfare to fund this increase. By increasing the Pell grant to $3,500 we would be able to extend this grant to several hundred thousand more students. The average Pell award among poorest students would increase by almost a third.

And, Mr. President, we recognize—all of us—the absolute necessity of higher education. A college education really pays off. It pays off for our country, and it pays off for individual graduates of college.

The National Bureau of Labor Statistics has estimated that 60 percent of all the new jobs between 1992 and the year 2005 will require an education beyond high school. Without these skills, college and postsecondary technical school graduates will not be able to man the economy of the 21st century. College education is also the key to higher wages. And one thing that we have been talking about repeatedly here is how do we raise the wages of Americans to give them a fair share in the progress of our economy? Education is the answer—higher education particularly. This translates dramatically.

It is estimated that college graduates earn 50 percent more than high school graduates. In 40 years of expected work a college graduate is estimated to earn over a half-million dollars more than a high school graduate. All of this points to the critical need to provide additional access to higher education.

Indeed, in terms of the national well being there have been studies, one of which is Trends in American Economic Growth, that point to the fact that 37 percent of our growth as a Nation from 1929 to 1982 was attributable to education, and particularly higher education.

So not to invest in Pell grants, not to invest in opportunities for Americans to seek higher education, will I think undercut the goal we all have of growing and providing for an expanding and productive economy.

So the amendment before us today is a step in the right direction, to provide more access to higher education, to allow particularly students from low-income households to go to school, to learn skills, to work in this economy, and to build strong communities so that we prosper not only economically but as citizens in a community of other citizens.

If we shortchange the Pell grant and other educational programs, we will be reaping a very short and very transparent economy, one that in the clear light of day in the future will reveal itself to be not a savings but a massive lack of investment in the potential of our people and the success of our economy.

I hope that we will all join together, as the distinguished Senator from Minnesota has done, to put forth this amendment and support this amendment and to increase our contribution to the Pell grant. Doing so I think will prepare us well for the new economy we face, an economy which demands these skills. The world is changed. Technology is forging new boundaries. Capital investment respects no boundaries. The only determinant I believe that we will have to ensure that we maintain our superiority as an economy is that we have the best educated people with access to higher education being the key to that success.

This amendment will I hope take that strong step forward to accelerate the process of education for all of our citizens to ensure that we meet these technological challenges, to ensure that we have the best prepared work force, and that we also have people who respect and, indeed, appreciate the value of education because they benefited from it.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President.

Let me thank my colleague from Rhode Island, Senator REED. The Pell grant program has been a huge success. It has sort of been the foundation of opportunity in our country. I feel like my words are also dedicated to Senator Claiborne Pell.

Let me just highlight a few things that Senator REED had to say. And, again, Senator BINGAMAN and Senator MOYNIHAN are also original cosponsors.

What we are really doing is saying that we are pleased to see the tax deductions. And we are pleased to see the tax credits. But we want to make sure that we also provide the support for students and families with incomes under $20,000 a year who may very well fall between the cracks.

So what this amendment does is it says for $6 billion more over 5 years we take it out of a variety of different loopholes and deductions that are called corporate welfare. Instead, we would invest it in the Pell grant program. We would increase the award up to $3,500.

My colleague is right. The President has brought it from $2,700 to $3,000, and that is a modest increase. But we are pleased to see that. But if we brought it up to $3,500, then what you would see is that the Pell program would be available to several hundred thousand new students and the average Pell grant among low-income students would increase by about a third.

One of the things that I want to say to my colleagues is that I hope before you vote on this amendment that there will be a way that you can be in touch, if you are not already, with the higher education communities in your States, because I think you will hear over and over again from them that there is no more important program than the Pell grant program, if we want to target this assistance to make sure those students and those families most in need of assistance are able to have access to higher education.

There is a shameful statistic in our country. The best predictor of attending college is family income. And only 16 percent of college freshmen come from households with incomes under $20,000 a year. Only half of them graduate by age 24.

So just think about that for a moment. Only 8 percent of those women and men coming from households with incomes under $20,000 a year are able to graduate. And we are now moving toward an economy where the brainpower of women and men in industry is going to matter more and more. Many of these companies, by the way, are going to be small businesses—not necessarily large companies. And the whole key to whether or not our children and our grandchildren are going to be able to do well economically is to be able to have access to higher education.

I mean this really speaks not only to the whole issue of opportunity but also to national security. We do well as a Nation when we make sure that women and men have access to higher education so that they can do well for themselves and their families and they can do well for our country.

So, again, I just want to make it clear that this is the choice. We just simply take $6 billion. And believe me, you know, you are looking at hundreds of billions of dollars when you look at this whole area of tax expenditures. We say find some of those loopholes and deductions and plug them. Mr. President, $6 billion over 5 years is not too much to expand the Pell grant program up to $3,500 which would make a huge difference.

Again, what we would be talking about is several thousand new students. The Pell grant award would increase. It would make a huge difference to low- and moderate-income families. It would make a huge difference to access to higher education.

And if we want to talk about priorities, I don't see any reason why this

amendment would not be an amendment that would carry on the floor of the U.S. Senate. There are a whole bunch of loopholes and deductions. Regular people are pretty angry about them. They don't think that those people who already make millions of dollars should get these breaks. And I think it is an absolute priority for people to make sure that higher education is affordable.

This would really make this budget a budget with a strong higher education component. This would really make this budget a budget that I think Senators could feel really proud of when it came to higher education. Senator REED and I are really trying to improve upon this.

So, Mr. President, I am hopeful that we will get very, very strong support.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 3 minutes and 45 seconds.

Mr. WELLSTONE. Mr. President, if my colleague wants to comment, I would like to preserve 2 minutes.

Mr. REED. If the Senator will yield.

Mr. WELLSTONE. I am pleased to.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I want to associate myself with the remarks of the Senator from Minnesota. He has stated very well what is at stake—which is the future of the country through the future of individual students who have the opportunity to pursue higher education.

There is something else that I might add. This proposed increase in the Pell grant compliments some of the other provisions in this bill where the President has proposed higher education tax credits and tax deductions which will assist, I think, generally speaking middle- and upper-income Americans. This Pell proposal would be particularly effective in helping low-income working Americans, and also particularly effective in helping a new and growing category of students—not recent high school graduates but those people who through circumstance were forced in midlife to retrain themselves. And there are so many in this situation nowadays due to downsizing.

So for all of these reasons this is a very useful and critical step.

I thank again the Senator for yielding.

Mr. WELLSTONE. I thank again the Senator from Rhode Island. He comes from a State with a great tradition of commitment to higher education.

To my colleagues, there are two amendments. One of them is, if you will, very precious.

It is all about making sure that we at least provide some more funding for nutritional programs for many poor children who are malnourished in America; that we invest in Head Start; and that we invest in our schools, too many of which are crumbling across the country, and we take that out of tax cuts that are skewed to the very top and we say target those to middle-income and small businesses, and we take it out of corporate welfare.

The second amendment Senator REED and I offered is a higher education amendment. This makes all the sense in the world. With this additional $6 billion of outlays over 5 years, we would be talking about a dramatic increase in access to higher education for many, many families all across the country in our States.

Mr. President, those are the two amendments. I am going to finish on a positive note, but with 30 seconds left, I will just say one thing on a negative note. I gather that I will be meeting with my colleagues from North Dakota, Minnesota, and South Dakota. Apparently the House is not going to finish the disaster relief bill. I have to say on the floor of the Senate, I cannot believe that this is happening. I think it is just unconscionable. It is irresponsible. This is emergency assistance that people in our States have been waiting for.

We as Senators are going to have to figure out exactly what we do next, but I can assure you, and I think I speak for my colleagues, we will be as strong as we can be, and we will fight as hard as we can for people in our States. That is not meant to be showman-like. It is very sincere.

Finally, I thank my colleague from New Mexico, Senator DOMENICI, for his graciousness. We were able to get the two amendments in in the 30-minute limit, and I thank my colleague. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to my fellow Senators, I have the greatest respect for the two Senators who spoke. I do not know the new Senator from Rhode Island as well as I know Senator WELLSTONE, but I am growing in understanding and knowledge and put him in the category of a Senator I respect.

Mr. President, I actually believed, as I listened to those arguments, that we did not have a budget before us; that somehow or another, we had not done anything in this budget.

Let me tell the American people and Senators what we did in this budget. Did anybody happen to catch the President's press conference when he bragged about this budget resolution? Remember what he said about education? ''We have done more to increase educational funding in this budget than at any time in the last 30 years.'' He had in mind a few things that the Senators are talking about in their amendments.

Let me just tell you a couple of them. A $2.7 billion increase over the next 5 years in Head Start. Over the next 5 years, Head Start will receive exactly what the President of the United States requested. It is interesting, when the President has to look at all of Government like we do in the budget resolution, he gives Head Start a huge increase, and we agree with him in this agreement, and we make it a priority item that is going to be hard not to fund. That program has enjoyed a 300-percent increase since 1990. Not very many programs around have done that.

I would have thought, if I were one listening here, that this President of the United States just denied these poor people Head Start, just sent them off saying, ''I don't want anything to do with it.'' It is the President who asked for this much money, and we did not change it one penny.

Then, they were talking about Pell grants, and then I will return to another issue. Of course, it would be wonderful for America if Pell grants were $5,000. What did the President say about Pell grants? He said, we have the best increase in Pell grants in the last decade. How much? Three-hundred dollars for each Pell grant.

We conservatives did not say that. We are glad to do it. The President of the United States asked for that. He got every penny he asked for. It is very simple to come to the floor of the Senate, no matter what you do in a budget, to have a new wish list and a new set of statistics about who needs something.

I have learned more from that side of the aisle about that than I ever dreamt in my life. I can get up after you put the President's budget together, if we had given him everything he wanted, I learned from that side of the aisle that I could get up here and say we have 26 million people who do not have enough food, even if the President had put in a whole new nutrition program.

As a matter of fact, let's move from Pell grants to nutrition. Child nutrition program, isn't it interesting? The Federal Government spent $12.4 billion on those programs last year. Believe it or not, 70 percent of those programs, Mr. President, are what we call mandatory programs. That means, if you qualify, you get them. There cannot be much more needed; if you qualify, you get them. That means everybody who is poor qualifies for those programs, and we spend $12.4 billion.

Mr. WELLSTONE. Will the Senator yield?

Mr. DOMENICI. You would have thought we did not even have a program from over there, and we did not even have an increase. Let me just finish.

Believe it or not, the other 30 percent of the money that goes to children's nutrition programs is spent for programs like WIC, Women, Infants, and Children, one of the finest programs in terms of effectiveness we have in the Federal Government in this inventory. It has wide bipartisan support. It enjoys an increase in this budget, and, as a matter of fact, the President is so confident that it will be funded every year and funded appropriately that he did not even ask us to make it a priority program, because by doing so, we

are taking more and more of the budget and locking it in, because he knows we are going to fund it.

Mr. President, I do not know exactly how I will ultimately handle these amendments, because no matter what you say, the argument is going to be that we are against nutrition programs, and it is a ready-made TV ad.

On Pell grants, no matter if we gave the President every penny he wanted and we increased it $300 a year—it would be great if we had enough money to go to $10,000 a year, I guess, I am not sure. It does not matter. Whoever votes with DOMENICI tonight is going to vote against Pell grants.

So I want to make sure the Senators understand that I have great respect for them, and I admire them greatly, but we may have a second-degree amendment to change the way this vote occurs, so we are voting on something different for a change than your add-ons. I am not sure yet, but I am looking at it. So with that, I yield the floor.

Mr. WELLSTONE. Will the Senator yield for a question or comment?

Mr. DOMENICI. I did not hear the Senator.

Mr. WELLSTONE. Will the Senator yield for a question or comment?

Mr. DOMENICI. Of course.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I say to the Senator from New Mexico, who is really—we say a good friend—he really is a good friend. I want him to know both of these amendments—and I am speaking for myself, not for Senator REED—do not have a darn thing to do with TV attack ads. I cannot stand them. I wish there was no such thing.

These amendments are offered out of a sense of sincerity, and, in all due respect to my colleague, you can talk about what we are doing in the area of, for example, nutrition for children, and it is, I guess, all a matter of how you see it. These amendments just say we can do better. The fact of the matter is that in the last Congress, we cut grants for school districts to establish the School Breakfast Program and only 50 percent of the children who are eligible receive it. The fact of the matter is——

Mr. DOMENICI. I yielded for a question.

Mr. WELLSTONE. The fact of the matter is, the same thing can be said for the Summer School Program. So, the question—I said actually a comment, but I will put it in the form of a question. My question for the Senator is, how can you even view this as some sort of potential TV attack ad when these amendments are so substantive and they speak to the huge—I am sorry, I say to the Senator—disparity between children who need this assistance and, quite frankly, a budget that does not get them anywhere near close to it? How can that be viewed just as an effort to have an attack ad?

Mr. DOMENICI. Let me answer the question. I would never suggest that any Senator who offers an amendment, with all of the concern that you have in your heart and your mind when you offer these kinds of amendments, I would never consider that they would ever be used to disabuse somebody who voted against you improperly. But I am merely suggesting that happens from time to time, and that is all I was thinking. I do not think it will be much of a defense to say that the President of the United States was given everything he asked for in these areas. I do not think that will help much, if somebody wants to use it for a contrary purpose.

I yield the floor, and I understand the next amendment is Senator INHOFE's amendment, is that correct?

The PRESIDING OFFICER. The Senator has 6 minutes, 15 seconds remaining. Does he yield his time back? Does he wish to yield his time back?

Mr. DOMENICI. If Senator WELLSTONE will wait, can we yield back our time and get the yeas and nays on his two amendments?

Mr. WELLSTONE. Mr. President, that will be fine. I yield back the remainder of our time.

Mr. DOMENICI. Wait a minute, wait a minute. Could we not do that for a moment and let him proceed and let me clarify something?

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask to set aside temporarily the consideration of the Wellstone amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 301

Mr. INHOFE. Mr. President, I ask we turn to consideration of amendment No. 301.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 301.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. INHOFE. Mr. President, I do not plan to take a long time. I would like to make a couple comments about some of the things that have been said here.

I do not question the sincerity of any Member on this floor, but I think it should be obvious to you, Mr. President, and anyone else who may not be worn out right now, that there is a difference of philosophy often expressed on this floor. I think it goes back to the role of Government.

I not only remind my friend from Minnesota that every country that has tried to take care of all these ills from a government perspective has not made it. I wonder sometimes, all these people who come to school supposedly that are hungry, how many of those parents perhaps are not able to feed them because they are overtaxed, or how many of those parents might have fallen into this mentality that permeated the 1960's that Government has the responsibility of taking care of all the human social ills?

I agree with one thing the distinguished Senator from Minnesota said when he said we have lost our way. I think we have. I think that is what this is all about, trying to find our way back.

I have to say, Mr. President, that I have not been supportive of this compromise, but for a totally different reason than the Senator from Minnesota. I look at this, and I have to correct the distinguished Senator from New Mexico about one thing that he said. He said we gave the President everything he wanted in his social programs. We actually gave him more. This is $5 billion more than his request was last year. It is not a matter of not having enough in this bill. I feel the spending is too high. I do not agree with all the assumptions, but I am very confident that this is going to be adopted and going to be adopted tonight.

Also, I am not sure we are going to be able to accomplish all the tax decreases that we have promised some of the people. I had occasion this morning to talk to two large groups, both of whom are endorsing this, and they are endorsing this because they believe they are going to get an estate tax reduction; they believe they are going to get capital gains reductions. I do not believe there is going to be enough money to do that. But that is not the point of standing here now.

What I would like to see happen with this, ultimately, in the year 2002 is to accomplish the goal that many people believe in their hearts we will accomplish with this. I am not that confident. I am going to assume that will happen and we will reach a balanced budget by the year 2002.

I have offered amendment No. 301 because I think by just oversight, something was left out. Let's assume that everything we are trying to accomplish with the adoption of this budget agreement becomes a reality. Let's assume that the economic assumptions produced an additional $225 billion. Let's assume that these spending programs are going to stay within the limits and that we are able to do the tax cuts. And let's assume that we find ourselves with a balanced budget.

Now, here is the problem that I have with this. One of the problems is, if we reach the year 2001 and we see, in fact, it is doing what we projected it would do, doing what we told the American people it would do, and that is balance the budget, eliminate the deficit, what happens in the next year? With that as a concern, I don't think there is anyone in this Chamber who is going to vote for this bill on the basis that they want to balance the budget who does not also want to keep the budget in balance in the years following that. So I have this very simple resolution that I wouldn't think there would be any opposition to. That is, if this passes, and that becomes a reality—I am going to read the sentence from the bill. This is, in essence, my entire amendment.

It shall not be in order in the Senate to consider any budget resolution or conference report on a budget resolution for fiscal year 2002 and any fiscal year thereafter that would cause a unified budget deficit for the budget year or any of the four fiscal years following the budget year.

So, what we are saying is, once we get it in balance and we have eliminated the deficit, I would like to go further and say, let's then start spending down and paying down the debt. Instead of that, with this, all we are saying is once we eliminate the deficit, let's keep it eliminated. In the absence of this, all of this, that is on this plan, this road map can become a reality in the year 2001. But if that happens, then they can turn around and say, ''Good, that's over with, now let's start raising deficits again.''

That is the essence of it. I am prepared to yield the remainder of my time, but I understand the Senator from New Jersey wants to use some of his time.

Mr. LAUTENBERG. Very briefly, I thank the Senator from Oklahoma for remembering that I might disagree that we have a 60-person vote required after the year 2002. I understand that the Senator wants to make sure that if we do achieve the objectives that we set out for ourselves, that we can continue to do so. I believe the same thing. However, I do disagree that we require a supermajority.

The fact of the matter is, to project that far in advance—again, I said it earlier in a discussion, that we are working with estimates. We are looking at a particular point in time, the condition of our economy, the condition of the revenue stream that we get from, really, an ebullient marketplace and high tax collection. That has given us revenues that make the balanced budget a reality, to permit the tax cuts that have been established. Again, we each take a little bit of time for editorial comment to say—with which I disagree. I do agree with the portion that is devoted to the middle class and devoted to education. But it cannot be only my way. I regret that, but that is life and the reality.

Mr. President, I hope we will be able to defeat this amendment. I think it does violate the agreement as we understand it. If we get to 2002—we have deliberately had the projections extend for 10 years, so we had some idea that we were not going to face a cataclysmic explosion with deficits or with tax cuts, frankly, in that period of time. I hope we will be able to defeat it. I do not see my colleague, the chairman of the Budget Committee here, but I assume he will agree with me and that he will discuss it at an appropriate moment, if we have time.

Has the Senator yielded back all the time?

Mr. INHOFE. No, I was waiting until the Senator yielded his time.

Mr. LAUTENBERG. I yield the floor.

Mr. INHOFE. I thank the Senator from New Jersey for the spirit in which he is addressing these things. I know there is a difference of opinion. But I would only say, in closing, that we have a list here of 66 people, Democrats and Republicans—you were not one of them—that voted for the balanced budget amendment.

Mr. LAUTENBERG. Not.

Mr. INHOFE. I assume you don't want to change that vote today?

Mr. LAUTENBERG. The record is closed.

Mr. INHOFE. I would say it would be very difficult for me to understand how anyone could have voted for a balanced budget amendment to the Constitution and not support this. Because we are talking about, if you do not do this and you are saying, let's make the plan work, come up to 5 years from now, and then let's start in again on deficits. And we do not want to do that.

With that, if the Senator from New Jersey would like to yield back his time, I will do the same.

Mr. LAUTENBERG. I yield our time.

Mr. INHOFE. Mr. President, I yield the remainder of my time.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum and ask the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 335

Mr. DODD. Mr. President, I have an amendment that is on the list. I am going to do this very briefly to accommodate our colleagues who are anticipating a series of upcoming votes. The distinguished chairman of the committee has given me a couple of minutes to explain my amendment. It is at the desk.

Mr. DOMENICI. Mr. President, you heard a couple minutes. A couple minutes is my interpretation of 3, that is what a couple is.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 335.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. DODD. Mr. President, very briefly, let me explain, as I said when I offered an amendment earlier in the week, I intend to support this budget resolution. I think it is a good resolution. I commend the leadership for putting it together. There is some disagreement around the fringes.

Fundamentally, this is a good agreement. I am impressed with the balance that is included in here. One of the ways this balance is accomplished is by limiting, of course, as we know, the size of tax cuts, both initially and in the latter years.

The agreement entered into by the President, the majority leader, my colleague from Mississippi, Senator LOTT, and Speaker GINGRICH specifies tax cuts should cost no more than $85 billion in the first 5 years and no more than $250 billion over the 10-year period.

I read from the letter signed by our distinguished majority leader and the Speaker. I quote from the letter, Mr. President:

It was agreed that the net tax cut shall be $85 billion through 2002 and not more than $250 billion through 2007.

As I said, this was signed by the majority leader and the Speaker. I was surprised, however, Mr. President, to learn that this budget resolution does not fully conform in a sense because there is no reflection of the $250 billion over 10 years. It does include the $85 billion over the first 5 years. There is no particular reason they should not be included. It was part of the agreement.

In my view, the resolution ought to reflect the agreement. We do not specify, obviously, what is to be done. That is up to the specific committees; in our case, the Finance Committee; in the House, the Ways and Means Committee. All it does is conform to the overall agreement of tax cuts should not exceed $250 billion over 10 years. The absence of that reference in the resolution, I think, leaves open the question whether or not we are going to meet those guidelines.

So, Mr. President, I offer this modification with reconciliation instructions so that the tax cuts are not limited to $85 billion but also be limited to $250 billion in 10 years. This language would be binding, but not in the sense of how it is done. We are not out of the woods, obviously, at the end of 10 years. There are reports we could have a ballooning problem, as we did after the 1981 agreement. I think by including the $250 billion here, it does conform very explicitly, as I said, with the letter.

I ask unanimous consent that the letter from the distinguished majority leader and the Speaker be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, May 15, 1997.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We would like to take this opportunity to confirm important aspects of the Balanced Budget Agreement. It was agreed that the net tax cut shall be $85 billion through 2002 and not more than $250 billion through 2007. We believe these levels provide enough room for important reforms, including broad-based permanent capital gains tax reductions, significant death tax relief, $500 per child tax credit and expansion of IRAs.

In the course of drafting the legislation to implement the balanced budget plan, there

are some additional areas that we want to be sure the committees of jurisdiction consider. Specifically, we believe the package must include tax relief of roughly $35 billion over five years for education, including a deduction and a tax credit. We believe this package should be consistent with the objectives put forward in the HOPE scholarship and tuition tax proposals contained in the Administration's FY 1998 budget to assist middle-class parents in paying and saving for their children's education.

Additionally, the House and Senate Leadership will seek to include various proposals in the Administration's FY 1998 budget (e.g., the welfare-to-work tax credit, capital gains tax relief for home sales, the Administration's EZ/EC proposals, brownfields legislation, FSC software, and tax incentives designed to spur economic growth in the District of Columbia), as well as various pending congressional tax proposals.

In this context, it should be noted the tax-writing committees will be required to balance the interests and desires of many parties in crafting tax legislation within the context of the net tax reduction goals which have been adopted, while at the same time protecting the interests of taxpayers generally.

We stand to work with you toward these ends. Thank you very much for your cooperation.

Sincerely,

NEWT GINGRICH,
Speaker.

TRENT LOTT,
Senate Majority Leader.

Mr. DODD. Mr. President, so my colleagues can appreciate this, this is not gamesmanship or trying to be cute about this in any way, but merely to have our reconciliation instructions conform to what the letter says we do. I think that would certainly put everyone at ease about the commitments we are all making to this resolution when it comes to deficit reduction.

The great tragedy would be if we got to the end of 5 years and have no requirement that we try to limit it to $250 billion at the end of 10 years, and you have deficit reduction and balance for 1 year, and then it will explode out of proportion after that period of time. That is the reason for the amendment.

I appreciate, again, my colleague providing me these few minutes to explain the amendment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have no objection to the amendment, but before we finish and wrap this up, I will be making sure that the rest of the agreement, as it pertains to cuts, has the same kind of specificity to it, otherwise, I would not accept it. I am not sure we can hold it in conference, as long as the Senator understands that.

Mr. DODD. I am sure the Senator from New Mexico will try. I say to my colleague, I think the cuts are there. If not, I will join him in an amendment.

Mr. DOMENICI. I have no objection. I yield back the remainder of my time.

Mr. DODD. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 335) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. I suggest the absence of a quorum.

Mr. BUMPERS. Will the Senator withhold for a moment? Can I have the attention of the floor manager?

The PRESIDING OFFICER. Does the Senator from New Mexico yield for a question?

Mr. DOMENICI. Yes.

Mr. BUMPERS. Mr. President, I question the distinguished Senator from New Mexico, why can't we just start voting right now?

Mr. DOMENICI. We have five amendments which we are going to vote on and some other unanimous-consent requests that the leadership and the managers have. We will put it all in one UC and then start with the amendment of the Senator from Arkansas. His is the lead-off one, and we should not take more than another 5 minutes and then we will be ready.

Mr. BUMPERS. How many following mine?

Mr. DOMENICI. Five in total, I believe. Yours and four others for a total of five. Then we will have some more language in the UC about the rest of the evening and the rest of the amendments.

Mr. BUMPERS. I wonder if the Senator, while we are in this colloquy, can tell us what to expect for the rest of the evening after these votes, and tomorrow.

Mr. DOMENICI. I can only tell you that the distinguished Democratic manager and I are going to be here this evening, and we are going to use all the time to take up amendments. Whether we will vote on them tonight or not, let's wait and see what the leadership proposes. The time will run out sometime before too late, at least it will not be so late that we cannot stand here on the floor and get it done. Amendments will be worked on all evening. There may not be any votes, but it depends on the unanimous-consent request.

Mr. BUMPERS. Mr. President, I wonder if the Senator can inform the Senator how much time is left on the bill?

Mr. DOMENICI. I will ask—a little less than 5 hours.

Mr. LAUTENBERG. About roughly 5 hours.

Mr. BUMPERS. Parliamentary inquiry, Mr. President. How much time is left on the bill?

The PRESIDING OFFICER. A little less than 5 hours is left.

Mr. DOMENICI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

AMENDMENT NO. 328, AS MODIFIED

Mr. DOMENICI. Mr. President, I have an unprinted amendment on behalf of Senator JOHN MCCAIN. It is a modification to 328 which has heretofore been offered. It is a sense-of-the-Senate regarding Amtrak. I ask that it be considered.

The PRESIDING OFFICER. Without objection, the amendment is so modified, and the clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. MCCAIN, proposes amendment numbered 328, as modified.

Mr. DOMENICI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING ASSISTANCE TO AMTRAK.

(a) FINDINGS.—The Senate finds that—

(1) Amtrak is in a financial crisis, with growing and substantial debt obligations approaching $2 billion;

(2) Amtrak has not been authorized since 1994:

(3) the Senate Committee on Commerce, Science, and Transportation favorably reported legislation to reform Amtrak during the last two Congresses, but no legislation was enacted;

(4) the Finance Committee favorably reported legislation in the last Congress that created a dedicated trust fund for Amtrak, but no legislation was enacted;

(5) in 1997 Amtrak testified before the Congress that it cannot survive beyond 1998 without comprehensive legislative reforms and a dedicated source of capital funding; and

(6) Congress is obligated to invest Federal tax dollars responsibly and to reduce waste and inefficiency in Federal programs, including Amtrak.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the provisions of this resolution assume that:

(1) Legislative reform is urgently needed to address Amtrak's financial and operational problems.

(2) It is fiscally irresponsible for Congress to allocate additional Federal dollars to Amtrak, and to distribute money from a new trust fund, without providing reforms requested by Amtrak to address its precarious financial situation.

(3) The distribution of money from any new fund to finance an intercity rail passenger fund should be implemented in conjunction with legislation to reauthorize and reform the National Rail Passenger Corporation.

Mr. MCCAIN. Mr. President, my amendment states that if legislation is enacted to establish an intercity passenger rail fund, as this budget resolution would make room for, the distribution of any new money should be in conjunction with legislation to reauthorize and reform the National Rail Passenger Corporation, better known as Amtrak. Money alone, cannot fix all

of Amtrak's financial and operational problems.

This amendment does not attempt to kill Amtrak or block its funding. It simply attempts to establish some level of fiscal accountability before the taxpayers are forced to pay $400 to $500 million more to fund Amtrak capital subsidies.

We have an obligation to the American public to invest our Federal dollars wisely. We should reduce waste and inefficiency and allow Amtrak to achieve greater fiscal accountability. Statutory reforms are necessary if Amtrak is to increase efficiencies, reduce costs, and lessen its dependence on Federal assistance.

Earlier this week, I met with Delaware's Governor, Tom Carper, who serves on the Amtrak board of directors. Governor Carper articulated clearly to me Amtrak's plan to turn its financial condition around. He talked about the need for capital investment and his support for establishing a trust fund for Amtrak. He also talked about the importance of legislative reforms.

I may not agree with Governor Carper's views on the role that the Federal Government should continue to play in supporting Amtrak. But, it was refreshing to hear from someone close to Amtrak's operations discuss the critical need for statutory reforms—including labor and liability reforms—and not just the need for more money.

Mr. President, Amtrak has not been authorized since 1994. The Commerce Committee has reported out reform legislation during the last two Congresses. But, instead of meeting our authorizing obligations, Congress has found it easier to just keep throwing good money at an inefficent operation. This fiscally irresponsible practice must stop.

Last week, Senator HUTCHISON, the chairman of the Surface Transportation and Merchant Marine Subcommittee, introduced S. 738, the Amtrak Reform and Accountability Act. That bill proposes to reauthorize Amtrak for 5 years and provide comprehensive reforms to allow Amtrak to operate more like a business. In short, it provides all the things Amtrak's president, Tom Downs, says are needed in order for Amtrak to meet its glide path to zero Federal operating subsides by 2002.

The Commerce Committee is prepared to move Senator HUTCHISON'S bill during our very next executive session. We will be ready for floor action as soon as the leadership can agree on a schedule. Members can offer amendments and cast their votes. But we are committed to debate reform legislation on the Senate floor.

I cannot understand how any Member could seriously argue that reform legislation should not be tied to any future ''pot of gold'' for Amtrak. Let me remind my colleagues that it is Amtrak that has said that money will not solve all its problems.

For the past several years, Amtrak's president, Tom Downs, has testified before Congress explaining the three things needed to turn Amtrak around: Internal Restructuring; comprehensive legislative reforms; and a dedicated source of capital funding.

And, just yesterday morning, during a DOT oversight hearing of the Commerce Committee, the GAO and the Office of Inspector General testified on the serious challenges Amtrak faces to achieving operating self-sufficiency.

Mr. President, since 1983 I have listened to Amtrak officials talk about their plans to turn Amtrak into a viable operation. I imagine they've talked about it for 26 years. Amtrak says they can operate more efficiently and reduce the need for Federal assistance if Congress gives them the tools they have requested. Therefore, it would be extremely irresponsible to give Amtrak a substantial increase in Federal assistance and not remove some of the statutory burdens that are the root cause of many of their financial woes today.

If Amtrak is given new money without reforms, I can hear them in the year 2002. They'll try to convince me how Congress still should continue subsidizing Amtrak because Congress never gave them what they said they needed. Well, enough is enough. If Amtrak is going to receive Federal assistance, let's make sure they also have the ability to increase efficiencies, reduce costs, and operate more like a business.

Amtrak is in a financial crisis. Without comprehensive legislative reforms, it is business as usual. And today, that business faces a debt load fast approaching $2 billion.

Mr. President, I do not support a never-ending drain on the Federal taxpayers in funding a passenger rail system that serves only 500 locations across the country. But, if the collective wisdom of Congress believes we should continue to invest billions of dollars in a passenger system that serves less than 1 percent of the traveling public, I am going to do all I can to ensure such investment is as fiscally sound at possible. Turning on a new Amtrak funding spigot absent comprehensive operational reforms would be wasteful and careless.

I urge my colleagues to support my amendment.

Mr. ROTH. Mr. President, I support Senator MCCAIN's Sense of the Senate. I agree with my colleague from Arizona that Amtrak needs reforms. Amtrak must be able to operate more like a business. Senator HUTCHISON has recently introduced a major reform package which I support. Amtrak needs these reforms and they must be enacted this year. It is also very clear that Amtrak needs an adequate and reliable source of capital funding. Amtrak is currently borrowing to meet payroll and if additional capital funding is not provided, GAO and Amtrak have testified that the company will not survive past mid-1998. The key to Amtrak's future is both a legislative reform package and a secure source of capital funding.

Given the immediate financial crisis Amtrak is facing, Congress cannot wait a moment longer. To be viable Amtrak will need both a secure source of capital funding and a reauthorization and reform bill this year. It is my goal to see both bills enacted this year. I do not doubt Senator MCCAIN's ability to get the reform bill passed in the Senate and enacted this year. And, as I have stated on the floor many times, it is one of my priorities to give Amtrak a secure source of capital funding this year. Both bills are essential and I believe both should be implemented in conjunction with each other. We cannot lose our national passenger rail system. If something is not done to give Amtrak the capital funds and the reforms it needs, Amtrak will not survive. This is not an idle threat. GAO has testified before my committee that this is the case. Amtrak President Tom Downs has testified that the company would not survive past 1998. Amtrak's financial report proves it. The question before us is whether or not we want this country to have a national passenger rail system. If we want a national system, we must give Amtrak a secure capital funding source to allow it to operate more like a business.

Let me take a few minutes to explain why I fought to include the Amtrak reserve fund in the budget resolution. And may I also say at this time that Senators DOMENICI and LAUTENBURG have been extremely helpful in securing this compromise language for me.

Senator DOMENICI and I have worked together to develop a compromise on how to finance a secure source of funding for Amtrak. Out of these discussions we developed an Amtrak reserve fund which would allow for the spending caps for Amtrak to be raised by the amount of revenue raised to finance this fund. It is the first step, and a very critical step, for ensuring that Amtrak receives the capital funding it needs to survive.

Mr. President, all major modes of transportation have a dedicated source of capital funding, except for intercity passenger rail. Amtrak needs a similar capital funding source to bring its equipment, facilities, and tracks into a state of good repair. Much of Amtrak's equipment and infrastructure has exceeded its projected useful life. The costs of maintaining this aging fleet and the need to modernize and overhaul facilities through capital improvements to the system are serious financial challenges for Amtrak. This provision is the first step in helping to reverse these problems and give Amtrak the resources necessary to meet its capital investment needs.

I believe that it is time for Congress to reverse our current policy that favors building more highways at the expense of alternative means of transportation, such as intercity passenger rail. Despite rail's proven safety, efficiency, and reliability in Europe, Japan, and

elsewhere, intercity passenger rail remains severely underfunded in the United States. In fact, over half of the Department of Transportation's spending authority is devoted to highways and another quarter to aviation; rail still ranks last with roughly 3 percent of total spending authority.

If this Congress wants a national passenger rail system, we will have to properly fund the system. Amtrak has not been able to make sufficient capital investments in the past through annual, but inadequate appropriation. I am pleased that the Senate now recognizes that a new funding mechanism is needed for Amtrak. Under this budget agreement, Amtrak would finally receive similar treatment as other modes of transportation.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Arizona for his efforts. I appreciate his leadership as full committee chairman because he makes it possible for members to move important legislation in a timely fashion, and I am pleased to hear his commitment to move S. 738, Amtrak reauthorization and reform legislation, as soon as possible.

In particular, he is exercising great leadership on the issue of Amtrak. I know he personally has doubts about our current passenger rail policy but, as chairman, has not acted to impede the will of the Commerce Committee or Congress to continue the national passenger rail system. He does, however, insist these the policies and their implementation be responsible. I commend him for that, appreciate the leadership it represents, and will work closely with him to that end.

I support this amendment because I believe Amtrak must have both reform and capital funding. I commend Senator ROTH for his commitment to authorize a capital fund for Amtrak and will work with him to see that it occurs. He is a cosponsor of my Amtrak reauthorization bill and am certain he will make a similar commitment to help achieve its passage.

I believe we agree that the passage of both of these bills is necessary to sustain Amtrak. Increased Amtrak funding alone is not enough; nor are reforms without adequate funding. However, providing the funding without the reforms not only shortchanges Amtrak, it shortchanges the taxpayer.

I fully share the sense of this Senate that appropriations from the new intercity rail fund should go to a reformed and reauthorized Amtrak. I urge all of my colleagues to work with me to pass Amtrak reform legislation as soon as possible in fulfillment of this resolution.

Mr. DOMENICI. Mr. President, I have no objection to this and hope we will adopt it here by voice vote.

But I yield to Senator FRANK LAUTENBERG.

Mr. LAUTENBERG. Very simply, Mr. President, I too approve of the amendment. I have a deep interest in Amtrak and national passenger rail service. And this refines a process. I am pleased to endorse it.

Mr. DOMENICI. I yield back all my time.

I yield back any time Senator MCCAIN may have.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment, as modified.

The amendment (No. 328), as modified, was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I have discussed this unanimous consent agreement we are about to enter with the Democratic leader. Therefore, I ask unanimous consent that at 7:15 today the Senate proceed to a series of votes on or in relation to the following amendments in the order specified, and, further, prior to each vote there be 2 minutes for debate equally divided in the usual form: Senator BUMPERS, No. 330; Senator BUMPERS, No. 331; Senator BOND, No. 324, which I understand will be a voice vote; Senator GRAMM, No. 320; Senator ASHCROFT, No. 322; Senator ASHCROFT, No. 323; Senator INHOFE, No. 301.

Mr. President, I make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent that all votes after the first vote be limited to 10 minutes in length, and, further, all time consumed by the votes count against the overall time limitation, and, further, any remaining debate time under the statute be consumed this evening, and, finally, beginning at 9:30 a.m., tomorrow morning the Senate proceed to vote on any pending amendments, and following disposition of all amendments, the Senate proceed to the immediate consideration of calendar 56, House Concurrent Resolution 84, the House companion, and all after the enacting clause be stricken, and the text of Senate Concurrent Resolution 27 be inserted, and the Senate proceed to vote on adoption of the budget resolution, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I further ask unanimous consent that following adoption of House Concurrent Resolution 84, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I want to express my appreciation for the cooperation from the chairman and ranking member and the Democratic leader for getting this agreement. This will, I think, be a fair way and expeditious way to complete our action. And we will then get all amendments voted on and final passage beginning at 9:30 tomorrow morning.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to thank the distinguished majority leader for his assistance tonight.

I think this is a very fair way to handle matters. And we will be discussing further amendments that will come up this evening while these votes take place.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I wonder if—I am sorry. The leader made that request, and I was not paying close enough attention.

I would like to reverse my two amendments and bring up 331 first and then 330 second. I ask unanimous consent that we do that.

Mr. DOMENICI. We have no objection. Maybe we could proceed, I say to Senator BUMPERS, to use up time that you have to—

Mr. BUMPERS. I am prepared to use my time.

Mr. DOMENICI. If the Senator used his minute and I use my minute, we will be ready to vote promptly at 7:15.

The PRESIDING OFFICER. Without objection, it is so ordered. The order is so modified.

Mr. DOMENICI. I thank the Presiding Officer.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 331

Mr. BUMPERS. My first amendment simply says that the Finance Committee must come up with offsets of $115 billion to offset that amount which is the cut in Medicare. I think it would be unseemly and extreme if we have to go home and tell our people that we cut Medicare by $115 billion to make the system more solvent and at the same time tell them the only way we could cut taxes under this budget agreement was to cut Medicare by $115 billion.

So, Mr. President, I earnestly ask my colleagues to seriously consider voting to simply say to the Finance Committee, do not force us to go home and tell our constituents that we cut Medicaid by $115 billion and we used every dime of it—every dime of it—to offset all these tax cuts, many of which go to the wealthiest people in America.

It is indefensible. It is inexcusable. I urge my colleagues to support this amendment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. The problem is that what the Senator just described is not the amendment. All the amendment does is take out all the tax cuts the American people are to receive. It has nothing to do with Medicare.

It is a forthright simple amendment. It says, take out all the tax cuts. It totally violates the agreement and, I repeat, has nothing to do with Medicare, nothing.

Everything that we saved in Medicare went to make Medicare solvent. There are plenty of other savings to cover these tax cuts if you had to cover them. But we have to make no apologies. We produced a balanced budget, and in that we got $85 billion net new tax cuts available to the American people.

Plain and simple, this amendment says, no tax cuts. That means anyone that votes for it is against tax cuts. Simple, plain, nothing else.

I yield any time I have remaining.

Mr. BUMPERS. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 47 seconds.

Mr. BUMPERS. Mr. President, I ask the distinguished chairman of the Budget Committee, and my colleagues, what kind of a tax cut will you have if you do not use Medicare's $115 billion cut? The answer to that is, none, virtually none.

Make no mistake about it, the Medicare cut is being used to fund these tax cuts. And without it there will be no tax cuts. It is just that simple.

Mr. DOMENICI. Do I have any time left?

The PRESIDING OFFICER. Ten seconds.

Mr. DOMENICI. That is just not true. If that did not take 10 seconds, that is enough.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DOMENICI. I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. They yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—73

Abraham	Coverdell	Grassley
Allard	Craig	Gregg
Ashcroft	D'Amato	Hagel
Baucus	Daschle	Hatch
Bennett	DeWine	Helms
Biden	Domenici	Hutchinson
Bingaman	Durbin	Hutchison
Bond	Enzi	Inhofe
Breaux	Faircloth	Jeffords
Brownback	Feingold	Kempthorne
Bryan	Feinstein	Kerrey
Burns	Ford	Kerry
Campbell	Frist	Kohl
Chafee	Gorton	Kyl
Cochran	Gramm	Landrieu
Collins	Grams	Lautenberg
Leahy	Robb	Snowe
Lieberman	Roberts	Specter
Lott	Rockefeller	Stevens
Lugar	Roth	Thomas
Mack	Santorum	Thompson
McCain	Sessions	Thurmond
McConnell	Shelby	Warner
Murkowski	Smith (NH)	
Nickles	Smith (OR)	

NAYS—26

Akaka	Graham	Moynihan
Boxer	Harkin	Murray
Bumpers	Hollings	Reed
Byrd	Inouye	Reid
Cleland	Johnson	Sarbanes
Conrad	Kennedy	Torricelli
Dodd	Levin	Wellstone
Dorgan	Mikulski	Wyden
Glenn	Moseley-Braun	

NOT VOTING—1

Coats

The motion to lay on the table the amendment (No. 331) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 330

The PRESIDING OFFICER. There will be 2 minutes of debate on the next Bumpers amendment, 1 minute to each side.

The Senator from Arkansas.

Mr. BUMPERS. Mr. President, this is an amendment which keeps the deficit from soaring next year. This year's deficit is going to be $67 billion. This budget takes the deficit next year to $97 billion. In the year 2000 it is $97 billion. It starts coming down the last 2 years only because of the economic assumptions.

You are assuming in this budget that the economy is going to stay as hot the next 5 years as it has been the last 5 years. And if that proves to be a false assumption you are going to see the deficit start soaring.

I say strike while the iron is hot.

In 1981 we bought into this same proposition, and in 8 years had a $3 trillion debt to show for it.

Here we are back at the same old stand—cutting taxes and balancing the budget. That is the good old five-chocolate-sundae-a-day diet. It didn't work in 1981. It isn't going to work now.

So I am saying balance the budget in the year 2001, not 2002. Postpone the tax cuts until 2002 and honor the American people who say they want a balanced budget a lot worse than they want a tax cut.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will not take very long.

Fellow Senators, what this amendment effectively does is takes away all the tax cuts except $20 billion—plain and simple. There can be all kinds of rationale. But at least $20 billion of the $835 billion in tax cuts, and the rest of the tax cuts are gone.

It seems to me that we have made a commitment that we are going to do both—balance the budget and cut taxes for some Americans, including families with children. This eliminates all of that, and I believe it ought to be turned down overwhelmingly.

Indeed, it doesn't cut any spending. It just cuts out the tax cuts.

I yield my time.

I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico to lay on the table the amendment of the Senator from Arkansas. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 81, nays 18, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—81

Abraham	Faircloth	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Gorton	McConnell
Biden	Gramm	Mikulski
Bingaman	Grams	Murkowski
Bond	Grassley	Nickles
Boxer	Gregg	Reed
Breaux	Hagel	Roberts
Brownback	Harkin	Rockefeller
Burns	Hatch	Roth
Campbell	Helms	Santorum
Chafee	Hutchinson	Sessions
Cleland	Hutchison	Shelby
Cochran	Inhofe	Smith (NH)
Collins	Inouye	Smith (OR)
Coverdell	Jeffords	Snowe
Craig	Johnson	Specter
D'Amato	Kempthorne	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Enzi	Lieberman	Wyden

NAYS—18

Akaka	Glenn	Moseley-Braun
Bryan	Graham	Moynihan
Bumpers	Hollings	Murray
Byrd	Kennedy	Reid
Conrad	Kerrey	Robb
Feingold	Levin	Sarbanes

NOT VOTING—1

Coats

The motion to lay on the table the amendment (No. 330) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Senator BOND?

AMENDMENT NO. 324, AS MODIFIED

The PRESIDING OFFICER. The Senate will please come to order. We will now have debate on the Bond amendment No. 324, as modified; 2 minutes, 1 minute per side.

Mr. BOND. Mr. President, I believe this amendment can be accepted. Basically it points out the fact that in the State of Missouri and other States, the disproportionate share of the hospital Medicaid payments is used to provide health care to the most vulnerable population, a quarter of a million pregnant women and children and, as we look at it, when the Finance Committee addresses this DSH program, they need to keep in mind that no harm must befall these very vulnerable people. We ask they consider use of the funds in the legislation, other legislation that is being adopted. We urge the adoption of the amendment.

Mr. DOMENICI. Mr. President, I yield back my time. I am willing to accept the amendment without a rollcall vote.

Mr. LAUTENBERG. No objection on this side.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 324), as modified, was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. I thank my colleague for changing it into a sense of the Senate. It is acceptable because of that.

AMENDMENT NO. 320

The PRESIDING OFFICER. The question now occurs on amendment No. 320.

Mr. DOMENICI. Mr. President, parliamentary inquiry?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What is the amendment following the Gramm amendment?

The PRESIDING OFFICER. The Ashcroft amendment No. 322.

Mr. DOMENICI. Senator ASHCROFT, would you mind going next and giving your 1 minute? I ask consent we pass the Gramm amendment and proceed to the Ashcroft amendment that is listed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 322

The PRESIDING OFFICER. We will have a 2-minute debate.

The Senator from Missouri.

Mr. ASHCROFT. Mr. President, much has been said about different amendments, alleging that they were deal breakers. This is a deal keeper. This is a set of enforcement provisions which would limit the amount of debt that we could have each year to the amount that is specified in the budget agreement. This is basically the balanced budget amendment in statutory form, conformed to the balanced budget agreement. Those individuals who voted in favor of a balanced budget amendment to the Constitution were willing to put this kind of discipline into our culture for life. I think we ought to be willing to put it into this agreement for the next 5 years.

This is not a deal breaker. This is a deal keeper, and the American people deserve to have the discipline of knowing that the debt will not exceed the limits specified.

The debt will not exceed the numbers of debt which are provided for in the agreement. This is just a way to provide discipline and enforcement of the agreement, as written.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, this amendment would require a supermajority, three-fifths of the Members in each House, to provide for specific excess of outlays of receipts or to provide for such increase in the level of public debt.

What we are doing here is we will be reviewing the balanced budget amendment and voting for it here again. It does not fit in the scope of things.

I have raised a point of order on this relative to germaneness. We should defeat this. I think this is a very dangerous precedent, for us to get involved with this kind of legislation in this budget resolution.

I hope we will defeat it.

Mr. DOMENICI. Has the Senator's time expired?

The PRESIDING OFFICER. The Senator has 15 seconds.

Mr. ASHCROFT. Mr. President, I urge Members of the Senate who voted for a balanced budget amendment to the Constitution to do this imposition of a balanced budget amendment to the budget agreement. It provides discipline and will ensure that we keep the agreement; that we don't break it. The American people deserve no less.

Mr. LAUTENBERG. Mr. President, do I have any time?

The PRESIDING OFFICER. Around 20 seconds.

Mr. LAUTENBERG. Mr. President, 20 seconds? We will use the 20 seconds, Mr. President.

Mr. DOMENICI. Could we have order, please?

The PRESIDING OFFICER. The Senate will please come to order. The Senate will please come to order.

Mr. LAUTENBERG. We will use the seconds preciously and quickly and just say that this doesn't even allow for any adjustments during a recession, depression or that kind of thing. It says, ''other than national security.'' That is a military reference. I think national security includes a stable society, one that adjusts to the times. I hope we will again vote it down.

I yield back my time.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to waive the Budget Act in relation to amendment No. 322, offered by the Senator from Missouri.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The PRESIDING OFFICER (Mr. ENZI). Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 41, nays, 58, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—41

Abraham	Gregg	Nickles
Allard	Hagel	Santorum
Ashcroft	Harkin	Sessions
Bond	Hatch	Shelby
Brownback	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Coverdell	Hutchison	Snowe
Craig	Inhofe	Stevens
Enzi	Kempthorne	Thomas
Faircloth	Kyl	Thompson
Frist	Mack	Thurmond
Gramm	McCain	Warner
Grams	McConnell	Wyden
Grassley	Murkowski	

NAYS—58

Akaka	Domenici	Levin
Baucus	Dorgan	Lieberman
Bennett	Durbin	Lott
Biden	Feingold	Lugar
Bingaman	Feinstein	Mikulski
Boxer	Ford	Moseley-Braun
Breaux	Glenn	Moynihan
Bryan	Gorton	Murray
Bumpers	Graham	Reed
Byrd	Hollings	Reid
Campbell	Inouye	Robb
Chafee	Jeffords	Roberts
Cleland	Johnson	Rockefeller
Cochran	Kennedy	Roth
Collins	Kerrey	Sarbanes
Conrad	Kerry	Specter
D'Amato	Kohl	Torricelli
Daschle	Landrieu	Wellstone
DeWine	Lautenberg	
Dodd	Leahy	

NOT VOTING—1

Coats ÷

The PRESIDING OFFICER. On this vote the yeas are 41, the nays are 58. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The point of order previously raised against the amendment is sustained in that it violates section 305(b)(2) of the Congressional Budget Act and the amendment falls.

AMENDMENT NO. 320, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 320, as modified.

There are 2 minutes equally divided.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, we established the highway trust fund in 1956, and under that trust fund, when people paid taxes on gasoline, it was a user fee to build roads and to build mass transit. In 1993, in the tax bill, for the first time ever, we had a permanent tax increase on gasoline that went to general revenues.

What this sense-of-the-Senate resolution says is that it is the sense of the Senate that on the budget reconciliation, on any appropriation, or any tax bill that we should put this 4.3-cent-a-gallon tax on gasoline back into the highway trust fund so that it can be spent for the purpose the tax is collected.

I hope my colleagues will vote for this amendment. We are going to have an opportunity to vote on the real thing later this year, but this vote will put people on record.

I thank the Chair.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. DOMENICI. I am not in opposition.

Mr. CHAFEE. I am in opposition.

Mr. DOMENICI. I yield to Senator CHAFEE.

Mr. CHAFEE. Mr. President, what this does is it takes $40 billion over the 5 years that is now going into the General Treasury and puts it into the highway trust fund with, obviously, the assumption that it is going to be spent. In effect, what we are doing here is adding $40 billion to the deficit of the United States.

I just don't think, when we are in this effort of trying to balance the budget, that this is the right step to take. Do we all want to have more highways? Of course, we do. Indeed, it falls under the very committee of which I am the chairman. I don't think at this time, when we are making these efforts to balance the budget, that we want to take $40 billion over 5 years going into the General Treasury and spend it in this manner. So I hope the amendment will be defeated.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—83

Abraham	Enzi	Lott
Akaka	Faircloth	Lugar
Allard	Feingold	Mack
Ashcroft	Feinstein	McCain
Baucus	Frist	McConnell
Bennett	Gorton	Mikulski
Biden	Gramm	Murkowski
Bingaman	Grams	Murray
Bond	Grassley	Nickles
Boxer	Gregg	Reid
Breaux	Hagel	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Santorum
Bumpers	Hollings	Sarbanes
Burns	Hutchinson	Sessions
Byrd	Hutchison	Shelby
Campbell	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kempthorne	Stevens
Coverdell	Kerrey	Thomas
Craig	Kohl	Thompson
D'Amato	Kyl	Thurmond
Daschle	Landrieu	Torricelli
DeWine	Lautenberg	Warner
Domenici	Leahy	Wyden
Dorgan	Lieberman	

NAYS—16

Chafee	Harkin	Reed
Dodd	Kennedy	Robb
Durbin	Kerry	Roth
Ford	Levin	Wellstone
Glenn	Moseley-Braun	
Graham	Moynihan	

NOT VOTING—1

Coats

The amendment (No. 320), as modified, was agreed to.

Mr. BAUCUS. Mr. President, I want to take this opportunity to explain my vote on the Gramm sense-of-the-Senate amendment.

This sense-of-the-Senate amendment calls for the return of 4.3 cents of the Federal gas tax currently used for deficit reduction to the highway trust fund.

I have long argued for the return of these revenues to transportation programs—approximately $7 billion annually. In fact, I recently introduced legislation to transfer the 4.3 cents to transportation programs—3.8 cents to the highway account of the highway trust fund and 0.5 cents to be used to maintain this Nation's national passenger rail system or Amtrak.

While this sense-of-the-Senate amendment unfortunately does not address Amtrak, I feel it is important for the Senate to express its support for redirecting the 4.3 cents to transportation purposes. That is why I have voted for this amendment.

As this sense-of-the-Senate amendment is nonbinding, it is important to ensure that the transfer of the 4.3 cents for transportation actually takes place. As a member of the Finance Committee, I want to make it very clear to my colleagues that I intend to pursue my legislation to make the transfer—again, 3.8 cents for the highway account and 0.5 cents for Amtrak.

Transportation investments are the key to this Nation's economic future. Our ability to compete in today's global economy is tied to an efficient and safe intermodal transportation system—highways, transit, Amtrak, and other modes.

The Gramm amendment is the first step to reaching that outcome. By putting the Senate on record in support of transferring the 4.3 cents for transportation purposes, we will be able to work during the reconciliation process and the reauthorization of ISTEA to see that additional investments are made in our transportation system.

I look forward to working with the chairman of the Finance Committee, Senator MOYNIHAN, and others to transfer these revenues as we develop reconciliation legislation.

AMENDMENT NO. 323, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, we will proceed to consider amendment No. 323 by the Senator from Missouri, Senator ASHCROFT.

There are 2 minutes of debate equally divided.

Who yields time?

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that I be able to withdraw this amendment. This amendment was in large measure subsumed in the prior amendment which I offered to the Senate. I ask unanimous consent that this amendment be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 323) was withdrawn.

AMENDMENT NO. 301

The PRESIDING OFFICER. The question now occurs on amendment No. 301 by the Senator from Oklahoma, Senator INHOFE.

Mr. INHOFE. Mr. President, this is the last amendment of the evening. I would like to have your attention for a short period of time.

I have not been a strong supporter of this budget deal, the basis of the assumptions and other things. But in the event it does come up with a balanced budget in the year 2002, I see one frailty with this, and that is, you can come into balance in the year 2002, only to find out that in 2003 you come along and go back into deficits again.

So I am going to read one sentence very carefully. I would like to have you listen to it.

> [I]t shall not be in order in the Senate to consider any budget resolution . . . for fiscal year 2002 and any fiscal year thereafter . . . that would cause a unified budget deficit for the budget year or any of the 4 fiscal years following the budget year.

I would like to reserve the last 10 seconds of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, this amendment talks to the years 2000-plus. We heard it from the Senator from Oklahoma. We are not balancing the budget for 10 years. We are balancing it for the first 5 years to 2002. We project off into the years subsequent to that.

We believe that we will have the mechanism in place to control it. If not, we ought to take it up at that time. And this budget amendment creates a supermajority. So we are back to 60 votes in case you want to make a change at that time.

I do not think we ought to be strapping ourselves now for something that is going to happen after 2002. I hope that we will defeat this amendment. I think that it is important that we do.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. I believe I have 15 seconds remaining.

Let me just say that if it is the intent of anyone to vote for this in hopes it would achieve a balanced budget by the year 2002, and then coming back and starting into deficits again, of course you want to oppose it.

This is your last opportunity to say that we want to reach that balanced budget by 2002, and then keep it in balance thereafter.

The PRESIDING OFFICER. Does the other side wish to yield back their time?

Mr. LAUTENBERG. I move to table the amendment.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana [Mr. COATS] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—52

Akaka	Domenici	Levin
Baucus	Dorgan	Lieberman
Bennett	Durbin	Lugar
Biden	Feinstein	Mikulski
Bingaman	Ford	Moseley-Braun
Bond	Gorton	Moynihan
Boxer	Graham	Murray
Breaux	Harkin	Reed
Bryan	Hatch	Reid
Bumpers	Hollings	Roberts
Byrd	Inouye	Rockefeller
Campbell	Johnson	Sarbanes
Chafee	Kennedy	Smith (OR)
Cleland	Kerrey	Specter
Collins	Kerry	Stevens
Conrad	Landrieu	Wellstone
Daschle	Lautenberg	
Dodd	Leahy	

NAYS—47

Abraham	Grams	Murkowski
Allard	Grassley	Nickles
Ashcroft	Gregg	Robb
Brownback	Hagel	Roth
Burns	Helms	Santorum
Cochran	Hutchinson	Sessions
Coverdell	Hutchison	Shelby
Craig	Inhofe	Smith (NH)
D'Amato	Jeffords	Snowe
DeWine	Kempthorne	Thomas
Enzi	Kohl	Thompson
Faircloth	Kyl	Thurmond
Feingold	Lott	Torricelli
Frist	Mack	Warner
Glenn	McCain	Wyden
Gramm	McConnell	

NOT VOTING—1

Coats

The motion to lay on the table the amendment (No. 301) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay it on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

AMENDMENT NO. 316

Mr. ABRAHAM. Mr. President, I call up my amendment numbered 316.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM], for himself, Mr. KYL, Mr. BROWNBACK, Mr. ASHCROFT, Mr SESSIONS, and Mr. COVERDELL, proposes an amendment numbered 316.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. ABRAHAM. Mr. President, it is not my intent tonight to keep the Senate here for a lengthy period of time on this amendment. I will speak to my amendment for just a couple of minutes. If others wish to debate it, I will stay here, but I am otherwise prepared to yield back my time on this amendment after giving it a couple of minute's description.

Basically, Mr. President, this amendment tries to address a concern that a number of my constituents, and I suspect constituents from other States, have expressed in recent weeks with respect to the development of this budget. As the President and Members are aware near the end of discussions and deliberations that went into the development of this budget agreement, the Congressional Budget Office informed the negotiators at the last minute that they had underestimated the income shares, the revenue estimate, for the upcoming 5-year period by some $225 billion.

Obviously, a lot of questions have been raised. I am not here tonight to quarrel with or to raise questions about the basis on which those adjustments took place, but the fact is, Mr. President, based on these adjustments, we are moving forward with a budget that estimates certain amounts of revenue.

Clearly, it is possible that sometime during the period that this budget covers over the next 5 years we might find further adjustments occurring. My concern, Mr. President, is what happens if further adjustments based on the actual receipts to the Federal Government exceed what the estimates are that we are using as the basis for this budget resolution. To that end, my constituents are basically telling me that if the actual revenues the Government produces exceed that which we are using here in this budget resolution, that those dollars ought to be returned to taxpayers in the form of tax cuts or ought to be used to reduce the deficit, for deficit reduction and debt reduction purposes.

Based on that, Mr. President, I am offering tonight—because of the nature of the resolution, I am not offering this as an amendment in the fullest sense—as a sense-of-the-Senate amendment that if, in fact, the revenues which we receive during the pendency of this resolution exceed the revenue estimates that have been used to formulate the resolution, those dollars be, in effect, put in a lockbox and made available exclusively for reductions in the deficit or for further tax cuts.

I think this makes sense because if, in fact, the American taxpayers are sending more money to Washington than we expect them to it only makes sense to me that the additional dollars ought to be returned to the taxpayers or used to reduce the deficit as opposed to being used for increased and additional Federal spending beyond that which we are including in this budget resolution.

Mr. President, I think that is the one way by which we can maintain some integrity with respect to the taxpayers by assuring them that as a consequence of the progrowth ideas we have for this budget resolution—which we hope will result in such things as a capital gains tax—as a consequence we see the revenue come to the Federal Government beyond that which we expect, that the only way we maintain some integrity here is guarantee the taxpayers that those additional dollars are either going to help us reduce the debt of this country, or we give it back to the taxpayers in the form of additional tax cuts.

Virtually everybody in this Chamber could think of additional ways by which we might address some of the problems with the Internal Revenue Code, whether it is additional tax cuts for education for working families or to a eliminate the marriage penalty or a variety of other things.

We all know that there isn't embodied within this resolution adequate resources to address all of those objectives that we have as a group.

My feeling is that, if the taxpayers send us more money than we are counting on, more money than we have asked them to, we might then use those additional dollars to fund additional taxes or, alternatively, for the purposes of deficit reduction.

So, for those reasons, I offer this amendment.

I also would like to say in closing here tonight that I want to offer my praise particularly to Senator DOMENICI, whom we work with on the Budget Committee, for his unstinting efforts here. I have always been impressed and amazed at his resilience as we go through amendment after amendment. He leads us so well in that.

So, I thank Senator DOMENICI, both for in the committee and in the prior activities before we get to the committee, and then here on the floor this week.

I offer my amendment. As I said, I am prepared, unless there is a desire to debate the amendment, to yield the remainder of the time tonight. I guess we will vote tomorrow on this.

At this point, I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, there is a 601(b) point of order against this budget because it raises spending above the spending caps set in the 1993 budget.

My remaining business with the budget is I want to raise this point of order. We are going to have 1 minute a side tomorrow, I guess, to do closing. I would like to ask unanimous consent that tomorrow I be recognized for the purpose of making the point of order. I can make it within the minute, and then we will have the vote.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object, I wonder if the Senator

would agree to double that time, 2 minutes to a side.

Mr. GRAMM. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. Mr. President, in light of the fact that I don't think there is further debate planned on this amendment on either side, I at this point yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. DOMENICI. If we yield our time, that means there is 1 minute on a side tomorrow under the interpretation of the Parliamentarian.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 353, AS MODIFIED

Mr. BYRD. Mr. President, I have an amendment at the desk, I believe amendment No. 353, and I ask unanimous consent that I may modify the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I send the modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 353), as modified, is as follows:

On page 56, strike line 5 through page 58, line 12 and insert the following:

SEC. 209. HIGHWAY RESERVE FUND FOR FISCAL YEARS 1998–2002.

(a) IN GENERAL.—If legislation generates revenue increases or direct spending reductions to finance highways and to the extent that such increases or reductions are not included in this concurrent resolution on the budget, the appropriate budgetary levels and limits may be adjusted if such adjustments do not cause an increase in the deficit in this resolution.

(b) ADJUSTMENTS FOR BUDGET AUTHORITY.—Upon the reporting of legislation (the offering of an amendment thereto or conference report thereon) that reduces direct non-highway spending or increases revenues for a fiscal year or years, the Chairman of the Committee on the Budget shall submit revised budget authority allocations and aggregates by an amount that equals the amount such legislation reduces direct spending or increases revenues.

(c) ESTABLISHING A RESERVE.—

(1) REVISIONS.—After the enactment of legislation described in subsection (a), the Chairman of the Committee on the Budget may submit revisions to the appropriate allocations and aggregates by the amount that provisions in such legislation generates revenue increases or direct non-highway spending reductions.

(2) REVENUE INCREASES OR DIRECT SPENDING REDUCTIONS.—Upon the submission of such revisions, the Chairman of the Committee on the Budget shall also submit the amount of revenue increases or direct non-highway spending reductions such legislation generates and the maximum amount available each year for adjustments pursuant to subsection (d).

(d) ADJUSTMENTS FOR DISCRETIONARY SPENDING.—

(1) REVISIONS TO ALLOCATIONS AND AGGREGATES.—Upon the reporting of an appropriations measure, or when a conference committee submits a conference report thereon, that appropriates funds for highways, the Chairman of the Committee on the Budget shall submit increased outlay allocations, aggregates, and discretionary limits for the amount of outlays flowing from the additional obligational authority provided in such bill.

(2) REVISIONS TO SUBALLOCATIONS.—The Committee on Appropriations may submit appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974.

(e) LIMITATIONS.—

(1) IN GENERAL.—The revisions made pursuant to subsection (c) shall not be made—

(A) with respect to direct non-highway spending reductions, unless the committee that generates the direct spending reductions is within its allocations under section 302(a) and (602)a of the Budget Act in this resolution (not including the direct spending reductions envisioned in subsection (c)); and

(B) with respect to revenue increases, unless revenues are at or above the revenue aggregates in this resolution (not including the revenue increases envisioned in subsection (c)).

(2) OUTLAYS.—The outlay adjustments made pursuant to subsection (d) shall not exceed the amounts specified in subsection (c)(2) for a fiscal year.

Mr. BYRD. Mr. President, I rise to offer an amendment to provide a meaningful and effective mechanism that will allow the Senate to boost substantially our national investment in highways. Much has been said over the last few days, both in the Senate and in the other body, regarding the critical need for our nation to reverse the trend of national disinvestment in our Nation's highways.

My amendment would substitute the reserve fund provisions in the committee-reported resolution with a new fund that will provide the Senate with the opportunity to consider reported bills or individual amendments that reduce spending in nonhighway areas or increase revenues to allow for increased highway funding. Mr. President, I believe that when the Senate is faced with the very difficult process of reauthorizing ISTEA, there will be renewed interest in finding additional funding for highways. But we must have the mechanism available to us to revisit the issue. This amendment will provide us with that opportunity.

I want to thank the chairman and ranking member of the Budget Committee, Senators DOMENICI and LAUTENBERG, for their cooperation in the development of this amendment.

I hope they will accept my amendment, as modified.

Mr. DOMENICI. Mr. President, Senator BYRD has understood from our side through my staff and myself that we are willing to accept the amendment. It may need further refinements, and he understands that. But we have no objection to it under those circumstances.

Mr. LAUTENBERG. We are pleased to support the amendment, Mr. President.

Mr. DOMENICI. I yield back any time in opposition.

Mr. BYRD. Mr. President, I yield back any time I may have.

The PRESIDING OFFICER. The question is agreeing on the amendment of the Senator from West Virginia.

The amendment (No. 353), as modified, was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I wish to thank Senator DOMENICI and Senator LAUTENBERG for their consideration and courtesy and for their acceptance of the amendment.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 291, 350, 351, AND 356 WITHDRAWN

Mr. DOMENICI. Mr. President, I ask unanimous consent that amendment No. 291 by Senator MURRAY, amendments Nos. 350 and 351 by Senator HARKIN, and amendment No. 356 by Senator ROBB be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 291, 350, 351, and 356) were withdrawn.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I have a series of amendments here that have been agreed to on both sides.

AMENDMENT NO. 354

(Purpose: To express the sense of the Senate regarding the extension of the Violent Crime Reduction Trust Fund through fiscal year 2002)

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for Mr. BIDEN, for himself, Mr. BYRD, and Mr. GRAMM, proposes an amendment numbered 354.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. BIDEN. Mr. President, I want to commend President Clinton and congressional leaders on both sides for bringing before the Senate a balanced budget.

I also believe that this budget goes a long way toward protecting the key priorities I believe must be protected.

But, of all those priorities, I believe that none is more important than continuing our fight against violent crime and violence against women.

To a great extent, this budget resolution meets this test—but, in at least one area of this crime front, I believe the budget resolution must be clarified.

The amendment I am offering, along with Senators BYRD and GRAMM does exactly that—by clarifying that it is the sense of the Senate that the violent crime control trust fund will continue through the end of this budget resolution, fiscal year 2002.

I am particularly pleased that Senator BYRD—who, more than anyone, deserves credit for the crime law trust fund. Senator BYRD worked to develop an idea that was simple as it was profound—as he called on us to use the savings from the reductions in the Federal work force of 272,000 employees to fund one of the Nation's most urgent priorities: fighting the scourge of violent crime.

Senator GRAMM was also one of the very first to call on the Senate to put our money where our mouth was. Too often, this Senate has voted to send significant aid to State and local law enforcement—but, when it came time to write the check, we did not find nearly the dollars we promised.

Working together in 1993, Senator BYRD, myself, Senator GRAMM, and other Ssenators passed the violent crime control trust fund in the Senate. And, in 1994, it became law in the Biden crime law.

Since then, the dollars from the crime law trust fund have:

Helped add more than 60,000 community police officers to our streets;

Helped shelter more than 80,000 battered women and their children;

Focussed law enforcement, prosecutors, and victims service providers on providing immediate help to women victimized by someone who pretends to love them;

Forced tens of thousands of drug offenders into drug testing and treatment programs, instead of continuing to allow them to remain free on probation with no supervision and no accountability;

Constructed thousands of prison cells for violent criminals; and

Brought unprecedented resources to defending our southwest border—putting us on the path to literally double the number of Federal border agents over just a 5-year period.

The results of this effort are already taking hold:

According to the FBI's national crime statistics, violent crime is down and down significantly—leaving our Nation with its lowest murder rate since 1971;

The lowest violent crime total since 1990; and

The lowest murder rate for wives, ex-wives and girlfriends at the hands of their intimates to an 18-year low.

In short, we have proven able to do what few thought possible—by being smart, keeping our focus, and putting our money where our mouths are—we have actually cut violent crime.

Today, our challenge is to keep our focus and to stay vigilant against violent crime. Today, the Biden-Byrd-Gramm amendment before the Senate offers one modest step toward meeting that challenge:

By confirming that it is the sense of the Senate that the commitment to fighting crime and violence against women will continue for the full duration of this budget resolution.

By confirming that it is the sense of the Senate that the Violent Crime Control Trust Fund will continue—in its current form which provides additional Federal assistance without adding 1 cent to the deficit—for the full duration of this budget resolution.

The Biden-Byrd-Gramm amendment offers a few very simple choices: Stand up for cops—or don't; Stand up for the fight against violence against women—or don't; Stand up for increased border enforcement—or don't.

Every Member of this Senate is against violent crime—we say that in speech after speech. Now, I urge all my colleagues to back up with words with the only thing that we can actually do for the cop walking the beat, the battered woman, the victim of crime—provide the dollars that help give them the tools to fight violent criminals, standup to their abuser, and restore at least some small piece of the dignity taken from them at the hands of a violent criminal.

Let us be very clear of the stakes here—frankly, if we do not continue the trust fund, we will not be able to continue such proven, valuable efforts as the Violence Against Women law. Nothing we can do today can guarantee that we, in fact, will continue the Violence Against Women Act when the law expires in the year 2000.

But, mark my words, if the trust fund ends, the efforts to provide shelter, help victims, and get tough on the abusers and batterers will wither on the vine. Passing the amendment I offer today will send a clear, unambiguous message that the trust fund should continue and with it, the historic effort undertaken by the Violence Against Women Act that says by word, deed and dollar that the Federal Government stands with women and against the misguided notion that domestic violence is a man's right and not really a crime.

I urge my colleagues to support the Biden-Byrd-Gramm amendment.

Mr. LAUTENBERG. I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

The amendment (No. 354) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 352, AS MODIFIED

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENGERG], for Mr. KOHL, for himself and Mr. KERRY, proposes an amendment numbered 352, as modified.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there is no objection, the amendment is so modified.

The amendment (No. 352), as modified, is as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE EARLY CHILDHOOD EDUCATION.

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

(1) Scientific research on the development of the brain has confirmed that the early childhood years, particularly from birth to the age of 3, are critical to children's development.

(2) Studies repeatedly have shown that good quality child care helps children develop well, enter school ready to succeed, improve their skills, cognitive abilities and socioemotional development, improve classroom learning behavior, and stay safe while their parents work. Further, quality early childhood programs can positively affect children's long-term success in school achievement, higher earnings as adults, decrease reliance on public assistance and decrease involvement with the criminal justice system.

(3) The first of the National Education Goals, endorsed by the Nation's governors, passed by Congress and signed into law by President Bush, stated that by the year 2000, every child should enter school ready to learn and that access to a high quality early childhood education program was integral to meeting this goal.

(4) According to data compiled by the RAND Corporation, while 90 percent of human brain growth occurs by the age of 3, public spending on children in that age range equals only 8 percent of spending on all children. A vast majority of public spending on children occurs after the brain has gone through its most dramatic changes, often to correct problems that should have been addressed during early childhood development.

(5) According to the Department of Education, of $29,400,000,000 in current estimated education expenditures, only $1,500,000,000, or 5 percent, is spent on children from birth to age 5. The vast majority is spent on children over age 5.

(6) A new commitment to quality child care and early childhood education is a necessary response to the fact that children from birth to the age of 3 are spending more time in care away from their homes. Almost 60 percent of women in the workforce have children under the age of 3 requiring care.

(7) Many States and communities are currently experimenting with innovative programs directed at early childhood care and

education in a variety of care settings, including the home. States and local communities are best able to deliver efficient, cost-effective services, but while such programs are long on demand, they are short on resources. Additional Federal resources should not create new bureaucracy, but build on successful locally driven efforts.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budget totals and levels in this resolution assume that funds ought to be directed toward increasing the supply of quality child care, early childhood education, and teacher and parent training for children from birth through age 3.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 352), as modified, was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the amendment, as modified, was agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 302, 303, 304, 305, AND 306, EN BLOC, AS MODIFIED

Mr. DOMENICI. Mr. President, I send to the desk five Hollings amendments and ask that they be considered en bloc.

They are acceptable to this side.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. HOLLINGS, proposes amendments numbered 302, 303, 304, 305 and 306, en bloc, as modified.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments, as modified, are as follows:

AMENDMENT NO. 302

At the appropriate place, insert the following:

SEC. . HIGHWAY TRUST FUND NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the Highway Trust Fund from the totals of the Budget of the United States government.

AMENDMENT NO. 303

At the appropriate place, insert the following:

SEC. . AIRPORT AND AIRWAY TRUST FUND NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.

It is the sense of the Senate that the assumptions underlying the budget resolution that the Congress should consider legislation to exclude the receipts and disbursements of the Airport and Airway Trust Fund from the totals of the Budget of the United States government.

AMENDMENT NO. 304

At the appropriate place, insert the following:

SEC. . MILITARY RETIREMENT TRUST FUNDS NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the retirement and disability trust funds for members of the Armed Forces of the United States from the totals of the Budget of the United States government.

AMENDMENT NO. 305

At the appropriate place, insert the following:

SEC. . CIVIL SERVICE RETIREMENT TRUST FUNDS NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the retirement and disability trust funds for civilian employees of the United States from the totals of the Budget of the United States government.

AMENDMENT NO. 306

At the appropriate place, insert the following:

SEC. . UNEMPLOYMENT COMPENSATION TRUST FUND NOT TAKEN INTO ACCOUNT FOR DEFICIT PURPOSES.

It is the sense of the Senate that the assumptions underlying this budget resolution assume that the Congress should consider legislation to exclude the receipts and disbursements of the Federal Unemployment Compensation Trust Fund—

(1) should not be included in the totals of—

(A) the Budget of the United States government.

Mr. DOMENICI. I just make note of the fact they have been modified from those that were pending, and so when I send them to the desk, I assume I am requesting the modification, which I am entitled to.

The PRESIDING OFFICER. Without objection, the amendments are so modified.

Mr. DOMENICI. We disposed of Hollings, did we not?

The PRESIDING OFFICER. No, we have not.

Without objection, the Hollings amendments, as modified, are agreed to en bloc.

The amendments (Nos. 302, 303, 304, 305, and 306), as modified, were agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 325

Mr. DOMENICI. Mr. President, I have an amendment of Senator KIT BOND on the highway trust fund. It has been cleared on both sides. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. BOND, proposes an amendment No. 325.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in the RECORD of May 21, 1997.)

Mr. BOND. Mr. President, I must start by saying that this is not an ISTEA amendment, this is not a formula amendment, this is not a 4.3 cents amendment, this is not an Amtrak amendment, this is not an off-budget amendment.

This is a sense-of-the-Senate amendment concerning reestablishing the linkage between the revenues deposited in the highway trust fund and transportation spending.

Mr. President, if I can take just a moment I want to read this short sense-of-the-Senate.

The Senate finds that—

One, there is no direct linkage between the fuel taxes deposited in the Highway Trust Fund and the transportation spending from the Highway Trust Fund.

Two, the Federal budget process has served this linkage by dividing revenues and spending into separate budget categories with fuel taxes deposited in the Highway Trust Fund as revenues; and most spending from the Highway Trust Fund in the discretionary category.

Three, each budget category referred to has its own rules and procedures.

Four, under budget rules in effect prior to the date of adoption of this resolution, an increase in fuel taxes permits increased spending to be included in the budget, but not for increased Highway Trust Fund spending.

It is the sense of the Senate that in this session of Congress, Congress should, within a unified budget, change the Federal budget process to establish a linkage between the fuel taxes deposited in the Highway Trust Fund, including any fuel tax increases that may be enacted into law after the date of adoption of this resolution, and the spending from the Highway Trust Fund. Changes to the budgetary process of the Highway Trust Fund should not result in total program levels for highways or mass transit that is inconsistent with those allowed for under the resolution.

This sense-of-the-Senate is self explanatory, but let me provide some background.

Mr. President, back in 1956 the Federal highway trust fund was established as a way to finance the Federal-Aid Highway Program. This was a dedicated trust fund supported by direct user fees/taxes. It was called a trust fund because, once the money went in, we were suppose to be able to trust that money would come back out for use on our roads, highways, and bridges.

However, the 1990 Budget Act eliminated the linkage between the revenues raised by the user taxes and the spending from the transportation trust fund. We know that we promised ourselves and our constituents that the highway user taxes deposited into the highway trust fund would be used for highways, but we now have an illogical process that does not always result in the desired outcome. With the process currently in place balances are accumulating in the trust fund and not being spent on the vitally important transportation needs we have.

To correct the problem, we must reform our budget process.

Mr. President, status quo is not sustainable.

Senator CHAFEE and I have introduced S. 404, the Highway Trust Fund Integrity Act. I know that not everyone agrees with the revenue constrained fund approach taken in that bill. However, I think everyone can agree with this sense-of-the Senate that we must work something out. We must establish the linkage to ensure that the taxes deposited into the highway trust fund are spend on transportation.

I share the concerns that many of my colleagues have—on both sides of the aisle—that we need to find ways to spend more on transportation. This budget resolution moves us closer to that goal. I want to thank the chairman of the Budget Committee and the ranking member for including in the budget resolution the assumption of spending all of the estimated highway trust fund tax receipts that comes in each year for highways.

All of us share the same belief that transportation funding is critical to our individual States and the entire country. Transportation links our communities, towns, and cities with markets. It links our constituents with their schools, hospitals, churches, and jobs. An effective transportation system will help move this country into the 21st century.

Mr. President, it is my hope that as this Congress moves forward on one of the most important and probably most difficult pieces of legislation—ISTEA—we also continue our efforts to ensure that ''trust'' is in the highway trust fund. I look forward to working with my colleagues to ensure that we do.

Mr. DOMENICI. I yield back any time on the amendment.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

The amendment (No. 325) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 321, AS MODIFIED

Mr. DOMENICI. Mr. President, I have a modification of Senator FAIRCLOTH's previously submitted amendment No. 321. It has been cleared by both our side and their side. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. FAIRCLOTH, proposes an amendment numbered 321, as modified.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end of title III, add the following:

It is the sense of the Senate that the provisions of this resolution assume that any revenue reconciliation bill should include tax incentives for the cost of post-secondary education, including expenses of workforce education and training at vocational schools and community colleges.

Mr. DOMENICI. I yield back any time on the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the amendment is agreed to.

The amendment (No. 321), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 348, AS MODIFIED

Mr. DOMENICI. I send to the desk on behalf of Senator KYL amendment No. 348, as modified. It has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. KYL, proposes an amendment 348, as modified:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE ON ADDITIONAL TAX CUTS.

It is the sense of the Senate that nothing in this resolution shall be construed as prohibiting Congress in future years from providing additional tax relief if the cost of such tax relief is offset by reductions in discretionary or mandatory spending, or increases in revenue from alternative sources.

Mr. DOMENICI. I yield back any time.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 348), as modified, was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 344—ADDITIONAL COSPONSORS

Mr. LAUTENBERG. Mr. President, I have a unanimous-consent request that Senators DASCHLE, HARKIN, and BUMPERS be added as original cosponsors to the Boxer-Durbin amendment No. 355.

The PRESIDING OFFICER. Without objection, it is so ordered.

FUNDING FOR NATURAL RESOURCE PROGRAMS

Mrs. BOXER. Mr. President, I would like to ask the distinguished ranking member of the Senate Appropriations Subcommittee on Energy and Water Development, Senator REID, and the distinguished ranking member of the Budget Committee, Senator LAUTENBERG, if they would respond to questions I have concerning funding for natural resource programs in the budget resolution for fiscal year 1998.

Mr. REID. I would be happy to respond to a question from the senator from California.

Mr. LAUTENBERG. I look forward to her question.

Mrs. BOXER. Let me first ask my friend and State neighbor, Senator REID, to recall the provision in last year's omnibus appropriations bill, that authorized the California Bay-Delta Environmental Enhancement and Water Security Act. The Act authorizes Federal participation in the CALFED Bay-Delta Program, which is charged with developing a balanced, comprehensive and lasting plan to restore and enhance the ecological health and improve water management in the Bay-Delta system. This program is a top priority of the State of California and has support from business, environmental and water users throughout the State. I would like to ask Senator REID, as the ranking member of the appropriations subcommittee with jurisdiction over this act, if he agrees with me that it is important to fund this program?

Mr. REID. I want to thank the Senator from California for bringing this issue to my attention. Indeed, I believe the Bay-Delta program serves as a national model on how we can bring environmental, agribusiness, and other water users to the same table with the goal of preserving our natural resources for many uses. I see the program has having a particular benefit for our Western States. If California restores its environment and improves its water supply reliability, then we relieve the pressure on the Colorado River and lessen any tensions among the seven Colorado River States. When California restores migratory bird habitat and provides water for wildlife refuges, the health of the Pacific flyway will be improved, benefitting States from Arizona to Alaska.

While the investments will be made in California, the benefits will be realized throughout the west. I look forward to working with the senator from California on the Bay-Delta project on the Appropriations Committee.

Mrs. BOXER. Thank you, Senator. Let me now ask our very distinguished ranking member of the Senate Budget committee, Senator LAUTENBERG, about the Bay-Delta program. Senator LAUTENBERG, as one of the negotiators involved in this current budget agreement and as a member of the Budget Committee leadership, is it your view that the amounts provided under the Natural Resources function in this Budget Resolution are sufficient to accommodate the President's request of $143 million in fiscal year 1998 to implement the California Bay-Delta Environmental and Water Security Act?

Mr. LAUTENBERG. Let me first also express my support for this critical program to protect California's Bay-Delta system. I do believe that the amount that the Budget Committee has provided under the natural resources function is sufficient to accommodate the funding of the California Bay-Delta Environmental Water Security Act.

Mrs. BOXER. I want to thank both of the Senators for their time to discuss the Bay-Delta project and, for their

support as fellow members of the Appropriations Committee, for the President's request for funding the program in fiscal year 1998.

FUNDING FOR VETERANS' PROGRAMS

Mr. SPECTER. Mr. President, I wish to comment on the impact this budget agreement will have on America's veterans, and to express my concerns that funding assumed under the agreement will not be sufficient to provide for adequate health care for America's veterans.

If it is approved, the budget resolution will require the Committee on Veterans' Affairs [VA] to report legislation which will reduce entitlement spending, over a 5-year period, by $2.7 billion compared to the budget baseline. That sounds like, and is, a substantial sum. However, I believe the committee will be able to meet this goal by extending the expiration dates of savings provisions already enacted as part of prior deficit reduction measures, and by agreeing to round down to the nearest dollar future cost-of-living adjustments.

No one is happy that controlling the deficit requires restrained growth in mandatory-account spending for veterans' benefits. But I am confident that the committee will be able to meet its mandatory spending instructions in such a way as to ensure that no provision in the final reconciliation bill will result in a veteran who receives a benefit this year not also receiving the same benefit next year. Indeed, even after the committee has complied with its reconciliation instructions, spending for veterans' benefits from mandatory accounts will increase each year the budget agreement is in effect.

I am also pleased that the proposed budget resolution permits the committee to report legislation which will allow VA to retain money it collects from private health insurance carriers when VA treats the nonservice-connected illnesses of veterans who have health insurance. Under current law, VA is required to bill insurance companies when it treats the nonservice-connected illnesses of insured veterans. However, VA is required to transfer the money it collects to the Treasury. Allowing VA to retain the money it collects will provide a real incentive for more efficient and effective collections.

However, the administration proposed its health insurance proceeds retention provision with a hook. The President, in requesting the authority to allow VA to retain health insurance proceeds, also proposed that VA receive, initially, a cut in appropriated funds for VA medical care and that appropriations be frozen at that reduced level over the succeeding 4 years. historically, VA has needed an increase of almost a half a billion dollars a year just to pay for VA employees' cost-of-living salary adjustments and for the increased costs of medical supplies and equipment.

In its April 24, 1997, ''Views and Estimates'' letter to the Budget Committee, the Veterans' Affairs Committee expressed its serious concerns about the wisdom of relying on an untested source of revenue—insurance collections—for a program as critical as veterans' health care. I continue to have that concern.

The budget resolution now before this body is even worse than the President's initial proposal. It does not merely carry forward the President's proposal to cut appropriations for VA medical care, and then maintain that reduced level of appropriations for 5 years. Under this proposal, VA discretionary spending in 1998 will be $400 million less than it was in fiscal year 1997, and $3.1 billion less than current levels over the 5-year term of the agreement, even after allowing for retained health insurance collections.

The cost of providing health care for veterans consumes over 417 billion of $18 billion plus in VA discretionary spending. Almost all of the rest of VA discretionary spending is expended on construction, medical research, and for the salaries of VA employees who process veterans' disability claims. There are no unimportant discretionary accounts with VA's budget. According to VA, each 4100 million pays for about 1,400 VA care givers, and for care for about 22,000 veterans.

In February, 1997, Dr. Kenneth Kizer, VA's Under Secretary for Health, announced an initiative to increase the number of veterans VA treats by 20 percent and to reduce VA's cost per patient by 30 percent. In time, reforms in the delivery of VA care may enable VA to absorb real reductions in health care funding. But those reforms have not yet taken root. Further, it takes money to make money. According to VA, reforms needed to achieve Dr. Kizer's ambitious goals will cost money to implement. If Congress reduces VA medical funding before VA's reforms are implemented, we should not be surprised if VA's goals of increasing the number of veterans treated, and reducing the average cost of treating each patient, are postponed or even abandoned. I believe that would be a false economy, and a tragedy for our veterans.

I recognize that discretionary spending assumptions are just that assumptions. The actual decisions will be made as the Congress debates and enacts appropriations bills to fund discretionary programs. The Appropriations Committee always faces heavy pressure to ensure adequate funding for VA medical care. This budget resolution will only increase that pressure.

Mr. President, 26 million American veterans will watch to see how—and if—the Congress will rise to the challenge presented by the discretionary spending assumptions affecting the VA in this budget resolution. I will fight to assure that adequate funding for veterans' health care is provided. In my estimation, appropriations for discretionary spending on veterans' programs, which are assumed under this budget agreement, are not sufficient. I intend to work hard, as chairman of the Veterans' Affairs Committee and as a member of the Appropriations Committee, to correct this inequity.

Ms. SNOWE. Mr. President, I am extremely pleased to have supported the amendment offered by my colleague from Florida, Senator MACK, which expresses the sense of the Senate that Federal funding for biomedical research should be doubled over the next 5 years. This amendment is based on a resolution which I cosponsored, Senate Joint Resolution 15—one of the first bills the Republican leadership introduced in the 105th Congress. That resolution, and the amendment we adopted last night, sends a message to the American people, as well as to scientists and policy makers, that Congress is committed to enhanced funding for this crucial research.

Americans consistently identify increased funding for medical research as something they believe should be a national priority. They want researchers to unravel the mysteries of cancer, Alzheimer's disease, Parkinson's, cystic fibrosis, heart disease, HIV, multiple sclerosis, and countless other diseases which plague Americans today. And they do not want their national leaders or scientists to rest until there is a cure.

We must bring the full force of our country's tremendous resources to bear on these diseases in the same way we rallied to be the first to set foot on the Moon. We are a nation that has split atoms, sent probes to the far reaches of the solar system, and eradicated polio from the face of the Earth. We ought to be able to conquer these diseases.

Over the years, we have increased our Federal commitment to medical research. For example, 25 years ago, Congress allocated just $400 million to the National Cancer Institute. Today, total funding for cancer research at the National Institutes of Health for this fiscal year is $2.7 billion. This represents an increase of close to 700 percent. And this infusion of Federal funding is working. For the very first time since cancer mortality statistics were first collected in 1930, mortality rates from cancer are actually decreasing.

Researchers are beginning to isolate the genes responsible for various diseases at a seemingly breathtaking speed, and gene therapy may someday offer exciting new treatments—or even a cure—for these diseases. Scientists are beginning to understand the very workings of cancer cells, and immunotherapy may offer cancer sufferers new hope. But how this knowledge may someday be translated into benefits for everyday Americans is yet unknown. We need to increase Federal funding so that we can capitalize on these important breakthroughs.

Throughout my tenure in both the House and Senate, I have worked hard to increase funding for medical research. In fact, on the first legislative day of this session, I introduced a bill

which would raise the reauthorization level for breast cancer funding to a record $590 million. The Mack resolution demonstrates the very same commitment to ensuring that Americans no longer suffer from diseases that cut their lives short and cause undue suffering. Our enhanced investment in medical research will save countless lives and health care dollars, and alleviate suffering in millions of Americans.

ACCURATE MEASURE OF THE COST OF LIVING

Mr. KERREY. Mr. President, this budget may solve our short-term budget problems, but my concern remains that it does not do enough about the long-term budget problems we face. If we want to keep the budget in check over the long-haul, we need to adopt policies that will slow entitlement spending in a rational, equitable way.

At present, we use the Consumer Price Index [CPI] to determine cost-of-living adjustments in our Federal tax and entitlement programs. There is wide, although not universal, agreement among leading economists, that the CPI overstates the cost-of-living and should be adjusted. Indeed the December 4, 1996 final report to the Senate Finance Committee from the Advisory Commission to Study the Consumer Price Index concluded that:

> The Commission's best estimate of the size of the upward bias looking forward is 1.1 percentage points per year. The range of plausible values is .8 to 1.6 points per year.

Mr. President, we ought not to make the problems we face in funding our entitlement programs even worse by paying benefits based on an overstated cost of living. Spending on entitlement programs is already crowding out spending for the traditional discretionary functions of Government like clean air and water, a strong national defense, parks and recreation, education, our transportation system, research and development, and other infrastructure spending.

If steps are not taken to reverse this trend, nearly all Federal revenues will be consumed by entitlement spending and interest on the debt shortly after the year 2000. By 2030, revenues may not even cover entitlement spending, much less interest on the debt or a single dollar of discretionary spending. This is an unsustainable trend.

Adjusting the cost-of-living adjustments triggered by the CPI, by 1 percentage point, would produce nearly a trillion dollars in savings over 12 years and $46 billion in 2002 alone. To illustrate what just half of this amount—$23 billion—in domestic discretionary spending could fund, I have a list of programs and what they will cost in inflation-adjusted numbers in 2002. This entire list of programs could be funded by half of a 1 percentage point reduction in CPI, with money to spare.

I ask unanimous consent that the list be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

	Cost in fiscal year 2002
Cleaning up environmentally damaged sites	[1] $6.356
Head Start	[1] 4.455
Agriculture Research	[1] 2.005
National Park Service	[1] 1.770
Safe Drinking Water	[1] 1.425
Superfund	[1] 1.421
Fish and Wildlife Service	[1] 1.417
Clean Water Programs	[2] .736
NSF Education and Human Resources	[2] .682
Education Technology	[2] .370
Solar and Renewable Energy	[2] .281
Violence Against Women	[2] .214
Juvenile Justice Program	[2] .185
National Endowment for the Humanities	[2] .123
National Endowment for the Arts	[2] .111
Total in billions of dollars	21.551

[1] In billions of dollars.
[2] In millions of dollars.

Mr. KERREY. Expressed another way, $23 billion could fund nearly all of the Highway Trust Fund—$25.2 billion in 2002—or all of NIH—$14.294 billion in 2002—and all of EPA—$7.398 billion in 2002.

Mr. President, if we are making a mistake, we ought to correct it. Surely if it was almost universally believed that we were understating the cost-of-living, we would have already taken care of that problem. Although the time for making this change this year appears to have passed, I hope that the distinguished chairman and ranking member of the Finance Committee will continue their fine work to see that we correct this error sooner, rather than later.

LAND AND WATER CONSERVATION FUND

Mr. MURKOWSKI. Mr. President, I rise today to speak about the additional $700 million appropriation for the Land and Water Conservation Fund [LWCF] included in the balanced budget agreement. While I commend the President and congressional leadership for recognizing the importance of the LWCF, I have concerns that this additional appropriation will not be spent on the priorities for which the LWCF was established.

I urge congressional appropriators not to use this additional LWCF money on a handful of large projects, including the acquisition of Headwaters Forest in California and the New World Mine in Montana. Those projects were identified as priority land acquisitions by politicians, not by Federal land managers. Rather, I urge the appropriators to spend this additional LWCF money as the Land and Water Conservation Act directs on the hundreds of priority land acquisitions and local recreation projects identified by Federal land management agencies and the States.

As originally envisioned, the administration planned to acquire the Headwaters and the New World Mine through land exchanges. Now, under the terms of the budget agreement, these lands would not be acquired by land exchange but by purchase.

Mr. President, this change sets a horrible precedent. It is bad public policy, and the Congress should not be a partner in this land grab, as now proposed. I also fear that these land grabs, which do not involve public participation and which are inconsistent with land management plans, may become the norm as opposed to the exception.

Recently, the President announced the creation of the 1.7 million acre Grand Staircase-Escalante National Monument in Utah. He made the same sort of promises from Arizona that he made in Yellowstone when he spoke about the controversy surrounding the New World Mine. The Utah National Monument lands contain 176,000 acres of school trust lands that contain approximately 1.54 billion dollars' worth of coal deposits which, if extracted, would fund the Utah school systems. The President indicated that other Federal lands in Utah would be made available, and the schoolchildren in Utah would not be hurt by the creation of the National Monument. There are apparently no plans to complete land exchanges in Montana or California, and the taxpayers are going to take another hit for Presidential promises. One only has to wonder what we are going to do to make the schoolchildren of Utah whole. If we begin by fully funding the acquisitions at Headwaters and the Mine, how do we ignore Utah when the President decides to just buy them out. This is not how Congress intended for the Land and Water Conservation Act to be used.

Over 30 years ago, in a remarkable bipartisan effort, Congress and the President created the LWCF. The LWCF provides funds for the purchase of Federal land by the land management agencies—the Federal-side LWCF program—and creates a unique partnership among Federal, State, and local governments for the acquisition of public outdoor recreation areas and facilities—the State-side LWCF program. The LWCF is funded primarily from offshore oil and gas leasing revenues which now exceed $3 billion annually, and has been authorized through the year 2015 at an annual ceiling of $900 million.

However, LWCF moneys must be annually appropriated. And, despite the increase in offshore oil and gas revenues, the LWCF has not fared well in this decade. Expenditures from the LWCF have fluctuated widely over its life but have generally ranged from $200 to $300 million per year. In the 1990's, total appropriations to both the Federal and State sides of LWCF steadily declined from a high of $341 million during the Bush administration to $149 million in fiscal year 1997.

Most significantly, all of the fiscal year 1997 appropriation was for the exclusive purpose of Federal land acquisition. In 1995, Congress and the President agreed to shut down the State-

side LWCF program. For fiscal year 1998, the President has requested $165 million for Federal land acquisitions and only $1 million for monitoring previously funded State-side projects. The President did not request any funds for new State-side projects.

Mr. President, I believe the additional appropriation provided for in the budget agreement presents a significant opportunity to right those misguided decisions on the use of the LWCF.

The State-side of the LWCF has played a vital role in providing recreational and educational opportunities to millions of Americans. State-side LWCF grants have helped finance well over 37,500 park and recreation projects in all 50 States, including campgrounds, trails, and open space.

The availability of these outdoor recreation facilities is critical to the well-being of Americans. People who participate in outdoor recreation activities, whatever the activity, are happier and healthier. Recreation is an important component of our economy. Moreover, while trips to our National Parks create experiences and memories which last a lifetime, day-in and day-out, people recreate close to home. In fiscal year 1995, the last year for which the State-side LWCF grant program was funded, there were nearly 3,800 applications for State-side grants. Unfortunately, there was only enough money to fund 500 projects. The demand for those local recreation resources is increasing.

That is why stateside LWCF grants are so important. Stateside LWCF grants help address the highest priority needs of Americans for outdoor recreation. At the same time, because of the matching requirement for stateside LWCF grants, these grants provide vital seed money which local communities use to forge partnerships with private entities. In the absence of the grants, I fear local park and recreation services will fail to meet the ever-growing demands of the American public, and the Federal Government will be asked to fill the void—a role the Federal Government cannot, and should not, play.

At the same time, the Federal land management agencies have identified, through their planning processes, the lands they would like to purchase for inclusion in the Federal estate. Again, the purchases would be made with LWCF moneys. The lands often are in holdings in national parks or forests. Or, they may be lands with unique characteristics which the Federal land managers believe should be owned by the Federal Government. Interestingly, neither Headwaters Forest nor the New World Mine meet these criteria. Rather, both the Headwaters Forest and the New World Mine, have been labeled as Federal land priorities according to the politicians, not to the professional land managers.

The budget agreement, as interpreted by the Clinton administration, would ignore hundreds of prioritized projects and focus on a handful. The $315 million the President would like to spend on Headwaters Forest and New World Mine could be spent on hundreds of park and recreation facilities throughout the Nation. Would the American people rather own 5,000 acres in California and a mine in Montana, or park and recreation facilities Americans can enjoy on a daily basis?

Why should Congress bail out the administration because it could not fulfill the terms of deals it made on its own for the acquisition of Headwaters Forest and New World Mine?

Once again, when he announced each of those deals, the President promised the lands would be acquired through land exchanges. We stand ready to work with the President on land exchanges to accomplish his priorities in Montana and California. But this should be a process where the President and Congress work together. Instead, those who have been waiting for years for the Government to acquire their lands, as they were promised when we incorporated private lands into national parks and forests, will just have to wait. Moreover, children throughout urban America may not have a park to play in or bike trail to ride on because their money was spent on the old growth redwoods in California and the New World Mine in Montana

We have held no hearings on the New World Mine. There have been no hearings on Headwaters. Congress has not been a participant in this process. In fact, most of us know little about the two proposals. On the other hand, we know quite a bit about the stateside of the LWCF. All of our constituents and all of our States have benefited from new greenways, trails, scenic pathways, bicycle trails, parks, recreation facilities, ball parks, open spaces, and the list goes on and on and on.

Mr. President, I encourage my friends on the Appropriations Committee to seriously evaluate the President's proposal in light of the priority projects that could otherwise be funded under the LWCF. We have an opportunity to save and enhance a program that has proved to be beneficial to all Americans. Let us weigh the pros and cons, and be mindful of the dangerous precedent we will set if we just swim merrily along with the President into his ocean of land acquisition.

Unfortunately, the majority of city kids will never see the Headwaters or the site of the New World Mine. But a majority of city kids will see and be able to experience the results of the LWCF if properly applied. Mr. President, I yield the floor.

Mr. BINGAMAN. Mr. President, during my tenure in the Senate, I have long been concerned about our Nation's economic fundamentals and long-term competitive and economic vitality. During the 1980's, budget deficits roared upward as both spending increased and major tax cuts were enacted. As Senator HOLLINGS mentioned here last night, it can be an intoxicating combination to slash taxes for constituents while pumping up spending. This is what we did in those years. In a way, we just stole from the future, from our childrens' future and from the strength of the economy that they will live in.

Fortunately in 1993, we turned this trend around. Since passage of the 1993 budget, our Nation has shaved $2.5 trillion off of our budget deficit. This is a stunning turnaround for our country, and we are on the verge of achieving the kind of balance and fiscal responsibility that I have been fighting for these many years. If the truth be told, this balanced budget resolution, which we are debating now, is rather modest and only cuts another $207 billion off during the next 5 years. This is a tenth of what we accomplished in 1993. However, this resolution is vastly better than the draconian and unfair budget package the Republican majority tried to pass in 1995.

Our fiscal prudence has brought down interest rates, helped increase investment and business activity, and increased our employment levels dramatically. Continuing this trend makes sense for our Nation and makes sense for New Mexico.

Balancing the budget is an important component of fiscal health—but we would be making a great mistake—to think that this solves all of our economic problems. We need to know the details of the tax framework, which we will soon debate, to fully understand how this budget will impact the lives and quality of life of our citizens. New Mexico is still trailing much of the Nation, and has a long way to go before my State will share as it should in the growth of this economy. New Mexicans have the lowest level of pension coverage in the Nation; the lowest level of health care coverage; the highest poverty rate in the Nation and the only State in the Nation to worsen its poverty level during the last 2 years; we also have the highest unemployment levels west of the Mississippi.

New Mexico is not expecting large hand-outs to improve its situation—but we need to be sure that the budget framework we are debating here—and the follow-on tax bill, which represents the small print at the bottom of the contract—impacts New Mexico fairly in relation to other parts of the Nation. I want to make sure that we invest in education, which provides the best chance for the people of my State to get ahead. And I want to make sure that any tax cuts we provide are responsible, equitable, and reward the hard working families in New Mexico and across the country.

While I support this budget, we need to be honest about the fact that this budget does not deal with the looming challenge of increased Social Security and Medicare entitlement spending caused by the aging of the Baby Boom generation. Also, we are not incorporating any structural changes in our

defense spending. In fact, it is hardly reflected in this budget that the Soviet Union has dissolved and that strategic threats to our Nation have dramatically decreased. Our defense strategy seems to be primarily the product of inertia.

Although the details of the accompanying tax bills are not yet clear, there are some items that concern me greatly. First, I am concerned that the $500 per child tax credit is not clearly specified as refundable. If this is not refundable, it means that low-income working families in New Mexico will not significantly benefit from this provision and will largely help those who are already better off in our society; 45 percent of the tax filers in New Mexico have adjusted gross incomes below $15,000; 70 percent have income levels below $30,000. This means that the majority of those in my State—and probably others—will not benefit much from this per child tax credit unless we make this credit refundable.

In the areas of capital gains relief, inheritance tax exclusions, and IRA tax cuts, I see something very dangerous brewing that we must not allow to happen. While I don't want to see Medicare cuts made just to put money in the pockets of the wealthy, I can support reasonable tax cuts—as long as they do not come at the expense of achieving real balance in our budget or at the expense of improving our schools or environment. But in this deal, $85 billion in cuts is pledged during the first 5 years of the agreement—and nearly double that amount, $165 billion, is pledged in the following 5 years, 2003–7. Given that the tax cuts are priced at $42 billion in the 10th year of this program—and are increasing at a rate of $5 billion a year during the last 3 years—we can logically anticipate tax cuts in the vicinity of $500 billion or more, or over half a trillion dollars, during the next 10 years 2008–17.

What is alarming about this is that if the numbers I just cited are believable, then all of this celebration on balancing the budget could be premature. The effect of a tax package with these characteristics would be to reduce taxes on well-off Americans by half a trillion dollars, while leaving middle and lower income working Americans with very little relief. A half trillion dollar reduction in our Federal revenues could throw our budget again into substantial deficit. And just at the time that we have discovered that we are once again living beyond our means, then the crushing entitlement costs of retiring Baby Boomers will hit us.

I hope we can develop a tax bill that will avoid this result—and I am confident that this budget resolution can be complied with in a fiscally responsible manner.

EDUCATION

As others have said before me, this budget resolution and the balanced budget agreement should be applauded for including many key education programs, including provisions such as increases in Pell grants to $3,000 per student, a new $35 billion program to help more students attend college, and substantial increases in funding for education technology, Goals 2000 grants to States, and other programs to help improve elementary and secondary education.

Despite these important elements, however, I believe there are at least two key remaining issues we should address if we hope to make this resolution a blueprint for a more effective system of public education.

The first of these education issues is school construction. Our schools' need for funding for school repair and construction is perhaps the most obvious and compelling need that is ignored in this resolution.

With a student population that is 47 percent rural and a significant portion of the Nation's BIA schools, New Mexico is facing a school construction problem that exceeds that of many other States. Over 90 percent of New Mexico's schools need to upgrade or repair onsite buildings; 44 percent of districts report having at least one building in need of serious repair or replacement. And as one of the fastest-growing States in the Nation, over 70 percent of our high school students are forced to attend schools that are as large or larger than the 900-student maximum at which student achievement begins to deteriorate.

For this reason, I am an original cosponsor of the Moseley-Braun amendment to restore $5 billion in funding to help local school construction efforts.

A second educational issue we need to address is rigorous standards for students receiving tuition tax deductions. Now that the President and the leadership have agreed on the need to develop a new $35 billion program to help more students go on to college, it will be essential to ensure that these students are prepared to succeed once they arrive.

For the proposed $10,000 tax deduction, we need to find uniform and rigorous measures of academic preparedness to ensure that these funds are being used effectively.

A clear measure of academic preparation is necessary because it is increasingly clear that fewer and fewer of those enrolling are receiving adequate preparation to meet the challenge of college-level work. And as a result, more and more students are dropping out, taking remedial courses, or struggling academically.

However, linking eligibility for these tax benefits to a student's grade point average—whether it be in college or in high school—ignores the fact that grades are not a sufficiently uniform or rigorous measure, given the decentralized nature of our schools and colleges.

We need to consider more uniform measures, including widely used examinations and adaptations of other assessments for high school students that may be available. Without taking reasonable steps to ensure the academic readiness of students, this new investment to encourage more students to attend college could be a cruel and expensive hoax.

I look forward to working with my colleagues to address this issue when the tax bill is being considered later this year.

Mr. President, I will support passage of this budget resolution and am glad that we are finally closing in on a balanced budget and the kind of fiscal responsibility that benefits our Nation and our people. But I support this resolution somewhat concerned about the implementing language. If we are not careful, we could adopt legislation which institutionalizes a disparity between what we raise and what we spend.

I pledge my best effort to see that the end result of all these efforts is of benefit to working families in my State and it is the hope that we will arrive at such an end result that causes me to vote ''Aye'' on the resolution.

Mr. ROTH. Mr. President, I am pleased that this budget agreement includes my proposal to give Amtrak a capital fund. My proposal creates an Amtrak reserve fund which would give Amtrak the capital funds that it needs to survive. Amtrak is currently borrowing to meet payroll and if additional capital funding is not provided, Amtrak President Tom Downs, has testified that the company will not survive beyond mid-1998.

Let me be clear. This reserve fund is not my first preference. Amtrak today needs funding that I would prefer to do through direct spending. However, this reserve fund language is a compromise with the chairman of the Budget Committee to ensure that the Appropriations Committee will continue to have complete control over the funding of Amtrak.

Our compromise language would allow spending caps for passenger rail to be raised by the amount of revenue raised in the Senate Finance Committee. It is the first step, and a very critical step, for ensuring that Amtrak would be able to receive the capital funds, subject to the appropriations process, it needs to survive.

This provision does not create a trust fund nor ensure the creation of a trust fund for Amtrak. It is merely a placemark in the budget which provides that should money be raised for Amtrak, the spending caps would be raised by that amount.

Three more steps are required if Amtrak is to see a capital fund:

First, legislation must be enacted to create a fund; second, legislation must be enacted which pays for the fund; and finally, once all these steps have been accomplished, the appropriators must act to fund Amtrak. Let me reiterate, that the fate of Amtrak will continue to be in the appropriators' hands.

Again, this is the first significant step to allow for a creation of a fund for Amtrak this year. This provision is

necessary so that the creation of such a fund would not be in violation of the Budget Act. It merely creates room in the budget to allow spending from the rail fund, provided money is raised to finance this fund.

Let me also say that this provision does not in any way put funding ahead of legislative reforms for Amtrak. Many Senators supporting this provision also support legislative reforms. I believe Amtrak must be able to operate like a business. Amtrak needs these reforms and they must be enacted this year. Senator HUTCHISON has recently introduced a major reform package which I generally support. I believe any additional capital funding must be done in conjunction with this reform package. This Amtrak reserve fund would not prevent this from happening. Again, the provision we are debating today merely says that should a trust fund be created and funded, there would be room in the budget.

Also, this provision does not rely on the transfer of a half-cent from the 4.3 cent per gallon motor fuels tax. It has nothing to do with the 4.3 cent per gallon motor fuels tax. This reserve fund would be financed without such a transfer. My goal, however, would be that total capital funding for Amtrak would equal the revenues derived from a half-cent.

Mr. President, we cannot lose our national passenger rail system. If something is not done to give Amtrak the capital funds it needs, Amtrak will not survive. This is not an idle threat. GAO has testified before my committee that this is the case. Amtrak President Tom Downs has testified that the company would not survive past 1998. Amtrak's financial report proves it. The question before us is whether or not we want this country to have a national passenger rail system. If we want a national system, we must give Amtrak a secure capital funding source. This provision is the first step in creating such a fund.

Mr. President, all major modes of transportation have a dedicated source of capital funding, except for intercity passenger rail. Amtrak needs a similar capital funding source to bring it's equipment, facilities and tracks into a state of good repair. Much of Amtrak's equipment and infrastructure has exceeded its projected useful life. The costs of maintaining this aging fleet and the need to modernize and overhaul facilities through capital improvements to the system are serious financial challenges for Amtrak. This provision is the first step in helping to reverse these problems and give Amtrak the resources necessary to meet its capital investment needs.

Mr. President, GAO, Amtrak, and the National Commission on Intermodal Transportation have called for a secure source of capital funding for Amtrak. I believe that now is the time for this Congress to reverse our current policy that favors building more highways at the expense of alternative means of transportation such as intercity passenger rail. Despite rail's proven safety, efficiency, and reliability in Europe, Japan, and elsewhere, intercity passenger rail remains severely underfunded in the United States. In fact, over half of the Department of Transportation's spending authority is devoted to highways and another quarter to aviation; rail still ranks last with roughly 3 percent of total spending authority.

Last year we spent $20 billion for highways while capital investment for Amtrak was less than $450 million. In relative terms, between fiscal year 1980 and fiscal year 1994, transportation outlays for highways increased 73 percent, aviation increased 170 percent, and transportation outlays for rail went down by 62 percent. In terms of growth, between 1982 and 1992 highway spending grew by 5 percent, aviation by 10 percent, while rail decreased by 9 percent.

A problem that is going to increase is the congestion on our roads. Between 1983 and 1990, vehicle miles traveled increased nationwide by 41 percent. If current trends continue, delays due to congestion will increase by more than 400 percent on our highways and by more than 1,000 percent on urban roads. Highway congestion costs the United States $100 billion annually, and this figure does not include the economic and societal costs of increased pollution and wasted energy resources.

Air travel is equally congested. Commercial airlines in the United States presently transport over 450 million passengers each year. A recent transportation safety board study revealed that 21 of the 26 major airports experienced serious delays and it is projected to get worse. Again, the costs are enormous. A 1990 DOT study estimated the financial cost of air congestion at $5 billion each year, and it expects this number to reach $8 billion by 2000.

Congestion is a problem and it must be addressed. However, the current path we are on directs more money for highways and airports. For us in the Northeast, building more roads is simply not an option. We do not have the land nor the financial resources to build more highways or more airports. For these reasons, we must provide more than just good roads but a good passenger rail system as well.

Adequately funded passenger rail can successfully address highway gridlock and ease airport congestion. Passenger rail ridership between New York and Washington is equal to 7,500 fully booked 757's or 10,000 DC–9's. Between New York and Washington, Amtrak has over 40 percent of the air-rail market.

Improved Northeast rail service will also have the same positive impact on road congestion. The 5.9 billion passenger miles were taken on Amtrak in 1994. These are trips that were not taken on crowded highways and airways. Improved rail service in the Northeast is projected to eliminate over 300,000 auto trips each year from highways as well as reduce auto congestion around the airports.

Improved rail service will also have a positive effect on rural areas. Twenty-two million of Amtrak's 55 million passengers depend on Amtrak for travel between urban centers and rural locations which have no alternative modes of transportation.

Mr. President, now is the time to invest in our rail system.

Opponents of this language say that we should stop subsidizing Amtrak. Amtrak needs to be self-sufficient.

I would like to see that happen, but to date, I am not aware of any transportation system that supports itself without Federal assistance. Further, I am not aware of any transportation system that supports itself through user fees. According to the Department of Transportation, in fiscal year 1994 nearly $6 billion more was spent on highways than was collected in user fees.

In fiscal year 1995 nearly $8 billion more was spent on highways than was collected in taxes. Transit which is exempted from the motor fuels tax, received $3 billion in revenues in motor fuels revenues last year. I repeat, no mode is self-financed.

If we want a national passenger rail system, we must fund it properly. This provision is an important step to give Amtrak the capital funds it needs to survive.

Mr. ROCKEFELLER. Mr. President, I have made the decision to vote in favor of the budget resolution before us to achieve a balanced budget and invest in key priorities for the country. This is not a vote to claim that this budget plan is perfect or a replica of the specific way I would best like to see the budget balanced and my own State's needs addressed. However, as a result of President Clinton working with Congress to reach this agreement, this plan represents a responsible course for completing the job of deficit reduction and launching essential steps for our future.

This budget plan is also a victory against the dangerous and reckless efforts we have seen over the past 2 years in the name of balancing the budget, reforming Medicare, and other attractive but misleading labels. I am extremely proud and now relieved that some of us succeeded in defeating the extreme cuts proposed in the budget plans offered by Republicans that would have done such grave damage to Medicare, education, infrastructure, and other priorities. The Republican plans literally raided Medicare to pay for tax cuts for the wealthy, and would have put crushing burdens on working families and our communities that were totally unnecessary and wrong.

This budget plan now before us is possible because of the tough choices and hard work done by President Clinton, with the sole help of Democrats and not a single Republican vote, in 1993 to enact a historic package of deficit reduction and economic growth

measures. Instead of the horrors predicted by opponents, that 1993 budget and economic plan cut the deficit from $290 billion to $67 billion. Over the past 4 years, we have watched the economy grow steadily, interest rates come down and stabilize, inflation remain low, and unemployment reach record lows.

Some of the critics of the bipartisan budget agreement before us now seem to be upset because this plan doesn't hurt enough. Since when is pain or sacrifice the goal of a Federal budget? The goals should be fairness, balance, priority-setting, and investment as we hammer out a budget that also adheres to fiscal discipline. And the reason we can now proceed to finish the job of balancing the budget is because some of us have been hard at work over the past years to limit spending, set priorities, and make the real choices.

This budget agreement is a plan with the necessary spending cuts and reform to balance the budget, with investments in urgent needs that Americans want us to address. This means accepting tradeoffs and limits. In fact, I have been obligated to vote against certain amendments in the past few days to increase spending in areas that I have a strong commitment to, from childrens programs to highway spending. But in order for this agreement to go forward, and enable us to fill in the details and even work out revisions, I feel a responsibility to help the bipartisan leadership maintain the fabric of this agreement.

Mr. President, I am especially pleased that this agreement includes $16 billion for expanding health care coverage for children. My hope is that this will translate directly into enacting the legislation introduced by Senator CHAFEE and myself, with broad, bipartisan support, to use the Medicaid Program to insure up to 5 million children with the most urgent needs. Our approach would build on a foundation that serves children and families well, in a cost-effective and targeted manner.

As the former chairman of the National Commission on Children, I view this budget agreement as the bipartisan commitment needed to fulfill other parts of the agenda we recommended to make children a higher priority in deeds, not just rhetoric, in America. With the education tax cuts promised for families, a children's tax credit, and more investment in early childhood and education, along with the childrens health care initiative promised, we can make sure this country prepares more of the next generation to be ready for the incredible challenges ahead of us.

Mr. President, while I generally support the provisions of the balanced budget resolution, I want to make a special point of the fact that I take strong exception to the proposed funding for veterans. It is my view that veterans, who have sacrificed for this country, are carrying a disproportionate share of the burden to balance the Federal budget.

As the ranking member of the Senate Veterans' Affairs Committee, this part of the budget is the area that I have a special responsibility to review in great detail. In addition, it affects West Virginians in countless ways. It is a sad statement that spending for veterans was not included in the list of protected programs by the President or congressional leadership. The result is that veterans benefits and services have been cut. In fiscal year 1998, discretionary veterans programs covering medical care, construction, and general administrative expenses will be decreased by $132 million in fiscal year 1998. To me, this represents a serious cut in veterans programs. Veterans groups and their advocates have agreed over the years to pull their weight in a concerted effort to balance the budget. However, this agreement does not reflect a sense of fairness. Aside from the deep cuts in Medicare and Medicaid and receipts from spectrum sales, veterans face the largest cuts in programs, and this is unacceptable.

The budget resolution effectively flatlines the Department of Veterans Affairs' [VA] medical care appropriation to $16.959 billion over the next 5 years, and in an attempt to supplement this funding shortfall, builds in a new revenue stream.

For the first time, VA will retain all third-party payments collected from insurance companies, and the budget agreement assumes that these fees will be available to support discretionary spending for VA medical care. In policy, I have always supported retention of these so-called Medical Care Cost Recovery [MCCR] collections on the basis that these collections would enhance medical services for veterans. Unfortunately, even with these new funds—$604 million in fiscal year 1998—the resulting level of funding would not be sufficient to support current services in fiscal year 1998. Projected out-year medical care spending would rise by less than one-half of one percent, while at the same time, the number of unique patients VA treats is projected to rise at an average annual rate of over 3.5 percent. If this same growth rate were applied to Medicare, America's seniors would rightly be marching on the Capitol.

Mr. President, I want my colleagues to know that when we speak of the funding level for VA medical care, we are really talking about such concerns as the long-term care needs of our World War II and Korean war veterans, the health care needs of ailing Vietnam and Persian Gulf war veterans, specialized services provided to veterans who are catastrophically disabled, and basic health and preventive care services provided to all our veterans.

Under the budget agreement, veterans seeking medical care from the VA would be dependent upon uncertain funding, including a base appropriation which is $54 million less than the previous year; an untested plan to secure funding from insurance companies; and another controversial proposal, Medicare reimbursement, which will require congressional approval. I believe that the Government can be fiscally responsible and reduce the Federal deficit and debt, and still fulfill our commitment to our Nation's veterans. Asking veterans to rely upon tenuous funding mechanisms for their medical care does not meet this basic criteria.

This proposed level of funding will also be particularly troublesome in those areas of the country which are losing VA health care funding as part of VA's new resource allocation model. Those facilities which are already slated to lose resources, including the Clarksburg VA Medical Center in my home State, will be hit even harder by the low level of fiscal year 1998 funding.

Mr. President, some have viewed this budget agreement as a victory for veterans. This is simply a misunderstanding of the facts. Veterans groups know and understand that a frozen appropriation coupled with cuts in other programs will translate into a reduction of services and benefits, and I understand that they will be opposing the resolution. I will be working throughout the appropriations process to assure that these cuts are diminished. In sum, the appropriators will have to do better if we are to honor our commitment to veterans.

Before concluding, I also warn my colleagues who are such strong proponents of capital gains and estate tax relief that these requirements are going to be subject to intense scrutiny by Americans who have every right to ask some tough questions. When working families struggle as hard as they do to make ends meet and give their children opportunities to succeed, they want to see a Federal budget with priorities that make sense.

Every year, when faced with the budget process and debate, I have to weigh the various principles and goals that guide me in all of my work as the Senator of West Virginia. I have fought certain plans and proposals strenuously, because of their tilted and unfair approaches. In the case of the budget agreement before us, I believe it is an effort that should go forward. It is a work-in-progress, and I will be working hard to improve it. But at the same time, it captures the basic goals that the people of West Virginia and the country are asking us to pursue. We need to complete the job of balancing the budget. We also need to take new steps to address the opportunities and needs of Americans, in education, health care, research, and other key areas. With a bipartisan budget agreement resolved to pursue these goals, I will vote to get the job underway.

Mr. FEINGOLD. Mr. President, this is a notable occasion.

We are adopting a bipartisan budget plan, an uncommon event, made even more exceptional because that plan outlines a path toward achieving balance in the unified budget.

As others have noted, this budget resolution is not perfect.

No one of us would have proposed precisely the same combination of provisions we have in this resolution, that is the nature of political compromise.

The result, however, is a package of provisions that does provide the opportunity to reach balance.

Mr. President, balancing our budget has been my highest priority as a Member of this body.

I ran on that issue in 1992, and I am pleased that we will enact a budget outline that puts us on track to achieve that goal.

Mr. President, it is important to note that this agreement would not have been possible without the President's deficit reduction package enacted in 1993.

Some now estimate that package achieved approximately $2 trillion in deficit reduction between 1993 and 2002.

By contrast, the deficit reduction achieved in this year's budget outline is much smaller, but it is still an important accomplishment.

Mr. President, I think it also needs to be said this important accomplishment was achieved without amending our Constitution.

Indeed, I am convinced that the lack of a constitutional amendment pushed both sides to get the job done right now.

No one was able to say to their constituents: ''Well, we passed a constitutional amendment to balance the budget, now it's up to State legislatures.''

Mr. President, we still have a ways to go.

This budget resolution is only the beginning; we still have to enact the necessary spending cuts to reach balance.

More importantly, our longer-term budget prospects need much more serious work.

In fact, my biggest concern is that the agreement leaves enough room for either or both sides to push tax or spending policies that worsen our longer-term budget prospects.

I am particularly concerned that while the tax cut agreement may look sustainable in the budget resolution, it may become entirely unsustainable in the long-run, and only aggravate the serious budget problems we know we will face with the retirement of the baby boomers.

We all must continue the bipartisan commitment reflected by this budget agreement to ensure the resulting tax and spending legislation does not undermine either the immediate goal of that agreement—balancing the unified budget—nor our ability to take the next critical steps—enacting necessary entitlement reform, balancing the budget without relying on the Social Security trust funds, and beginning to reduce our national debt.

Mr. President, while many can be congratulated for the work done to produce this budget, I want to note especially the work done by our Budget Committee Chairman, the senior Senator from New Mexico [Mr. DOMENICI] and our ranking member, the senior Senator from New Jersey [Mr. LAUTENBERG].

I joined the Budget Committee this past January, and this is my first experience as a member in working on a budget resolution.

To say the least, Mr. President, it has been a remarkable first experience.

We all realize that reaching this kind of settlement is not simply a matter of finding policies on which there is agreement.

The character and good will of the negotiators makes an enormous difference, and both sides of the aisle were well represented in this regard.

Mr. President, understandably, we often find ourselves focusing on the developing details of the agreement as the negotiations proceeded, and we all have specific matters to which we pay special attention.

All of that is appropriate.

But we often lose sight of the big picture, and the big picture here is that this budget resolution gives us the opportunity to actually achieve balance in the unified budget by 2002.

That is an historic achievement, and a great deal of the credit for that achievement should go to our chairman and ranking member.

I am proud to serve with them, and delighted to be a member of the committee they oversee.

I look forward to working with them next year on a budget resolution that takes the next important steps: enacting necessary entitlement reforms, achieving true balance without using the Social Security trust funds, and reducing the national debt.

MORNING BUSINESS

Mr. DOMENICI. I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

OECD SHIPBUILDING AGREEMENT IMPLEMENTING LEGISLATION

Mr. LOTT. The congressional participation in the OECD shipbuilding agreement continues in the 105th Congress. On April 22, 1997, Senator BREAUX introduced S. 629, the OECD Shipbuilding Agreement Act. On April 30, 1997, the Senate Committee on Commerce, Science, and Transportation, chaired by Senator MCCAIN, held a hearing on trade matters which included the OECD shipbuilding agreement. On June 5 that hearing will be continued with the focus on this particular maritime trade policy.

I must say that S. 629 represents the administration's attempt to reconcile their earlier legislative proposal made in the 104th Congress with the successful amendment made by the House of Representatives to that bill. Let me be clear, while the current bill does not address all of the concerns voiced by America's largest shipbuilders, it is a positive step in the right direction. My colleagues must not ignore it.

It also begins to deal with issues I raised in my two colloquies in the Senate with Senator SNOWE.

I intend to work with Senator BREAUX to amend S. 629 so that all appropriate maritime solutions are incorporated. At a recent maritime function, I challenged the audience to examine the new language and to offer constructive improvements. Our Nation has international maritime responsibilities and we must respond to the challenge.

I believe that with the introduction of S. 629, the administration has made an honest attempt to address the majority of the concerns.

I plan on working with my colleagues in both the Senate and the House of Representatives to ensure that acceptable ratification and implementation legislation for the OECD shipbuilding agreement is passed by this Congress.

Mr. BREAUX. I thank the majority leader for his efforts to address the concerns of all U.S. shipbuilders while achieving proper ratification and implementation of this important international agreement.

Mr. LOTT. A primary thrust of the amendment in the 104th Congress by the House of Representatives was to clarify that the agreement shall not affect in any way the Jones Act and other laws related to our essential coastwise trade. My colleagues know my position on the Jones Act—I support it unequivocally. I believe the language in S. 629 also supports the Jones Act by requiring the withdrawal of the United States from the agreement if it interferes with our coastwise trade laws. However, I am continuing to work with Senator BREAUX to further strengthen this provision.

Mr. BREAUX. I agree with the majority leader. This legislation represents a strong reaffirmation to the world of the United States steadfast support for the Jones Act.

Furthermore, the House of Representatives amended H.R. 2754 to clearly preserve the authority of the Secretary of Defense to define, for the purposes of exclusion from coverage under the agreement, the terms ''military vessel'', ''military reserve vessel'', and ''essential security interest''. While the administration and the Office of the USTR attempted to define ''military reserve vessel'' by including a description of current military reserve vessel programs, some have expressed concerns that this approach might in the future limit the flexibility of the Secretary of Defense to implement additional programs, such as the National Defense Features Program. I am working with Senator LOTT to redraft this provision in a way that will not limit United States national security options.

Mr. LOTT. Acknowledging the valid concerns raised by Representative

BATEMAN is appreciated. I believe together we can find the right definition to ensure our national security is protected. No one wants to jeopardize our military capabilities.

S. 629 would also grant the United States a 2-year extension for the title XI shipbuilding loan guarantee program to continue under its current terms and conditions. This too is a move toward equitable implementing language. However, other signatories, including Belgium, Portugal, Spain, and South Korea, were provided special arrangements, exemptions, and transition programs under the Agreement.

When the House of Representatives amended H.R. 2754 in the last Congress, it provided a 3-year transition period for the title XI program. This is an essential component for a fair agreement and I intend to work with Senator BREAUX to restore the full 3-year transition period as provided in last year's House bill.

Mr. BREAUX. H.R. 2754, as amended by the House of Representatives, would have required that third country antidumping cases taken by the Office of the USTR to the third country be adjudicated in a manner similar to that provided by the agreement. Some were concerned that S. 629 would require that the injurious pricing action be taken in accordance with the laws of that third country, without regard to whether those laws are consistent with the agreement. I intend to work with Senator LOTT to ensure that such third country proceedings are consistent with the injurious pricing actions of the agreement.

Mr. LOTT. Many of our American shipbuilders also expressed their concern to me that several countries with a significant shipbuilding industrial presence are not signatories to the agreement. This reduces the effectiveness of the agreement. S. 629 includes a provision not found in last year's House bill which would direct our Trade Representative to seek the prompt accession to the agreement by these other countries. This is one step in the right direction. Another step is that S. 629 also would direct our Trade Representative to use the mechanisms already available under existing U.S. trade laws to redress efforts by non-signatories to undermine the agreement.

Additionally, I expect our Trade Representative to vigorously protest the recent approval of approximately $2.1 billion in restructuring aid to shipyards in Germany, Spain, and Greece. I'm sure that all will agree that the agreement has no chance of holding together if any signatories work around its provisions in order to continue unfairly subsidizing their shipyards.

Mr. BREAUX. I would also like to note that S. 629 includes another important provision not found in H.R. 2754, as amended by the House of Representatives. S. 629 provides for U.S. shipyards to continue to receive 25-year title XI financing when competing in bids against subsidized non-signatory shipyards.

I want to once again thank the majority leader for his efforts to resolve the differences within the U.S. shipbuilding industry over the agreement and to find an appropriate solution that benefits the entire U.S. maritime industry.

Mr. LOTT. I anticipate a swift resolution of the jurisdictional issue. The Senate should focus on the successful enactment of a corrected version of S. 629.

I look forward to working with the other members of the Senate Commerce and Finance Committees to develop fair implementing language.

I want to personally thank you JOHN for your dedication to America's maritime industry and I look forward to a continued partnership in finding an acceptable consensus for the agreement's implementing language.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, May 21, 1997, the Federal debt stood at $5,348,057,972,766.87. (Five trillion, three hundred forty-eight billion, fifty-seven million, nine hundred seventy-two thousand, seven hundred sixty-six dollars and eighty-seven cents)

One year ago, May 21, 1996, the Federal debt stood at $5,115,827,000,000. (Five trillion, one hundred fifteen billion, eight hundred twenty-seven million)

Five years ago, May 21, 1992, the Federal debt stood at $3,923,950,000,000. (Three trillion, nine hundred twenty-three billion, nine hundred fifty million)

Ten years ago, May 21, 1987, the Federal debt stood at $2,289,948,000,000. (Two trillion, two hundred eighty-nine billion, nine hundred forty-eight million)

Fifteen years ago, May 21, 1982, the Federal debt stood at $1,068,477,000,000 (One trillion, sixty-eight billion, four hundred seventy-seven million) which reflects a debt increase of more than $4 trillion—$4,279,580,972,766.87 (Four trillion, two hundred seventy-nine billion, five hundred eighty million, nine hundred seventy-two thousand, seven hundred sixty-six dollars and eighty-seven cents) during the past 15 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 408. An act to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes.

H.R. 1377. An act to amend title I of the Employee Retirement Income Security Act of 1974 to encourage retirement income savings.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 63. Concurrent resolution expressing the sense of Congress regarding the 50th anniversary of the Marshall plan and reaffirming the commitment of the United States to the principles that led to the establishment of that program.

The message further announced that pursuant to the provision of 22 U.S.C. 1928a, the Chair announces the Speaker's appointment of the following Members of the House to the United States Group of the North Atlantic Assembly: Mr. BEREUTER, Chairman, Mr. SOLOMON, Vice Chairman, Mr. REGULA, Mr. BATEMAN, Mr. BLILEY, Mr. BOEHLERT, Mrs. ROUKEMA, Mr. BALLENGER, Mr. HAMILTON, Mr. RUSH, Mr. LANTOS, and Mr. MANTON.

ENROLLED BILL SIGNED

At 1:35 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1650. An act to authorize the President to award a gold medal on behalf of the Congress to Mother Teresa of Calcutta in recognition of her outstanding and enduring contributions through humanitarian and charitable activities, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 408. An act to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 63. Concurrent resolution expressing the sense of Congress regarding the 50th anniversary of the Marshall plan and reaffirming the commitment of the United States to the principles that led to the establishment of that program; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

H.R. 1306. An act to amend the Federal Deposit Insurance Act to clarify the applicability of host State laws to any branch in such State of an out-of-State bank.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1965. A communication from the Director of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, a rule entitled ''Transfer of Offenders'' (RIN1120–AA60) received on May 20, 1997; to the Committee on the Judiciary.

EC–1966. A communication from the Chairman of the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, a report for calendar year 1996; to the Committee on the Judiciary.

EC–1967. A communication from the Director of the Regulations Policy, Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a rule entitled ''Export Requirements''; to the Committee on Labor and Human Resources.

EC–1968. A communication from the Director of the National Legislative Commission of the American Legion, transmitting, pursuant to law, the report of the financial condition of the American Legion for calendar year 1996; to the Committee on the Judiciary.

EC–1969. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''Irish Potatoes'' (FV97–947–1) received on May 20, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1970. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to amend section 502 of title V of the Housing Act of 1949; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1971. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''Suspension of Certain Order Provisions'' received on May 20, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1972. A communication from the Congressional Review Coordinator of Animal and Plant Health Inspection Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, a rule entitled ''Interstate Movement of Livestock'' received on May 22, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1973. A communication from the Director of the Regulations Policy, Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a rule entitled ''Medical Devices'' received on May 22, 1997; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments and with a preamble:

S. Res. 57. A resolution to support the commemoration of the bicentennial of the Lewis and Clark Expedition.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 610. A bill to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, known as ''the Chemical Weapons Convention'' and opened for signature and signed by the United States on January 13, 1993.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 768. A bill for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

Thomas W. Thrash, Jr., of Georgia, to be United States District Judge for the Northern District of Georgia.

Alan S. Gold, of Florida, to be United States District Judge for the Southern District of Florida.

Eric L. Clay, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Arthur Gajarsa, of Maryland, to be United States Circuit Judge for the Federal Circuit.

(The above nominations were reported with the recommendation that they be confirmed.)

By Mr. THOMPSON, from the Committee on Governmental Affairs:

David J. Barram, of California, to be Administrator of General Services.

Mary Ann Gooden Terrell, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. REID (for himself, Mr. GRASSLEY, and Mr. GLENN):

S. 779. A bill to amend title XVIII of the Social Security Act to increase the number of physicians that complete a fellowship in geriatric medicine and geriatric psychiatry, and for other purposes; to the Committee on Finance.

S. 780. A bill to amend title III of the Public Health Service Act to include each year of fellowship training in geriatric medicine or geriatric psychiatry as a year of obligated service under the National Health Corps Loan Repayment Program; to the Committee on Labor and Human Resources.

By Mr. HATCH (for himself, Mr. CRAIG, Mr. GRAMM, Mr. ENZI, Mr. COCHRAN, Mr. HELMS, and Mr. KEMPTHORNE):

S. 781. A bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment; to the Committee on the Judiciary.

By Mr. LUGAR:

S. 782. A bill to amend the Department of Agriculture Reorganization Act of 1994 to remove the provision that prevents the recovery of an amount disbursed as a result of an erroneous decision made by a State, county, or area committee; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRAMS:

S. 783. A bill to increase the accessibility of the Boundary Waters Canoe Area Wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. D'AMATO (by request):

S. 784. A bill to reform the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH of Oregon:

S. 785. A bill to convey certain land to the City of Grants Pass, Oregon; to the Committee on Energy and Natural Resources.

By Mr. BRYAN (for himself and Mr. REID):

S. 786. A bill to direct the Secretary of the Interior to convey, at fair market value, certain properties in Clark County, Nevada, to persons who purchased adjacent properties in good faith reliance on land surveys that were subsequently determined to be inaccurate; to the Committee on Energy and Natural Resources.

By Mr. GRAMM (for himself and Mrs. HUTCHISON):

S. 787. A bill to permit any state to use non-governmental personnel in the determination of eligibility under the Medicaid, Food Stamps and WIC programs; to the Committee on Finance.

By Mrs. MURRAY:

S. 788. A bill to suspend temporarily the duty on certain materials used in the manufacture of skis and snowboards; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. BREAUX, Mr. D'AMATO, Mr. WYDEN, Mr. JEFFORDS, Mr. KOHL, and Mr. CHAFEE):

S. 789. A bill to amend title XVIII of the Social Security Act to provide medicare beneficiaries with additional information regarding medicare managed care plans and medicare select policies; to the Committee on Finance.

By Mr. DASCHLE:

S. 790. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to receive charitable contributions of inventory; to the Committee on Finance.

By Mr. DASCHLE (for himself, Mr. DORGAN, Mr. GRASSLEY, Mr. JOHNSON, and Mr. CONRAD):

S. 791. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain amounts received by a cooperative telephone company; to the Committee on Finance.

By Mr. DASCHLE (for himself, Mr. DORGAN, Mr. CONRAD, and Mr. JOHNSON):

S. 792. A bill to amend the Internal Revenue Code of 1986 to provide that certain cash rentals of farmland will not cause recapture of special estate tax valuation; to the Committee on Finance.

By Mr. DODD:

S. 793. A bill to amend the Public Health Service Act to require that the Center for Substance Abuse Treatment carry out treatment programs for adolescents; to the Committee on Labor and Human Resources. S. 794. A bill to amend the Public Health Service Act to revise and extend the grant program for services for children of substance

abusers; to the Committee on Labor and Human Resources.

By Mr. LIEBERMAN (for himself, Mr. JEFFORDS, Mr. CHAFEE, Mr. BREAUX, Ms. COLLINS, and Mr. ROCKEFELLER):

S. 795. A bill to improve the quality of health plans and health care that is provided through the Federal Government and to protect health care consumers; to the Committee on Finance.

By Mr. TORRICELLI (for himself and Mrs. FEINSTEIN):

S. 796. A bill to reduce gun trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAFEE (for himself, Mr. BAUCUS, and Mr. KENNEDY):

S. 797. A bill to amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WARNER:

S. 798. A bill to establish a Commission on Information Technology Worker Shortage; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY (for himself, Mr. WELLSTONE, Mr. LEVIN, Mr. JEFFORDS, Mr. MOYNIHAN, Mr. LIEBERMAN, Mr. FEINGOLD, and Mr. DODD):

S. Con. Res. 28. A concurrent resolution expressing the sense of Congress that the Administrator of the Environmental Protection Agency should take immediate steps to abate emissions of mercury and release to Congress the study of mercury required under the Clean Air Act, and for other purposes; to the Committee on Environment and Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. GRASSLEY, and Mr. GLENN):

S. 779. A bill to amend title XVIII of the Social Security Act to increase the number of physicians that complete a fellowship in geriatric medicine and geriatric psychiatry, and for other purposes; to the Committee on Finance.

THE MEDICARE PHYSICIAN WORKFORCE ACT OF 1997

S. 780. A bill to amend title III of the Public Health Service Act to include each year of fellowship training in geriatric medicine or geriatric psychiatry as a year of obligated service under the National Health Corps Loan Repayment Program; to the Committee on Labor and Human Resources.

THE GERIATRICIANS LOAN FORGIVENESS ACT OF 1997

Mr. REID. Good morning Mr. President. I come to the floor today to offer two bills which are written to address the national shortage of geriatricians we are experiencing in this country. A problem I am sorry to say that is getting worse, not better. I am pleased to have as original cosponsors of my bills Senator GRASSLEY, the distinguished Chairman of the Senate Special Committee on Aging and Senator GLENN, also a member of the Aging Committee, one for whom I have tremendous respect and regard.

Our Nation is growing older. Today, life expectancy for women is 79, for men it is 73. While the population of the United States has tripled since 1900, the number of people age 65 or older has increased 11 times, to more than 33 million Americans. By 2030, this group is projected to double in size to nearly 70 million.

Mr. President, I first became concerned about this problem when a read a report issued by the Alliance for Aging Research in May of 1996 entitled, ''Will you Still Treat Me When I'm 65?'' The report concluded that there are only 6,784 primary-care physicians certified in geriatrics. This number represents less than one percent of the total of 684,414 doctors in the United States. The report goes on to state that the United States should have at least 20,000 physicians with geriatric training to provide appropriate care for the current population, and as many as 36,000 geriatricians by the year 2030 when there will be close to 70 million older Americans.

The bills I am introducing today, the Medicare Physician Worforce Improvement Act of 1997 and the Geriatricians Loan Forgiveness Act of 1997, aim—in modest ways and at very modest cost—to encourage an increase in the number of trained doctors seniors of today and tomorrow will need, those with certified training in geriatrics.

One provision of the Medicare Physician Workforce Improvement Act of 1997 will allow the Secretary of Health and Human Services to double the payment made to teaching hospitals for geriatric fellows capping the double payment to be provided to a maximum of 400 fellows per year. This is intended to serve as an incentive to teaching hospitals to promote and recruit for geriatric fellows.

Another provision directs the Secretary of Health and Human Services to increase the number of certified geriatricians appropriately trained to provide the highest quality care to Medicare beneficiaries in the best and most sensible settings by establishing up to five geriatric medicine training consortia demonstration projects nationwide. In short, allow Medicare to pay for the training of doctors who serve geriatric patients in the settings where this care is so often delivered. Not only in hospitals, but also ambulatory care facilities, skilled nursing facilities, clinics, and day treatment centers.

The second bill I am offering today, The Geriatricians Loan Forgiveness Act of 1997 has but one simple provision. That is to forgive $20,000 of education debt incurred by medical students for each year of advanced training required to obtain a certificate of added qualifications in geriatric medicine or psychiatry. My bill would count their fellowship time as obligated service under the National Health Corps Loan Repayment Program.

Mr. President, the graduating medical school class of physicians in 1996 reported they had incurred debts of $75,000 on average. My bill will offer an incentive to physicians to pursue advanced training in geriatrics by forgiving a small portion of their debt.

Last year Medicare paid out more than $6.5 billion to teaching hospitals and academic medical centers toward the costs of clinical training and experience needed by physicians after they graduate from medical school. It is ironic, only a tiny fraction of those Medicare dollars are directed to the training of physicians who focus mainly on the needs of the elderly. Of over 100,000 residency and fellowship positions that Medicare supports nationwide, only about 250 are in geriatric medicine and psychiatry programs. Existing slots in geriatric training programs oftentimes go unfilled. With 518 slots available in geriatric medicine and psychiatry in 1996, only 261, barely one-half of them were filled.

By allowing doctors who pursue certification in geriatric medicine to become eligible for loan forgiveness, and by offering an incentive to teaching institutions to promote the availability of fellowships, and recruit geriatric fellows, my bills will provide a measure of incentive for top-notch physicians to pursue fellowship training in this vital area.

We must do more to ensure quality medicine today for our seniors and it is certainly in our best interest to prepare for the future when the number of seniors will double. Geriatric medicine requires special and focused training. Too often, problems in older persons are misdiagnosed, overlooked, or dismissed as the normal result of aging because doctors are not trained to recognize how diseases and impairments might appear differently in the elderly than in younger patients. One need only look at undiagnosed clinical depression in seniors or the consequences of adverse reaction to medicines to see how vital this specialized training really is. This lack of knowledge comes with a cost, in lives lost, and in unnecessary hospitalizations and treatments.

We need trained geriatricians to train new medical students. Of the 108 medical schools reporting for the 1994 to 1995 academic year, only 11 had a separate required course in geriatrics, 53 offered geriatrics as an elective, 96 included geriatrics as part of another required course and one reported not offering geriatrics coursework at all. Mr. President, this is simply not good enough.

In a country where by 2030, 1 in 5 citizens will be over the age of 65, there are only two departments of geriatrics at academic medical centers across the entire country. Yet, every academic medical center has a Department of Pediatrics. This just does not seem to make sense to me. While certainly no

one would argue the need for emphasis on pediatrics, there is no less of a need for emphasis on geriatrics as well. In England, it is my understanding that every academic medical center has a department of geriatrics. Do our friends in England know something we do not?

Mr. President, we have here a perfect case where an ounce of prevention will be worth a pound of cure. While not every patient over 65 will need a geriatrician, in fact most will not, we need academicians and researchers to train the medical community about the field of geriatrics and we need primary care physicians to have access to trained geriatricians when a patient's case warrants it. As our oldest old population increases, the population growing the fastest and most appropriate for geriatric intervention, we must ensure that access to geriatricians becomes a reality.

I believe the Medicare Physician Workforce Act of 1997 and the Geriatricians Loan Forgiveness Act of 1997 are steps in the right direction. While they will not solve the total problem, they do make a critical first step.

Mr. President, I am grateful to the American Geriatrics Society for their assistance in working with my staff on this bill and I especially want to thank my cosponsors, Senators GRASSLEY and GLENN, for their support and leadership on this issue.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE AMERICAN GERIATRICS SOCIETY,
New York, NY, May 20, 1997.

Hon. HARRY REID,
U.S. Senate,
Washington, DC.

DEAR SENATOR REID: On behalf of the American Geriatrics Society (AGS), I am writing to offer our strongest support to the ''Medicare Physician Workforce Improvement Act of 1997'' and the ''Geriatricians Loan Forgiveness Act of 1997.''

With more than 6500 physician and other health care professional members, the AGS is dedicated to improving the health and well being of all older adults. While we provide primary care and supportive services to all patients, the focus of geriatric practice is on the frailest and most vulnerable elderly. The average age of a geriatrician's caseload exceeds 80, and our patients often have multiple chronic illnesses. Given the complexity of medical and social needs among our country's oldest citizens, we are strongly committed to a multi-disciplinary approach to providing compassionate and effective care to our patients.

As you know, America faces a critical shortage of physicians with special training in geriatrics. Even as the 76 million persons of the baby boom generation reach retirement age over the next 15 to 20 years, the number of certified geriatricians is declining. By providing modest incentives—which will encourage teaching hospitals to increase the number of training fellowships in geriatric medicine and psychiatry, provide loan assistance to physicians who pursue such training, and support development of innovative and flexible models for training in geriatrics—your bills represent very positive steps toward reversing that trend.

The American Geriatrics Society has been pleased to work closely with your office to develop initiatives to preserve and improve the availability of highest quality medical care for our oldest and most vulnerable citizens. We believe that the ''Medicare Physician Workforce Improvement Act'' and the ''Geriatricians Loan Forgiveness Act'' represent a cost-effective approach to training the physicians our nation increasingly will need. We commend you for your leadership on an issue of such vital importance to the Medicare program and our elderly citizens.

Sincerely,

DENNIS JAHNIGEN, *MD,*
President.

ALLIANCE FOR AGING RESEARCH,
Washington, DC, May 16, 1997.

Hon. HARRY REID,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR REID: As the Executive Director for the Alliance for Aging Research, an independent, not-for-profit organization working to improve the health and independence of older Americans, I am writing in support of the ''Medicare Physician Workforce Improvement Act'' and the ''Geriatricians Loan Forgiveness Act.''

As you know, on May 14, 1996 the Alliance released a report, ''Will You Still Treat Me When I'm 65?'', addressing the national shortage of geriatricians. Currently, there are only 6,784 primary-care physicians certified in geriatrics, the area of medicine that addresses the complex needs of older patients. That is less than one percent of the total of 684,414 doctors in the U.S. We currently need 20,000 geriatricians and a total of 36,858 by the year 2030 to care for the graying baby boomers. These two pieces of legislation take the important first steps in solving this problem.

In addition to increasing the number of physicians trained in geriatrics, we need to develop a strong cadre of academics and researchers within our medical schools to help mainstream geriatrics into both general practice and specialties. Increasing the number of fellowship positions in geriatric medicine will improve the situation.

We must have this kind of support and commitment from the federal government, along with private philanthropy and business if we are to sufficiently care for our aging population. The Alliance for Aging Research is encouraged by your leadership and support in this area and we look forward to working with you to bring these issues before Congress.

Best regards,

DANIEL PERRY,
Executive Director.

● Mr. GRASSLEY. Mr. President, I am pleased to be an original cosponsor of two very important bills being offered by my colleague on the Senate Special Committee on Aging, Senator HARRY REID. The legislation we are introducing today will encourage more of our nation's physicians to specialize in geriatric medicine. As our population continues to age and with the impending retirement of the baby boomers, the need for trained geriatricians will be great. In my home State of Iowa, 15 percent of the population is over 65 with the third largest percentage of elderly in the Nation.

The incentives for residents to choose geriatrics as a specialty are limited. The financial rewards are fewer than most other specialties. In addition, patients require more time and attention because they typically have a multitude of health problems. With the cost of education so high, many residents face enormous debt when they complete medical school. Institutions have trouble attracting students to specialize in geriatric medicine due to the lack of financial incentives.

The Geriatricians Loan Forgiveness Act of 1997 will provide help to residents. This bill gives the Secretary of the Department of Health and Human Services [DHHS] the authority to forgive up to $20,000 of loans under the National Health Service Corps Loan Repayment Program on behalf of a resident who completes the required 1 year fellowship to become a geriatrician. The maximum amount of residents eligible is 400.

The other bill I am cosponsoring today is the Medicare Physician Workforce Improvement Act of 1997. We spent nearly $7 billion last year on graduate medical education under the Medicare Program. Yet, only 200 of the over 100,000 residency and fellowship positions funded by Medicare are in geriatric medicine. This does not make sense. Medicare is a program for seniors. Therefore, we should be supporting physicians who specialize in geriatrics.

The Medicare Physician Workforce Improvement Act has two provisions to encourage academic medical centers to train physicians in geriatrics under the Medicare graduate medical education [GME] program. The first provision provides for an adjustment in a hospital's count of primary care residents to allow each resident enrolled in an approved medical residency or fellowship program in geriatric medicine to be counted as two full-time equivalent primary care residents for the 1-year period necessary to be certified in geriatric medicine. A limit is placed on the number of residents enrolled each year to control the cost. No more than 400 fellows nationwide can be eligible in any given year. This provision will encourage institutions to train more geriatricians using Medicare funds.

The second provision is budget neutral. It directs the Secretary of DHHS to establish five geriatric medicine training consortium demonstration projects nationwide. The demonstration will allow current Medicare GME funds to be distributed to a consortium consisting of a teaching hospital, one or more skilled nursing facilities, and one or more ambulatory care or community-based facilities to train residents in geriatrics. This provision could be beneficial to rural areas and other areas not served by an academic medical center.

I applaud Senator REID for his efforts to provide our Nation's elderly with qualified trained geriatricians. I ask my colleagues on both sides of the aisle to join Senator REID and me in support of these legislative initiatives.●

By Mr. HATCH (for himself, Mr. CRAIG, Mr. GRAMM, Mr. ENZI, Mr. COCHRAN, Mr. HELMS and Mr. KEMPTHORNE):

S. 781. A bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment; to the Committee on the Judiciary.

THE OMNIBUS PROPERTY RIGHTS ACT

Mr. HATCH. Mr. President, I am pleased today to once again introduce the Omnibus Property Rights Act. Many Members of the Senate have as a paramount concern the protection of individual rights protected by our Constitution.

One particular right—the right to own and use private property free from arbitrary governmental action—is increasingly under attack from the regulatory state. Indeed, despite the constitutional requirement for the protection of property rights, the America of the late 20th century has witnessed an explosion of Federal regulation that has jeopardized the private ownership of property with the consequent loss of individual liberty.

Under current Federal regulations, thousands of Americans have been denied the right to the quiet use and enjoyment of their private property. Arbitrary bureaucratic enforcement of Federal and State regulatory programs has prevented Americans from building homes and commercial buildings, plowing fields, repairing barns and fences, clearing brush and fire hazards, felling trees, and even removing refuse and pollutants, all on private property.

Fairness and simple justice demand that Americans owning property be entitled to the full use of their property. Ensuring compensation for regulatory takings is the first step toward restoring the fundamental right to own and use private property guaranteed by the takings clause of the fifth amendment to our Constitution. That is why I am once again introducing legislation—the Omnibus Property Rights Act—to protect private property owners from overzealous regulators. This bill, similar in substance and procedure to the bills I introduced last Congress, represents the most comprehensive legislative mechanism to date to foster and protect the private ownership of property.

The omnibus bill contains three different approaches contained in different titles.

The first substantive title of the bill encompasses property rights litigation reform. This title establishes a distinct Federal fifth amendment ''takings'' claim against Federal agencies by aggrieved property owners, thus clarifying the sometimes incoherent and contradictory constitutional property rights case law. Property protected under this section includes real property, including fixtures on land, such as crops and timber, mining interests, and water rights. This title is triggered when a taking, as defined by the Supreme Court, occurs. Moreover, it allows for compensation when the property, or ''affected portion'' of property, is reduced in value by 33 percent or more.

It has been alleged that this bill would impede government's ability to protect public health, safety, and the environment. This is not true. This first title contains a ''nuisance exception'' to compensation. It codifies that part of the 1992 Supreme Court decision in Lucas versus South Carolina Coastal Council, which held that restrictions on property use based on ''background principles of the state's law of property and nuisance'' need not be compensated. Thus, by adopting the Supreme Court's recent Lucas holding, the Omnibus Property Rights Act provides that only innocent property holders are to be compensated for government takings. Those that demonstrably misuse their property to pollute or to harm public health and safety are not entitled to compensation under the bill's nuisance provision.

Finally, this title also resolves the jurisdictional dispute between the Federal district courts and the Court of Federal Claims over fifth amendment ''takings'' cases—sometimes called the Tucker Act shuffle—by granting each court concurrent jurisdiction.

A second title in essence codifies President Reagan's Executive Order 12630. Under this title, a Federal agency must conduct a private property taking impact analysis before issuing or promulgating any policy, regulation, or related agency action which is likely to result in a taking of private property.

A third title provides for alternative dispute resolution in arbitration proceedings.

The three titles of the Omnibus Property Rights Act together function to provide the property owner with mechanisms to vindicate the fundamental constitutional right of private ownership of property, while instituting powerful internal incentives for Federal agencies both to protect private property and include such protection in agency planning and regulating.

It is very significant that the nonpartisan Congressional Budget Office, after a year of research, concluded in a study dated March 8, 1996, that the incentives built into the very similar bills I introduced last Congress would have encouraged agencies to act more responsibly, that the administrative cost of the bill would be quite small, and that compensation costs would be even smaller.

Despite some critics' charges that these very similar bills would be too costly, CBO found that the costs of both the omnibus bills will diminish to an insignificant level over time. This is predicated on the CBO finding that each of the omnibus bills contain powerful incentives, which over time will reduce costs. These include: First, the bills' bright line legal standards, which better enable agencies to avoid takings disputes; second, the takings impact assessment requirement, which requires agencies to analyze the affect of proposed regulations on property rights; and third, the requirement that compensation be paid from the agency's budget, which inevitably will act as a deterrent to unconstitutional and unlawful takings. Based on extensive research, CBO estimated that each omnibus bill should cost no more than $30 or $40 million a year for the first 5 years of implementation, thereafter diminishing to insignificant amounts. The new bill will cost even less.

IMPORTANCE OF PRIVATE PROPERTY

The private ownership of property is essential to a free society and is an integral part of our Judeo-Christian culture and the Western tradition of liberty and limited government. Private ownership of property and the sanctity of property rights reflects the distinction in our culture between a preexisting civil society and the state that is consequently established to promote order. Private property creates the social and economic organizations that counterbalance the power of the state by providing an alternative source of power and prestige to the state itself. It is therefore a necessary condition of liberty and prosperity.

While government is properly understood to be instituted to protect liberty within an orderly society and such liberty is commonly understood to include the right of free speech, assembly, religious exercise and other rights such as those enumerated in the Bill of Rights, it is all too often forgotten that the right of private ownership of property is also a critical component of liberty. To the 17th century English political philosopher, John Locke, who greatly influenced the Founders of our Republic, the very role of government is to protect property: ''The great and chief end therefore, on Men uniting into Commonwealths, and putting themselves under Government, is the preservation of their property.''

The Framers of our Constitution likewise viewed the function of government as one of fostering individual liberties through the protection of property interests. James Madison, termed the ''Father of the Constitution,'' unhesitantly endorsed this Lockean viewpoint when he wrote in The Federalist No. 54 that ''[government] is instituted no less for the protection of property, than of the persons of individuals.'' Indeed, to Madison, the private possession of property was viewed as a natural and individual right both to be protected against government encroachment and to be protected by government against others.

To be sure, the private ownership of property was not considered absolute. Property owners could not exercise their rights as a nuisance that harmed their neighbors, and government could use, what was termed in the 18th century, its despotic power of eminent domain to seize property for public use. Justice, it became to be believed, required compensation for the property taken by government.

The earliest example of a compensation requirement is found in chapter 28 of the Magna Carta of 1215, which reads, ''No constable or other bailiff of ours shall take corn or other provisions from anyone without immediately tendering money therefor, unless he can have postponement thereof by permission of the seller.'' But the record of English and colonial compensation for taken property was spotty at best. It has been argued by some historians and legal scholars that compensation for takings of property became recognized as customary practice during the American colonial period.

Nevertheless, by the time of American independence, the compensation requirement was considered a necessary restraint on arbitrary governmental seizures of property. The Vermont Constitution of 1777, the Massachusetts Constitution of 1780, and the Northwest Ordinance of 1787, recognized that compensation must be paid whenever property was taken for general public use or for public exigencies. And although accounts of the 1791 congressional debate over the Bill of Rights provide no evidence over why a public use and just compensation requirement for takings of private property was eventually included in the fifth amendment, James Madison, the author of the fifth amendment, reflected the views of other supporters of the new Constitution who feared the example to the new Congress of uncompensated seizures of property for building of roads and forgiveness of debts by radical state legislatures. Consequently, the phrase ''[n]or shall private property be taken for public use, without just compensation'' was included within the fifth amendment to the Constitution.

CURRENT PROTECTION OF PROPERTY RIGHTS FALL SHORT

Judicial protection of property rights against the regulatory state has been both inconsistent and ineffective. Physical invasions and government seizures of property have been fairly easy for courts to analyze as a species of eminent domain, but not so for the effect of regulations which either diminish the value of the property or appropriate a property interest.

This key problem to the regulatory takings dilemma was recognized by Justice Oliver Wendell Holmes in *Pennsylvania Coal Co.* v. *Mahon,* 260 U.S. 393 (1922). How do courts determine when regulation amounts to a taking? Holmes' answer, ''if regulation goes too far it will be recognized as a taking,'' 260 U.S. at 415, is nothing more than an ipse dixit. In the 73 years since Mahon, the Court has eschewed any set formula for determining how far is too far, preferring to engage in ad hoc factual inquiries, such as the three-part test made famous by *Penn Central Transportation Co.* v. *City of New York,* 438 U.S. 104 (1978), which balances the economic impact of the regulation on property and the character of the regulation against specific restrictions on investment-backed expectations of the property owner.

Despite the valiant attempt by the Rehnquist Court to clarify regulatory takings analysis in *Nollan* v. *California Coastal Comm'n,* 483 U.S. 825 (1987), *Lucas* v. *South Carolina Coastal Council,* 112 S.Ct. 2886 (1992), and in its recent decision of *Dolan* v. *City of Tigard,* No. 93–518 (June 24, 1994), takings analysis is basically incoherent and confusing and applied by lower courts haphazardly. The incremental, fact-specific approach that courts now must employ in the absence of adequate statutory language to vindicate property rights under the fifth amendment thus has been ineffective and costly.

There is, accordingly, a need for Congress to clarify the law by providing bright line standards and an effective remedy. As Chief Judge Loren A. Smith of the Court of Federal Claims, the court responsible for administering takings claims against the United States, opined in *Bowles* v. *United States,* 31 Fed. Cl. 37 (1994), ''[j]udicial decisions are far less sensitive to societal problems than the law and policy made by the political branches of our great constitutional system. At best courts sketch the outlines of individual rights, they cannot hope to fill in the portrait of wise and just social and economic policy.''

This incoherence and confusion over the substance of takings claims is matched by the muddle over jurisdiction of property rights claims. The Tucker Act, which waives the sovereign immunity of the United States by granting the Court of Federal Claims jurisdiction to entertain monetary claims against the United States, actually complicates the ability of a property owner to vindicate the right to just compensation for a Government action that has caused a taking. The law currently forces a property owner to elect between equitable relief in the Federal district court and monetary relief in the Court of Federal Claims. Further difficulty arises when the law is used by the Government to urge dismissal in the district court on the ground that the plaintiff should seek just compensation in the Court of Federal Claims, and is used to urge dismissal in the Court of Federal Claims on the ground that plaintiff should first seek equitable relief in the district court.

This Tucker Act shuffle is aggravated by section 1500 of the Tucker Act, which denies the Court of Federal Claims jurisdiction to entertain a suit which is pending in another court and brought by the same plaintiff. Section 1500 is so poorly drafted and has brought so many hardships, that Justice Stevens, in *Keene Corporation* v. *United States,* 113 S.Ct. 2035, 2048 (1993), has called for its repeal or amendment.

Title II of the Omnibus Property Rights Act addresses these problems. In terms of clarifying the substance of takings claims, it first clearly defines property interests that are subject to the act's takings analysis. In this way a floor definition of property is established by which the Federal Government may not eviscerate. This title also establishes the elements of a takings claim by codifying and clarifying the holdings of the Nollan, Lucas, and Dolan cases.

For instance, Dolan's rough proportionality test is interpreted to apply to all exaction situations whereby an owner's otherwise lawful right to use property is exacted as a condition for granting a Federal permit. And a distinction is drawn between a noncompensable mere diminution of value of property as a result of Federal regulation and a compensable partial taking, which is defined as any agency action that diminishes the fair market value of the affected property by 33 percent or more. The result of drawing these bright lines will not be the end fact-specific litigation, which is endemic to all law suits, but it will ameliorate the ever increasing ad hoc and arbitrary nature of takings claims.

Finally, I once again want to respond to any suggestion that may arise that this act will impede Government's ability to protect the environment or promote health and safety through regulation. This legislation does not, contrary to the assertions of some, emasculate the Government's ability to prevent individuals or businesses from polluting. It is well established that the Constitution only protects a right to reasonable use of property. All property owners are subject to prior restraints on the use of their property, such as nuisance laws which prevents owners from using their property in a manner that interferes with others.

The Government has always been able to prevent harmful or noxious uses of property without being obligated to compensate the property owner, as long as the limitations on the use of property inhere in the title itself. In other words, the restrictions must be based on background principles of State property and nuisance law already extant. The Omnibus Property Rights Act codifies this principle in a nuisance exception to the requirement of the Government to pay compensation.

Nor does the Omnibus Property Rights Act hinder the Government's ability to protect public health and safety. The act simply does not obstruct the Government from acting to prevent imminent harm to the public safety or health or diminish what would be considered a public nuisance. Again, this is made clear in the provision of the act that exempts nuisance from compensation. What the act does is force the Federal Government to pay compensation to those who are singled out to pay for regulation that benefits the entire public.

In other words, it does not prevent regulation, but fulfills the promise of the fifth amendment, which the Supreme Court in *Armstrong* v. *United States,* 364 U.S. 40, 49 (1960), opined is

''to bar Government from forcing some people alone to bear public burdens, which in all fairness and justice, should be borne by the public as a whole.''

I hope that all Senators will join me in supporting this long overdue legislation.

By Mr. LUGAR:

S. 782. A bill to amend the Department of Agriculture Reorganization Act of 1994 to remove the provision that prevents the recovery of an amount disbursed as a result of an erroneous decision made by a State, county, or area committee; to the Committee on Agriculture, Nutrition, and Forestry.

THE USDA'S FINALITY RULE REPEAL ACT OF 1997

● Mr. LUGAR. Mr. President, I introduce legislation to repeal an outdated agricultural law that has cost taxpayers millions of dollars over the last several years.

Historically, as part of its statutory mandate to support farmers' income, the Department of Agriculture made payments to farmers for the planting of certain crops and in cases of natural disaster. In the process of carrying out this mission, USDA sometimes mistakenly overpaid farmers.

A provision of the 1990 farm bill, known as the finality rule or the 90-day rule, allowed farmers to keep these overpayments if they were not discovered within 90 days of the payment or application for farm program benefits. Repayment is required in cases of fraud or misrepresentation involving the farmer.

Whatever its merits in 1990, changes in farm policy and new evidence indicate that the finality rule should be repealed. At the time of the 1990 farm bill, to be eligible for farm program payments, it was necessary for the county or State USDA office to determine that farmers were actively engaged in farming and that their operations were structured properly. Farmers often relied on these determinations before deciding which crops to plant, the size of the plantings, and how to structure their farming operation for the crop year.

However, the landmark reforms in the 1996 farm bill eliminated these justifications for the finality rule. Under the 1996 farm bill, farm payments are no longer linked to the planting decisions of farmers and the structure of the farming operation is unlikely to change. Today, payments are made based on a formula which does not vary from one year to the next.

The finality rule does not only apply to farm program payments. It applies to most types of payments received by farmers including disaster relief assistance. But these disaster payments have been dramatically scaled back in recent years. In 1994, Congress passed the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act which largely eliminated disaster assistance payments for most major crops. Instead of disaster aid, farmers were encouraged to buy crop insurance.

A recent report from the General Accounting Office provides further evidence that the finality rule should be repealed. According to GAO, from November 1990 through September 1996, USDA applied the finality rule to 10,694 cases in which the overpayments were not discovered within the 90-day timeframe. The rule allowed farmers to keep $4.2 million in overpayments. Nearly 90 percent of the overpayments involved crop disaster initiatives or old-style farm programs which no longer exist.

GAO also looked closely at finality rule payments in fiscal years 1995 and 1996. Even though the justification for the finality rule was to prevent farmers from having to repay large amounts of money years after the money was paid, GAO found that most of the overpayments involved small sums and were discovered within 9 months or less. According to GAO, in the years studied, 86 percent of the finality rule cases involved $500 or less. In addition, 59 percent had overpayments amounting to 10 percent or less of the correct payment amounts, and two-thirds were discovered within 9 months of the date of payment or the filing of a program application. It should be noted that while most of the overpayments were small, a few large overpayments accounted for the bulk of the dollar value of the overpayments. An examination of the GAO data indicate that the finality rule, in its application, has not served its original stated purpose.

Mr. President, the U.S. Department of Agriculture agrees that the finality rule should be repealed. In those limited number of cases in which repayment would work a hardship on the farmer, the very cases that finality rule was supposed to assist, USDA has indicated that it would use existing procedures already in place for debt collection in hardship cases.

In summary, Mr. President, the finality rule was largely designed for programs which have been dramatically altered, it generally does not serve the hardship cases for which it was designed, and it can be replaced by other existing procedures designed for hardship cases. The Department of Agriculture and the General Accounting Office support its repeal. It is time to remove this outdated law from the books. I urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 782

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

SECTION 1. RECOVERY OF AMOUNTS BASED ON ERRONEOUS DECISIONS OF STATE, COUNTY, AND AREA COMMITTEES.

Section 281 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7001) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.●

By Mr. D'AMATO (by request):

S. 784. A bill to reform the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes.

THE PUBLIC HOUSING MANAGEMENT REFORM ACT OF 1997

● Mr. D'AMATO. Mr. President, as chairman of the Committee on Banking, Housing and Urban Affairs, I introduce the Public Housing Management Reform Act of 1997 at the request of the Secretary of the Department of Housing and Urban Development, the Honorable Andrew M. Cuomo.●

By Mr. SMITH of Oregon:

S. 785. A bill to convey certain land to the city of Grants Pass, OR; to the Committee on Energy and Natural Resources.

THE GRANTS PASS LAND TRANSFER ACT OF 1997

● Mr. SMITH of Oregon. Mr. President, I am today introducing legislation to transfer 320 acres of Oregon and California grant lands currently under the jurisdiction of the Bureau of Land Management [BLM] to the city of Grants Pass, OR. I am pleased to introduce this legislation because it exemplifies how I believe our government should work. I believe government works best when the local community has an opportunity to participate in making decisions important to them.

Since 1968, the city of Grants Pass has leased 200 acres of BLM land to operate the Merlin Municipal Solid Waste Facility under permit by the Oregon Department of Environmental Quality [DEQ]. The current lease ends April 14 in the year 2000 and, pursuant to BLM's national policy, the lease will not be renewed. The city of Grants Pass has made an incredible commitment of time, manpower, and financial resources over several years to address and minimize the environmental concerns of the Merlin landfill. The long-term management and resolution of these environmental issues can best be handled by the city of Grants Pass through ownership of the property.

The 120 acres not part of the Merlin landfill are described by BLM as ''scab lands'' and are not subject to timber harvest. In addition, if the additional 120 acres are retained they would be landlocked or without access. For these reasons, the BLM recommends that these 120 acres be included in the land transfer. The 120 acres and any of the 200 acres not used for solid waste management will be retained exclusively for public use.

The reason for this legislation is simple: Existing Federal law providing for the transfer of Federal land either does not cover Oregon and California grant lands, presents administrative procedural requirements, or does not provide

the United States with the necessary environmental liability safeguards.

The Grants Pass land transfer legislation is supported at all levels of government—local, State, and Federal. This legislation is a companion bill to that of my good friend and colleague from the House, Congressman BOB SMITH, and is being heard today before the House Subcommittee on National Parks and Public Lands. I encourage my colleagues to join me in support of this legislation.

Mr. President, I ask unanimous consent that the provisions of the bill be inserted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 785

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

SECTION 1. CONVEYANCE OF BLM LAND TO GRANTS PASS, OREGON.

(A) CONVEYANCE REQUIRED.—Effective on the date the City of Grants Pass, Oregon tenders to the Secretary of the Interior an indemnification agreement and without monetary compensation, all right, title, and interest of the United States in and to the real property described in subsection (b) is conveyed, by operation of law, to the City of Grants Pass, Oregon (in this section referred to as the ''City'').

(b) PROPERTY DESCRIBED.—

The real property referred to in subsection (a) is that parcel of land depicted on the map entitled '' '' and dated , 1997, consisting of—

(1) approximately 200 acres of Bureau of Land Management land on which the City has operated a landfill under lease; and

(1) approximately 200 acres of Bureau of Land Management land that area adjacent to the land described in subparagraph (1).

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Secretary shall require the City to agree to indemnify the Government of the United States for all liability of the Government that arises from the property.●

By Mrs. MURRAY:

S. 788. A bill to suspend temporarily the duty on certain materials used in the manufacture of skis and snowboards; to the Committee on Finance.

DUTY SUSPENSION LEGISLATION

● Mrs. MURRAY. Mr. President, I introduce legislation of importance to the economy and quality of life in my home State of Washington. The measure I am introducing will help maintain the competitiveness of an industry that makes vital contributions to our State and this Nation.

One of my top priorities here in the U.S. Senate is to support policies that promote economic growth for people in Washington State and across the country. To me, this means preserving current jobs and creating new jobs in all sectors of our economy.

The K2 Corp., located on Vashon Island in Washington State, makes an important contribution toward achieving this goal. As the last remaining major U.S. manufacturer of skis and just one of three major snowboard makers in this country, K2 employs more than 700 people at its Vashon Island facility. The products made by K2 represent a substantial percentage of the American skis and snowboards sold around the world. Maintaining the competitiveness of K2 helps ensure the United States remains a player in the global ski market.

To the extent possible, K2 purchases materials used in the manufacture of skis and snowboards from companies based in Washington State and other regions of our country. However, K2 is unable to find a domestic source that meets its requirements for two key raw materials—steel edges and polyethylene base material. As a result, K2 must purchase these two commodities abroad and pay customs duties on the imported products. This forces K2 to spend more for these materials, thus diverting resources that could be used to expand business and develop new technologies.

My legislation seeks to make these resources available to K2 suspending U.S. customs duty on imports of these two raw materials—steel edges and polyethylene base material. It helps ensure K2 and America continue to have a role in the international ski industry. Together, these materials comprise a very small portion of all the materials used to produce skis. However, without the ability to acquire them at a reasonable cost, K2's ability to compete on an international scale would be adversely affected.

K2 strives to continue as a key player in the increasingly competitive international ski and snowboard market. This duty suspension legislation will help enable K2 to compete and to continue supporting our Nation's economy. I urge my colleagues to support this legislation, which strengthens the U.S. ski and snowboard industry and supports American jobs.●

By Mr. GRASSLEY (for himself, Mr. BREAUX, Mr. D'AMATO, Mr. WYDEN, Mr. JEFFORDS, Mr. KOHL and Mr. CHAFEE):

S. 789. A bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with additional information regarding Medicare managed care plans and Medicare select policies; to the Committee on Finance.

MEDICARE BENEFICIARY INFORMATION ACT OF 1997

Mr. GRASSLEY. Mr. President, I rise today with my colleague, Senator BREAUX, to introduce the Medicare Beneficiary Information Act of 1997. Medicare is a Federal program paid for with taxpayer dollars. Therefore, Congress has the duty and obligation to ensure beneficiaries have access to necessary information to select an appropriate health plan for their individual health care needs.

This legislation is based upon many of the recommendations made to members of the Senate Special Committee on Aging at a hearing we held on April 10, 1997. This bill will improve competition among Medicare health plans and provide Medicare beneficiaries with the useful information they need to make an informed choice when selecting a health plan. Good, reliable information that allows consumers to select among competing options is essential for any market to work. The health care market is no exception. Under Medicare, accurate, widely-available comparative information does not exist. The Medicare Beneficiary Information Act of 1997 addresses this problem by including the following provisions:

While beneficiaries now have to call all the health plans in their area, wait for the marketing materials to come, and then try and compare all the different brochures with no standard terminology required, this bill instructs the Secretary to develop comparison charts for each Medicare HMO market and for Medicare Select plans. The Secretary has discretion to utilize existing mechanisms in place, such as regional Health Care Financing Administration [HCFA] offices and Insurance Counseling Assistance [ICA's] programs, to develop and distribute these charts.

Comparison charts would be distributed by Medicare health plans in their marketing materials and at the time of enrollment and annually thereafter. In addition, the charts would be available upon request through HCFA. The charts would help beneficiaries understand the difference between the HMO's in their market. The charts would also contain a description of standard fee-for-service Medicare, so beneficiaries have a reference point.

The charts will tell beneficiaries about, for example, the health plans' additional benefits; additional premiums; out-of-pocket expenses; disenrollment rates, as recommended by the General Accounting Office at the Aging Committee hearing; appeal rates, reversed and denied; coverage for out-of-area services.

The bill also requires plans to inform beneficiaries about their rights and responsibilities using understandable, standard terminology regarding benefits; appeals and grievance procedures; restrictions on payments for services not provided by the plan; out-of-area coverage; coverage of emergency services and urgently needed care; coverage of out-of-network services; and any other rights the Secretary determines to be helpful to beneficiaries.

These provisions are also included in the bill I introduced on May 6, entitled the ''Medicare Patient Choice and Access Act of 1997,'' or S. 701. Senator BREAUX and I believe that providing Medicare beneficiaries with proper information to select the health plan that best meets their individual health care needs is so important, we decided to introduce this free-standing bill. Increasing choices within the Medicare program has strong bipartisan support, but this approach is meaningless if beneficiaries cannot make an informed choice. Our bill can be enacted and implemented quickly. HCFA is already collecting this data and plans to start

distributing comparative information this summer through the Internet. However, Internet access is not enough. We need to provide this information in written form and through Medicare counseling programs as well. Medicare beneficiaries, as research has shown, prefer reviewing written materials and having someone with which to talk. Our bill would enable beneficiaries to obtain a user-friendly chart utilizing existing Medicare counseling programs, local Medicare offices and through health plans participating in the Medicare program.

We ask our colleagues on both side of the aisle to join us in cosponsoring this important legislation. I ask unanimous consent that a copy of the bill be submitted for the RECORD. I also ask unanimous consent that a news column by Senator BREAUX be included in the RECORD.

There being no objection, the material was ordered to be printed in the the RECORD, as follows:

S. 789

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 ''Medicare Beneficiary Information Act of 1997''.

SEC. 2. MEDICARE BENEFICIARY INFORMATION.

(a) IN GENERAL.—Section 1876(c)(3)(E) of the Social Security Act (42 U.S.C. 1395mm(c)(3)(E)) is amended to read as follows:

''(E)(i) Each eligible organization shall provide in any marketing materials distributed to individuals eligible to enroll under this section and to each enrollee at the time of enrollment and not less frequently than annually thereafter, an explanation of the individual's rights and responsibilities under this section and a copy of the most recent comparative report (as established by the Secretary under clause (ii)) for that organization.

''(ii)(I) The Secretary shall develop an understandable standardized comparative report on the plans offered by eligible organizations, that will assist beneficiaries under this title in their decisionmaking regarding medical care and treatment by allowing the beneficiaries to compare the organizations that the beneficiaries are eligible to enroll with. In developing such report the Secretary shall consult with outside organizations, including groups representing the elderly, eligible organizations under this section, providers of services, and physicians and other health care professionals, in order to assist the Secretary in developing the report.

''(II) The report described in subclause (I) shall include a comparison for each plan of—

''(aa) the premium for the plan;

''(bb) the benefits offered by the plan, including any benefits that are additional to the benefits offered under parts A and B;

''(cc) the amount of any deductibles, coinsurance, or any monetary limits on benefits;

''(dd) the number of individuals who disenrolled from the plan within 3 months of enrollment and during the previous fiscal year, stated as percentages of the total number of individuals in the plan;

''(ee) the procedures used by the plan to control utilization of services and expenditures, including any financial incentives;

''(ff) the number of applications during the previous fiscal year requesting that the plan cover certain medical services that were denied by the plan (and the number of such denials that were subsequently reversed by the plan), stated as a percentage of the total number of applications during such period requesting that the plan cover such services;

''(gg) the number of times during the previous fiscal year (after an appeal was filed with the Secretary) that the Secretary upheld or reversed a denial of a request that the plan cover certain medical services;

''(hh) the restrictions (if any) on payment for services provided outside the plan's health care provider network;

''(ii) the process by which services may be obtained through the plan's health care provider network;

''(jj) coverage for out-of-area services;

''(kk) any exclusions in the types of health care providers participating in the plan's health care provider network; and

''(ll) any additional information that the Secretary determines would be helpful for beneficiaries to compare the organizations that the beneficiaries are eligible to enroll with.

''(III) The comparative report shall also include—

''(aa) a comparison of each plan to the fee-for-service program under parts A and B; and

''(bb) an explanation of medicare supplemental policies under section 1882 and how to obtain specific information regarding such policies.

''(IV) The Secretary shall, not less than annually, update each comparative report.

''(iii) Each eligible organization shall disclose to the Secretary, as requested by the Secretary, the information necessary to complete the comparative report.

''(iv) In this subparagraph—

''(I) the term 'health care provider' means anyone licensed under State law to provide health care services under part A or B;

''(II) the term 'network' means, with respect to an eligible organization, the health care providers who have entered into a contract or agreement with the organization under which such providers are obligated to provide items, treatment, and services under this section to individuals enrolled with the organization under this section; and

''(III) the term 'out-of-network' means services provided by health care providers who have not entered into a contract agreement with the organization under which such providers are obligated to provide items, treatment, and services under this section to individuals enrolled with the organization under this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to contracts entered into or renewed under section 1876 of the Social Security Act (42 U.S.C. 1395mm) after the expiration of the 1-year period that begins on the date of enactment of this Act.

SEC. 3. APPLICATION OF ADDITIONAL INFORMATION TO MEDICARE SELECT POLICIES.

(a) IN GENERAL.—Section 1882(t) of the Social Security Act (42 U.S.C. 1395ss(t)) is amended—

(1) in paragraph (1)—

(A) by striking ''and'' at the end of subparagraph (E);

(B) by striking the period at the end of subparagraph (F) and inserting a semicolon; and

(C) by adding at the end the following:

''(G) notwithstanding any other provision of this section to the contrary, the issuer of the policy meets the requirements of section 1876(c)(3)(E)(i) with respect to individuals enrolled under the policy, in the same manner such requirements apply with respect to an eligible organization under such section with respect to individuals enrolled with the organization under such section; and

''(H) the issuer of the policy discloses to the Secretary, as requested by the Secretary, the information necessary to complete the report described in paragraph (4).''; and

(2) by adding at the end the following:

''(4) The Secretary shall develop an understandable standardized comparative report on the policies offered by entities pursuant to this subsection. Such report shall contain information similar to the information contained in the report developed by the Secretary pursuant to section 1876(a)(3)(E)(ii).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to policies issued or renewed on or after the expiration of the 1-year period that begins on the date of enactment of this Act.

SEC. 4. NATIONAL INFORMATION CLEARINGHOUSE.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish and operate, out of funds otherwise appropriated to the Secretary, a clearinghouse and (if the Secretary determines it to be appropriate) a 24-hour toll-free telephone hotline, to provide for the dissemination of the comparative reports created pursuant to section 1876(c)(3)(E)(ii) of the Social Security Act (42 U.S.C. 1395mm(c)(3)(E)(ii)) (as amended by section 2 of this Act) and section 1882(t)(4) of the Social Security Act (42 U.S.C. 1395ss(t)(4)) (as added by section 3 of this Act). In order to assist in the dissemination of the comparative reports, the Secretary may also utilize medicare offices open to the general public, the beneficiary assistance program established under section 4359 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 1395b-3), and the health insurance information counseling and assistance grants under section 4359 of that Act (42 U.S.C. 1395b-4).

GIVING OLDER CONSUMERS BETTER INFO ON HEALTH CARE BENEFITS

(John Breaux, U.S. Senator for Louisiana)

The federal government needs to provide older Americans with better information about all their health care options. That was the conclusion of a senate hearing I recently cochaired as the new ranking Democrat on the Senate Special Aging Committee. We called in a number of health care experts to talk about the quality of information provided to millions of Medicare beneficiaries, including nearly 600,000 in Louisiana.

Many who testified said that right now Medicare beneficiaries are not being given all the information they need to adequately compare the costs and benefits of their health care coverage.

We learned that many beneficiaries simply do not know how managed care is different from standard fee-for-service Medicare. And they are not getting simple explanations of the differences among the Medicare Health Maintenance Organizations (HMO's) in their local areas. Because it is generally agreed that HMO's best serve their enrollees when they compete on factors other than just price, providing Medicare beneficiaries with more and better information is essential.

Consumers ideally need simple, readable comparison charts so they are able to readily understand the differences between plans. Currently, the Health Care Financing Administration (HCFA), which administers Medicare, does not provide beneficiaries with any comparative data. This means older people who want to learn about managed care options must call a toll-free number to see what HMO's are in their area and then call each company one-by-one and request their health care information. The problem is that each local plan with a Medicare contract presents information using different formats and language, so it's difficult or even impossible to make cost and benefit comparisons.

And while the vast majority of Medicare beneficiaries—87 percent nationally—remain enrolled in traditional fee-for-service Medicare, this is changing rapidly. The number of beneficiaries nationwide who enroll in HMO's is growing by about 30 percent a year. In Louisiana, the growth rate is more than 50 percent. The number of health plans with Medicare contracts is also increasing rapidly. In 1993, there were 110 such plans. Last year, the number more than doubled to 241.

In a recent report to the Congress, the General Accounting Office (GAO) was critical of the type of information older Americans get on their health care options. The Prospective Payment Assessment Commission also said in a recent report that ''cost and benefit definitions should be standardized so that beneficiaries can better compare plans.''

And the Institute of Medicine last year reported that ''current information available to Medicare beneficiaries lags far behind the kinds of assistance provided by progressive private employers to their employees.''

One way to begin addressing these disturbing structural problems is to provide more and better information so that beneficiaries can make informed choices. It is really a fairly simple concept, but one that government often loses sight of—people make wiser and less costly decisions for themselves and their families if they have the right kind of information.

In fact, in its October 1996 report, GAO recommended that the federal government require plans to use standard formats and terminology; produce benefit and cost comparison charts with all Medicare options available for all areas; and analyze, compare and widely distribute certain statistics about HMO's, including their disenrollment rates and rate of complaints.

Clearly, we must find a better way to inform Medicare consumers about their choices because good information is the key to making the right health care choices for ourselves and our loved ones.

By Mr. DASCHLE:

S. 790. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to receive charitable contributions of inventory; to the Committee on Finance.

CHARITABLE CONTRIBUTIONS OF INVENTORY TO INDIAN TRIBES LEGISLATION

Mr. DASCHLE. Mr. President, I am pleased to introduce legislation to expand the current inventory charitable donation rule to include Indian tribes. This proposal is short and simple.

Under current law, companies may obtain a special charitable donation tax deduction under Internal Revenue Code section 170(e)(3) for contributing their excess inventory to the ill, the needy, or infants. While not limited to any particular type of company or inventory, this deduction commonly is used by food processing companies whose excess food inventories otherwise would spoil. Indian tribes have had difficulty obtaining these donations, however, because of an ambiguity in the law as to whether or not donating companies may deduct donations to organizations on Indian reservations.

The current language in section 170(e)(3) requires charitable donations of excess inventory to be made to organizations that are described in section 501(c)(3) of the Code and exempt from taxation under section 501(a). While Indian tribes are exempt from taxation, they are not among the organizations described in section 501(c)(3). Accordingly, it is not clear that a direct donation of excess inventory to an Indian tribe would qualify for the charitable donation deduction under section 170(e)(3).

Ironically, the Indian Tribal Government Tax Status Act found in section 7871 provides that an Indian tribal government shall be treated as a State for purposes of determining tax deductibility of charitable contributions made pursuant to section 170. Unfortunately, the act does not expressly extend to donations made under section 170(e)(3) because that provision technically does not include States as eligible donees.

Mr. President, it is well documented that Native Americans, like other citizens, may meet the qualifications for this special charitable donation. No one would argue that it is not within the intent of section 170(e)(3) to allow contributions to Native American organizations to qualify for the special charitable donation deduction in that section of the code. The bill I am introducing today simply would allow those contributions to qualify for the deduction. By allowing companies to make qualified contributions to Indian tribes under section 170(e)(3), the bill would clearly further the intended purpose of both Internal Revenue Code section 170(e)(3) and the Indian Tribal Government Tax Status Act.

The appropriateness of the measure is exhibited by the fact that it was included in the Revenue Act of 1992 (H.R. 11), which was vetoed for unrelated reasons. At that time, the measure was supported on policy grounds by the staffs of the joint committee on Taxation and Finance Committee. In 1995, the joint committee estimated that the proposal would have a negligible effect on Federal receipts over the 6-year period it estimated.

I strongly encourage my colleagues to support this bill and ask unanimous consent that its text be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 790

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

SECTION 1. CHARITABLE CONTRIBUTIONS OF INVENTORY TO INDIAN TRIBES.

(a) IN GENERAL.—Section 170(e)(3) of the Internal Revenue Code of 1986 (relating to a special rule for certain contributions of inventory or other property) is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR INDIAN TRIBES.—

''(i) IN GENERAL.—An Indian tribe (as defined in section 7871(c)(3)(E)(ii)) shall be treated as an organization eligible to be a donee under subparagraph (A).

''(ii) USE OF PROPERTY.—For purposes of subparagraph (A)(i), if the use of the property donated is related to the exercise of an essential governmental function of the Indian tribal government, such use shall be treated as related to the purpose or function constituting the basis for the organization's exemption.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1996.

By Mr. DASCHLE (for himself, Mr. DORGAN, Mr. GRASSLEY, Mr. JOHNSON and Mr. CONRAD):

S. 791. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain amounts received by a cooperative telephone company; to the Committee on Finance.

TAX TREATMENT OF TELEPHONE COOPERATIVES ACT OF 1997

Mr. DASCHLE. Mr. President, today I am introducing legislation that reaffirms the intent of the U.S. Congress, originally expressed in 1916, to grant tax exempt status to telephone cooperatives. This exemption is now set forth in section 501(c)(12) of the Internal Revenue Code.

I am joined by my distinguished colleagues, Senators DORGAN, GRASSLEY, JOHNSON, and CONRAD.

This legislation is identical to a bill I introduced in the 103d and 104th Congresses and to a measure that was included in the Revenue Act of 1992, which ultimately was vetoed.

Congress has always understood that a tax exemption is necessary to ensure that reliable, universal telephone service is available in rural America at a cost that is affordable to the rural consumer. Telephone cooperatives are nonprofit entities that provide this service where it might otherwise not exist due to the high cost of reaching remote, sparsely populated areas.

The facilities of a telephone cooperative are used to provide both local and long distance communications services. Perhaps the most important of these for rural users is long distance. Without these services, both local and long distance, people in rural areas could not communicate with their own neighbors, much less with the world. While telephone cooperatives comprise only a small fraction of the U.S. telephone industry—about 1 percent—their services are vitally important to those who must rely upon them.

Under Internal Revenue Code section 501(c)(12), a telephone cooperative qualifies for tax exemption only if at least 85 percent of its gross income consists of amounts collected from members for the sole purpose of meeting losses and expenses. Thus, the bulk of the revenues must be related to providing services needed by members of the cooperative, that is, rural consumers. No more than 15 percent of the cooperative's gross income may come from nonmember sources, such as property rentals or interest earned on funds on deposit in a bank. For purposes of the 85 percent test, certain categories of income are deemed neither member nor nonmember income and are excluded from the calculation. The reason for the 85 percent test is to ensure that cooperatives do not abuse their tax exempt status.

A technical advice memorandum [TAM] released by the Internal Revenue Service a few years ago threatens to change the way telephone cooperatives characterize certain expenses for purposes of the 85 percent test. If the rationale set forth in the TAM is applied to all telephone cooperatives, the majority could lose their tax exempt status.

Specifically, the IRS now appears to take the position that all fees received by telephone cooperatives from long distance companies for use of the local lines must be excluded from the 85 percent test and that fees received for billing and collection services performed by cooperatives on behalf of long distance companies constitute nonmember income to the cooperative.

The legislation I am introducing today would clarify that access revenues paid by long distance companies to telephone cooperatives are to be counted as member revenues, so long as they are related to long distance calls paid for by members of the cooperative. In addition, the legislation would indicate that billing and collection fees are to be excluded entirely from the 85 percent test calculation.

Mr. President, it is no secret that mere distance is the single most important obstacle to rural development. In the telecommunications industry today, we have the ability to bridge distances more effectively than ever before. Technology in this area has advanced at an incredible pace; however, maintaining and upgrading the rural telecommunications infrastructure is an exceedingly expensive proposition. We must do all we can to encourage this development, and ensuring that telephone cooperatives retain their legitimate tax exempt status is a vital step toward this goal. I believe that providing access to customers for long distance calls as well as billing and collecting for those calls on behalf of the cooperative's members and long distance companies are indisputably part of the exempt function of providing telephone service, especially to rural communities. The nature and function of telephone cooperatives have not materially changed since 1916, and neither should the formula upon which they rely to obtain tax exempt status.

In the 104th Congress, the Joint Committee on Taxation estimated the cost of this legislation to be $61 million over a 6-year period. At the appropriate time, I will recommend appropriate offsets to cover the cost of this measure over the 10-year period required under the Budget Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 791

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

SECTION 1. TREATMENT OF CERTAIN AMOUNTS RECEIVED BY A COOPERATIVE TELEPHONE COMPANY.

(a) NONMEMBER INCOME.—

(1) IN GENERAL.—Paragraph (12) of section 501(c) of the Internal Revenue Code of 1986 (relating to list of exempt organizations) is amended by adding at the end the following new subparagraph:

''(E) In the case of a mutual or cooperative telephone company (hereafter in this subparagraph referred to as the 'cooperative'), 50 percent of the income received or accrued directly or indirectly from a nonmember telephone company for the performance of communication services by the cooperative shall be treated for purposes of subparagraph (A) as collected from members of the cooperative for the sole purpose of meeting the losses and expenses of the cooperative.''

(2) CERTAIN BILLING AND COLLECTION SERVICE FEES NOT TAKEN INTO ACCOUNT.—Subparagraph (B) of section 501(c)(12) of such Code is amended by striking ''or'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting '', or'', and by adding at the end the following new clause:

''(v) from billing and collection services performed for a nonmember telephone company.''

(3) CONFORMING AMENDMENT.—Clause (i) of section 501(c)(12)(B) of such Code is amended by inserting before the comma at the end thereof '', other than income described in subparagraph (E)''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to amounts received or accrued after December 31, 1996.

(5) NO INFERENCE AS TO UNRELATED BUSINESS INCOME TREATMENT OF BILLING AND COLLECTION SERVICE FEES.—Nothing in the amendments made by this subsection shall be construed to indicate the proper treatment of billing and collection service fees under part III of subchapter F of chapter 1 of the Internal Revenue Code of 1986 (relating to taxation of business income of certain exempt organizations).

(b) TREATMENT OF CERTAIN INVESTMENT INCOME OF MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—

(1) IN GENERAL.—Paragraph (12) of section 501(c) of such Code (relating to list of exempt organizations) is amended by adding at the end the following new subparagraph:

''(F) In the case of a mutual or cooperative telephone company, subparagraph (A) shall be applied without taking into account reserve income (as defined in section 512(d)(2)) if such income, when added to other income not collected from members for the sole purpose of meeting losses and expenses, does not exceed 35 percent of the company's total income. For the purposes of the preceding sentence, income referred to in subparagraph (B) shall not be taken into account.''

(2) PORTION OF INVESTMENT INCOME SUBJECT TO UNRELATED BUSINESS INCOME TAX.—Section 512 of such Code is amended by adding at the end the following new subsection:

''(d) INVESTMENT INCOME OF CERTAIN MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—

''(1) IN GENERAL.—In determining the unrelated business taxable income of a mutual or cooperative telephone company described in section 501(c)(12)—

''(A) there shall be included, as an item of gross income derived from an unrelated trade or business, reserve income to the extent such reserve income, when added to other income not collected from members for the sole purpose of meeting losses and expenses, exceeds 15 percent of the company's total income, and

''(B) there shall be allowed all deductions directly connected with the portion of the reserve income which is so included.

For purposes of the preceding sentence, income referred to in section 501(c)(12)(B) shall not be taken into account.

''(2) RESERVE INCOME.—For purposes of paragraph (1), the term 'reserve income' means income—

''(A) which would (but for this subsection) be excluded under subsection (b), and

''(B) which is derived from assets set aside for the repair or replacement of telephone system facilities of such company.''

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to amounts received or accrued after December 31, 1996.

By Mr. DASCHLE (for himself, Mr. DORGAN, Mr. CONRAD and Mr. JOHNSON):

S. 792. A bill to amend the Internal Revenue Code of 1986 to provide that certain cash rentals of farmland will not cause recapture of special estate tax valuation; to the Committee on Finance.

THE SPECIAL USE VALUATION FOR FAMILY FARMS ACT OF 1997

Mr. DASCHLE. Mr. President, since 1988, I have studied the effects on family farmers of a provision in estate tax law known as section 2032A. While section 2032A may seem a minor provision to some, it is critically important to family run farms. A problem with respect to the Internal Revenue Service's interpretation of this provision has been festering for a number of years and threatens to force the sale of many family farms.

Section 2032A, which bases the estate tax applicable to a family farm on its use as a farm, rather than on its market value, reflects the intent of Congress to help families keep their farms. A family that has worked hard to maintain a farm should not have to sell it to a third party solely to pay stiff estate taxes resulting from increases in the value of the land. Under section 2032A, inheriting family members are required to continue farming the property for at least 15 years in order to avoid having the IRS recapture the tax savings.

At the time section 2032A was enacted, it was common practice for one or more family members to cash lease the farm from the other members of the family. This practice made sense in a situation in which some family members were more involved than others in the day-to-day farming of the land. Typically, the other family members would continue to be at risk with respect to the value of the farm and participate in decisions affecting the farm's operation. Cash leasing among family members remained a common practice after the enactment of section 2032A. An inheriting child would continue to cash lease from his or her siblings, with no reason to suspect from the statute or otherwise that the cash leasing arrangement might jeopardize the farm's qualification for special use valuation.

Based at least in part on some language that I am told was included in a Joint Committee on Taxation publication in early 1982, the Internal Revenue

Service has taken the position that cash leasing among family members will disqualify the farm for special use valuation. The matter has since been the subject of numerous audits and some litigation, though potentially hundreds of family farmers may yet be unaware of the change of events. Cases continue to arise under this provision.

In 1988, Congress provided partial clarification of this issue for surviving spouses who cash lease to their children. Due to revenue concerns, however, no clarification was made of the situation where surviving children cash lease among themselves.

My concern is that many families in which inheriting children or other family members have cash leased to each other may not even be aware of the IRS's position on this issue. At some time in the future, they are going to be audited and find themselves liable for enormous amounts in taxes, interest and penalties. For those who cash leased in the late 1970's, this could be devastating because the taxes they owe are based on the inflated land values that existed at that time.

A case that arose in my State of South Dakota illustrates the unfairness and devastating impact of the IRS interpretation of section 2032A. Janet Kretschmar, who lives with her husband, Craig, in Cresbard, SD, inherited her mother's farm along with her two sisters in 1980. Because the property would continue to be farmed by the family members, estate taxes were paid on it pursuant to section 2032A, saving over $50,000 in estate tax.

Janet and Craig continued to farm the land and have primary responsibility for its day-to-day operation. They set up a simple and straightforward arrangement with the other two sisters whereby Janet and Craig would lease the sisters' interests from them.

Seven years later, the IRS told the Kretschmars that the cash lease arrangement had disqualified the property for special use valuation and that they owed $54,000 to the IRS. According to the IRS, this amount represented estate tax that was being recaptured as a result of the disqualification. This came as an enormous surprise to the Kretschmars, as they had never been notified of the change in interpretation of the law and had no reason to believe that their arrangement would no longer be held valid by the IRS for purposes of qualifying for special use valuation. The fact is that, if they had known this, they would have organized their affairs in one of several other acceptable, though more complicated, ways.

For many years, I have sought inclusion in tax legislation of a provision that would clarify that cash leasing among family members will not disqualify the property for special use valuation. In 1992, such a provision was successfully included in H.R. 11, the Revenue Act of 1992 and passed by Congress. Unfortunately, H.R. 11 was subsequently vetoed. In 1995, I introduced this provision as freestanding legislation; however, it did not reach the full Senate for a vote.

Today, I am reintroducing a bill that is identical to the section 2032A measure which was passed in the Revenue Act of 1992. I am joined in this effort by Senators DORGAN, CONRAD and Mr. JOHNSON whose expertise on tax and rural issues are well known.

I must emphasize that there may be many other cases in other agricultural States where families are cash leasing the family farm among each other, unaware that the IRS could come knocking at their door at any minute. I urge my colleagues in the Senate who may have such cases in their State to work with us and support this important clarification of the law.

I intend to request that the Joint Committee on Taxation estimate the revenue impact of this proposal. At an appropriate time thereafter, I will recommend any necessary offsets over a 10-year period as required by the Budget Act.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 792

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

SECTION 1. CERTAIN CASH RENTALS OF FARMLAND NOT TO CAUSE RECAPTURE OF SPECIAL ESTATE TAX VALUATION.

(a) IN GENERAL.—Subsection (c) of section 2032A of the Internal Revenue Code of 1986 (relating to tax treatment of dispositions and failures to use for qualified use) is amended by adding at the end the following new paragraph:

''(8) CERTAIN CASH RENTAL NOT TO CAUSE RECAPTURE.—For purposes of this subsection, a qualified heir shall not be treated as failing to use property in a qualified use solely because such heir rents such property on a net cash basis to a member of the decedent's family, but only if, during the period of the lease, such member of the decedent's family uses such property in a qualified use.''

(b) CONFORMING AMENDMENT.—Section 2032A (b)(5)(A) is amended by striking the last sentence.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to rentals occurring after December 31, 1976.

By Mr. DODD:

S. 793. A bill to amend the Public Health Service Act to require that the Center for Substance Abuse Treatment carry out treatment programs for adolescents; to the Committee on Labor and Human Resources.

THE SERVICES FOR CHILDREN OF SUBSTANCE ABUSERS ACT

S. 794. A bill to amend the Public Health Service Act to revise and extend the grant program for services for children of substance abusers; to the Committee on Labor and Human Resources.

THE SUBSTANCE ABUSE TREATMENT FOR ADOLESCENTS ACT

Mr. DODD. Mr. President, I rise today to introduce two bills which seek to address one of the most critical problems tearing at the fabric of American society: substance abuse. When we consider health care costs, lost time on the job, increased crime, and other related factors, it is estimated that drug and alcohol abuse cost this Nation more than $300 billion in 1993. While some efforts to address this problem have been successful, there is still a great deal of work to be done. The two bills that I am introducing, the Services for Children of Substance Abusers Act and the Substance Abuse Treatment for Adolescents Act, seek to provide additional tools for families to fight the battle of addiction and its debilitating social consequences.

Addiction threatens the American family in several ways. The long term emotional health of an individual is shaped during childhood, and the children of substance abusers face numerous obstacles during their development. The children of substance abusers are typically deprived of the parent's attention and concern, and often the financial support to provide food, clothing, and shelter. In the most dramatic cases, children are exposed to substances prenatally and are deprived of a healthy future before they are even born.

An estimated 7 million children are growing up with at least one substance abusing parent, and more than 200,000 women who gave birth in the United States in 1992 used illegal drugs at some time during their pregnancy. In addition, alcohol consumption by pregnant women has recently surged, despite public campaigns about the effects of alcohol on the developing fetus. Clearly these parents will need help if they hope to overcome their addictions and raise healthy children. Unfortunately, these parents often face several obstacles on the road to recovery.

The basic problem with our current drug and alcohol treatment programs is that they fail to address the wide range of problems that addicted parents face. Many were physically or sexually abused as children. Many are victims of domestic violence. Many lack any formal job skills. Many will need child care assistance if they hope to enroll in a treatment program. Many fear that they will lose their children if they come forward for treatment. In short, these parents face several problems which extend far beyond their addictions.

The Children of Substance Abusers Act is currently authorized in the Public Health Services Act, but it has never been funded. Today, I introduce a revised version of this legislation that seeks to give families affected by substance abuse somewhere to turn. The heart of the bill is the grant program which will provide $50 million for a comprehensive range of health, developmental, and social services to children, parents, and other family members. These services will enhance the

ability of parents to access drug and alcohol treatment and promote family preservation, where appropriate.

The bill ensures that all children whose parents are substance abusers can enter the program and receive a range of services. The legislation addresses another critical need by providing grants to train professionals, child welfare workers, and other providers serving children to identify and address the effects of familial substance abuse.

For years we have talked about the impact of substance abuse on families. We have all visited the neonatal intensive care units, and we have all seen reports on children who were abused and neglected because their parents were on drugs. The time has come for Congress to respond to what is going on in this country and take an aggressive step toward alleviating these problems.

The Children of Substance Abusers Act is critical to our efforts to reach out to those families that are struggling with substance abuse, and I urge my colleagues to support the legislation I introduce today and fund this critical program.

On another front, the increased prevalence of substance abuse among young Americans poses an additional public health crisis. Last year, the percentage of teens using drugs within the past month rose from 8.2 to 10.9 percent, and the rate of drug use among 12 to 17 year-olds has doubled since 1992. I am particularly disappointed to learn that Connecticut's students report higher rates of drug use than their peers nationwide.

Annually, more than 400,000 Americans under the age of 18 are in need of treatment, and in Connecticut approximately 6,700 students need substance abuse treatment. However, young people have few places to turn. Most treatment programs are designed for adults, and there are limited resources available for the treatment of adolescents with drug and alcohol problems.

Federal and state initiatives have focused on preventing children from becoming substance abusers. While prevention efforts are effective and necessary, they do not provide for those adolescents with substance abuse problems. In addition, most substance abusing adolescents have co-occurring disorders, such as depression, learning disabilities, post-traumatic stress disorders, and other health problems which make treatment even more challenging.

The Substance Abuse Treatment for Adolescents Act seeks to create a funding stream for adolescent treatment. This would be the first time that any money has ever been earmarked specifically for adolescent treatment, setting aside an estimated $70 million annually to address this problem. This bill would also eliminate the need within the public system for adolescent providers to compete with other groups for scarce treatment dollars, thereby allowing them to focus upon the real problem: successfully treating adolescent substance abusers.

Mr. President, this legislation marks a significant step on the road toward improved treatment for adolescent substance abuse. It tells families that we care about their children's health and well-being, and it sends a signal to those individuals who struggle to help our kids overcome addiction that their hard work is not for naught, but will soon be rewarded.

Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 793

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 ''Substance Abuse Treatment for Adolescents Act''.

SEC. 2. AMENDMENT TO PUBLIC HEALTH SERVICE ACT.

Section 507 of the Public Health Service Act (42 U.S.C. 290bb) is amended by adding at the end the following:

''(d) PROVISION OF SERVICES.—Notwithstanding any other provision of law, the Secretary, acting through the Center for Substance Abuse Treatment, shall ensure that not less than 20 percent of the amounts appropriated under this subpart for the programs and activities of the Center for Substance Abuse Treatment for each fiscal year, but in no case less than $20,000,000, is used to carry out adolescent specific substance abuse treatment programs. Such programs shall include the provision of services to such adolescents as well as the conduct of evaluations and research concerning the effects of such services.''.

S. 794

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 ''Services for Children of Substance Abusers Reauthorization Act''.

SEC. 2. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.

(a) ADMINISTRATION AND ACTIVITIES.—

(1) ADMINISTRATION.—Section 399D(a) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in paragraph (1), by striking ''Administrator'' and all that follows through ''Administration'' and insert ''Director of the Substance Abuse and Mental Health Services Administration''; and

(B) in paragraph (2), by striking ''Administrator of the Substance Abuse and Mental Health Services Administration'' and inserting ''Administrator of the Health Resources and Services Administration''.

(2) ACTIVITIES.—Section 399D(a)(1) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting the following: ''through family social services; child protective services; child care providers (including Head Start, schools, and early childhood development programs); community-based family resource and support centers; the criminal justice system; health and mental health providers through screenings conducted during regular childhood examinations and other examinations; self and family member referrals; treatment services; and other service providers and agencies serving children and families; and''; and

(C) by adding at the end the following:

''(D) to provide education and training to health care professionals, child welfare providers, and the personnel or such providers who provide services to children and families.''.

(3) IDENTIFICATION OF CERTAIN CHILDREN.—Section 399D(a)(3)(A) of the Public Health Service Act (42 U.S.C. 280d(a)(3)(A)) is amended—

(A) in clause (i), by striking ''(i) the entity'' and inserting ''(i)(I) the entity'';

(B) in clause (ii)—

(i) by striking ''(ii) the entity'' and inserting ''(II) the entity''; and

(ii) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) the entity will identify children who may be eligible for medical assistance under a State program under title XIX of the Social Security Act.''.

(b) SERVICES FOR CHILDREN.—Section 399D(b) of the Public Health Service Act (42 U.S.C. 280d(b)) is amended—

(1) in paragraph (1), by inserting ''alcohol and drug,'' after ''psychological,''; and

(2) by striking paragraph (5) and inserting the following:

''(5) Drug and alcohol treatment and prevention services.''.

(c) SERVICES FOR AFFECTED FAMILIES.—Section 399D(c) of the Public Health Service Act (42 U.S.C. 280d(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting before the semicolon the following: '', or through an entity the meets applicable State licensure or certification requirements regarding the services involved''; and

(B) by adding at the end the following:

''(D) Aggressive outreach to family members with substance abuse problems.

''(E) Inclusion of consumer in the development, implementation, and monitoring of Family Services Plan.''; and

(2) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

''(A) Alcohol and drug treatment services, including screening and assessment, diagnosis, detoxification, individual, group and family counseling, relapse prevention, and case management.'';

(B) by striking subparagraph (C) and inserting the following:

''(C) Pre- and post-pregnancy family planning services and counseling on the human immunodeficiency virus and acquired immune deficiency syndrome.'';

(C) in subparagraph (D), by striking ''conflict and''; and

(D) in subparagraph (E), by striking ''Remedial'' and inserting ''Career planning and''.

(d) ELIGIBLE ENTITIES.—Section 399D(d) of the Public Health Service Act (42 U.S.C. 280d(d)) is amended—

(1) by striking the matter preceding paragraph (1) and inserting:

''(d) ELIGIBLE ENTITIES.—The Secretary shall distribute the grants through the following types of entities:'';

(2) in paragraph (1), by inserting ''or prevention'' after ''drug treatment''; and

(3) in paragraph (2)—

(A) in subparagraph (A), by striking ''; and'' and inserting ''; or''; and

(B) in subparagraph (B), by inserting ''or pediatric health or mental health providers and family mental health providers'' before the period.

(e) SUBMISSION OF INFORMATION.—Section 399D(h) of the Public Health Service Act (42 U.S.C. 280d(h)) is amended—

(1) in paragraph (2)—

(A) by inserting ''including maternal and child health'' before ''mental'';

(B) by striking ''treatment programs''; and

(C) by striking ''and the State agency responsible for administering public maternal and child health services'' and inserting '', the State agency responsible for administering alcohol and drug programs, the State lead agency, and the State Interagency Coordinating Council under part H of the Individuals with Disabilities Education Act''; and

(2) in paragraph (3)(B), by inserting before the semicolon the following: ''when the child can be cared for at home without endangering the child's safety''.

(f) REPORTS.—Section 399D(i)(6) of the Public Health Service Act (42 U.S.C. 280d(k)(6)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by adding ''and'' after the semicolon; and

(3) by adding at the end the following:

''(F) the number of children described in subparagraph (C) for whom the permanent plan is other than family reunification;''.

(g) EVALUATIONS.—Section 399D(l) of the Public Health Service Act (42 U.S.C. 280d(l)) is amended—

(1) in paragraph (4), by inserting before the semicolon the following: '', including increased participation in work or employment-related activities and decreased participation in welfare programs'';

(2) in paragraph (5), by striking ''children whose'' and inserting ''children who can be cared for at home without endangering their safety and whose''; and

(3) in paragraph (6), by inserting before the semicolon the following: ''if the reunification would not endanger the child''.

(h) REPORT TO CONGRESS.—Section 399D(m) of the Public Health Service Act (42 U.S.C. 280d(m)) is amended—

(1) in paragraph (2), by adding ''and'' at the end;

(2) in paragraph (3), by striking the semicolon at the end and inserting a period; and

(3) by striking paragraphs (4) and (5).

(i) DATA COLLECTION.—Section 399D(n) of the Public Health Service Act (42 U.S.C. 280d(n)) is amended by adding at the end the following: ''The periodic report shall include a quantitative estimate of the prevalence of alcohol and drug problems in families involved in the child welfare system, the barriers to treatment and prevention services facing these families, and policy recommendations for removing the identified barriers, including training for child welfare workers.''.

(j) DEFINITION.—Section 399D(o)(2)(B) of the Public Health Service Act (42 U.S.C. 280d(o)(2)(B)) is amended by striking ''dangerous''.

(k) AUTHORIZATION OF APPROPRIATIONS.—Section 399D(p) of the Public Health Service Act (42 U.S.C. 280d(p)) is amended to read as follows:

''(p) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $50,000,000 for fiscal year 1998, and such sums as may be necessary for fiscal year 1999.''.

(l) GRANTS FOR TRAINING AND CONFORMING AMENDMENTS.—Section 399D of the Public Health Service Act (42 U.S.C. 280d) is amended—

(1) by striking subsection (f);

(2) by striking subsection (k);

(3) by redesignating subsections (d), (e), (g), (h), (i), (j), (l), (m), (n), (o), and (p) as subsections (e) through (o), respectively;

(4) by inserting after subsection (c), the following:

''(d) TRAINING FOR HEALTH CARE PROFESSIONALS, CHILD WELFARE PROVIDERS, AND OTHER PERSONNEL.—The Secretary may make a grant under subsection (a) for the training of health care professionals, child welfare providers, and other personnel who provide services to vulnerable children and families. Such training shall be to assist professionals in recognizing the drug and alcohol problems of their clients and to enhance their skills in identifying and obtaining substance abuse prevention and treatment resources.'';

(5) in subsection (k)(2) (as so redesignated), by striking ''(h)'' and inserting ''(i)''; and

(6) in paragraphs (3)(E) and (5) of subsection (m) (as so redesignated), by striking ''(d)'' and inserting ''(e)''.

By Mr. TORRICELLI (for himself and Mrs. FEINSTEIN):

S. 796. A bill to reduce gun trafficking, and for other purposes; to the Committee on the Judiciary.

THE GUN KINGPIN DEATH PENALTY ACT OF 1997

Mr. TORRICELLI. Mr. President, I rise today, on behalf of myself and the distinguished Senator from California, Senator FEINSTEIN, to introduce the Gun Kingpin Death Penalty Act of 1997. I hope that our colleagues will soon join us in sending a clear and strong signal to our most violent gunrunners—your actions will no longer be tolerated.

Mr. President, the fight against gun violence is a long-term, many-staged process. We have already succeeded in enacting the Brady bill and the ban on devastating assault weapons. Last year, even in the midst of what many consider a hostile Congress, we told domestic violence offenders that they could no longer own a gun.

And these laws have been effective: 186,000 prohibited individuals have already been denied a handgun due to Brady background checks—70 percent of these people were convicted or indicted felons. Traces of assault weapons have plummeted since the ban, and prices have gone up. And our law enforcement officers are no longer dying at the hands of criminals armed with assault weapons.

As I said, we have been successful. But we cannot be satisfied with victories in battle—we must use every avenue possible to win the war against gun violence.

Mr. President, it is for this reason that I rose just a few weeks ago with Senator DURBIN to introduce a new prosecutorial tool in the fight to stop gun traffickers—the Gun Kingpin Penalty Act of 1997. That bill would institute a sliding scale of mandatory minimum penalties for the worst gunrunners, and I hope we can debate it soon.

But we must also address the problem of the most violent and dangerous offenders—those who commit murder in furtherance of their gun trafficking crimes. So I rise again today to issue a new challenge—send a message to murderous gunrunners that their violence must stop.

Our Gun Kingpin Death Penalty Act of 1997, which is modeled after the Drug Kingpin Death Penalty legislation already enacted into law, provides that any criminal who commits murder or successfully orders a murder committed during the course of trafficking in more than 25 firearms may receive life in prison or the death penalty. This provision gives Federal prosecutors one more tool in the fight against gun trafficking, and sends out a warning to all violent gunrunners—think twice before you act.

Mr. President, when I rose with Senator DURBIN last month to introduce the first in this two-bill attack on gunrunners, I cited recent numbers gathered by the Bureau of Alcohol, Tobacco and Firearms which clearly demonstrate what many of us already knew all too well—several key highways in this country have become so-called firearm freeways—pipelines for merchants of death who deal in illegal firearms.

We learned from the ATF data that in 1996, New Jersey exported fewer guns used in crimes, per capita, than any other State—less than one gun per 100,000 residents, or 75 total guns. In contrast, Mississippi exported 29 of these guns per capita last year.

Meanwhile, an incredible number of guns used to commit crimes in New Jersey last year came from out-of-State—944 guns were imported and used to commit crimes compared to only 75 exported—a net import of 869 illegal guns used to commit crimes against the people of New Jersey.

In fact, the top six exporters of illegal guns used to commit crimes in New Jersey supplied 62 percent of the guns, 585, and only one of those six States—North Carolina—has strong gun control laws.

This represents a one-way street—guns come from States with lax gun laws straight to States—like New Jersey—with strong laws.

New Jersey has long been proud to have some of the toughest gun control laws in the Nation. But for far too long, the courageous efforts of New Jersey citizens in enacting these tough laws have been weakened by out-of-State gunrunners who treat our State like their own personal retail outlet.

It is clear that New Jersey's strong gun control laws offer criminals little choice but to import their guns from States with weak laws. We must act on a Federal level to send a clear message that this cannot continue and will not be tolerated. And we must send an equally clear message that gunrunners who commit murder risk the ultimate of penalties.

Finally, Mr. President, I remind my colleagues that we cannot rest satisfied simply because we have succeeded in the past. The problem of illegal gun traffickers will not just go away, and we cannot stand by and watch as innocent men, women, and children die at

the hands of criminals armed with these guns. I urge my colleagues to support this bill. I ask that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 796

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 ''Gun Kingpin Death Penalty Act of 1997''.

SEC. 2. DEATH PENALTY FOR CERTAIN FIREARMS TRAFFICKING VIOLATIONS.

Section 924 of title 18, United States Code, is amended by adding at the end the following:

''(p) In addition to any other penalties set forth in this title, any person engaging in an offense under paragraph (1)(A) or (3) of section 922(a) that involves 25 or more firearms, who intentionally kills or counsels, commands, induces, procures, or causes the intentional killing of an individual, and such killing results, shall be sentenced—

''(1) to a term of imprisonment of not less than 20 years and up to life imprisonment; or

''(2) to death.''.

By Mr. CHAFEE (for himself, Mr. BAUCUS and Mr. KENNEDY):

S. 797. A bill to amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, and for other purposes; to the Committee on Environment and Public Works.

THE JOHN F. KENNEDY CENTER PARKING IMPROVEMENT ACT OF 1997

Mr. CHAFEE. Mr. President, today I introduce legislation to help resolve the most serious problem identified by patrons and visitors of the Kennedy Center—the lack of adequate on-site parking. Joining me today as original cosponsors are: Senators BAUCUS and KENNEDY.

This legislation provides authority to the Kennedy Center Board of Trustees to construct an addition to the existing parking garage at each of the north and south ends of the Center. Importantly, Mr. President, the garage addition authorized in this bill will come at a cost to the Federal Government. The project will be financed through the issuance of industrial revenue bonds which will be repaid entirely with revenue derived from operation of the expanded garage. Indeed, a provision included in the legislation explicitly prohibits the use of appropriated funds for the purpose of constructing or financing the parking garage expansion.

Also included in the bill is authorization for the Center to take action on site modifications for the improvement of security on the site. The Center has conducted a complete security review, and among the recommendations are changes to the main approach and plaza. This legislation allows the Center to pursue site modifications for the protection of the building and its visitors.

Consistent with the John F. Kennedy Center Act Amendments of 1994, the Center's plans for the garage expansion and other related site improvements will be developed in close consultation with the Department of Interior. In fact, the National Park Service sent a letter today to the president of the Kennedy Center, Mr. Lawrence J. Wilker, conveying its approval of the conceptual plan for this project.

Mr. President, let me say that this proposal reflects the commitment of the Kennedy Center trustees to continually improve this Presidential monument for the benefit of the Public—in a manner that is financially responsible. And indeed, the Center is an operation run in a financially sound way.

A little-known fact about the Kennedy Center is that 90 percent of the Center's annual operating income is derived from private sources. The Federal Government provides only 10 percent of the Center's annual operating income—and these Federal funds are carefully limited to nonperformance activities. This legislation maintains that impressive private-to-Federal funding ratio.

I am proud to serve as a trustee of the Kennedy Center, and commend the board for its stewardship of this treasured asset—the national center for the performing arts and living memorial to the late President.

In closing, Mr. President, I want to thank Senators BAUCUS and KENNEDY for their help in drafting this bill. I look forward to working with them and other colleagues to secure timely adoption of the measure.

By Mr. WARNER:

S. 798. A bill to establish a Commission on Information Technology Worker Shortage; to the Committee on Labor and Human Resources.

THE NATIONAL COMMISSION ON THE INFORMATION TECHNOLOGY WORKER SHORTAGE ESTABLISHMENT ACT OF 1997

Mr. WARNER. Mr. President, the shortage of skilled workers is one of the most critical issues facing the U.S. information technology [IT] industry today. Our position as world leader in this industry is threatened—not by technology—but by a shortage of necessary labor.

This issue is underscored by what we see in the want-ads every week: thousands of high-paying jobs unfilled, because there are not enough skilled applicants.

There is a shortage of nearly 200,000 workers nationwide. The economic impact of this shortfall is being felt in every State and congressional district across America.

Virginia, with its growing high-tech industry, is particularly hard hit—it is currently estimated that 18,000 jobs are currently unfilled. Technology-based businesses in Virginia number over 2,450, employ more than 290,000 workers, and contribute more than $13.8 billion in wages to the State's economy. At current rates of growth, by 2002 these numbers are expected to jump to over 4,000 companies, employing about 330,000, with $22 billion in wages. The average technology sector worker in Virginia earned $45,288 in 1996, compared to an average wage of $26,608 in the Virginia economy as a whole. By 2002, the average technology sector wage could grow to over $63,000.

By any measure, these are the jobs of the future. But unless our workforce is educated and trained properly, these jobs will remain unfilled or, worse yet, move to countries with the necessary qualified people. This 2-5-million-person industry is projected to nearly double in size by the year 2000. But its growth is being stunted by the inability of firms to hire the talent that they need to expand.

Let me be clear: this problem is not confined to just high technology companies and it is not limited to one region of the country. It extends to any firm that depends on information technology employees to expand its markets, reach its customers, or improve its products.

Education is a key component of the solution to this problem. However, schools are not graduating enough qualified individuals to meet the need. From 1986 to 1994, the number of bachelor degrees in computer science, for example, fell 43 percent from 42,195 to 24,200. As the Senate begins the reauthorization process for the Higher Education Act of 1965 and the formulation of job training legislation, I hope we will give particular emphasis to the impact that the shortage of skilled technology workers is having on the economy, and recognize the need to ensure that our work force is prepared for the next century.

As cochair of the Senate Information Technology Caucus and a new member of the Senate Labor and Human Resources Committee, I want to bring this matter to the attention of the Congress and the public, to demonstrate the far-reaching implications this crisis will have on the IT industry and the American economy as a whole.

We need to look at all options for addressing this problem. That is why I am introducing legislation establishing a National Commission on the Information Technology Worker Shortage. The Commission will be comprised of industry leaders, educators, and government officials who will study this issue and provide Congress with potential solutions. The Commission will draw on the brightest minds and the best ideas to craft the solutions necessary to encourage more students to enter technical fields, to ensure that teachers and schools are equipped to train them, and to incorporate the best private sector initiatives. The Commission will report concrete legislative and administrative recommendations to the President and to Congress within the year.

Mr. President, the Commission will provide the national focus and attention that this problem demands. I hope my colleagues will join me in supporting this initiative.●

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. FAIRCLOTH, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 50, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable tax credit for the expenses of an education at a 2-year college.

S. 293

At the request of Mr. HATCH, the names of the Senator from South Carolina [Mr. HOLLINGS] and the Senator from Arkansas [Mr. HUTCHINSON] were added as cosponsors of S. 293, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for clinical testing expenses for certain drugs for rare diseases or conditions.

S. 356

At the request of Mr. GRAHAM, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 356, a bill to amend the Internal Revenue Code of 1986, the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the title XVIII and XIX of the Social Security Act to assure access to emergency medical services under group health plans, health insurance coverage, and the Medicare and Medicaid Programs.

S. 358

At the request of Mr. DEWINE, the names of the Senator from Nevada [Mr. BRYAN] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 412

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 412, a bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 453

At the request of Mr. TORRICELLI, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 453, a bill to study the high rate of cancer among children in Dover Township, New Jersey, and for other purposes.

S. 460

At the request of Mr. BOND, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 460, a bill to amend the Internal Revenue Code of 1986 to increase the deduction for health insurance costs of self-employed individuals, to provide clarification for the deductibility of expenses incurred by a taxpayer in connection with the business use of the home, to clarify the standards used for determining that certain individuals are not employees, and for other purposes.

S. 528

At the request of Mr. CAMPBELL, the names of the Senator from Missouri [Mr. ASHCROFT] and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of S. 528, a bill to require the display of the POW/MIA flag on various occasions and in various locations.

S. 532

At the request of Mr. BAUCUS, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 532, a bill to authorize funds to further the strong Federal interest in the improvement of highways and transportation, and for other purposes.

S. 537

At the request of Ms. MIKULSKI, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 537, a bill to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program.

S. 551

At the request of Mr. GREGG, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of S. 551, a bill to amend the Occupational Safety and Health Act of 1970 to make modifications to certain provisions.

S. 646

At the request of Mr. FORD, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 646, a bill to ensure the competitiveness of the United States textile and apparel industry.

S. 738

At the request of Mrs. HUTCHISON, the names of the Senator from Delaware [Mr. ROTH] and the Senator from Maine [Ms. SNOWE] were added as cosponsors of S. 738, a bill to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

S. 755

At the request of Mr. CAMPBELL, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for fiscal year 1997 and to make other improvements to that chapter.

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. MOYNIHAN, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of Senate Concurrent Resolution 21, a concurrent resolution congratulating the residents of Jerusalem and the people of Israel on the thirtieth anniversary of the reunification of that historic city, and for other purposes.

SENATE RESOLUTION 63

At the request of Mr. DOMENICI, the names of the Senator from California [Mrs. BOXER], the Senator from California [Mrs. FEINSTEIN], the Senator from South Carolina [Mr. THURMOND], the Senator from Maryland [Mr. SARBANES], the Senator from South Dakota [Mr. JOHNSON], and the Senator from Oregon [Mr. SMITH] were added as cosponsors of Senate Resolution 63, a resolution proclaiming the week of October 19 through October 25, 1997, as ''National Character Counts Week.''

SENATE RESOLUTION 76

At the request of Mr. THURMOND, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from Virginia [Mr. ROBB], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Florida [Mr. MACK], and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of Senate Resolution 76, a resolution proclaiming a nationwide moment of remembrance, to be observed on Memorial Day, May 26, 1997, in order to appropriately honor American patriots lost in the pursuit of peace and liberty around the world.

AMENDMENT NO. 309

At the request of Mr. KERRY the names of the Senator from New Mexico [Mr. BINGAMAN], the Senator from New York [Mr. MOYNIHAN], and the Senator from Missouri [Mr. BOND] were added as cosponsors of amendment No. 309 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

AMENDMENT NO. 312

At the request of Mr. KERREY the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of amendment No. 312 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

AMENDMENT NO. 320

At the request of Mr. GRAMM the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of amendment No. 320 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

AMENDMENT NO. 322

At the request of Mr. MCCAIN his name was added as a cosponsor of amendment No. 322 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

At the request of Mr. INHOFE his name was added as a cosponsor of amendment No. 322 proposed to S. Con. Res. 27, supra.

AMENDMENT NO. 324

At the request of Mr. BOND the names of the Senator from Texas [Mrs. HUTCHISON] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of amendment No. 324 proposed to S. Con. Res. 27, an original

concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

AMENDMENT NO. 330

At the request of Mr. ROBB his name was added as a cosponsor of amendment No. 330 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

AMENDMENT NO. 336

At the request of Ms. MOSELEY-BRAUN the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of amendment No. 336 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

At the request of Mr. ROBB his name was added as a cosponsor of amendment No. 336 proposed to S. Con. Res. 27, supra.

AMENDMENT NO. 340

At the request of Mr. SPECTER the names of the Senator from Pennsylvania [Mr. SANTORUM], the Senator from Iowa [Mr. HARKIN], the Senator from Florida [Mr. MACK], the Senator from New York [Mr. D'AMATO], the Senator from Vermont [Mr. JEFFORDS], the Senator from Hawaii [Mr. INOUYE], the Senator from Maine [Ms. COLLINS], the Senator from Texas [Mrs. HUTCHISON], the Senator from California [Mrs. FEINSTEIN], and the Senator from Nevada [Mr. REID] were added as cosponsors of amendment No. 340 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

AMENDMENT NO. 344

At the request of Mr. LEAHY his name was added as a cosponsor of amendment No. 344 proposed to S. Con. Res. 27, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002.

At the request of Mr. WELLSTONE his name was added as a cosponsor of amendment No. 344 proposed to S. Con. Res. 27, supra.

At the request of Mr. DASCHLE the names of the Senator from New Jersey [Mr. TORRICELLI], the Senator from Hawaii [Mr. AKAKA], the Senator from New Mexico [Mr. BINGAMAN], the Senator from North Dakota [Mr. CONRAD], the Senator from Illinois [Mr. DURBIN], the Senator from Connecticut [Mr. DODD], the Senator from Nevada [Mr. REID], and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of amendment No. 344 proposed to S. Con. Res. 27, supra.

SENATE CONCURRENT RESOLUTION 28—RELATIVE TO A STUDY OF MERCURY

Mr. LEAHY (for himself, Mr. WELLSTONE, Mr. LEVIN, Mr. JEFFORDS, Mr. MOYNIHAN, Mr. LIEBERMAN, Mr. FEINGOLD, and Mr. DODD) submitted the following concurrent resolution; which was referred to the Committee on Environment and Public Works:

S. CON. RES. 28

Whereas there has been a two-to-threefold global increase in mercury in the environment since the 1850's, increases of 3 times have been found in wilderness areas of the United States, and much higher increases have been found in developed areas of the United States;

Whereas mercury is truly a State, national, and international concern because mercury is atmospherically transported indiscriminately across political boundaries;

Whereas atmospheric deposition resulting from human activities, including area sources, waste incineration and disposal, and fossil fuel burning contributes to mercury loading in the environment;

Whereas mercury is a persistent bioaccumulative toxic substance that presents particular problems in aquatic systems;

Whereas fish consumption advisories have been issued for at least 1,500 water bodies in 37 States, including Vermont, because of high levels of mercury contamination in fish, resulting in losses to tourism and fishing industries and related activities;

Whereas, according to estimates by the Administrator of the Environmental Protection Agency, each year in the United States between 80,000 and 85,000 pregnant women are exposed to mercury levels high enough to produce risk to their children;

Whereas the study of mercury required under section 112(n)(1)(B) of the Clean Air Act (42 U.S.C. 7412(n)(1)(B)), required to be completed by November 15, 1994, represents the best information in the world on the use, generation, and disposal of mercury;

Whereas the Administrator of the Environmental Protection Agency effectively completed the draft report in 1995, but has continually delayed submittal of the study to Congress;

Whereas there are known substitutes for most mercury-containing products and devices, except for high-efficiency lighting;

Whereas over 500,000,000 mercury-containing lamps are annually produced in the United States, representing one of the largest sources of mercury in municipal waste streams, and typical waste management practices involve compaction, which results in mercury releases, before and during disposal;

Whereas landfill air emissions test data for mercury is lacking;

Whereas the Administrator of the Environmental Protection Agency is establishing simultaneously maximum achievable control technologies for mercury sources pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.), proposing tightening water quality criteria for mercury under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), placing priority on mercury-contaminated superfund sites, but is proposing to exempt mercury-containing lamps from hazardous waste regulations;

Whereas the United States and Canada have jointly agreed in the Agreement on Air Quality, Agreement on Great Lakes Water Quality, 1978, and Agreement on Virtual Elimination of Persistent Toxic Substances in the Great Lakes Basin to control transboundary emissions and to cooperate on research and development projects to eliminate toxic substances, including mercury; and

Whereas Federal and State governments have taken many actions to reduce mercury in the environment: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress that the Administrator of the Environmental Protection Agency should—

(1) immediately release to Congress the study of mercury required under section 112(n)(1)(B) of the Clean Air Act (42 U.S.C. 7412(n)(1)(B));

(2) initiate a pilot program for landfill air emission tests for mercury in the Northeast and nationally; and

(3) not exempt mercury-containing lamps from hazardous waste regulations, but should instead adopt universal waste rules that foster mercury recycling.

Mr. LEAHY. Mr. President, I would like to draw the Senate's attention to something that is going on at the Environmental Protection Agency that is of great concern to many of our House and Senate colleagues, and to myself. For the past year, I have been working with the Environmental Protection Agency, the White House and now, the Science Advisory Board, to release a 1,700-page report on the sources, health risks, and control measure for mercury pollution in our country. This report is the best and most complete assemblage of state-of-the-art information to date on the sources and health effects of mercury pollution. It has undergone extensive internal and external peer review. American taxpayers have already paid more than $1 million in contract dollars and for more than 25,000 hours of staff time to develop this report. Had the report been submitted to the Congress when it was effectively completed roughly 17 months ago, the information it contains would have been available to the public and for use by State and Federal decisionmakers.

Because of the widespread public and congressional concern over the health and environmental effects of mercury pollution, the 1990 Clean Air amendments required the EPA to conduct a study of mercury and submit that study to Congress by November 1994. Instead, the EPA submitted the report to the Science Advisory Board for review because new studies are expected to be published over the next 2 years. Well, as we all know, one thing you can be sure of in this world is that researchers will continue to research; there will always be new studies, and this is as it should be. We need sound science to make public policy decisions. But we also need up-to-date science, and that is what this report offers. As time passes, the information contained in the report becomes increasingly less useful for regulatory and judicial decisions.

Mercury poses a serious and growing public health and environmental threat to our Nation. Thirty-seven States have issued human health consumption advisories because of unacceptable levels of mercury in freshwater fish. According to EPA estimates, as many as

85,000 pregnant women are exposed to mercury levels high enough to produce risks to their children. Yet many States cannot identify the sources and quantities of this pollutant or address the problems that arise both within and outside State borders.

We Vermonters are deeply concerned about what is being transported by air currents across our borders. Acid rain taught us that our tough laws on the environment were not enough to protect us. We could be affected from other areas of the country whose environmental standards may not be as high as our own. Yet despite these standards, Vermont and other States have become a dumping ground. We saw some of our healthiest forests die off from pollution that came from outside our region. Unlike the many compounds causing acid rain, mercury does not break down. It circulates through the environment. It is not going to go away when we turn off the tap. It will settle in the lakes, streams, and soils of those States that were also the dumping ground for acid rain.

The public has a right to this report and the States need it to make sensible decisions about reducing mercury in the environment. Instead, it has been sitting on the shelf for nearly 2 years now. By holding back the mercury report, the administration is denying to Federal and State regulatory bodies and to the public information that will be critical to the revision of health advisories, air pollution measures, and utility restructuring proposals. But releasing the report is only the first step in addressing mercury pollution. The concurrent resolution I am submitting today also addresses the need to reduce mercury releases into the environment.

One major source of mercury is municipal waste due to the disposal of mercury-containing lamps. EPA has proposed a rule to either exempt mercury-containing lamps from hazardous waste regulations or to include them in the universal waste rule, but EPA has made little progress since 1995. Exempting mercury-containing lamps from the hazardous waste rule would allow more than 500 million lamps to be deposited in solid waste landfills or conveyed to waste incinerators, perpetuating the uncontrolled release of mercury into the environment. In Vermont, we are building a recycling industry to collect mercury-containing lamps. We are trying to keep mercury out of our waste stream. Without a Federal effort to encourage the same preventive steps in other States, this effort will be for naught. By including mercury-containing lamps in the universal waste rule, we would encourage recycling and the elimination of these products from the municipal solid waste stream.

Another integral step in addressing mercury pollution is development of a better inventory of mercury emissions. One of the recommendations of the mercury report is to acquire test data on notable sources of mercury. My concurrent resolution calls upon EPA to begin landfill testing in pilot sites across the country. Several States have already expressed an interest in testing, and Florida has already begun testing at landfills. The only testing conducted at the Federal level was in New York City where two studies raised contradictory findings. In a 1994 Minnesota study, more than 10 percent of the overall emissions of mercury were attributed to landfills. We need to verify these initial findings through a national pilot program. Unfortunately, the 1,700-page mercury report does not include an examination of landfills.

It is my hope that by releasing the mercury report, promulgating regulations on disposal of mercury-containing lamps and testing for mercury emissions, we will lay the groundwork for the long-overdue reduction of mercury from several sources. I am pleased to be joined by my colleagues, Senators WELLSTONE, JEFFORDS, LEVIN, MOYNIHAN, FEINGOLD, and DODD, in submitted this Senate concurrent resolution. I hope that this resolution will draw to this issue the attention not only of the Senate, but also of the administration.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 10 a.m., on Thursday, May 22, 1997, in open session, to receive testimony on the Quadrennial Defense Review.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, May 22, 1997, to conduct a hearing on the following nominees: Mr. James A. Harmon, of New York, to be the president of the Export-Import Bank of the United States; and Ms. Jackie M. Clegg, of Utah, to be the first vice president of the Export-Import Bank of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, May 22, 1997, to conduct a hearing on electronic funds transfer and electronic benefit transfer and the effect of these programs on Federal benefit recipients.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on May 22, 1995, at 9:30 a.m. on oversight of professional boxing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, May 22, at 4 p.m. for a markup.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary, be authorized to hold an executive business meeting during the session of the Senate on Thursday, May 22, 1997, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, May 22, 1997, beginning at 9:30 a.m. until business is completed, to hold a hearing to consider revisions to title 44/GPO: Review and Recommendations of Draft Legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, May 22, 1997, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, BUSINESS RIGHTS, AND COMPETITION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust, Business Rights, and Competition, of the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, May 22, 1997, at 2 p.m. to hold a hearing on: ''Antitrust Implications of the College Bowl Alliance.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Communications Subcommittee of the Senate Committee on Commerce, Science and Transportation be authorized to meet on May 22, 1997, at 2 p.m. on S. 442—Internet Tax Freedom Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday,

May 22, 1997, at 10 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC HEALTH AND SAFETY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources Subcommittee on Public Health and Safety be authorized to meet for a Hearing on Substance Abuse and Mental Health Services Administration [SAMHSA] during the session of the Senate on Thursday, May 22, 1997, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

HONORING THE GRAND OPENING OF THE LANDMARK INN HOTEL

● Mr. LEVIN. Mr. President, I rise today to pay tribute to Bruce and Christine Pesola, of Marquette, MI, whose restoration of the Landmark Inn Hotel has preserved one of the Upper Peninsula's architectural and historic treasures for a new generation.

The Landmark Inn Hotel originally opened on January 8, 1930, and was known as the Hotel Northland. At that time, the Northland was the premier hotel in the Upper Peninsula. Throughout the years, the hotel has housed many notable people, including Amelia Earhart, Bud Abbott and Lou Costello, and musical legends Duke Ellington and Louis Armstrong.

When Bruce and Christine Pesola purchased the hotel in 1995, it had stood vacant for more than 12 years. While many people were calling for the demolition of the building, the Pesolas were dedicated to preserving this piece of history. Described by one local newspaper as a ''squalid, vacant blemish on the city's skyline,'' the rehabilitation of the Landmark Inn will contribute significantly to restoration efforts in downtown Marquette. As a longtime proponent of historic preservation, I was pleased to support the Pesolas in their efforts to secure the project's eligibility for historic preservation certification from the Department of the Interior, enabling the Pesolas to receive federal tax credits in return for their commitment to retaining the historic characteristics of the hotel.

The renovation of the Landmark Inn Hotel stands as an example of the benefits of historic preservation. Not only will Marquette gain a quality hotel in the downtown area, the people of the city of Marquette and the State of Michigan will retain an important link to the past. I know my colleagues will join me in expressing congratulations and best wishes for future success to Bruce and Christine Pesola on the occasion of the grand opening of the Landmark Inn Hotel.●

TRIBUTE TO THE NEW HAMPSHIRE DELEGATES ATTENDING A NATIONAL SUMMIT ON VOLUNTARISM

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the New Hampshire delegates who represented the Granite State at the National Summit on Voluntarism in Philadelphia from April 27 through April 29. The 3-day summit focused on the challenges facing our Nation's children and youth, and encouraged Americans to dedicate their time and talents to communities and children. It was organized on the suggestion that America's young people have access to five fundamental resources. These resources include an ongoing relationship with an adult, safe places during nonschool hours to learn, a healthy start, a skill through effective education, and the opportunity to give back through community service.

I would like today to honor the individuals from my state who gave their time and energy so our children can remain safe and strong. They are: Amy McGlashan of New Hampshire College and University Council, Daniel Forbes of St. Anselm College, Carlos Agudelo of the ALPHA Alliance, Regis Lemaire of the Office of Youth Services, David Fish of the United Parcel Service, Darlene E. Schmidt of CFX Bank, Joshua Morse of Southern New Hampshire Services, JoAnn St. Pierre of the Voluntary Action Center, Ann Puglielli of St. Anselm College, Richard Shannon of New Hampshire Catholic Charities, Susan Gilbert of Manchester, Suzanne Carbon of the Grafton County Family Court, Catie Doucette of the White Mountain School, Ed Farrell of the White Mountain School, Dick Fowler of the Division of Children and Youth Services, Katie Kelley of the Pathfinders Program, Theresa Kennett of Kennett High School, Bruce Labs of Woodsville High School, Sara Lang of Woodsville High School, Mike Purcell of White Mountain Mental Health, Lynn Wheeler of Nighswander, Lord & Martin, Debbie Tasker of the Dover Adult Learning Center, Bernie Mucci of Tyco International Ltd., Elise Klysa of the Timberland Corp., Ron Borelli of Aavid Thermal Technologies Inc., Karen Brown of Channel 9 News, Chris Gallagher of the Corporation for National Service, Sidney Swartz of the Timberland Corp., and Ken Freitas of the Timberland Corp.

Each and every delegate from the State of New Hampshire has achieved success in effective citizen service. They are experienced in creating opportunities for others to contribute to solutions, and have a record of getting things done. Above all, they are trusted by others in their community and for that they can be very proud.

The summit proved to be beneficial. The representatives from New Hampshire combined their efforts with delegates from Delaware. They came up with creative plans to bring adults and college students into Manchester's public schools together to help establish a mentoring program. The New Hampshire delegates will meet again in the summer to review this proposal and the other ideas they collected and decide how to use them.

I commend the New Hampshire delegates on their willingness to help make the Granite State a better place to live, and to ignite the spirit of voluntarism to provide a strong foundation for America's youth. New Hampshire is fortunate to be blessed by their leadership and dedication. I applaud them for their outstanding work, and am proud to represent all of them in the U.S. Senate.●

TRIBUTE TO RICHARD LLOYD THOMPSON, SR.

● Mr. DODD. Mr. President, I rise today to pay tribute to a truly remarkable man who, on May 30, 1997, will celebrate his retirement after 38 years as an educator—Richard Lloyd Thompson, Sr. of Middletown, CT.

Within every middle-sized town in America, there is a small handful of individuals that form the backbone of that community. Everyone knows and respects these individuals, because they are continually working to strengthen neighborhoods and help others. They always place the needs of others above their own, and they continually give of themselves to ensure that their hometown is a better place in which to live. Dick Thompson is one of these individuals.

People like Dick Thompson are every bit as important to the city of Middletown, CT as major employers like Aetna, Pratt & Whitney, and Wesleyan University. He has helped to educate more than a generation of students in Middletown, and countless children and their families in this town have had their lives positively impacted by him.

Dick has seen Middletown grow and mature before his own eyes. After teaching in the Hartford Public Schools for 10 years, he came to Middletown in 1971 to serve as the principal at Bielefield Elementary School. When Dick accepted this job, he entered a newly racially integrated school as the first nonwhite school administrator in the history of this school system. Through the strength of his own character, he was able to guide the school through a period of social uneasiness, and he has been an institution within the Middletown school system ever since.

But Dick Thompson's contributions extend far outside the school. He has served on Middletown's Planning and Zoning Commission, their Charter Revision Commission, and their Salvation Army Advisory Committee. To illustrate the broad variety of his community involvement, he has been named an honorary deputy by the Middlesex County Sherriff's Association, and he has also served as a Middlesex County justice of the peace.

I have been fortunate to get to know Dick personally through his involvement with the Democratic Party. He has been a local and State delegate for Middletown's Democratic Town Committee, and he has also served on Middletown's Democratic Nominating Committee.

Despite the broad range of Dick Thompson's community service, the driving force behind all of his activities has been his concern for children. As someone who was orphaned at the age of 5, and who lived in an orphanage from ages 5 to 18, Dick is keenly aware of the needs of children and the positive impact that the surrounding community can have on a child's life. Dick sits on Middletown's Youth Services Commission, and he has taken a very active role in the lives of children through his service as a Deacon in his church. Dick has been a mentor for many children, and he has helped to instill these young people with a strong set of values that they will carry for a lifetime.

As Dick approaches his retirement, I am certain that he would consider his commitment to his family to be his greatest accomplishment. Dick has been happily married to his wife Betty for more than 30 years, and together they have raised two wonderful children. Following in the family tradition, their daughter, Claudette Renee, worked as an educator of children and adults. She worked for Head Start programs in both Boston and Atlanta, and she currently serves as a technical director for an international corporation in Maryland. Their son, Richard, graduated from law school in 1994, and he is working as an attorney in the Washington, D.C. area. There is no greater source of pride for a parent than to see his children succeed, and Dick should be pleased to know that his pride in his children is exceeded only by their admiration for their father.

Again, I want to congratulate Dick Thompson on his retirement, and I wish him the best of luck in all his future endeavors.●

BROOKE COUNTY'S BICENTENNIAL CELEBRATION

● Mr. ROCKEFELLER. Mr. President, I rise today in recognition of a historical milestone in my state of West Virginia. In 1797, Brooke County, named after Gov. Robert Brooke of Virginia, was officially born. I take this opportunity to congratulate Brooke County on its bicentennial celebration.

Brooke County, located in the northern Panhandle of West Virginia, was created from part of Ohio County. The first session of the Brooke County court took place in the home of William Sharpe on May 23, 1797. Since that day, the residents of Brooke County have played a vital role in the development of West Virginia and the Nation. Its residents fought to protect our Nation in the War of 1812 and to keep it intact in the Civil War. They founded Brooke Academy, the first educational institution on the Ohio River, south of Pittsburgh and west of the Alleghenies. However, they are not only sound in body and mind, but also in their souls, as the Christian Church, the Disciples of Christ, and the Church of Christ all have their early roots in 19th century Brooke County.

From the Duval Glass House, the first glasshouse in West Virginia, to the delicious Grimes golden apples, the residents of Brooke County have been steeped in a tradition of innovation. Their accomplishments are numerous and far-reaching. Part of the highly industrialized Ohio Valley, Brooke County has seen its innovation at work, as their industries have grown from early paper bag and marble manufacturers to a variety of steel industries including the most modern steel coating mill in the world.

On behalf of all citizens from the Mountain State, I would like to once again commend Brooke County on its 200th birthday and ask that my distinguished colleagues join with me in recognizing its rich history of accomplishments and innovation.

● Mr. MCCAIN. Mr. President, several weeks ago the ABC News ''20/20'' program aired a piece entitled ''Your Tax Dollars at Work,'' a report about an airport construction project in northwest Arkansas. The report focused on allegations that the new airport was unnecessary and a waste of Federal tax dollars. As chairman of the Commerce Committee, I believed it was incumbent on me to followup on these allegations. I consequently requested that the General Accounting Office [GAO] review the project to ensure that the Federal Aviation Administration [FAA] followed the agency's established process to allocate discretionary airport funds to this project.

I want to state at the outset that the GAO has said that nothing illegal has taken place with respect to the project. In its review, however, shortcomings were discovered with the FAA's grant decisionmaking process that need to be addressed. The FAA's decision to provide grants for the new Northwest Arkansas Federal Government does not always do the best job in managing the taxpayers' money. In this case, the FAA could have better managed the airport grant program. The FAA decided to fund this airport, although the circumstances on which it made its decision changed. When this new airport is built and ready for use in 1998, the Federal Government's share will be $70 million, almost two-thirds of the airport's total cost. It remains to be seen, however, if the airport will have an airline to serve it and if passengers will use it.

The FAA must ensure that the limited Federal funds available for developing the Nation's airports to go to the most deserving projects. Maintaining and improving the Nation's airport system requires continual capital investment and the FAA provides Federal grants to help with that development. As with other Federal programs, the airport grant program has taken its share of cuts as we work toward balancing the budget. This situation makes it even more important that the FAA does the best possible job in managing the program's approximately $1.5 billion in funds.

From the beginning, there were problems with the FAA's decisionmaking process in awarding grants to NWARA. The FAA went outside its priority system, and relied in part on its subjective assessment in awarding the airport $70 million over the 12-year period from 1991 through 2002. The FAA made its decision in 1990 and did not reconsider its position, although the circumstances on which the decision was based changed in the immediate following years. In making its decision, the FAA assumed that a nearby airport, Drake Field in Fayetteville, AR, would close and that all air service would move to NWARA. Drake Field, however, remains open and improvements to this airport have been made. The airlines are happy with the airport. Rather than closing, it appears that Drake Field will compete with NWARA. These airports are less than 30 miles apart. The FAA also said airlines were behind the construction of NWARA. To this day, however, no airlines have made a firm commitment to use this new airport.

The FAA also decided to provide grants to NWARA under a rarely used special mechanism called a letter of intent. This mechanism allows the FAA to schedule grant payments in future years beyond the program's authorization period. Of the tens of thousands of grants the FAA has awarded, only about 50 letters of intent have been issued and only two—one of which went to NWARA—have been issued in the last 4 years. The Congress established letters of intent only to fund projects that significantly enhance the capacity of the national airport system. The FAA, however, awarded the letter of intent to NWARA without having defined what constitutes a significant capacity enhancement for small airports like NWARA. The agency also used a cost-benefit analysis to justify the letter of intent, analysis that was not redone even though it was not clear that certain assumptions the agency made would hold, such as the closing of Drake Field.

The sloppiness of the FAA's decisionmaking process on this project has been disappointing, although legal. The GAO and other observers agree that it would be a waste of investments already made to withhold Federal funding now. NWARA has received about 40 percent of its total $70 million in grant funding, and construction of the airport is under way. The airport's runways will be completed by the end of 1997 and its terminal soon thereafter.

Nevertheless, the review of this project has been a valuable exercise. We must be certain that scarce Federal

resources are allocated to their highest and best uses. The FAA must be able to demonstrate compelling reasons for using subjective assessments to place projects on the priority list for Federal funding. The GAO will soon report to the FAA on how it can tighten up its grant award process, and better adhere to the criteria that the agency has laid out for itself. In the meantime, the Commerce Committee will continue to oversee the FAA's management of its grant program.●

OLDER AMERICANS MONTH

● Mr. SARBANES. Mr. President, since 1963 when President Kennedy began this important tradition, May has been designated ''Older Americans Month,'' a time set aside each year for our country to honor senior citizens for their many accomplishments and contributions to our Nation.

Those of us who have worked diligently in the U.S. Senate to ensure that older Americans are able to live in dignity and independence during their retirement years, look forward to this opportunity to pause and reflect on the contributions of those individuals who have played such a major role in the shaping of our great Nation. We honor them for their hard work and the countless sacrifices they have made throughout their lifetimes, and look forward to their continued contributions to our country's welfare.

Today's senior citizens have witnessed more technological advances than any other generation in our Nation's history. Seniors today have lived through economic depressions and recessions, times of war and peace, and incredible advancements in the fields of science, medicine, transportation and communications. It is imperative that we address the needs of these Americans who have devoted so much of their life experience and achievement to the betterment of our society. The celebration of Older Americans Month provides us with the opportunity to highlight the importance of reauthorizing the Older Americans Act. As a vigorous and consistent supporter of measures to benefit senior citizens, I am pleased to be a past cosponsor and strong supporter of this important legislation. First enacted in 1965, the Older Americans Act has evolved from its original mandate to promote independent living among those older citizens with the greatest social and economic need into today's dynamic network of community and home-based services so critical to many of our Nation's seniors.

The need for such legislation becomes especially apparent in light of current demographic trends. Senior citizens today comprise more than 12 percent of the country's population. Baby boomers, who represented one-third of all Americans in 1994, will enter the 65-years-and-older category over the next 13–34 years, substantially increasing this segment of our population. In my own State of Maryland, more than 768,400 individuals are over the age of 60, representing 15 percent of Maryland's total population. By the year 2020, that percentage is expected to increase to just over 23 percent. These demographic transformations pose significant challenges and opportunities and the Older Americans Act provides an excellent framework from which to address these challenges as we move into the next century. It is not enough to just honor our senior citizens. We must continue to enact meaningful legislation which will help meet the needs of this valuable and constantly expanding segment of our society.

The theme of this year's celebration is ''Caregiving: Compassion in Action.'' In my view, it is most appropriate that—as the percentage of the population over age 65 continues to grow—we take this opportunity to focus on how we, as a society, will care for our seniors. It is, therefore, incumbent upon us all to be prepared to both understand and address the needs of our seniors as they become an increasingly larger segment of American society. Many of us are already addressing this serious need. The Administration on Aging estimates that each day, as many as five million senior citizens in the United States are recipients of care from more than 22 million informal caregivers. As programs such as Medicare and Medicaid continue to feel the pressures of the current Federal budget process, the noble and compassionate work of these dedicated individuals is particularly critical.

Mr. President, I have always believed strongly in the potential of this significant and growing population to contribute to the development of policies that effect all Americans. Our Nation's seniors are an ever-growing resource that deserves our attention, our gratitude, and our heart-felt respect. As observance of Older American Month comes to a close, I look forward to working with my colleagues in the Senate in implementing public policies which affirm the contributions of older Americans to our society and ensure that they continue to thrive with dignity.●

CONGRATULATIONS TO WHEAT MONTANA FARMS AND BAKERY ON MONTANA SMALL BUSINESS OF THE YEAR

● Mr. BURNS. Mr. President, I rise today to extend my congratulations to Dean Folkvord of Wheat Montana Farms and Bakery of Three Forks on winning the Small Business Person of the Year Award. It is a real pleasure to recognize Dean and his family for his dedication and hard work.

There is a fierce competition in Montana for Small Business Person of the Year since 98 percent of our businesses are classified as small, and that makes Dean's accomplishments special. I was amazed when I learned of it, but Wheat Montana mills more wheat in a year than is grown in Montana. It takes a truly successful operation to handle that much wheat.

Mr. President, I am proud to say we have many small business success stories like Wheat Montana, and many folks like Dean keeping our economy growing and putting Montanans to work. There were two close runners-up for this award this year, and many other small businesses were awarded in other categories. Together, they are the engine that keeps Montana running.

Congratulations again to Dean Folkvord and the Wheat Montana family, and to Montana's entire small business community for all you do.●

HONORING THE MANITOWOC WORLD WAR II SUBMARINE EFFORT

● Mr. FEINGOLD. Mr. President, recently, the distinguished Senior Senator from Wisconsin [Mr. KOHL] and I, along with our colleague from the House of Representatives, Representative THOMAS PETRI, wrote to the Secretary of the Navy, the Honorable John H. Dalton, indicating our strong support for the proposal to name the third *Seawolf* class submarine the *Manitowoc*, recognizing the unique contribution by the city of Manitowoc, WI, to the development of U.S. submarine superiority in World War II.

The Manitowoc Shipbuilding Co. produced 28 submarines during World War II—roughly ten percent of America's submarine fleet during that war. The 25 Manitowoc-built submarines in the Pacific theater sank 132 enemy ships.

Prior to World War II, the Manitowoc Shipbuilding Co. had never produced submarines. As America entered the war, and the Nation committed its resources and energies to the effort, this shipbuilding company took on the task of retooling, retraining its employees, and restructuring its facilities to produce high-quality submarines at a wartime pace. They completed production of the submarines 19 months ahead of schedule and $1.8 million under budget. In all, some 7,000 people were employed at the Manitowoc Shipbuilding Co. at the height of World War II production, many working numerous nonstop shifts. Many also came from other cities and towns and the Manitowoc community opened up its arms to support these workers, giving them a home-away from home, which helped to maintain the morale of these essential workers in the war effort.

I am pleased to note that the Wisconsin State Senate has just passed a measure urging the Navy to name the new submarine the *Manitowoc*. Naming the new sub the *Manitowoc* would honor those who served on the Manitowoc-built subs, those individuals who worked 24 hours a day to build them, and the city which extended its support to the Herculean production effort. It would be a fitting tribute.●

SAFETY AND HEALTH ADVANCEMENT ACT OF 1997

● Mr. BURNS. Mr. President, as an original cosponsor of S. 765 I want to stress the importance of this measure and urge my colleagues to support its passage.

Mr. President, the Safety and Health Advancement Act is based on one simple premise: The Occupational Safety and Health Administration [OSHA] can be more effective at ensuring safe working environments by working with businesses than by waiting for violations to occur and then issuing fines. The purpose of this bill is to refocus OSHA's mission from enforcement to consultation, without putting a straightjacket on its ability to enforce when required.

S. 765 takes a number of important steps to help small business comply with OSHA standards. First, it establishes a third-party review process whereby a licensed auditor may consult with businesses and certify that the are in compliance with applicable OSHA standards. If certified, the business will be exempt for 2 years from any civil penalty prescribed by the OSH Act.

Second, S. 765 broadens the technical assistance program run by the States and OSHA. Under this program, the Montana Safety Bureau, with assistance from OSHA, consults with businesses and helps them meet OSHA standards. If in compliance, the business is exempt from general inspections for 2 years. This is a good program, but it is not widely used and it is underfunded, especially in Montana. S. 765 expands and makes permanent this assistance program.

Third, this bill writes into law OSHA's Voluntary Protection Program and requires the Secretary of Labor to encourage small businesses to use the program. If a business applies under the program and is certified as safe, it is exempt from inspections and certain paperwork requirements. Only 300 employers are currently in this program, but I know of plenty of small businesses that would qualify.

Finally, this bill requires OSHA to submit all proposed standards to the National Academy of Sciences for review and comments, and bars OSHA from using quotas for inspections, citations, or penalties.

Mr. President, I will soon be chairing a Small Business Committee field hearing in Montana to hear from small businesses how Federal and State regulations adversely affect them. The loudest complaints I will hear will be about OSHA and its heavy-handed enforcement policies. As a former small businessman, I know that working with small businesses to help them comply with OSHA standards will have better results than enforcement alone. By encouraging compliance, workplaces will be safer and workers will be better off.●

IN MEMORY OF ANDREW TEN

● Mrs BOXER. Mr. President, I rise today in memory of a remarkable young boy, and in tribute to his devoted family. Andrew Ten was just 12 years old when he passed away this week from complications resulting from a chronic neurologic, pulmonary, and gastrointestinal condition that left him physically handicapped for most of his short life. His life-treatening diseases required constant home medical and nursing care, 24 hours a day, 365 days a year.

Andrew came to my attention through his father, Rabbi Harold Ten, whose devotion to and love for his son was equaled only by his perserverence and tenacity in fighting the injustices of the health insurance system millions of Americans must endure every day. I will not delve into the details of young Andrew's case, but suffice it to say that he and his family were the victims of a system that encourages capriciously unilateral decisionmaking by the medical-industrial complex that fails to account for the real-life, human tragedies that families confront every day.

It was another example of how the understandable drive to hold down health care costs and maximize the profits often forces insurance carriers to make decisions that make no sense on a human level. It was an example of serious flaws and omissions in the laws protecting the consumer from health care system abuses, something we must not forget.

It was also an example of how one person can wage a battle against the inertia that often results in injustice. If it were not for the intervention of my office, after I had been contacted by Rabbi Ten, young Andrew would not have received the critical medical care he needed. But, it should not have come to that. The law should have been enough to protect Andrew and his family.

That is a fight for another day. Today, I want to offer my condolences to Rabbi Ten and his family on their loss. My heart goes out to them, who have fought so hard to prolong the life of their son and brother. I know that they will show the same courage and faith as they mourn his death.●

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1128a–1928d, as amended, appoints the Senator from Utah [Mr. HATCH] as a member of the Senate Delegation to the North Atlantic Assembly during the First Session of the 105th Congress, to be held in Luxembourg, May 28–June 1, 1997.

The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appoints the Senator from Delaware [Mr. BIDEN] as vice chairman of the Senate Delegation to the North Atlantic Assembly during the 105th Congress.

ORDERS FOR FRIDAY, MAY 23, 1997

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Friday, May 23.

I further ask unanimous consent that on Friday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then immediately resume consideration of Senate Concurrent Resolution 27, the first concurrent budget resolution, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOMENICI. For the information of all Senators, at 9:30 a.m. tomorrow morning, the Senate will begin consideration of the resolution and begin a lengthy series of rollcall votes. And I cannot stress lengthy series of rollcall votes sufficiently. There will be a number of votes in order to complete action on the resolution. Senators should be prepared to remain on the Senate floor during that period to enable us to expedite this process to allow us to finish our business at a reasonable hour tomorrow. In addition, during Friday's session, the Senate will consider the CWC implementation bill, nominations that may be available on the Executive Calendar, and any other items that may be cleared for action.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DOMENICI. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, at 9:20 p.m., the Senate adjourned until Friday, May 23, 1997, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 22, 1997:

SOCIAL SECURITY ADMINISTRATION

KENNETH S. APFEL, OF MARYLAND, TO BE COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2001. (NEW POSITION)

DEPARTMENT OF STATE

STANLEY O. ROTH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE, VICE WINSTON LORD.

MARC GROSSMAN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE, VICE JOHN CHRISTIAN KORNBLUM.

JOHN CHRISTIAN KORNBLUM, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF GERMANY.

DAVID J. SCHEFFER, OF VIRGINIA, TO BE AMBASSADOR AT LARGE FOR WAR CRIMES ISSUES.

EXTENSIONS OF REMARKS

SPEAKER GINGRICH'S REMARKS OUTLINING THE REPUBLICAN AGENDA

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LINDER. Mr. Speaker, I commend to my colleagues the following comments of the Speaker of the House NEWT GINGRICH delivered to the Georgia Public Policy Foundation this week.

EXCERPTS FROM HOUSE SPEAKER NEWT GINGRICH'S REMARKS OUTLINING THE REPUBLICAN AGENDA

What we have done is pretty remarkable. Four years ago a very small group of leaders, 38 years in a minority at a time when the news media told us that we were going to have the largest tax increase in peacetime history, and we were going to nationalize health care so the government controlled everything, and we were going to have left wing social policies—one of which led to a dramatic increase in drug use in this country because it lacks in teaching our children. Because the American people then stook up in 1994 and said ''No,'' we clearly don't want to go in that direction. They repudiated it, and things began to change.

We had the largest voter increase in off-year election history. We had nine million more people voting Republican and one million fewer voting Democrat and for the first time in 40 years there was a majority on the conservative side of the House. Then, we worked for two years at keeping our word.

And we accomplished a great deal. In fact, we did pass a bill to apply to Congress every law that applies to the rest of America; we did pass a bill to reform the telecommunications system which will create about three million new jobs; we did pass a bill which ended the agricultural entitlement in the Midwest; and we did pass a welfare reform legislation tha ended 61 years of federal entitlement for welfare and dramatically improved the opportunity for poor people to move from welfare to work and from poverty to prosperity.

Then last week we put the capstone on what we promised four years ago. We reached an agreement on a balanced budget by 2002 with lower spending and lower taxes.

Let me tell you what's in this agreement so you understand why I can say with authority we won. First of all, spending over the next 10 years compared to current law will be one trillion, 100 billion dollars lower than it otherwise would have been. Taxes will be a net of $250 billion lower over the next ten years that they otherwise would have been.

You have the president's agreement that he will sign a capital gains tax cut, that he will sign a cut in the death tax and that he will sign a $500 per child tax credit and all those will be passed into law before he gets a penny of additional discretionary spending. Our goal is to pass this by the Fourth of July to give America a birthday present.

Yet I want to suggest to you the greatest example of the balanced budget is not economic. It is the fact that four years ago, leaders set out to work with the American people on something that the American people believe in. And if the American people have leaders who are disciplined and persistent and are willing to take a beating from opponents, work together the constitutional system works.

Yes, it takes time, but that's the way the founding fathers designed it. The founding fathers were afraid of a dictatorship. They wanted to design a machine so inefficient that no dictator could force it to work. The corollary is that sometimes it is very hard for us as volunteers to get it to work voluntarily. That's fine. The fact is, it worked.

I believe we have three great challenges for the future. I want to analyze what we have to do over the next four years. Imagine a January, 2001. The first morning of the 21st century, the first morning of the new *millennium,* it just happens to be a Monday morning.

Imagine that on that morning you wake up in an America that was for all practical purposes drug-free, an America in which every child was learning at their best rate, an America in which children were born into families capable of taking care of them because we had ended the long process of teenage pregnancy outside of marriage. Now how much healthier would that America be?

Now let me repeat those three clear, definable achievements. An America that is for all practical purposes drug-free, an America in which every child is learning at their optimum rate, and an America where girls don't get pregnant outside of marriage as teenagers and there is an expectation of children being born into families capable of raising them.

How much healthier and how much better would that be?

I know that the first time you hear that said, it sounds like one more politician offering some big goal that sounds good and nothing will happen. But I came here today to say something very different.

We have proven over the last four years that if you take something seriously and you stay focused on it and you work at it every day, you can achieve it. It's not just a campaign slogan, it's not just an idea, it is a fact that this summer we are going to pass the implementing legislation for a balanced budget. It is a fact that you will have tax cuts in your next tax report. It will be the first tax cut in 16 years by the federal government.

And so I'm talking today about dedicating the country in exactly the tradition that de Touqueville talked about in Democracy in America in 1840.

He said it wasn't the Constitution, it wasn't the government, it wasn't the politicians. It was the spirit of individual Americans working on an individual basis at a community level across the country that made America so remarkably different from Europe, a spirit that Marvin Olasky caught in his great work, The Tragedy of American Compassion, who pointed out bureaucrats that simply redistribute money cannot save people.

And in the 19th century when you had a much lower tax system, much higher take home pay as a percent of income, you had one volunteer for every two poor people. The volunteers knew who was the alcoholic, who was the drug addict, who beat their children, who was worthless and needed to be retrained. And you had a much higher level of human to human contact and that is the spirit that I believe you have to reestablish.

Let me suggest to you that this is the core challenge and intellectually mentally about where we are going.

Can we stop drugs? Yes. Can we stop drugs with a liberal bureaucracy and a social policy and an intellectual theory that is wrong. No.

Can we have every child learn? Yes. Can we have every child learn in a failed bureaucracy dominated by tenure and unionized work rules with an education theory that doesn't work? No.

Can we save teenage girls from getting pregnant? Yes. Can we save them in a liberal bureaucracy with the wrong signal policy and the wrong theory about how society works? No.

So this is essentially an intellectual argument, what is the nature of reality. I think there are signs frankly that people are beginning to get it. Joseph Califano was one of the designers of the Great Society under Lyndon Johnson. In a recent magazine article he reports that on a tour of drug treatment centers every single ex-drug addict that he talked with said that religious belief was the key to their recovery. He said ''I don't see anything wrong with public funding for a drug treatment program that provides for spiritual needs,'' says Califano.

This is a man who would have been a Great Society liberal, but he's at least willing to recognize that the reason Alcoholics Anonymous works is that it starts with the notion that you have to recognize that you have a problem inside you and that it takes a higher being to help solve that problem. I've had a number of recovering alcoholics report to me that they have been approached by federal officials who say ''Could we do an 11 step program, and skip that part about God.'' I don't think they get what makes this work.

And again there's a simple test, if we reinforce drug rehabilitation that works and cut off drug rehabilitation that fails what we are going to find ourselves doing is helping institutions that are faith based and eliminating secular institutions that are simply bureaucracies that don't save anybody. We will save more people per million dollars the faster we move the resources to a faith based center but this is going to be an intellectual argument. It is going to be a big power struggle. A lot of folks who are not doing any good but are doing very well not doing any good are not going to like it.

Some of you have wondered why I would make one of the three major challenges of the next few years end pregnancy outside of marriage for young teenagers. I have to say first of all that Kay Granger, the former Mayor of Ft. Worth, who is a freshman member of Congress, convinced me of this. She has a YWCA program in her city that has 800 at-risk girls.

Statistically they should have 70 percent pregnancies, 560 pregnancies. In this particular group they have two. She said, you have to understand the cost. The United States has the highest teenage pregnancy rate in the industrial world. Here are some of the costs.

50 percent of the girls who have a baby out of wedlock will be long-term welfare recipients.

70 percent of all juveniles in state reform institutions were raised in fatherless homes.

Now rates of illegitimacy have passed 50 percent in seven of our 20 largest cities.

Some numbers the president used are very sobering. A child born to a single head of household family will have 140,000 social transactions by the time they are four years old. A child born into a family of two parents will have 700,000 social interactions. That is learning how to speak, learning how to talk, learning how to read, learning how to interact. Think what the difference is of that child coming into Head Start, the child that has had 140,000 and the child that has had 700,000 social interactions, and then we try to play catch up with government employees at that point.

Now the goal is not, as our liberal friends would say, a bureaucrat at the crib, and a bureaucrat for prenatal care and a bureaucrat that teaches them how to speak and a bureaucrat that stands next to the parent and watches over the children.

What we need is to reestablish the healthy social patterns and the healthy social programs and the principles that simply made common sense to most people. One of them is: if you're a young boy and you get a girl pregnant, you have a responsibility. You have an obligation. Another is to reach out to girls and give them an understanding that they can have a better future.

The program that has worked at the YWCA in Ft. Worth emphasizes the motivation of the young girl, the integrity of the young girl, the chance to be ambitious of the young girl. Because she sees herself with a better future, just saying no makes sense, because there is a life beyond one evening. It's very important to give people who are poor an opportunity for a better future and a belief in a better future because it changes their time horizon.

Drugs and teenage pregnancy are in large part a function of the breakdown of society's belief that every person has the right to pursue happiness, and we need to reestablish that belief and make it real for the poorest children of America. In the poorest neighborhoods you will see a dramatic change in behavior because hope precedes discipline. And people, once they have hope will begin to discipline themselves.

This is not a federal program. All elected officials are societal leaders who happen to be involved in the government. And our ability to lead our people is more important than fighting over legislation or fighting over bureaucracy.

Take the example of Best Friends, an Elayne Bennett program. It's an abstinence program for fifth to 12th grade girls. It's now in 50 schools in 15 cities. Each year each girl gets at least 110 hours of adult attention, discussing problems, gaining skills, learning self confidence. In nine years, out of 600 girls who participated at least two years, there have only been two pregnancies.

I would challenge anyone to find a government program with similar results. Because the fact is when you volunteer, you give of your heart and your time and your soul. You are engaged. But when you write a check to the IRS, you think you have bought permission to ignore the health of your country and you haven't.

So we have an obligation to reestablish lower taxes with higher take home-pay, so we can then turn to every American and say, if America has been good to you, it's time for you to find a fellow American and be good to them. And that's the spirit that will truly save every young person in the next generation.

What is at stake here goes far beyond the concept of simply waking up in a drug free society with everyone learning at their best rate and young children being born into families that can take care of them. This is about the very fabric of America. It's about what we are going to become. It is doable.

I want to come back to this point. I am not today giving you a set of solgans for a nice political campaign. I am suggesting to you as the Speaker of the House and as one of the leaders of our two great parties that we should at every level of society make these three things happen by January 1, 2001.

Now we know we can bring about great change because we are bringing about great change in welfare. In one year, nationwide welfare caseloads have dropped by 18 percent. 650,000 people left welfare in just the four months after we passed the reform. Fact is, people left welfare before the bill became effective. The word was on the street. Go to work. Get off welfare.

You could literally talk to welfare workers and they would tell you once the news media began to describe it, once it began to penetrate the common dialogue and once people discussed it over coffee, behaviors began to change.

The law followed the behavior change, but the act of debating the behavior change led to the law. In Wisconsin, where welfare reform has been far advanced because of the great leadership of Tommy Thompson, it reduced those on welfare by 33 percent in one year. The welfare rolls in Wisconsin are 50 percent lower than when Tommy Thompson first became governor.

And it's beginning to be recognized. Here's what the New Republic, the bastion of modern liberalism, said: ''So far it seems the logic behind welfare reform is right. Now that the incentives have changes, welfare recipients are making better decisions. Liberals who opposed reform speak of the poor as if their were irrevocably crippled, lost forever. But as we have learned over the last six months, the problem is much simpler, a small core of people need tremendous health, a large majority seems to need only a small shove. That is the best news that we could have hoped for.''

So I just want to say to you, you are seeing real change in welfare, you are seeing real change in government spending, you are about to see real change in taxes. So if we talk about a drug-free America, with children learning at the optimum rate and being born into families that can nurture them, these are just the next wave of changes in a pattern that we began in 1994.

The reason this is happening is that we are part of a worldwide movement of freedom and faith. You may think that sounds grandiose. So I brought a Washington Post article captured the rise of this worldwide movement of freedom and faith—and I'm quoting from the Washington Post:

''On a stool in his portable felt and canvas yurt, Yadamsuren, a 70-year-old nomadic sheep herder, offered a visitor chunks of sheep fat and shots of fermented mare's milk to ward off the unspeakable cold. Seventy miles of bleak desert northeast of Ulan Batur and many miles from the nearest neighbor, he spoke glowingly of the work of House Speaker Newt Gingrich and the Republican Party.''

I'm not making this up. This is what he said, quote, '''I read the contract with the voter closely; everybody did,' explaining why he decided to vote for a new government in Mongolian elections last June. 'In the contract, they clearly say what society and the people can do for each other.'''

They printed 350,000 copies of their contract with the voters. They distributed it by car, truck, horse and camel. The contract became the most widely distributed Mongolian publication in history. The Mongolian people responded with a 91 percent turnout, and elected a 43-year-old speaker, a 41-year-old prime minister and a 38-year-old majority leader. Over half the new legislators are under 35. They are totally part of a worldwide movement.

There are things happening around the world. We are part of a worldwide movement of faith and freedom. We believe that if you combine the wisdom of the Founding Fathers with the opportunities of the information age and the world market then everyone has an opportunity to pursue happiness.

Now as a historian, I know people have changed their countries more than governments have changed their countries. The greatest example is the rise of Wesley and the rise of the Methodist movement in the 1870.

Those of you who are Methodists may be very familiar with the story. By reaching out across Britain, by saving souls, by reducing the number of people who were using gin. There was a crash in alcoholism among the industrial poor because of the Wesleyan movement. It not only saved Britain from the pressure of revolution. It saved the people Britain both from political turmoil and a tremendous amount of pain. And it set the stage for one of the great achievements of modern times.

One of the amazing stories in all of history concerns how the institution of slavery, deeply rooted in the practice at the millennium, was virtually eliminated in one hundred years. The greatest achievement in the nineteenth century. The Abolition movement began among a small group of people in England known as the Clapper Sect. It's leaders were Henry Thornton, a wealthy banker and one of the fathers of monetary economics, and William Wilburforce, a Methodist and a member of Parliament. Their goal was the change the laws of England and abolish the slave trade. Their method was an amazing information campaign.

Researchers associated with the group interviewed witnesses and gathered information on the horrors of slavery. Pamphlets were published. Actual specimens of leg shackles and whips were displayed to the public. A boycott of slave produced sugar was organized. The opposition in Parliament was strong, 56 members of parliament had a direct financial interest in slavery. But after 20 years of defeats they won in 1807 the beginning of the end for slavery around the world.

Changes in sentiments and beliefs create the base for legal reform. And that leads to changes in government. It was after all the Royal Navy that actually suppressed the slave trade after it was banned, not prayer but ships. But it is the prayer that made the ships possible.

Government action makes a secular reality out of the moral spiritual womb. And that's really the framework for what I am describing about where I think we need to go. Now, when I said if you combine the wisdom of the Founding Fathers with the opportunities of the information age and the world market, so that every person on the planet has their God-given right to pursue happiness.

Let me show you something I learned two weeks ago at the Library of Congress which has a wonderful display of the treasures of the American collection. Part of that collection is Jefferson's personal Bible. It's a book there from Jefferson's own collection. It's called Essays on the Principles of Morality and National Religion.

It's not what you think of a modern politician reading. Here's a quote underlined by Jefferson because it will change your thinking on one of the most common phrases in American political history. ''People have an innate sense of right and wrong. When they act virtuously they increase the general happiness of mankind, thus the pursuit of virtue and morality is the pursuit of happiness.''

Let me repeat that: Jefferson replaced what John Locke had written, ''the pursuit of property.'' Jefferson replaced it with ''the pursuit of happiness.'' Here is the meaning as underlined by Jefferson's own hand. ''Thus the pursuit of virtue and morality is the pursuit of happiness.'' Doesn't that place that in rather a different light than say situation comedies or modern theoretical thought?

Doesn't that sort of suggest that the core principles of the American system are remarkably faith-based. There is a reason that Washington's first inaugural and Washington's farewell address are replete with references to God and morality, and there is a reason that the Declaration of Independence says, ''We hold these truths to be self evident, that we are endowed by our creator * * * that we pledge our lives, our fortunes and our sacred honor.''

That Lincoln 12 times in the second inaugural refers to God as the almighty in explaining America. That Jefferson in his memorial has around the top of it, ''I have sworn upon the altar of God Almighty eternal hostility against all forms of tyranny over the minds of men.'' And to get to a drug-free America where every child is learning and children are born into families that can raise them does require a faith-based society and a society that returns to its roots.

These may seem like big grandiose goals. Let me cite for you why it is very American to have goals that are in fact larger than you think. The story of George Nast * * * that the great seal of the United States was adopted by the Continental Congress in 1782. We weren't yet a free country. On one side is a majestic eagle.

The other side, less familiar, is the unfinished pyramid with the date 1776 in Roman numerals on its base. Below is the motto: a new order for the ages, self-conscious break with history, identified with the hopes and the futures of mankind by design and intention. Nash adds, ''hovering above the pyramid is a symbolic unblinking eye, the eye of God. And placed there is another motto: He has favored our undertaking.''

I believe if we will return to that which has made us a unique country, that we will recognize that we are a great nation filled with good people who will call upon all those people, not the federal government, not the bureaucracy, not the law, but all of our people in all of our communities, we will in fact awake on January 1, 2001 a country that is virtually drug-free, in which practically every child is learning at their best rate, and in which children are born into families that can actually raise them.

And I believe that those three tasks have to be done and when done we will be able to say to our children, we have given you a country that is economically in order, is socially in order and where we have reestablished the framework of freedom. And now it is your generation's turn to lead the rest of the human race to that kind of a promised land.

CONGRATULATIONS TO WESLEY GAINES ELEMENTARY SCHOOL

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. HORN. Mr. Speaker, I rise today to praise the Wesley Gaines Elementary School, located in the Paramount unified school district. Wesley Gaines is one of 99 schools being honored as a title I national recognition school, by the Department of Education and the National Association of State Coordinators of Compensatory Education, and is one of five from California. The association's goal is to focus the Nation's attention on programs in high poverty areas where disadvantaged students demonstrate unusual success in raising their achievement levels in basic and more advanced skills. Wesley Gaines met the six criteria required for this honor, and received their recognition in Atlanta on May 6, 1997, at the International Reading Association Conference. In April, Wesley Gaines was recognized by the California Department of Education as a California title I achieving school. I am proud to have such an honored school in the 38th Congressional District.

This achievement has not come easy. Paramount school Superintendent Michele Lawrence and Wesley Gaines Principal Susan Lance have made a commitment to develop and maintain the Gaines community, which is not just physical buildings, but a philosophy that underscores the importance of education as a joint venture between the home, the school, and the community. The goal of the Gaines community is to prepare students to become responsible citizens and productive members of the society. To achieve this, students need to be proficient in reading, writing, mathematics, and have a positive character behavior—which includes good work habits, teamwork, perseverance, honesty, self-reliance, and consideration for others.

Through several key features, the Gaines community has been able to achieve these goals. The primary component has been a balanced literacy program, utilizing title I funds. All existing and incoming teachers receive training in specific, researched-based reading and writing strategies, including theory, program expectations, and implementation expectations. Additionally, Wesley Gaines has five reading recovery teachers who work with targeted at risk first graders and provides assistance to staff, as well as a site literacy Teacher, who acts as a partner-teacher to all staff.

Parent involvement is a critical part of the effort, and programs for parent-training help to support students' reading efforts at home Program examples are ''I Have A Parent Who Reads to Me'' for kindergarten and first grades; ''WOW! I Can Read'' for second grades; and ''Book Bridges'' for off-track students. A parent task force is very active with the site-based decision-making model and coordinates support activities, such as a minimum of three parent visitation days and family nights each year. One example of this program's success is the parent attendance rate at parent conferences: more than 97 percent of Wesley Gaines parents attend their parent-teacher conferences.

The overall success has been achieved and maintained regardless of some district wide changes: extension of the school day; implementation of a four-track, year-round schedule, adding grades 6 to 8 to Wesley Gaines' K–5 campus; redefining each school's attendance boundaries, which at Wesley Gaines led to an increase of 850 new students; and implementing a new school uniform policy.

It is obvious that Wesley Gaines deserves this honor. The students, teachers, and staff have worked hard and it has paid off. They recognized where their focus needed to be, devised a plan that efficiently used their resources, implemented their plan, and continue to reevaluate and reassess the quality of work they do, making changes as they go. And I am pleased to see that they recruited the best support group possible: parents. The level of commitment Wesley Gaines parents show has been, without a doubt, a key to their success. I would wish that all schools could have as much parental support as Wesley Gaines does. After all, it will take the entire community to educate and prepare our children for the 21st century.

I congratulate Superintendent Lawrence, Principal Lance, the entire staff, faculty, parents and students of the Gaines Elementary School community. I wish them many more years of success.

ROUTE 66

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BLUNT. Mr. Speaker, Route 66 conjures up memories about America's love affair with the automobile along a road into the Nation's heartland. Restaurants, motels, gas stations sprang up to serve the travelers and commerce as the highway moved west.

Today, Route 66 is mostly a nostalgic memory. Many of those early American developments along the Route 66's old path have been bulldozed away. Traffic on old Route 66 in Springfield, MO, gave birth to the Rail Haven Motor Court at Glenstone and St. Louis Street which remains one of the city's busiest and best known locations. When it was built in an orchard, the motor court sat on the intersection of U.S. Highways 66, 65, and 60. No major improvements had been made since the early 1960's at Rail Haven.

New owner Gordon Elliott, president and owner of Elliott Lodging, saw the real potential to save the deteriorating motel. In 1994, rather than bulldoze the historic old building, Gordon's vision included a renovated and expanded classic 1950's motel property. Gordon Elliott blended community renewal, development of a classic historic property, and risking private money to produce a successful venture that has rejuvenated one key intersection in his home community. The facelift for the property was completed without Federal grants, loans or tax abatements.

Elliott's refurbished motel has been a hit with patrons of a new generation. Building on public interest in nostalgia and the appeal of historic Route 66, the property became the best Western Sycamore Inn. Elliott's has marketed the Sycamore Inn for lovers of Route 66, tourists and business travelers. It has been so successful, Elliott is renaming the property the Best Western Route 66 Rail Haven in a public ceremony on June 12, 1997, to reestablish its historic roots.

The Best Western Rail Haven Motel's history has been featured in several publications including the quarterly magazine of ''The Route 66 Association of Missouri'' and ''Missouri U.S. Tour Book.''

The Route 66 Rail Haven is a look into our past with attention to detail in the modern transformation. Craftsmen will install the signature split rail fences long associated with the old motel built in 1938. The new 93-room

lodge, joins nostalgic beauty and modern convenience. The spring 1997 edition of ''The Route 66 Association of Missouri'' features the Rail Haven on its cover and describes the facilities as ''a charming 1950's style parlor room, complete with chandeliers, old time radios and speakeasy telephones, or, if you're a business traveler, you can choose to relax in one of the elegant corporate-friendly rooms.'' Featuring celebrity theme rooms for people like Marilyn Monroe and Elvis Presley, Elliott's Route 66 Rail Haven has found customers enjoying the opportunity to relive a bygone era in accommodations.

The Rail Haven is a Best Western motel. It is one of five motel properties owned by Elliott Lodging. The firm also owns and manages about 2,000 apartment units in Springfield. Gordon Elliott is a former Springfield City Council member and is a CPA in Springfield, MO.

BAN UNSOLICITED JUNK ELECTRONIC MAIL

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing the Netizens Protection Act of 1997. My legislation is aimed at protecting the internet user from the unseemly practices of the junk e-mailer. The internet user, or Netizen, is in a vulnerable position in the new medium and we in Congress cannot stand idly by as law-abiding citizens have their privacy invaded on an almost regular basis. And no one should have to pay for any such intrusion.

This is a bill that has moved, as Justin Newton of the Internet Service Provider Consortium so succinctly stated, from the community to the legislature, not one that was produced by the legislature and then forced upon the community. We are empowering the consumer and the individual to take action against an egregious breach of consumer and individual rights.

As increasing numbers of Americans go online and become passengers on the information superhighway, consumers' rights must not be eroded, abridged, or mitigated along the way.

The Internet—and e-mail—are becoming part of our everyday lives. And no one—from the consumer to the small businesses who run servers—should be forced to pay for unsolicited advertisements. This is not a question of curbing speech. I believe in the first amendment as much as anyone else. However, the idea of shifting the financial burden of speech on to an unwilling audience is one that needs to be addressed.

From the netizen who may incur costs in the form of charges spent online reading and disposing of the messages—there are still millions of internet users who pay in increments of time spent online—to users who assume the costs of both accessing and storing mail they did not want, consumers should not be unwilling, and paying, recipients.

Furthermore, junk e-mailers occupy time and space on an Internet Service Provider's ISP servers and forces the ISP to make technical improvements. The cost of these improvements are passed on to the consumer—you and me. In effect, the consumer is paying to have their privacy breached and invaded.

And no one remains unaffected by these intrusions. The business owner or ISP with their own server often unwittingly distributes unsolicited advertisements by acting as an exploder site or mail relay site. Not only is this trespassing on another person's property, but it is an outright theft of another person's resources.

Even more disturbing is the fact that a large portion of the unsolicited junk e-mail comes in the form of fraudulent get rich quick schemes, unproven medical remedies, and other unsavory solicitations.

Let me reiterate that my legislation is targeted at unsolicited commercial e-mail. The paths of communications between friends and acquaintances and businesses and their customers remains wide open. As a matter of fact, this legislation still offers the opportunity for legitimate direct marketers to do business. Certainly, the traditional avenues of direct marketing which do not shift the burden of cost to the recipient, such as postal mail, remain unchanged; and individuals will have the right to opt-in and be reached by legitimate direct marketers via e-mail. And let us not forget that we will still be exposed to electronic billboard and banner advertising on the Internet.

My legislation will make unsolicited advertisements unlawful by amending the Telephone Consumer Protection Act of 1991 which banned unsolicited junk faxes. The banning of junk e-mails is a natural extension of existing law. Based on a Ninth Circuit Court decision in *Destination Ventures* v. *FCC* (1995), there is substantial Government interest in protecting consumers from having to bear the costs of third-party advertising. In addition, the court also held that advertisers have no right to turn consumers into a ''captive audience'' that is ''incapable of declining to receive a message.''

I believe I have crafted a bill—although it is just the beginning of a process which includes hearings and committee work—that is acceptable to most parties involved. It allows people to ''opt in'' and receive unsolicited advertisements if they give their consent, but it does not put the onus on the individual to stop the unsolicited advertisers as an ''opt out'' plan would do. Today, at a press conference Ray Everett, a representative of the proconsumer group Coalition Against Unsolicited Commercial E-Mail, and Justin Newton, a representative from the pro-business Internet Service Providers Consortium—each coming at the issue from different sides—both came to the same conclusion—this legislation would be an effective way to put a stop to unsolicited advertisements.

THE SPORTSMEN'S BILL OF RIGHTS

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CHAMBLISS. Mr. Speaker, as vice chairman of the Congressional Sportsmen's Caucus, it is my pleasure to join in introducing the sportsmen's bill of rights in the House of Representatives. Our goal is to assure the same kind of access to Federal public lands and waters for tomorrow's hunters and anglers, that present and past generations of hunters and anglers have known.

From a young age, I learned to value and treasure the outdoors. I have also had the enjoyment of passing this love of the outdoors onto my son and hope one day to pass it along to my grandson. I am an original sponsor of the sportsmen's bill of rights because I want to ensure that future generations will not be denied the opportunity to enjoy similar experiences with their families and friends.

Government's involvement with promoting America's outdoor heritage dates back to the days of Teddy Roosevelt, and the sportsmen's bill of rights is a continuation of that relationship. This proconservation and prooutdoorsman legislation will strengthen hunters' and anglers' ability to hunt and fish on Federal public lands, while requiring Federal agencies to defer to State management authorities in most instances. Not only does the legislation encourage local stewardship, but it also maintains all current land management mandates and priorities established by law, so not to disturb current and successful conservation practices.

The primary focus of the sportsmen's bill of rights is to restore equity to public land use by providing reasonable access to America's outdoorsmen and women. In fact, this commonsense measure will give hunters and anglers the ability to utilize public lands that all taxpayers should have the ability to enjoy. After all, it is our tax dollars that pay for the maintenance and upkeep of public lands—with much of that tax revenue being generated from sportsmen's activities. In my home State of Georgia alone, the expenditures of sportsmen account for $88 million in State and Federal tax revenues.

By passing the sportsmen's bill of rights, Congress can send a message to the American public that the environment is too important to be left to extreme special interest groups or big government bureaucrats. This measure will unlock America's beautiful lands for all to enjoy, whether it is the type of folks who enjoy fishing with their children on a cool Saturday morning or those who can only go out once a year with their old hunting buddies.

SPORTSMEN'S BILL OF RIGHTS

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. YOUNG of Alaska. Mr. Speaker, I rise today in support of the sportsmen's bill of rights. When this bill becomes law, it will encourage Federal land managing agencies to allow hunting and fishing on the lands they manage. It requires these agencies to take into consideration the impact that their policies and management practices will have on hunting and fishing. Another important feature of this bill clarifies that State government holds the primary management authority over wildlife resources unless the Federal managing agency can show specific statutory authority that requires otherwise.

This legislation is needed to ensure that Americans who enjoy the outdoors can utilize our public lands. There have been too many instances where Federal agencies have closed lands to hunting and fishing with little to

no explanation to the sportsmen's community. The sportsmen's bill of rights will help keep these lands open as long as sportsman's use does not interfere with the primary use of the land.

This bill is very important to the people of the State of Alaska. The Federal Government controls over 242 million acres in our State, which makes up 66 percent of Alaska's total land area. To put it into perspective, the Federal lands in Alaska add up to over twice the total area of the entire State of California. This bill helps the Federal agencies keep these public lands open to use of our sportsmen and I urge its swift passage.

INTRODUCTION OF LEGISLATION

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. CUBIN. Mr. Speaker, today I introduce legislation to transfer 190 acres of Federal land to Park County, WY. The legislation is the result of 5 years of dedication and hard work by the Cody Country Chamber of Commerce and the Cody Economic Development Council. I also extend a special thanks to Paul Hoffman, executive director of the Cody Country Chamber of Commerce, for his unwavering commitment in getting this matter resolved.

The land to be transferred is currently in public ownership, more specifically that of the Bureau of Reclamation. The Bureau has completed its withdrawal review of this land and have done extensive environmental testing, archaeological, and cultural resource studies. The State Historic Preservation Office has reviewed, and through the Bureau of Land Management [BLM], completed a cadastral survey of the land to be transferred.

All wetlands and lands with potential recreation, wildlife, and water management significance have been surveyed out of the area recommended for disposal, and that land will be retained by the Federal Government under Bureau of Reclamation management.

Through the General Services Administration [GSA], the Bureau of Reclamation recommends that all 190 acres be transferred to the county. BLM would of course be the logical Federal agency to receive the land, but it has formally confirmed it does not want to have the property under its management.

Mr. Speaker, this property, when transferred, will help ensure the economic stability of many businesses that currently hold leases on the property. Most of the acreage has excellent development potential as an industrial area, but the details of its use will be left to the discretion of the people of Park County, WY.

I am hopeful that my colleagues in the House will see the importance of conveying this Federal property, property that is no longer needed by the Federal Government, but is significant to the local entities that will directly benefit from it.

Mr. Speaker, I commend this legislation to my colleagues and urge their support for its prompt enactment.

CONGRATULATIONS TO CAPTAIN EUGENE SWEENEY

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. STUPAK. Mr. Speaker, as a retired member of the Michigan State Police, it is an honor for me to bring to the attention of the House of Representatives and the American public the celebration of the retirement of a former colleague, a constituent and most importantly, a friend, Capt. Eugene David Sweeney from the Michigan State Police.

Throughout his distinguished 30 year career, Captain Sweeney has exemplified the attributes and personal qualities it takes to achieve the respect he has earned and the official commendations he has received. As a member of the 67th Recruit School in 1967, he quickly rose through the ranks and was promoted to Sergeant on October 2, 1977, and was transferred to the Fire Marshal Division at First District Headquarters in Lansing, MI.

His leadership and abilities soon provided the basis for additional promotions, including one 8 month span in 1981 when he was promoted to lieutenant, then first lieutenant, and post commander of the Negaunee Post. In 1989, he was again promoted to inspector for the Eighth District. On September 13, 1992, Gene Sweeney received his final promotion as captain in his role as commander of the Eighth District. The Eighth District comprises all of Michigan's Upper Peninsula.

There are few, if any positions where an individual places more on the line than in the area of law enforcement. Captain Sweeney put it all on the line every day for 30 years. He received the department life saving award on May 30, 1977. He also served as a model for many State troopers who served under his command and who have gone on to be excellent troopers themselves.

Captain Sweeney is married to the former Kathleen O'Rourke. They have three children, Shawn, Colleen and Aaron who, in keeping with family tradition, is also a member of the Michigan State Police. Aaron is serving with the Fire Marshal Division at the Eighth District Headquarters in Negaunee, MI.

Mr. Speaker, John Stuart Mill once said, ''Everyone who receives the protection of society owes a return for the benefit.'' We have all received the benefit of knowing, working with and for Gene Sweeney and his family.

Mr. Speaker, on behalf of all the residents of Michigan's First Congressional District and as cochairman of the Congressional Law Enforcement Caucus, I congratulate Capt. Eugene Sweeney upon his retirement and wish him well with all future endeavors.

CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE SANTA BARBARA MENTAL HEALTH ASSOCIATION

HON. WALTER H. CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CAPPS. Mr. Speaker, I rise today to recognize the Santa Barbara Mental Health Association, which is located in my district and celebrates its 50th anniversary today. Historically, the needs of people with mental illness have often been neglected and forgotten. The Santa Barbara Mental Health Association was formed in 1947 by caring people who recognized the inadequacies in the care which mentally ill people received, and were determined never to allow these individuals to be ignored.

Today, the volunteers and staff of the association run two group homes and a drop-in center providing classes, support groups, meals, and a friendly atmosphere to mentally ill people. To the families of persons with mental illness, the association offers education and support services. The association also helps build understanding in the community by putting people in contact with, and educating them about, the challenges and triumphs of the mentally disabled.

Mr. Speaker, I would also like to take a moment to thank my dear friend Tom Rogers who will be honored by the Mental Health Association for his years of dedicated service and outstanding achievement on behalf of persons with mental illness. As a county supervisor and well-respected leader of our community, Tom Rogers has had the courage and ability to stand up and work for those people who most need a friend and advocate. And as everyone on the central coast knows, Mr. Speaker, Tom's courage and strength of spirit are shining brightly in the face of his own personal adversity.

Mr. Speaker, I ask that you join me today in commending Tom Rogers and the Santa Barbara Mental Health Association for their years of service to the community.

''HAPPY 200TH BIRTHDAY TO FELLOWSHIP LODGE''

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FRANK of Massachusetts. Mr. Speaker. One of the most interesting aspects of representing Massachusetts is our history as one of the original 13 States, and as a place where much of America began.

One great example of this is the Fellowship Lodge, A.F. & A.M. in Bridgewater, MA.

On June 15 this lodge will celebrate its 200th anniversary. On that day in 1797, the grand master of Masons in Massachusetts went to the town of Bridgewater to present a charter to Fellowship Lodge, and that same charter remains in Fellowship Lodge in Bridgewater today. Of particular interest is that the grand master who made that trip is a man who made another, more well known trip in Massachusetts 20 years earlier—Paul Revere. And the man who organized the petition drive to open a lodge of Masons in Bridgewater, Hector Orr, preceded myself and my House colleagues to Washington.

I congratulate the members of the lodge for their persistence in preserving this important part of our history. Massachusetts flourishes in part because our citizens recognize the value of maintaining our strong historical traditions even as we are pioneers in so many breakthrough technologies. It is I think of great note that the town of Bridgewater is the home both of this 200-year-old lodge, begun with a charter by Paul Revere when he was grand master

of Masons, and also the John Joseph Moakley Technology Center at Bridgewater State College, which is a state-of-the-art facility helping residents of the area master the latest in telecommunications skills. Mr. Speaker I ask that the history of this lodge, written by Luther Hayden, Jr., be printed here as an important example of how a community can nurture and be nurtured by its history.

HISTORICAL HIGHLIGHTS—1797–1972

(By Worshipful Luther L. Hayden, Jr.)

The first record of any movement toward the formation of the Lodge bears the date of October 1, 1796. At that time, a group of Masons of the old town of Bridgewater, desirous of having a meeting-place at or near their place of abode, appointed a committee to present a petition to the nearest Lodge. The petition was signed by Hector Orr, Charles Angier, Josiah Otis, Noah Fearing, Isaac Lazell, Nathan Lazeli, and Joseph Lazell. It was presented to Orphan's Hope Lodge of Weymouth, asking for a recommendation to the Most Worshipful Grand Lodge that it grant a charter for a lodge in Bridgewater, to be called Fellowship Lodge.

The first meeting of which we have a record was held at the home of Brother Hector Orr, in the East Parish of Bridgewater, on June 30, 1797. On October 2, officers of The Grand Lodge of Masons in Massachusetts came to Bridgewater, and at that time Most Worshipful Paul Revere consecrated and constituted Fellowship Lodge.

The charter of Fellowship Lodge is dated June 15, 1797, and is worthy of special mention. It is signed by Most Worshipful Paul Revere. During his term of office, twenty-three new lodges were formed, and several of these have their original charter. Fellowship Lodge is one of these.

In order to appreciate the period in which Fellowship Lodge was formed, it would be well to note what was happening in our country in 1797. George Washington had just completed his second term, and in March, 1797, John Adams, second president of the United States, had been inaugurated. The cornerstone of the first Capitol building in Washington had just been laid with elaborate Masonic ceremonies, in which George Washington took part. The Town of Bridgewater was composed of what is now Brockton, West Bridgewater, East Bridgewater and Bridgewater.

In 1835, due to the strong anti-Masonic feeling which prevailed throughout this nation, the Lodge voted to suspend its regular meetings. From 1835–1845, only one candidate received the degrees. The charter was never surrendered during this time. Tradition informs us that it was concealed in the caves of the Jonathan Ames house on South Street in West Bridgewater.

Regular meetings were resumed in September, 1845, and a period of lively Masonic activity took place. By 1868, 140 new members had been added to the rolls.

In 1869, Fellowship Lodge purchased its first permanent home, located on the site of the present Temple. In 1872, a third story was added to form the lodge room which many of us came to know so well.

On June 15, 1897, the 100th Anniversary was observed. Apparently the whole town participated, for a newspaper list of decorated buildings includes practically all public and commercial buildings, as well as many homes. The Most Worshipful Grand Master, Most Worshipful Charles G. Hutchinson, and many members of Grand Lodge were in attendance. After an hour-long parade, an anniversary meeting was held, followed by a banquet. the Reverend Dr. George C. Lorimer, minister of Tremont Temple, delivered the principal address. One report states that over 800 attended.

In 1922, the 125th Anniversary was observed with a church service, ladies' night, and a commemorative communication. The grand Lodge was represented by the Right Worshipful Senior Grand Warden.

In 1936, according to Right Worshipful Herbert K. Pratt, ''the Lodge was swept with a wave of dramatic fervor.'' The Fellowship Players were organized, and for several years a different play by Worshipful Carl H. Claudy was produced annually. Invitations were received from far and wide, and the Players traveled from Provincetown to Boston, appearing before an estimated ten thousand Masons. During World War II. the Players submerged, but every now and then they surface, upon request, to reenact their perennial favorite ''A Rose on The Altar.''

On June 15, 1947, the Lodge celebrated its 150th Anniversary with church services and a special communication. Most Worshipful Samuel H. Wragg and several other Grand Lodge officers were our guests. The observance ended with a banquet at the Albert Gardner Boyden Gymnasium.

At the February 24, 1964 meeting of the Lodge, a committee was appointed to look into the advisability of either remodeling the lodge building or erecting a new Temple. For a number of years it had become increasingly apparent that extensive repairs would have to be made to the old structure, which had been the home of Fellowship lodge for nearly 100 years. The building was structurally weak and the lodge room on the third floor was a potential firetrap. After considerable study, by this committee and others that follows, at the May 2, 1996 meeting, erection of a new building on the same site was recommended and it was voted to proceed with the project.

The building committee then set to work in earnest. A brochure was prepared showing plans for the proposed new Temple, and at the June 6th communication a drive for funds was initiated, with Brother Thomas Carroll, our oldest member, making the first contribution. Arrangements were made for the Lodge to meet in the quarters of Satucket Lodge in East Bridgewaterr. Late in July, demolition of the old building was begun. Construction proceeded with few interruptions, and by the fall of 1967 the building was ready for occupancy.

September 7, 1967, was a Red Letter Day in the history of Fellowship Lodge. On that day, officers of the Most Worshipful Grand Lodge of Masons in Massachusetts came to Bridgewater, and Most Worshipful Thomas A. Booth presided over the laying of the cornerstone and dedication of the new Temple. Masons from far and near taxed the capacity of the lodge room to participate in the traditional Masonic ceremonies. Then, on April 3, 1968, a mortgage-burning ceremony proclaimed the Lodge's freedom from encumberances. Thus, the hopes and plans of Fellowship Lodge came to fruition, and another page added to the story of Masonry in Bridgewater.

No account of the building of the Temple would be complete without credit being given to those whose efforts and contributions made it possible. First, to the Building Committee, who labored so tirelessly for a period of more than two years, studying, planning, and finally supervising the building construction. Second, to all those who subscribed so generously to the drive for funds. Third, to the memory of those whose gifts and bequests were largely responsible for our being able to build without incurring indebtedness: namely, Brothers Elmer Edson Kimball and John Gardner Braman; Paul Revere, great-grandson of the signer of our charter; Mrs. Flora T. Little, widow of Brother Walter S. Little; and Mrs. Eleanor G. Reynolds, daughter of Brother Harry H. Bragdon, Lodge treasurer for thirty-nine years. To these, and many others, Fellowship Lodge owes a debt of undying gratitude.

For 175 years, Fellowship Lodge has survived through wars, depressions and the anti-Masonic period, and has prospered. It has become a recognized and respected influence for good in the community. As a unit of a great Fraternity, international in its scope, we should like to feel that it has played its part in the promotion of Brotherly Love, Relief and Truth to all men ''whereever dispersed over the face of this earth.'' May God grant that its future be as bright as its past.

TRIBUTE TO DARLENE REINKEMEYER

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BLUNT. Mr. Speaker, Darlene Reinkemeyer became executive director of the Missouri Funeral Directors Association in 1992 and almost immediately members noticed something had changed for the better.

With Darlene's directing, memberships increased sharply, membership services tripled, and the association's programs for continuing education seminars, licensure, and professional development were enhanced and scheduled on a more frequent basis.

The MFDA Newsletter took on a new life with added information and diverse advertising. The newsletter is now regarded as one of the best in the country.

Reinkemeyer was a key figure in restoring credibility to the Missouri Funeral Trust by developing effective contracts, folders, and forms and implementing a computerized record keeping system that gave the system new accountability, and reduced costs. The MFT now manages $30 million. The system Reinkemeyer authored has been copied in other States.

Darlene also put the Missouri Funeral Directors Association into the information age, too. The MFDA is on the Internet and its offices are computerized. In the last year, she was instrumental in providing the MDFA with new offices and headquarters building. The Association, with Reinkemeyer at the helm, is financially stable with a sound process of planning and acquisition of assets and capital improvements.

Darlene Reinkemeyer has decided to leave her position, and funeral home directors in Missouri will miss her. Her efforts have improved the profession in Missouri to the benefit of those persons who need their services in times of great bereavement. We wish Darlene Reinkemeyer the very best in her pursuits.

HONORING RAY L. TURNER

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ROEMER. Mr. Speaker, it is a great honor to rise today in appreciation of Mr. Ray L. Turner, a loyal and dedicated friend who has been named the Indiana School Social

Worker of the Year for 1997. It is truly an honor for me to recognize Ray, who has consistently demonstrated generosity and selfless dedication to the children of northern Indiana.

As the school social worker at Harrison Elementary School in South Bend, IN, Ray has dedicated himself to promoting the academic and social advancement of students in a host of important areas including home visits, crisis prevention, and an innovative approach known as early intervention, which Ray designed and is now in the second year of implementing. The objective of this unique method is to apply prevention and early intervention strategies for elementary school children to reduce suspensions and promote parental involvement. For the current school year, Ray also assumed primary responsibility for the design and implementation for the Harrison School's ''Enrichment After School Program.''

Ray received an undergraduate degree in philosophy from the University of Notre Dame in 1973. He also received a masters degree in elementary education from Indiana University in 1975 and a masters degree in social work from Western Michigan University in 1978. Ray has also completed all coursework and examinations for Western University's Education Leadership Doctoral Program.

Ray's awards and achievements are numerous and illustrate an extensive and distinguished career in assisting children. In addition to being named Indiana's School Social Worker of the Year, Ray has also been named the local Social Worker of the Year for South Bend Schools and Teacher of the Year at Harrison Elementary School in 1996 and 1997. Additionally, Ray was awarded the Martin Luther King Community Service Award in January 1997, the Co-Social Worker of the Year for South Bend Schools in 1995 and 1996, and the UCAADA Community Service Award in August 1994.

Mr. Speaker, I am especially proud to recognize Ray's achievement in establishing a regional site for the Indiana Chapter's Books for Kids Foundation in 1996. This innovative program focuses on early literacy as a critical part of the foundation from which a child learns and improves in mind and spirit, and becomes a contributing member of the family and the community. As a member of the House Committee on Education and the Workforce, my efforts to provide greater opportunity for young people are significantly bolstered by the contributions of selfless individuals like Ray Turner, whose ongoing contributions continue to provide an unrivaled source of inspiration and motivation for America's youth.

Mr. Speaker, Ray Turner is a shining example of the importance of our Nation's outstanding teachers and social workers, whose tireless contributions provide an invaluable service to our community. I am confident that Ray will continue to play a constructive and important role in influencing the lives of children and all of those who come into contact with him.

CONGRATULATIONS TO THE CARMELITOS PUBLIC HOUSING DEVELOPMENT

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. HORN. Mr. Speaker, I rise today to praise the Carmelitos public housing development, located in North Long Beach. It wasn't long ago that a public housing site in my district of Long Beach epitomized what is wrong with public housing today. Crime-ridden neighborhoods and rundown units plagued families living in this community. Today, the Carmelitos public housing development is a bonafide success story, due in part to one program making a difference in its public housing residents' lives—the Growing Experience. The Growing Experience is a year-long training program open to county public housing residents to prepare them for landscape business development and employment. The project is improving the quality of life for public housing residents by providing strong job training and educational opportunities that lead to self-sufficiency. Since the program's inception in April 1996, one-third of the resident trainees have moved out of public housing and into private residences. Clearly, the Growing Experience is proof that a chronically unemployed community can transform itself into a community that embraces work.

I am proud to announce that the Growing Experience, a program of the Los Angeles County Community Development Commission, was named a semifinalist in the Ford Foundation's 1997 Innovations in American Government Awards competition. One of the Nation's most prestigious public-service prizes, the Innovations Awards recognize governmental initiatives that provide creative solutions to social and economic problems. Being named a semifinalist in this competition underlines what those of us in Los Angeles County have known for the last year—that Carmelitos is a pioneer in helping people to help themselves.

I congratulate the Carmelitos housing development and the Los Angeles Community Development Commission for its recognition in this national competition. Carmelitos is a prime example of defining a program's success by how many people graduate to self-sufficiency and no longer need its assistance.

PERSONAL EXPLANATION

HON. SONNY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BONO. Mr. Speaker, I am writing to clarify my position regarding the Employment, Training, and Literacy Enhancement Act of 1997, H.R. 1385. Regrettably, on May 16, 1997, my vote on final passage of this legislation was improperly recorded, rollcall vote No. 138. Let the record show that it was my intent to vote ''nay'' on final passage in accord with my position opposing this bill. While I appreciate the efforts of my colleagues in this endeavor, I deeply feel this is a wrong direction for us to turn. Thank you for recognizing my position regarding these important matters.

PERSONAL EXPLANATION

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LoBIONDO. Mr. Speaker, I seek recognition to speak out of order. Mr. Speaker, last Friday, May 16, my wife fulfilled a lifelong dream. Having stayed at home to raise our two children, my wife had recently returned to school to get her degree in education. Last Friday, she achieved that goal in a commencement ceremony at Rowan University in my district. I could not be more proud of her.

Needless to say, because I attended my wife's commencement I was unable to attend Friday's session and was therefore forced to miss votes that day. However, I wish to submit for the record that had I been present, I would have voted ''no'' on the Owens amendment, and ''yes'' on final passage of the bill H.R. 1385.

CONGRATULATIONS TO RON MOLENDYK

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CALVERT. Mr. Speaker, I am here today to acknowledge the outstanding career of Ron Molendyk. Mr. Molendyk, who has announced his retirement, serves as the city manager for the city of Lake Elsinore, CA. Having worked with Mr. Molendyk for many years, I am truly sorry to hear this pillar of the community say goodbye. However, I am extremely pleased to see a long life of hard work be rewarded with the celebration of retirement.

Mr. Molendyk has served in municipal government for 35 years and he has been dedicated to the city of Lake Elsinore for 13 years. He began his career as the recreation leader for the city of Buena Park. He then moved on to become area supervisor for the recreations and parks department for the city of Long Beach, director of recreation and parks for the city of Bell, director of community services for the city of Brea and the traffic commissioner for the city of Placentia. Drive, determination, and many years of experience paid off for Mr. Molendyk when he was hired as the city manager/city clerk for the city of Rolling Hills and then, later, as the city manager for the city of Lake Elsinore.

The position of city manager incorporates all of the requirements of a corporate administrator, as well as the responsibility of providing leadership and representation to the community on behalf of the city council and staff. As city manager, Mr. Molendyk has served as the negotiator to bring commercial and residential development to the city of Lake Elsinore. To emphasize the priceless asset of the city, the lake, Mr. Molendyk has been a leader in the development of recreation and tourism.

He has also been the key contact for relations between the city and other levels of government. On many occasions, Mr. Molendyk has been the liaison for my office when addressing city issues affected by the Federal Government, such as flood control, transportation, and the environment. His knowledge of and passion for the city of Lake Elsinore has been a vital asset to me during my first two terms as the congressional representative for the Elsinore Valley.

Mr. Molendyk received his bachelor of arts in recreation and master of science in administration from California State University, Long Beach. He is a member of the International City Managers' Association, Inland Empire

City Managers' Association, California Parks and Recreation Society, Rotary International, Lambda Alpha and Community Redevelopment Association.

I would like to take the opportunity to say thank you to Mr. Molendyk for his dedication, influence and involvement in our community. He has served as a fine representative of municipal government. It is a great pleasure for me to congratulate Mr. Ron Molendyk on his outstanding career and offer my best wishes for continued success in his future endeavors.

HAPPY 50TH ANNIVERSARY TO WNAM–AM

HON. JAY W. JOHNSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. JOHNSON of Wisconsin. Mr. Speaker, I rise today to honor broadcasting excellence and the 50th anniversary of WNAM–AM in Neenah, WI.

Friday, May 23, 1997, will mark 50 years that WNAM has provided information and entertainment to residents of the Fox Valley, an invaluable public service. WNAM Radio, whose call letters reflect Neenah and Menasha, is one of the oldest radio voices in northeast Wisconsin. As such, it has provided a continuous record of the history of radio as it emerged across the Nation. From the old days of network radio soap operas to the veteran broadcasting personality Ron Ross, who holds forth every morning on the air, WNAM has been a constant radio companion to thousands of listeners at 1280 on their AM radio dial.

Every day, listeners tune in to WNAM to hear hourly local, regional, State, and national news. And, of course, it is the place to hear Frank Sinatra, Nat King Cole, the McGuire and Andrews Sisters, and many other popular entertainers.

As a former broadcaster myself and as someone who knows the hard work and dedication it takes to operate, maintain, and continue great programming on a radio station, I want to thank WNAM for their service to Wisconsin and I wish them many more years of excellence on the radio.

Mr. Speaker, I ask my colleagues to help me honor WNAM and wish them a hearty happy 50th anniversary.

CONGRATULATIONS TO MR. NATHANIEL MORRELL AND THE STUDENTS OF E.W. CLARK HIGH SCHOOL

HON. JOHN E. ENSIGN

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ENSIGN. Mr. Speaker, I would like to bring my colleagues' attention to the tremendous accomplishments of an outstanding teacher, Mr. Nathaniel Morrell, and group of young students from E.W. Clark High School in Las Vegas, NV.

Recently, Mr. Morrell's class won the Nevada State competition sponsored by the Center for Civic Education. The competition tested students on their knowledge of the Constitution. For their efforts, Mr. Morrell's class represented the State of Nevada at the national finals which were held in Washington, DC. At the national finals, Mr. Morrell's class was further distinguished when they were recognized as the best nonfinalist team from the Western States region.

Through this competition, each student demonstrated his or her knowledge of the Constitution before simulated congressional committees made of constitutional scholars, lawyers, journalists, and government leaders. Unfortunately, for too many Americans understanding the Constitution and appreciating the protection of liberty it affords us is a duty left unrealized. However, with the example of young students devoting their free time to participate in a scholarly competition, I am confident that our Nation will have the leadership to take us into the 21st century and increase our collective knowledge of one of the most revolutionary documents in human history.

I would like to offer my congratulations to Mr. Morrell, Scott Bernth, William Britton, Dana Buck, Scott Collins, Marci Conant, Jill Conk, Gina Eusanio, Desiree Evans, Brenna Flood, Neeloufar Gharavi, Michael Grizzaffi, April Jones, Parminder Kang, Sioh Lee, Cassie Martin, Jesseca Master, Andreas Mauer, Chairat Meevsin, Nicholas North, Jennifer Patterson, Charles Posnecker, Scott Pringle, Yoan Rodriguez, Jeffrey Sherman, David Simpson, Michael Sweker, Jack Tomassian, Benjamin Tripoli, Brianna Winters, Michael Wucinich, and Kate Raby. Nevadans are very proud of their achievement.

Mr. Speaker, I applaud these young Americans and the Center for Civic Education for their months of hard work. Mr. Morrell and his class will undoubtedly treasure this experience for a lifetime.

H.R. 1702, THE COMMERCIAL SPACE ACT OF 1997

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SENSENBRENNER. Mr. Speaker, the United States is a country built by the sweat, ingenuity, successes, and failure of its people, not its Government. Our history was written well outside of Washington, before the beltway was ever constructed. The American model of progress is one that draws on the skills, energy, and honest work of our citizens. It is a model in which Government ultimately plays a subordinate role.

Sometimes we forget that when it comes to outer space. Because the Government put a man on the Moon, some supporters of space development have thought that only Government was capable of developing this newest frontier. But this is the wrong mindset to have in a country that does not revolve around Washington and whose energies must not be trapped by the gravity well of Federal deficits. If we expect, or accept, that Government will do for us in space what the American people did for themselves in developing this country, then we will have lost the vision of our Founding Fathers. We will have ceased to be American.

Fortunately, the can-do attitude that built this country still exists beyond the beltway, and even in many corners of Washington. There are legions of citizens who don't work for the Government or a government contractor, but who are opening our next frontier in outer space. They're using their own sweat, their own creativity, their own insight, and their own money to create one of the fastest growing areas of commercial activity in this country: commercial space. In 1995, the commercial space industry generated $7.5 billion in revenue. For the last decade, it has been one of our fastest growing industries and has proven relatively recession-proof.

Today, commercial space businesses are employing thousands of people in various commercial activities, including communications, space launch, remote sensing applications, and navigation. The services are growing by leaps and bounds, as is U.S. employment in the industry. We use communication satellites launched on commercial rockets to make international calls for a fraction of the cost we paid decades ago. We have a commercial sector investing in new rockets to lower the costs of getting to space. We have companies investing in new space instruments to do the kind of research that pays immeasurable returns in the outyears. We have remote sensing applications companies using space imagery to better understand flooding and more realistically estimate damage.

Tomorrow, we can look forward to an explosion in remote sensing after the first privately financed satellites are launched this year. We can look forward to an explosion in communication services, as companies fill low- and medium-Earth orbits with constellations of communication satellites. We can look forward to cheap access to space that is an order of magnitude less costly and more reliable than today's ballistic vehicles. We may even look forward to space tourism, which NASA is already studying in a joint venture with industry.

The American people have spoken on this issue. We value commercial space. We want it to succeed. We want to participate in opening the space frontier. Over the past decade, the Science Committee had led the way under Republican and Democratic management to pass the legislation necessary to enable these industries to succeed, with bills ranging from the original Commercial Space Launch Act of 1984 to the Land Remote Sensing Policy Act of 1992. Over the past decade, the office of the President—whether it was held by Republicans or Democrats—has developed and imposed policies intended to expand the ability of the commercial sector to lead this country in space. None of these initiatives required a new government program. Instead of spending money, we've saved it by expanding the technical and industrial base for space. We've saved money by reducing the amount of overhead that Government has to pay on its own. We've saved money by creating new jobs, new technologies, new expertise, and new capabilities that tax dollars didn't have to pay for. These benefits are so simple, and so direct, that America's elected officials have supported them regardless of party, whether they are in the White House or in the Congress. We've done, in legislation, the things that the American people have asked for, we're moving Government out of the way.

But the job is not done. We've heard it from constituents and we've experienced it ourselves: The Federal bureaucracy does not always apply law or policy in the manner that

the Congress and the White House intend. Instead of serving the Nation's interest in promoting commercial space, bureaucracies serve their self-interest in expanding turf, accreting regulatory power, and stifling creativity. The bill I am introducing today reverses the increasing bureaucratization of commercial space and the tendency by the Government to grow and stifle this industry. The Commercial Space Act of 1997 levers the legislative and regulatory process for space launch, space reentry, and remote sensing back to the track it was meant to be on when Congress enacted and the White House approved commercial space legislation.

We designed this bill around the Clinton administration's space policies, in particular, as they relate to remote sensing, space transportation, and navigation from space. We designed this bill around those policies because they are good policies. They strike an appropriate balance among our Nation's interest in promoting commercial space activity, creating high-tech jobs, protecting our national security, preserving the public safety, and increasing our technical competitiveness. We've insisted that Federal agencies and departments do the things they are obligated to do. We've strengthened some of the policies and set specific limits on the power and authority of the Federal Government. By taking these steps, we're creating a stable business environment in which the commercial sector can raise capital, develop a business plan, hire employees, and offer a space good or service with the expectation that the Government won't keep changing the rules.

The bill does several things, but let me limit my comments to the highlights.

First, we direct NASA to study the prospects for commercial development, augmentation, or servicing of the international space station, including the funds that we might save through greater commercial involvement.

Second, we amend the Commercial Space Launch Act to give the commercial sector the legal ability to reenter Earth's atmosphere and return space payloads to Earth. This is a vital portion of the bill, as a handful of companies are building commercial reusable launch vehicles which will need to reenter Earth's atmosphere and land after delivering their payloads to orbit. NASA's own X–33 program is leading technology in this direction, so Congress and the White House must act soon to make commercial reentry from space legal.

Third, the bill confirms and supports the President's policies on the global positioning system [GPS]. GPS is a space-based system that people can use to determine their precise position on Earth. Although it is a military system, the Reagan administration decided a decade ago that its signal would be available to civilian users. Since then, the civil and commercial uses of GPS have exploded. According to a RAND Corp. study, the global market for nonmilitary GPS goods and services could reach $8.47 billion by the year 2000. Other governments are considering entering this area of space activity. Because our national security and economic interests are better served if the U.S. system becomes the world standard, the bill encourages the President to enter into regional agreements with foreign governments to secure the U.S. GPS as the world's standard. This encouragement will strengthen the administration's negotiating position by presenting a united front overseas without tying its hands to reach the best agreement.

Fourth, the bill streamlines the process of obtaining a license to operate a commercial remote sensing satellite. The Government has issued seven licenses to the industry to image the Earth from space, enabling our commercial sector to compete with a host of corporate, government, and quasi-private entities from other countries seeking to dominate global remote sensing markets. U.S. leadership of this industry is crucial if we are to ensure that its benefits accrue to Americans and that the global industry remains under the control of the United States. If we allow foreign entities to lead the industry, then we will lose insight into and control over the use of high-resolution remote sensing imagery during times of crisis. This bill lays the foundation to ensure that American industry can set the pace of technical change in the industry so that we do not cede control over it to another country.

Fifth, the bill requires the Government to procure commercial space transportation services, instead of buying rockets. When the aviation industry began in this country, the Government procured air mail services from the commercial sector, allowing the market to determine the pace of innovation in the industry. The results of this decision made America's aeronautics industry the world's leader in just a few decades. We need to do the same thing for space and bring market mechanisms into the process of launching Government payloads. The bill does make appropriate exceptions, including giving the Defense Department considerable discretion in areas of national security.

This bill is based on legislation, H.R. 3936, that the House passed under suspension last year. That bill had broad bipartisan support and we worked very closely with the administration to ensure that it was consistent with President Clinton's objectives. After all, the President's policies help achieve our goals. This is one area where there is very little political disagreement. In the end, a Republican Congress and a Democratic White House can look back on a spirit of cooperation among the Nation's elected officials last year. The bill didn't become law because it was sent to the Senate in the waning days of the 104th Congress. By sending this bill to the Senate during the first session of the 105th Congress, we will be giving the Senators enough time to review and pass the bill. I hope that we can maintain the same level of cooperation and compromise as we experienced last year. Just as we worked on a bipartisan basis in the House last year, and just as we worked with the administration to move the bill forward, I am looking forward to working with the bill's supporters in the Senate this Congress.

As important as this bill is, it is not the last and final word on commercial space development or Government's role in it. It takes several very solid, but incremental steps down the path the American people have said they want to go. The changes we are making here are vital to providing the stable business environment that any young and growing industry needs to expand. To paraphrase Neil Armstrong as he leapt to the lunar surface 28 years ago, these small steps add up to one giant leap.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 1998

SPEECH OF

HON. WALTER H. CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (H. Con. Res. 84) establishing the Congressional budget for the U.S. Government for the fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, and 2002.

Mr. CAPPS. Mr. Chairman, I rise today in support of the budget resolution. Though I have strong doubts about some of its provisions and fully oppose others, I am confident that this budget is, on balance, in the best interest of my constituents and the country.

This budget is a victory for fiscal responsibility. It offers sensible tax relief while increasing our commitment to education, health and environmental protection—all while achieving a balanced budget by 2002.

The capital gains tax reductions will help small businesses, family farms and high-tech companies throughout this country. Lower interest rates will free up capital, allow greater expansion for growing sectors of our economy, and reward risk-taking entrepreneurs. The likely $500,000 exemption of profits from home sales will encourage home ownership and give many taxpayers flexibility with their largest financial asset.

I am particularly pleased that the new budget proposal calls for the strongest Federal support of education in 30 years. It strengthens the Head Start program to include an additional 200,000 young children by 2002 and provides for 1 million tutors for older students who need help catching up. The expansion of the Pell Grant programs and $35 billion in education tax credits will increase access for working families and their children to help them help themselves through the wonders of higher education.

I believe in welfare reform, but I opposed the rank unfairness in last year's bill that sought to end all benefits to legal immigrants. The provisions to restore benefits to elderly disabled legal immigrants will help impart some fairness to welfare reform. I also support the tax incentives for businesses to help increase welfare-to-work opportunities.

This budget also restores health insurance for half of our Nation's 10 million uninsured children. While this is a good start, we must do more. No child in this country should be without health insurance. We should see this provision as a start in addressing this critical need throughout our country.

As the Representatives of one of the most beautiful districts in the Nation, I am pleased that the agreement also provides funding to double the pace of cleanup at Superfund toxic waste sites; increases funding for community redevelopment of contaminated urban areas (so called ''brown fields''); and increases funding for ensuring the beauty of our National Parks.

But like many of my colleagues here today, I am concerned about the amount of savings—$155 billion—to the Medicare program. These cuts will force a rise in seniors' premiums of perhaps more than $5 per month by

the year 2002 and put additional financial burdens on physicians and hospitals. I fear that such deep cuts could do serious damage to the quality of health care provided to seniors and I hope that we can work together here in the House to ensure that these cuts are done as responsibly as possible.

In addition, there are many wasteful Government programs that were not included in the agreement that could save billions of taxpayer dollars and lessen the cuts to important programs like Medicare.

For example, mining laws are still governed by a law written in 1872, which gives away billions of dollars in mineral rights on taxpayer land for almost nothing. The Congressional Budget Office estimates that updating this law would save $1.5 billion over 5 years and protect the environment. We also continue to subsidize the building of roads in our national forests and to sell taxpayer-owned timber at below market rates, at a cost of $300 million annually. Subsidies for the cotton and sugar programs cost taxpayers billions each year.

I also have questions about the Pentagon's budget. While I am a strong supporter of our armed services, we must subject the Pentagon's $263 billion annual budget to the same scrutiny at the rest of the Federal Government.

As with any major piece of Federal legislation that covers such a broad range of issues, there is a lot to like and dislike about the proposed budget agreement. But we must not succumb to the temptation to abandon the process because there may be particular provisions with which we disagree.

I believe that we must return a measure of civility to our public discourse. We mustn't fall into the abyss that the last Congress found itself in. Only by speaking with one another in a civil and honorable fashion can we hope to accomplish what the people of all our districts have sent us here to do.

Republicans and Democrats will not work in a bipartisan fashion on every issue, nor do I believe that they should. While there are distinct differences between our two parties, these disagreements should be seen as an illustration of the strength of our democracy. But we cannot let these differences stand in the way of making compromises that move our country forward, and Congress should not return to the frustrating and unproductive days of the recent past.

This budget resolution breaks the choke hold of partisan rancor that has been squeezing civility from our political life. This agreement is clear evidence that only by working together in a bipartisan fashion can we bring about solutions to very complex issues.

I urge my colleagues to support this budget resolution.

TRIBUTE TO THE STEPHANOPOULOS FAMILY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. MALONEY. Mr. Speaker, I rise today in honor of a family that has demonstrated an unfaltering commitment to community service. Tonight, the annual Neighborhood Coalition for Shelter [NCS] will honor the Stephanopoulos family at a Greek festival benefit in Manhattan.

Rev. Dr. Robert Stephanopoulos, a priest of the Greek Orthodox Archdiocese of America for 38 years, has been dean of the Creek Orthodox Archdiocesan Cathedral of the Holy Trinity since 1982. He is renowned ecumenist, theologian, lecturer, and pastor and has developed innovative social outreach programs in the greater Catholic community.

Nikki Stephanopoulos has dedicated much of her life to volunteer service. As a founding member of NCS, she has served on its board for 10 years; she is also the news and information officer of the Greek Orthodox Archdiocese.

Father Robert and Nikk's children are just as dedicated to social causes as their parents. Anastasia spent a year in Santiago, Chile, as a housemother for orphans and assisting in the administration of a school for children under the aegis of a Orthodox convent. Anastasia is now a nun at Convent of St. May Magdalene, situated in the slope of the Mount of Olives in the Garden of Gethsemene.

George, former senior advisor to President Clinton, is now a professor at Columbia University, an ABC news analyst and a Newsweek contributing columnist. He has spent two 6 week period working at refugee camps in the Sudan. Since his undergraduate days at Columbia University, George has participated in the Big Brother Program and other philanthropic efforts in New York and Washington.

Marguarite is an active member of Sts. Constantine and Helen Cathedral in Cleveland, OH, where she served for many years on the board of trustees and for 5 years, chaired their 3-day Greek festival which attracted thousands of visitors every year. Marguarite recently became the office manager for an orthopedic surgeon at Lenox Hill Hospital in Manhattan.

Andrew, who is currently vice president/A&R for the Track Factory, was very involved in the Rock The Vote campaign during the first Clinton campaign. During the campaign, he assisted in providing music for college events; following the election, he attended the signing of the motor-voter bill at the White House.

Mr. Speaker, I ask my colleagues to rise with me in this tribute to the Stephanopoulos family. The Neighborhood Coalition for Shelter, whose benefit theme is ''One Caring Family Can Make A Difference,'' has chosen an exemplary family to illustrate how one family can have an extraordinary impact on the lives of people in need. Thank you.

SPORTSMEN'S BILL OF RIGHTS

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce the Sportsmen's Bill of Rights. I am joined today by Representatives JOHN TANNER (TN), DON YOUNG (AK), SAXBY CHAMBLISS (GA), COLLIN PETERSON (MN), BOB SMITH (OR), RICHARD POMBO (CA), VIRGIL GOODE (VA), RICK HILL (MT), JAMES BARCIA (MI), and CHRIS JOHN (LA).

THE SPORTSMEN'S BILL OF RIGHTS

The Sportsmen's Bill of Rights is intended to provide a clear policy for Federal agencies to follow in their administration and management of our Federal public lands. This policy is for Federal agencies, within the limits of the statutes that they administer, to allow access to the Federal public lands under their jurisdiction for the purpose of fishing and hunting. The policy also requires that in the administration of their authorities, the Federal agencies act so as to improve and enhance the quality of fishing and hunting opportunities on the Federal public lands.

The bill contains several exceptions and exclusions to take into account emergency situations, national security concerns, public safety, and accepted management practices. In particular, the bill cannot be used to force the opening of national parks and monuments administered by the National Park Service to fishing or hunting. Nor can it be used to force Federal agencies to change management mandates and priorities established by statute. Its intent is to guide the Federal land managing agencies in those areas where the basic authorizing legislation for management of a particular unit leaves room for discretion and judgment by the agency.

The policy established by this bill is driven by the recognition of the important role fishing and hunting play in America. Both are recreational activities for millions of Americans. They are also the driving forces in fish and wildlife conservation. With the growing urbanization that our country has gone through in the 20th century, Americans have separated from our connection with and understanding of the fishing and hunting activities of our great pioneers and settlers. But fishing and hunting are important recreational activities for almost 75 million people. Sportsmen spend more than $48 billion every year on their outdoor recreation, supporting more than 1.3 million U.S. jobs. In addition, the enthusiasm of anglers and hunters for preserving their outdoor heritage was tapped 60 years ago to create a system for wildlife conservation recognized worldwide for its success at bringing back many species that were decimated during the 19th century.

Over 60 million Americans go fishing each year. Fishing activities range from the excitement of opening day in lakes and trout streams to the regular jaunts of parent and child to their favorite fishing hole, where they can relax and get away from the pace of modern life. Hunting is done by 14 million Americans, who take to the woods in the autumn to put venison in the larder or call the elusive turkey gobbler in the spring. For the individual, fishing and hunting bring out the qualities of independence and self-reliance that were so important to our forefathers. In their modern versions, fishing and hunting also require participants to be law-abiding and ethical good citizens of their communities. These are important values to retain and to inoculate in our children.

To a great extent, fishing and hunting are pursued by so many people because of their outdoors aspects. Since most people live in an urban or suburban environment, a visit to the woods, the fields or fishing streams is an important contact with the land. Fishing and hunting carries this contact a step further than other outdoor activities, because in addition to knowing how to get along in the outdoors, fisherman and hunters must have a knowledge of the fish and wildlife they pursue and their place in the environment. Together, the love of the outdoors and the understanding of

fish, wildlife, and the environment make anglers and hunters important advocates for conservation. It is their critical interests that are affected whenever something threatens our fish and wildlife resources or the habitats in which they depend.

PITTMAN-ROBERTSON FUNDING

Most people are aware that President Teddy Roosevelt, an avid hunter and fisherman, launched America on its road to modern conservation. But not many people are aware that this year is the 60th anniversary of the most important piece of legislation in wildlife conservation in the world, the Pittman-Robertson Act.

Pittman-Robertson, or P-R, was sponsored and endorsed by anglers and hunters to assure funding for fish and wildlife management by the States. It came at a time when America was still recovering from the Depression. For that reason alone, P-R was a remarkable act of sacrifice in the recovery and conservation of fish and wildlife. But what is most remarkable about P-R is its record of accomplishment. The partnership between the capabilities of the State fish and wildlife agencies and the funds provided by P-R, are clearly responsible for bringing back many species that were on their way to extinction. For example, at the beginning of the century, the white-tailed deer was nearly extinct in most places. Today it is so numerous in some parts of the country that it is considered a problem. The wild turkey, beaver, black bear, elk, pronghorn antelope, and many other species have also been brought back to healthy levels thanks to the Federal-State partnership through P-R.

The role of anglers and hunters in making P-R worked was twofold. First, anglers and hunters joined the manufacturers who supply them with equipment to develop, sponsor, and support this revolutionary legislation. Second, and most important, anglers and hunters willingly pay the excise taxes created by P-R. These taxes, in conjunction with the taxes paid by later laws modeled on P-R—the Dingell-Johnson Act and the Wallop-Breaux Act—today raise $357 million annually for wildlife restoration.

This tax money is held in a special fund and is apportioned to the States each year on the basis of approved projects that contain matching State funds. Sports men and women have jealously guarded these funds to assure that the money goes to the conservation of fish and wildlife. As a result, the United States is a world leader in conservation. This industrialized Nation has managed to restore much of its abundant original heritage of fish and wildlife. The United States has both a large human population, world class industrial base, and a wide diversity of healthy fish and wildlife populations and conserved and nurtured habitats.

REVIEW OF FEDERAL PUBLIC LANDS

The United States contains approximately 2.3 billion acres of land. Westward expansion brought the Federal Government ownership of over 80 percent of that land area. But over the years, more than 1.1 billion acres were given to the States and private sector. The following is a brief review of the agencies, authorities, and purpose of our Federal public lands:

The Bureau of Land Management [BLM], under the U.S. Department of the Interior, administers nearly 268 million acres—41 percent—of Federal lands. These lands are primarily managed under the Federal Land Policy and Management Act of 1976 [FLPMA] and the Public Rangelands Improvement Act of 1978 [PRIA]. Overall the BLM administers 521 recreation areas, 589 acres of critical environmental concern—9.5 million acres—99 research natural areas, 9 national conservation areas, and cooperates with the National Park Service in managing 43 national natural landmarks. the BLM mission is to manage the public lands primarily under a multiple-use regime on the basis of a sustained yield. BLM is also endowed to protect a variety of aspects of its lands, provide food and habitat for fish, wildlife, and domestic animals, and provide for outdoor recreation and human occupation and use.

The Forest Service, under the U.S. Department of Agriculture, administers nearly 192 million acres—29 percent—of the Federal lands in the National Forest System. These lands are primarily managed under the Forest and Rangeland Renewable Resources Planning Act of 1974 [RPA], as amended by the National Forest Management Act of 1976 [NFMA] and the Multiple-use Sustained-Yield Act of 1960. Overall the Forest Service administers 155 national forests, 20 national grasslands, and 103 other units such as land utilization projects, purchase units, and research and experimental area. There are also special congressional designated areas, including 13 national recreation areas, 2 national monuments, national volcanic monuments in Washington and Oregon, 15 wildlife preserves or game refuges, and numerous other sites. The Forest Service mission is to manage the public lands primarily on a multiple use, sustained yield basis, for outdoor recreation, range, timber, watershed and wildlife and fish purpose.

The U.S. Fish and Wildlife Service [FWS], under the U.S. Department of the Interior, administers nearly 92 million acres—13 percent—of the Federal lands in the National Wildlife Refuge System. These lands are primarily managed under the National Wildlife Refuge System Administration Act of 1966 and the Fish and Wildlife Act of 1956. Overall the FWS administers 511 national wildlife refuges, 174 waterfowl production areas, and 51 wildlife coordination units. Outside the National Wildlife Refuge System, the FWS also administers 24,000 acres in 23 research centers, 37 administrative sites and 84 fish hatcheries. The FWS manages most of the units with the primary purpose of wildlife and plant conservation, the specific purposes often are described in the status of executive orders which established individual refuges. Other uses such as fishing, hunting, grazing, timber or mineral use are allowed if comparable with the primary purpose of the refuge.

The National Park Service [NPS], under the Department of the Interior, administers nearly 78 million acres—12 percent—of the Federal lands in the 368 units of the National Parks System. These lands are managed primarily under the individual authorizing legislative enactments, including the Alaska National Interest Land Conservation Act of 1980 and the California Desert Protection Act of 1993, and the National Parks Organic Act of 1916, which established the National Park Service. The NPS specifically manages 55 units which are national parks. The remainder of the lands are scattered across 21 other kinds of designations, including national monuments, national recreation areas, national seashores, national lakeshores, national historic sites and national battlefields. The NPS primary purpose is to conserve, preserve, protect and interpret natural, cultural and historic resources for the public.

In addition, several Federal land designations are administered by more than one of the four major agencies. These are the National Wilderness Preservation System [NWPS], the National Trails Systems, the National Wild and Scenic Rivers System and the National Monuments.

The NWPS was established by the Wilderness Act of 1964, which designated 9.1 million acres administered by the Forest Service as wilderness. It also directed the Federal land managing agencies to study the lands under their jurisdiction and recommend lands to be set aside as wilderness. In 1980, the size of the wilderness system was tripled by lands designated under the Alaska National Interest Lands Conservation Act. In 1984, another 8.6 million acres were added with the designation of 21 wilderness areas administered by the Forest Service. The BLM set aside 26 million acres for review, and has recommended 10 million of those acres for designation as wilderness. The FWS administers 81 designated wilderness areas within 64 National Wildlife Refuges. In addition, the National Park Service has an additional 29 million acres being reviewed for wilderness status. Together the entire Wilderness System now has 104 million acres. Wilderness areas are kept in an undisturbed status with primitive recreation—unaided by motorized equipment—are the only allowed use.

The Sportmen's Bill of Rights will provide a uniform policy for management of this vast array of Federal public lands. I invite my colleagues to join me by cosponsoring this important legislation.

THE INTRODUCTION OF THE SPORTSMEN'S BILL OF RIGHTS

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. PETERSON of Minnesota. Mr. Speaker, I strongly support the Sportsmen's Bill of Rights. As an avid hunter and fisherman, I believe that the hunting and angling community serve as the backbone for the preservation, enhancement, and protection of natural and wildlife resources, Hunters and anglers are the foremost supporters of sound wildlife management and conservation practices in Minnesota and the rest of the United States. Funds raised through license, permit, and stamp purchases, as well as excise taxes on goods used by hunters and anglers have generated over $6,000,000,000 for wildlife research and management. Many wildlife opportunities would not exist today if these conservation efforts had not been created by hunters and anglers.

The right to hunt and fish is increasingly coming under attack. We are seeing broad based challenges to hunting and fishing, and hopefully this bill will set the standards for such challenges much higher. Traditional rights of hunters and anglers are continually attacked by various organizations whose sole aim it to outlaw these outdoor activities. This legislation is necessary to fend off opponents of hunting and fishing.

Minnesota has about 450,000 deer hunters—probably the largest per capita in the Nation, 100,000 small game and waterfowl, grouse and pheasant hunters, and 1.6 million licensed anglers in the State each year. Thus, hunting and fishing is a significant part of both the Minnesota tradition and this Nation's tradition.

This type of legislation is also being proposed and advocated in many States. For example, in 1996, the Minnesota State Senate approved a proposed amendment to the State constitution giving Minnesota residents a constitutional right to hunt and fish in the State.

Hunter-funded land acquisition efforts of State wildlife agencies support a broad spectrum of public recreation. With fishing and hunting generated moneys. States have secured millions of acres of land for wildlife conservation. Fishing and hunting expenditures in Minnesota alone generate millions of dollars toward conservation efforts.

Hunting also provides a mechanism to control wildlife in areas where human tolerance is limited, regarding damage to agricultural crops and vegetation, nuisance problems, and vehicle collisions. Wildlife-caused environmental problems and human conflicts can be decreased with animal damage management techniques subsidized by hunters and anglers.

The economic value of hunting and angling is indispensable in Minnesota, as well as other State's economies. Fishing and hunting expenditures in Minnesota total over $1.3 billion. Furthermore, close to half a million jobs are directly and indirectly supported by hunting.

The purpose of this legislation is to leave a legacy for future generations to enjoy the same rights to hunt and fish that the current generation enjoys today. With the trend towards increased urbanization, there is less and less access for people to really enjoy the outdoors. Recreational hunting and fishing strengthens family bonds and personal relationships. These sporting activities often bring parents and children together. The Sportsmen's Bill of Rights Act is crucial to ensure future generations of sportsmen, women, and children the opportunity to enjoy the same wildlife benefits and educational opportunities that have previously been enjoyed.

IN CELEBRATION OF THE DOW CHEMICAL CO'S CENTENNIAL ANNIVERSARY

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CAMP. Mr. Speaker, on Sunday the Dow Chemical Co. will be a century old. That historic occasion will be celebrated with a reception at the Midland Center for the Arts called A Century of Progress: 1897–1997.

This celebration takes place thanks to the efforts of more than 300 volunteers, and support from local businesses and individuals who donated generously for a citywide recognition of Dow and its contributions to mid-Michigan's working families and communities. I believe that Dow and the surrounding communities will continue to gain from the mutually beneficial relationship that has grown from 100 years of shared history and experience. I look forward to another 100 years of success and progress for the Dow Chemical Co. and the working people who have made that company and our community great.

I would like to share with my colleagues three articles from the May 20 special edition of the Midland Daily News with contributions from the Saginaw News and Bay City Times that describe the importance Dow's centennial anniversary is to our mid-Michigan communities.

[From the Midland Daily News, May 20, 1997]

(By Virginia Florey)

On Sunday, The Dow Chemical Co. will be a century old. That historic occasion will be celebrated with a reception at the Midland Center for the Arts and will be called, appropriately enough ''A Century of Progress: 1897–1997.''

On May 18, 1897, The Dow Chemical Co. came into existence when Herbert Henry Dow persuaded 57 investors to put up $200,000 to start the new business. The purpose of the new company was to make bleach from chlorine. From that small beginning The Dow Chemical Co. has grown into the global giant it is today. This is the story of the man who created the company and in doing so, also created the city of Midland.

Herbert Henry Dow was born on Feb. 26, 1866, in Belleville, Ontario, Canada, where his dad had been sent temporarily to work out some mechanical problems at a sewing-machine factory. Joseph and Sarah Dow soon returned to Bermingham (now called Derby), Conn., with their young son and continued to live in Bermingham until Herbert was 12 years old. While in Bermingham, two daughters, Mary and Helen, were born.

Joseph Dow was transferred to Cleveland, Ohio, to work for the Derby Shovel Co. in 1878. Herbert graduated from high school there and that fall entered a new school called Case School of Applied Science, located in Cleveland. Herbert wanted to be an architect but the Dow family didn't have the money to send him away to school. Dow graduated from Case in 1888 and made his first trip to Midland, Mich., to take samples from the brine sea that was beneath the flatlands of this small village on the banks of the Tittabawassee River. In August of 1888, he began working at Huron Hospital College in Cleveland and used the lab there to continue his experiments with brine.

The next few years were filled with failure and successes. In 1889, The Canton Chemical Co. was formed to make bromine but by April 25, 1890, the company was dissolved. On Aug. 12, 1890, the Midland Chemical Co. was formed to make ferric bromide from brine. A new process, invented by young H.H. Dow, was to be used. On Aug. 14, 1890, Dow stepped off the train at the Ann Street Depot in Midland and began looking for a place to test his theory that bromine could be separated from brine by electrolysis.

With little capital and no electricity (Midland didn't get electricity until 1894) to conduct his experiments, Dow rented a barn on West Main Street near the Upper Bridge and bought brine and power from the adjacent Evens Flour Mill. On Sept. 29, 1891, Dow got the patent for the process of extracting bromine from brine by electrolysis.

Dow met and married a local girl, Grace Ball, who taught school not far from where he was working. In 1893 he made his first sale of potassium bromide crystals after his new bride and he spent two days picking out the ''spots'' of foreign matter in the crystals. But his persistence paid off and soon the Midland Chemical Co. was making money.

Now that he had proven his theory on brine, Dow turned to what he felt was an ''enormously greater field''—the extraction of chlorine from the waste products of the brine. In 1894, he built an electrolytic plant to extract chlorine but the plant exploded in its first hour of operation. The directors of the Midland Chemical Co. felt that the explosion proved the chlorine idea was too risky and they decided to stay with the production of bromine.

Dow left Midland for Canton, Ohio, with his wife Grace and baby daughter Helen. He continued experimenting with the chlorine idea and in six months was back in Midland to build a pilot bleach and chlorine plant. He found some investors and The Dow Process Co. was born in 1895. A second daughter, Ruth Alden, was born on Nov. 16, 1895, to Herbert and Grace.

The year 1897 was a banner year for Dow. On Jan. 4 his first son, Willard Henry, was born and on May 18, 1897, The Dow Chemical Co. was incorporated to make bleach, taking over the assets of the Dow Process Co. On Jan. 5, 1898, the company sold its first bleach and The Dow Chemical Co. was on its way. By 1899, the new plant was making a profit and Dow built a home for his family on West Main Street in Midland—the only home he ever owned.

A second son, Osborne Curtiss, was born in 1899, followed by another son Alden in 1905. Margaret Grace Dow was born in 1907, and Dorothy Darling Dow was born on Jan. 2, 1908. Along with the success in his professional life, Dow experienced some wrenching tragedies in his personal life. In 1901, his father Joseph Dow died from tuberculosis in Alma and on Oct. 3, 1902, his infant son Osborne Curtiss died. He lost both a sister and a daughter during the flue epidemic of 1918 in Midland.

Dow's genius wasn't directed solely toward his new chemical plant; community involvement was a passion with him. Because of that, Midland became a uniquely endowed town because of his philanthropy and widespread concerns and interests. He established a garden and an orchard famous enough that he was sought after as a speaker and writer on the subject of gardening. His love of growing things also led him to become a pioneer in the field of agricultural chemicals.

In 1914, he began his yearly practice of donating to every church in Midland. In 1919 he was the impetus behind the building of the Community Center located then on Townsend between Main and Larkin. In 1924 and 1925, he devoted time, money and men for the construction of the new Midland court house on West Main. Streets were paved. A new water filtration system was initiated.

Those of us who were born and raised in Midland grew up taking the advantages of living in Midland for granted. The ''plant'' as everyone called it provided an economic base for the entire town. Good schools, beautiful churches, tree-lined streets were a part of our heritage. In the 1930s, Midland had more millionaires per capita than any city in the world. Later this changed to having more Ph.D.s than any city in the world. The best and the brightest came to Midland to work and live here.

In 1930, Herbert Henry Dow died but his wife Grace and his children continued the ''giving'' to the city of Midland. there are few places that don't bear the mark of the Dow family in one form or another. The Midland Country Club as well as numerous churches in Midland were designed by Dow's son Alden. The Grace A. Dow Memorial Library is a hub of activity seven days a week. The Midland Center for the Arts and the Dow Gardens are famous the world over. Eighty-three years after Herbert Henry Dow began the practice, churches still continue to receive money each year from a foundation set up for just such a purpose. Schools receive money from a similar source.

On May 16, a new science exhibit ''Chemistry Is Electric!'' will open in the Carriage

House of the Bradley Home Museum in Midland, at 3200 Cook Road. On May 18, ''A Century of Progress 1897–1997'' will open at the Midland Center for the Arts at 1801 West St. Andrews. On May 20, ''A Perspective on Knighton-Hammond'' will be presented at the MCFTA with a free public reception at Arts Midland Galleries at 8 p.m. Arthur Henry Knighton-Hammond did a series of paintings and drawings for Dr. Dow in the 1920s.

In Shakespeare's ''Richard the Second'', John of Gaunt speaks of England calling it ''This other Eden, demiparadise. . . .'' Each person has his or her own perspective, of course, but for one who grew up in Midland as I did, John of Gaunt's description could apply to the village that became a city because of Dr. Herbert Henry Dow. His death in 1930 has not diminished the work he accomplished and Midland is all the richer because he lived here.

[From the Bay City Times, May 16, 1997]

DOW HONORS JENNISON PARTNERSHIP

(By Kelly Adrian Frick)

MIDLAND.—David Jennison Lowrie grew up hearing stories about how his grandfather helped get the Dow Chemical Co. started.

Everyone associated with the Jennison Hardware Co, knew that his grandfather William Jennison had sold Herbert H. Dow—the founder of Dow Chemical—some shovels in 1897. They were sold on credit.

''It's a nice story,'' Lowrie said. ''Dow has been a customer ever since.''

Thursday, Lowrie, the chairman of Jennison Hardware Co.'s board of directors got a chance to make his own history.

Lowrie was recognized at Dow Chemical Co.'s 100th stockholders meeting, where people and businesses that helped shape the Midland-based company during its 100 years in operation were honored. The event was held at the Midland Center for the Arts.

The story goes that Dow eventually paid the $75 back to Jennison.

Had H.H. Dow paid his bill in Dow stock rather than cash, the shovel deal would be worth $5 million today, said Dan Fellner, a spokesman for Dow Chemical.

Lowrie received a shovel engraved with a thank-you note on its handle from Dow Chemical President William E. Stavropoulos during a press conference after the stockholders meeting.

''We'll probably hang it up in the office,'' and Lowrie, who lives in Birmingham.

Jennison Hardware Co., which operates from 1200 Woodside Ave. now, started almost 50 years before H.H. Dow arrived in Midland to start a chemical company. The hardware supply business was well established when Dow became a customer, Lowrie said.

As the story goes, Lowrie said, the shovel deal wasn't the only time Dow needed some time paying a bill. Several years later, according to Lowrie, Dow asked a Jennison salesman if he would accept some Dow stock instead of cash. The Jennison brothers, one being Lowrie's grandfather, took the stock and put their own cash into the Jennison company's cash register.

''That's how I became a Dow stockholder,'' Lowrie said of the tale. ''I inherited some of that stock.''

The Jennison Hardware Co. operated out of the five-story building at the corner of Fifth and Water streets at the time. Each floor was filled with hardware and building supplies. A slide that wound down from the top floor helped to fill orders, Lowrie remembered.

Today, the building is being turned into expensive condominiums and is called Jennison Place. ''I'm glad that the project will keep the Jennison name,'' Lowrie said. ''It keeps a little of that history intact.''

[From the Midland Daily News, May 18, 1997]

MIDLAND IS GRATEFUL FOR THE GIANT THAT STUCK AROUND

(By Geri Rudolf of the Saginaw News)

They called him ''Crazy'' Dow.

As Herbert H. Dow poked holes in the ground in search of brine in 1897, some folks scoffed openly about his chances for success.

Today, those who work and play here have a different impression of the dreamer who dared to start a chemical company in a nowhere place in the middle of Michigan.

Midland is grateful—and showing it.

The community, not the company, is throwing the birthday bash for The Dow Chemical Co.

The ''Celebration of the Century'' lasts more than a week and features activities for people of all ages and interests. It includes art, music and theater productions and ends with a family-oriented Field Day on Memorial Day, May 26.

Many believe the tribute is appropriate based on Dow's century-long commitment and contributions.

''Midland is a dot on the map that had every right to be the size of West Branch, but it is the head of a multinational corporation,'' said David E. Fry, president of Midland-based Northwood University.

''When a milestone comes, you should celebrate it.''

From its humble start in an old mill, Dow Chemical has grown to 94 manufacturing sites and 188 sales offices and service centers in 30 countries. It sells $20 billion worth of products a year.

Despite its international scope, Dow has never budged from Midland. Instead, it has enriched the city with contributions for education, health care and the arts.

''It is really the foundation of the town,'' Fry said, noting that company dollars helped build parks, recreation centers and the Midland Center for the Arts.

Even its critics acknowledge Dow's generosity.

''Dow has done a lot of things in Midland,'' said Mary P. Sinclair, a Midland resident who has long voiced concern about Dow's impact on the environment.

''There is no question that they made contributions to the community. The Dow family made an investment here and it has continued.''

Dow's presence also has brought cultural diversity to Midland, Fry said.

''We have all types of people from all over the world,'' he said. ''Kids from 50 countries are in our schools.''

Having such a mix in a small community is rare, experts say.

Although many companies have manufacturing plants in small towns, few keep their headquarters in the little cities where they started, said Andrew J. Such, executive director of the Michigan Chemical Council on Lansing.

''Dow is unusual, but I think they are very proud of where they came from,'' he said.

''It's unique to have a world headquarters in a city the size of Midland.''

John N. Bartos, a longtime Midland engineer and developer, is among the leading organizers of the centennial celebration.

He was at a Dow-sponsored community information panel meeting in May 1995 when a company public relations person sought opinions about events the company was considering hosting.

Bartos responded that he shoulder the celebration.

''If you pay for your own birthday party, it doesn't say much,'' Bartos said.

He discovered that others felt the same way. Volunteers surfaced by the dozens and ideas flowed.

Dow staff quietly backed off their plans and let the community take charge of the party.

''We hoped that we didn't interfere too much with what they wanted to do, but we felt strongly that it had to be something the community gave to them,'' Bartos said.

About 60 core volunteers brainstormed in late 1995 and came up with some 50 ideas for the ''Celebration of the Century.''

''We voted, and seven of them really rose to the top,'' he said.

More than 300 volunteers helped coordinate events, said Caludia A. Wallin, manager of community and employee programs at the Midland Cogeneration Venture.

Field Day alone needed 15 subcommittees to organize, said Wallin, the day's overall coordinator.

While neither Bartos nor Wallin would reveal how much the party is costing, they call it a ''significant amount.'' All funds were donated.

Dow officials say they are touched by all the work.

''We at Dow feel quite humbled by the efforts of the community organizers and volunteers working on the Celebration of the Century,'' said Rick Gross, vice president and director of Michigan Operations and global core technologies research and development.

''I am so impressed by the organizing group and I am very proud to have these people as my Midland neighbors.''

THE SPORTSMEN'S BILL OF RIGHTS

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. TANNER. Mr. Speaker, today, my colleagues and I are introducing the Sportsmen's Bill of Rights in the House of Representatives. Our goal is to assure the same kind of access to Federal public lands and waters for tomorrow's hunters and anglers, that present and past generations of hunters and anglers have known.

Over the past 200 years, fishing and hunting have become intertwined in America's culture and should be protected where the activities are compatible with other uses. Fishing and hunting are part of a traditional way of life that has been preserved for present generations and we want to make sure these activities are preserved for future generations. America's 37 million anglers and 15 million hunters represent the largest single group of contributors to the conservation of our fisheries and wildlife species and continue to play a critical role in the sound management of them. And they spend billions every year that create thousands of jobs for our citizens. Indeed, through two trust funds known as Pittman-Robertson and Wallop-Breaux, America's sports men and women and the relevant manufacturers have contributed $6 billion to conservation and education initiatives over the past 60 years.

No where is that more important than where I was raised. In Tennessee and, indeed, across the South, angling and hunting is a way of life. It's a part of our culture. Last year's BASS Anglers Classic held in North Carolina drew 28,000 people demonstrating the popularity of angling. Because of our sports men and women and the work of people like Gary Myers of the Tennessee Wildlife

Resources Agency, white-tailed deer populations as well as turkey populations, migratory waterfowl, and many other wildlife species, are strong in large measure because of hunters who value the resource. In Tennessee, alone hunters, anglers, and boaters, spend nearly $1 billion a year on their sports, and some have estimated that economic activity is responsible for at least 26,000 jobs across the State.

Considering all of that, it is important to protect the kind of access present and past generations have had to hunt and fish on Federal public lands and waters for our children and the generations that follow them. I look forward to passing these traditions to my grandchildren. That is the overarching goal of this legislation and as a cochairman of the Congressional Sportsmen's Caucus I believe that is a positive thing.

The bill would preserve access to Federal public lands for hunting and fishing, but also leaves intact the authority of Federal agencies managing those lands to prohibit these and other activities where they are not compatible with public safety, national security, or other ongoing activities on a particular section of land or water. The bill is narrowly focused to address land and water owned and managed by the U.S. Fish and Wildlife Service, the U.S. Forest Service, and the Bureau of Land Management.

The bill is supported in principle by the International Association of Fish and Wildlife Agencies. It also has the support of organizations including the Delta Wildlife Foundation, Safari Club International, Quail Unlimited, the Wildlife Legislative Fund of America, and the National Rifle Association.

A companion bill has been introduced in the U.S. Senate by Senator RICHARD SHELBY of Alabama, and we look forward to moving the measure through the legislative process in a bipartisan fashion.

COMMEMORATING DAY OF PORTUGAL

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. KENNELLY of Connecticut. Mr. Speaker, today, I rise to recognize the Day of Portugal celebrations taking place in the First Congressional District of Connecticut and throughout the world.

Every year on June 10, the date of the birth of Portugal's greatest poet, Luis de Camoes, who lived from 1524 to 1580, people of Portuguese descent around the world honor their heritage on Day of Portugal. It is a time to pause and reflect on the many achievements of that great nation over the centuries and to celebrate the strong friendship between the United States and Portugal.

Thousands of Connecticut residents are proud of their Portuguese heritage and share their cultural traditions with their neighbors and communities in which they live. The example of family unity, pursuit of education and respect for the elderly set by the Portuguese are profound lessons for all of us. Many Portuguese-Americans have contributed significantly to the development of the United States, including Supreme Court Justice Benjamin Cardozo, navigator Pedro Cabrillo, and Marine Corp band director John Philip Sousa.

As one of the founding members of NATO, Portugal is a highly valued ally and close friend. Portugal is a vital link of security for Europe and the Mediterranean Sea, and a longtime host of the United States Air Force base on Lajes, Terceira, and Azores. Additionally, trade between our two nations is active and continues to grow.

I congratulate the organizations from the First Congressional District that are dedicated to promoting Portuguese cultural heritage and expanding educational opportunities throughout the State of Connecticut: the Holy Ghost Portuguese Society, Our Lady of Fatima Church and School, the Portuguese Club of Hartford, and the Portuguese Foundation of Connecticut. I support the efforts to expand the opportunities for cultural and trade exchanges between the United States and Portugal and the continuation of this historical relationship.

SENSE OF THE HOUSE RESOLUTION SUPPORTING THE JUMP$TART COALITION FOR PERSONAL FINANCIAL LITERACY

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. DRIER. Mr. Speaker, we all know the statistics on the general state of educational achievement among high school graduates in America. Poor school performance and student achievement are leaving young adults ill-equipped to function in today's increasingly competitive world. This is particularly true when it comes to basic financial management skills. Increasingly, the lack of basic money management skills among young adults is a major cause of consumer bankruptcies and family crises.

To reverse this trend and help students to become financially competent upon graduation from high school, a group of business associations, government agencies, and universities have formed a partnership known as the Jump$tart Coalition for Personal Financial Literacy. The goal of the Jump$tart Coalition is to provide every student with the skills to be financially competent upon graduation from high school. By dramatically improving the ability of adults to manage their finances, the Coalition hopes to bring about a reduction in credit card delinquencies and bankruptcy filings which undermine the health and welfare of families.

To accomplish these goals, Jump$tart is establishing major initiatives to evaluate the current and future levels of financial literacy of young adults, disseminate teaching guidelines for grades K–12; and operate a national clearinghouse to serve as a one-stop information source for high-quality teaching materials.

Given the current concern over the state of education in America, we need to promote more public-private partnerships dedicated to high academic standards, improved school performance and greater student achievement. That is why today, I have introduced House Resolution 658. It expresses the sense of the House of Representatives that the goal of having young adults who can enter the mainstream of an increasingly complex financial world with confidence and prudence is one which can be advanced through coordinated efforts such as the Jump$tart Coalition for Personal Financial Literacy.

I urge my colleagues to join me in support of the Jump$tart Coalition and its efforts to promote personal finance education by cosponsoring this resolution. The following is the text of the resolution, a fact sheet on the Jump$tart Coalition and the summary of a summary of a recent financial survey of high school seniors.

H. RES. 158

Whereas at a time when more consumers are using credit than ever before, the financial skills of young adults are not adequate to cope with the rapid, technologically driven development of new financial products and new ways to deliver those products;

Whereas lack of financial management skills is a major cause of rising consumer bankruptcies and family crises, and generally impairs the health and welfare of the general public;

Whereas it is critical that students and young adults develop functional skills in money management, including basic budgeting, savings, investing, spending, and income;

Whereas the House of Representatives commends the Jump$tart Coalition for Personal Financial Literacy for its effort to promote personal financial literacy; and

Whereas the House of Representatives supports the Coalition's objective of promoting education to ensure that basic personal management skills are attained during the kindergarten through 12th grade educational experience: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the goal of having young adults who can enter the mainstream of an increasingly complex financial world with confidence and prudence is one which can be advanced through coordinated efforts such as the Jump$tart Coalition for Personal Financial Literacy.

JUMP$TART COALITION FOR PERSONAL FINANCIAL LITERACY FACT SHEET

ABOUT JUMP$TART

Q. What is the Jump$tart Coalition for Personal Financial Literacy?

A. The Jump$tart Coalition consists of a wide range of organizations, including federal agencies, universities and non-profit associations which have formed a partnership to launch a national effort geared toward improving personal finance literacy among young adults.

The newly formed coalition, a non-profit based in Washington, D.C., currently has about 20 members and expects to add more over time.

Q. What does the coalition want to see happen?

A. In ten years (by the year 2007), Jump$tart would like to see every student have skills to be financially competent upon graduation from high school. Specifically, these young adults will have an understanding of a wide range of skills and concepts falling within four core areas: income; money management; saving and investment; and spending.

The coalition also wants to increase public awareness that personal finance management—like reading, math or driver education—is a fundamental life skill which needs to be taught to the nation's 50 million students in grades K–12 to give them a''jumpstart'' on their future.

Ultimately, what the coalition wants to see happen is a dramatic improvement in adults' ability to manage their finances. The impact will likely be a reduction in credit card delinquencies and bankruptcy filings.

Q. How does the Coalition plan to achieve these goals?

A. Jump$tart's major initiatives fall into three broad categories:

(1) Evaluation of the current and future levels of financial literacy of young adults. The survey results released today provide a baseline measurement by which to gauge progress toward the coalition's goal of financial competency among 12th graders by the year 2007. Jump$tart plans to conduct such measurement surveys on a two-year basis over the next ten years.

(2) Dissemination of teaching guidelines for grades K–12. Jump$tart's educator guidelines—which received input from a panel of elementary, secondary and high school teachers as well as numerous other educators throughout the country—provide a recommended scope of personal finance topics and concepts to be taught in the nation's classrooms. The coalition will seek the support of state and local officials in adopting these guidelines for use within their own jurisdictions.

Dissemination of these guidelines to the education community will take place through a variety of methods: for example, the coalition's home page on the internet, educator networks available through individual members of Jump$tart and presentations at appropriate conferences.

(3) Operation of a national clearinghouse. Jump$tart's clearinghouse will serve as a one-stop information source for high-quality teaching materials that help educators teach the competencies covered by the coalition's guidelines.

More details about the survey and guidelines follow in this fact sheet.

Q. What makes the coalition think there's a problem in the first place?

A. The survey results released today show a lack of personal finance knowledge among high school seniors that is very disturbing. On average, survey participants answered 57.9% of the questions correctly—a failing grade based upon the typical grade scale used by schools (90–100%=A, 80–89%=B, etc.)

For another indicator, just take a look at today's adult consumers. Recent measures of financial distress indicate that many of them lack the financial literacy skills to make informed decisions. Rising consumer credit delinquencies, sharp increases in personal bankruptices, and inadequate saving for retirement during a period of general economic prosperity lead to this conclusion. We need to increase understanding of personal finance issues to prevent these problems in the next generation.

ABOUT THE SURVEY

Q. Why did Jump$tart conduct this survey?

A. To provide a benchmark on the existing level of personal finance knowledge among America's youth. Now that these national survey results are available, the coalition and the country have a basis to measure progress in this area.

Q. What criteria did you use to determine which questions to include in the survey?

A. Most of the survey's questions related to four areas identified by the coalition's guidelines as key components for personal finance literacy: income, money management, saving and investment; and spending. The survey examined the respondents' present knowledge level in these areas, as well as their ability to apply this knowledge, solve problems, define basic terms and understand basic financial relationships—for example, how taxes affect disposable income; how lifestyle and career choices affect future financial goals.

Q. What about the survey's design?

A. The survey, conducted by Lewis Mandell, Ph.D., an economist and researcher who is Dean of Business at Marquette University, consisted of a written 40-minute examination administered to 1,509 12th graders. The survey's sample consisted of 149 high schools, out of which 64 (43%) actually participated. The schools were representative of geographic region and size of school, guaranteeing the inclusion of schools within each region from central cities, suburbs and rural areas. The survey took place in March and April, 1997.

ABOUT THE GUIDELINES

Q. How were the coalition's personal finance teaching guidelines developed?

A. The guidelines underwent a rigorous development and review process to ensure a high-level of credibility, based on input from the education community. Written input was sought from over 20 representatives from elementary schools, middle schools, business education, family and consumer science and several other relevant areas. In addition, a panel of five teachers from across the U.S. met with Jump$tart representatives for a two-day session, during which the teachers provided additional input for the guidelines based upon their classroom experiences.

Q. What types of personal finance topics are covered by the guidelines?

A. The guidelines cover four key areas: income; money management; saving and investment; and spending. Within each area are specific skills and concepts that the coalition believes students should be taught before their graduation from high school. For example, under ''money management,'' the guidelines call for students being able to develop, analyze and revise a budget and to know how to use checking and savings accounts.

Q. Aren't Jump$tart's guidelines already covered by other existing standards?

A. Some aspects of personal finance are covered within existing standards. But no set has focused on personal finance in a comprehensive and exclusive manner.

OTHER QUESTIONS

Q. What about Jump$tart's clearinghouse?

A. While still in the developmental stages, the clearinghouse should be up and running during the 1997–98 school year.

The primary vehicle for dissemination of information is expected to be the World Wide Web. For users who may not have access to the Web, print copies of the resource list will be available via traditional distribution channels, including mail, telephone and direct contact at exhibits, seminars and conferences.

Q. How will Jump$tart measure the success of its efforts?

A. Jump$tart plans to conduct surveys every two years to determine if students' knowledge levels of personal finance are increasing. The ultimate indicator, however, will be if adult consumers' management of their finances improves.

Q. Many organizations have been in the business of personal finance education for years. How is your work different, and what makes you think you'll make an impact?

A. Perhaps the two things that set Jump$tart apart are timing and the urgent need for this information. As we approach the year 2000, education reform is on the minds of many; consumers are being offered an array of revolutionary new financial services products; and economic indicators point to an inability among households to manage their finances.

Our belief is that the current ''social mood'' will manifest itself into strong support—from the public, Washington policy makers, the education community and parents—for the coalition's initiatives.

1997 PERSONAL FINANCIAL SURVEY OF HIGH SCHOOL SENIORS EXECUTIVE—SUMMARY

America's young adults are leaving schools without the ability to make critical decisions affecting their lives. This finding, from an historic benchmark study of graduating high school seniors, may help explain a number of distressing recent phenomena including record numbers of personal bankruptcies. Moreover, those high school seniors with lower income and educational aspirations know substantially less than the dismal amount known by their college-bound counterparts.

These findings come from the 1997 Personal Financial Survey which was administered to 1509 high school seniors from 64 high schools throughout the United States. Overall students averaged 57 percent on the 31 question multiple choice examination which was designed by a team of educators to test basic financial survival skills. Since there were just 4 multiple choice answers to each question, random responses would have yielded a score of 25 percent.

The fact that students were able to choose correct answers, on average, more than half the time was due in large part to a number of questions that tested terminology rather than reasoning ability. For example, 88.7% knew that salaries, wages and tips constituted primary sources of income for most people age 20–35, but fewer than half suspected that if a person's income doubled (from $12,000 to $24,000 per year) income taxes would double, at least. The inability to apply the concept of income tax progressivity hinders the decision making ability of young labor force entrants who may tend to overextend themselves in terms of consumption and debt in anticipation of inflated future take home pay.

The decision to test high school seniors was made because many graduates do not go on to college and formal education ends for them in the 12th grade. In addition, relatively few college students study personal finances, making primary and secondary schools the only place where the vast majority of young Americans can acquire financial survival skills. However, according the survey results, fewer than 11 percent of students replied that they learned about managing money primarily at school and their average score was 54.7% compared to the majority of students who learned most at home from their families and who had a higher average score (57.5%). This implies that the schools that are teaching tools of money management may need some strengthening of their curricula.

Questions were divided into four categories: income, money management, savings and investment, and spending. By far the weakest area of knowledge was savings and investment where students answered only 47.3 percent of questions correctly. For example, only 14.4% of students felt that stocks would have a higher rate of growth over 18 years than savings accounts, checking accounts or U.S. Government savings bonds. In addition, 51 percent said that a certificate of deposit at the bank is not protected against loss by the Federal Government. Finally, fewer than a third knew that interest earned on a bank savings account may be taxable if total income is high enough.

Women, on average, scored slightly more than men (57.8% compared to 56.6%) although differences in knowledge were far more pronounced among the male respondents. For example, 30.2 percent of men scored in the top quartile as compared with 26 percent of women while 33.2 percent of men scored in the bottom profile in contrast to just 26.4 percent of women.

Differences also existed for students of different racial backgrounds. The study was carefully designed to reflect the diversity of American 12th graders and, in fact, only 60 percent of the sample were whites who answered, on average, 60.7 percent of the questions correctly. Native Americans averaged 48.8, African Americans 50.3, Hispanic Americans 55.1 and Asian-Americans 55.7.

Contrary to expectations, differences in scores were not very dependent upon family income. Students with family incomes below $20,000 per year averaged 55.2% in contrast to the 58.6% of families in the over $80,000 bracket. In fact, average scores were slightly lower for students in the top income bracket than for those in the bracket below ($40,000 to $79,999) indicating, perhaps, that more affluent, college-bound students were not as concerned than their less affluent counterparts with personal survival skills. However, the 2 percent of students who planned no education beyond high school did nakedly worse on the exam (43.8%) than did others.

Students were asked to name the most difficult money management problems faced by people their age and also by adults who have families. The most frequently mentioned problem for their age cohort was spending on things that they really didn't need. This was followed by the problems of being able to save, particularly for college. For adults, problems of paying bills, budgeting and supporting children were identified as being most severe.

The magnitude of the problems of financial literacy uncovered by this study greatly understates the true extent of the problem nationally for two reasons. First, the sample included only high school seniors who will shortly become high school graduates and did not include those who dropped out. Second, even among high school seniors, the sample picked up only 2 percent who planned no additional education. This may relate to the request that high schools administer the test to 12th grade classes in English or social studies other than economics to avoid biasing study results. Since students who were not college bound did substantially worse than the others, the study may have omitted as many as a third of all 18 year olds who will not graduate from high school or who plan no additional education and who would have caused a substantial decrease in the overall results. For this reason, the plan of the Jump$tart Coalition to encourage the teaching of financial literacy in all grade levels is critical.

SAMPLE QUESTIONS

1. Retirement income received from a company is called
(a) Social Security.
(b) pension.
(c) 401k plan.
(d) rents and profits.

2. Ralph worked his way through college earning $12,000 per year. After graduation, his first job pays $24,000. The total dollar amount Ralph will have to pay in federal income taxes in his new job will
(a) be lower than when he was in college.
(b) stay the same as when he was in college.
(c) go up a little from when he was in college.
(d) double, at least, from when he was in college.

3. Many young people receive health insurance benefits through their parents. Which of the following statements is true about health insurance coverage:
(a) You are covered by your parents' insurance until you marry, regardless of your age.
(b) You continue to be covered by your parents' insurance as long as you live at home, regardless of your age.
(c) If your parents become unemployed, your insurance coverage must stop, regardless of your age.
(d) Young people don't need health insurance because they are so healthy.

4. Paulo and Susanna just had a baby. They received money as baby gifts and want to put it away for the baby's education. Which of the following is likely to have the highest growth over the next 18 months:
(a) A savings account.
(b) A checking account.
(c) A U.S. government bond.
(d) Stocks.

5. If your credit card is stolen and the thief runs up a total of $1,000, you will be responsible for the following amount after notifying the credit card issuers:
(a) None.
(b) $500.
(c) $1,000.
(d) $50.

Answers: 1. (b); 2. (d), 3. (c); 4. (d) and 5. (d).

HONORING WAKE EDEN COMMUNITY BAPTIST CHURCH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ENGEL. Mr. Speaker, I speak today to honor the Wake Eden Community Baptist Church which is celebrating its 25th anniversary as a center of worship in the northeast Bronx.

The establishing of a mission in the community was borne out of an idea by the Rev. Dr. Samuel G. Simpson who, when driving through the area, saw the closed church. Instead of driving on, he wondered why, when he felt that the neighborhood needed a mission. That was in 1969. Three years later, on the second Sunday of May, 1972, an inaugural service was held. Present at the service were representatives of the Bronx Baptist Church and the Greenwich Baptist Church, two churches whose contributions made Wake Eden possible. Also at that historic service were local and denominational leaders as well as civic and community representatives.

In the 25 years that followed, many programs were established to bring the ministry of the church into the neighborhood. A Sunday school and a youth group were established to teach and minister to the youth of the area, a medical fellowship composed of hospital workers makes their services available to the needy, a prison ministry carries the word to the imprisoned with a follow up for released inmates, the summer day camp and vacation Bible school cater to scores of community children, and the Wake-Eden Christian Academy, which started with 5 students, now has more than 80.

These are a few of the programs with which Wake-Eden makes its community a better place. I congratulate the Rev. Dr. Simpson and his church for their continuing good works.

IN MEMORY OF OFFICER HERNAN SABATH

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. PORTMAN. Mr. Speaker, I was deeply saddened to hear about the unfortunate death of Officer Hernan Sabath in an automobile accident on Monday. Officer Sabath leaves his wife, Norah, and two children. I had the privilege of becoming acquainted with Officer Sabath through his service as a desk officer at one of the entrances to the Cannon House Office Building. He was unfailingly courteous, professional, and good humored—not only in his interactions with Members of Congress but, from my observations, with all visitors to the Capitol.

I will personally miss his presence here at the Capitol and the many opportunities we had to converse in Spanish. He was a patient teacher who always endured my less than polished accent and poor vocabulary with a smile.

Much more important, though, he'll be sorely missed by his family and many friends in the Capitol Police. He served honorably as an officer in the Capitol Police for almost 11 years, and touched the lives of so many members of the Capitol Hill community. We all offer our prayers and condolences to his family. Officer Sabath will be greatly missed.

THE CHURCH INSURANCE PROTECTION ACT OF 1997—NOT ALL THREATS HAVE BEEN EXTINGUISHED

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FILNER. Mr. Speaker, I rise today with Congresswoman CYNTHIA MCKINNEY of Georgia in defense of our Nation's sacred houses of worship to reintroduce the Church Insurance Protection Act [CIPA].

In the 104th Congress, the gentlelady from Georgia, Ms. MCKINNEY and I first introduced this legislation, H.R. 3830, to prohibit insurance companies from canceling, over-pricing, or refusing to renew fire insurance policies for any house of worship.

We introduced this legislation in the spirit of H.R. 3525, the Church Arson Prevention Act of 1996, which passed the House of Representatives in a rare unanimous vote. It was our obligation to deter the flames of bigotry and ignorance which set these churches ablaze, and the House's efforts served to deter the epidemic assault on our Nation's houses of worship.

However, while the embers of the destroyed churches were still smoldering, certain unscrupulous insurers were threatening to cancel or not renew the fire insurance policies of some churches simply because of the perceived ''increased risk'' of arson.

One year later little has changed, and our churches continue to face the real threat of losing their fire insurance policies.

While we must continue our efforts to prevent future arson fires and to rebuild the

churches destroyed by the fires, we must also be certain to protect their ability to insure themselves against this violence in the future. We cannot allow the insurer's fear of a claim to remove a congregation's ability to adequately protect its house of worship and support buildings. Our churches must be held harmless and not subject to punitive measures from the insurance companies.

By prohibiting policy cancellations, the Church Insurance Protection Act will extinguish the final smoldering ember that continues to threaten our churches long after the fires were put out.

We are currently joined in our efforts by 18 of our colleagues and we are confident that this number will grow as more become familiar with the continued need for this important legislation. We urge our colleagues to act promptly to bring this important legislation to the full House for consideration.

America's houses of prayer are sacred places, and they deserve this protection.

A TRIBUTE TO MY GOOD FRIEND LARRY CHANEY, FAREWELL

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. POSHARD. Mr. Speaker, April 20, 1997, marked a sad day in the history of southern Illinois. A good man, who served as mayor of Pana, IL, and my good friend, Larry Chaney passed away from an unexpected heart attack.

Larry was just recently reelected mayor and he was a man most comfortable serving his constituents. During his early tenure in office, he brought a new water treatment plant and convinced two businesses to relocate in Pana's Industrial Park, stirring new business and encouraging new economic growth in the area. Larry also helped developed this beautiful region of Illinois with a bicycle-hiking trail along an old railroad pass between Pana and Taylorville. Before he was mayor he served 10 years as alderman in Pana's Second Ward.

Larry's success can be attributed to his dedication and hard work, as well as the support he received from his family. They were the backbone to his career and his family's togetherness is an inspiration to all of us in southern Illinois. He is survived by his wife, Janet Koontz; son, Larry Sean Chaney; daughter, Michelle Lebon; grandchildren, Adam, Amy, Chelsy, Brittany, and Zachary; and two sisters, Marilyn Uteg and Shirley Campbell. Mr. Speaker, southern Illinois is mourning a great loss. No one could ever replace Larry Chaney. I wish to express my condolences to the family—we know that his predecessor has big shoes to fill. It has been an honor to represent Larry and the city of Pana in the U.S. Congress.

GOVERNOR'S ART MEDALLION FOR ART SCHOLARS

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, I rise today to honor an exceptional group of young individuals from my community who are being awarded the Governors Arts Scholars Medallion. This is the highest distinction awarded to high school students for their work in the arts. Receipt of this award represents a culmination of years of dedication, hard work, and a love of the arts.

The young artists receiving this award are students in the California State School for the Arts. This school is made up of 500 students recommended by their schools and selected from a rigorous competition. The school represents a unique blend of the private and public sectors working together and the results over the last decade have been fantastic. Through this school's programs, student's natural artistic gifts are cultivated by experts in fields ranging from sculpture to dance. Students come from across the State and for the month, they study together, all geographic, economic, and social barriers are brought down and replaced by a mutual love of the arts.

I would like to recognize the students from my district, Steven Goldin, Sharon Fatoorechi, Tiffany Braun, Destiny Wood, Adriana McPhee, Sarah Nehamen, Julia Katz, Victoria Keen, Andrasta VanGaea, Kendelle Hoyer, Kiwana Johnston, Gena Rabinowitz, Janelle Sutherland, Karen Velas, Maureen Shampine, David Guillen, and Javier Serrato. I look forward to meeting these young men and women, and enjoying the fruit of their talents for years to come.

The California Summer School for the Arts is an exceptional program bringing together professional artists and talented young people into a synergistic relationship. The importance of maintaining a thriving legacy of art can not be undervalued, as Henry James wrote, ''It is art that makes life, makes interest, makes importance, for our consideration and application of these things, and I know of no substitute whatever for the force and beauty of its process.''

Mr. Speaker, I am privileged to represent such outstanding young people, as they are truly the future of this great nation.

INTRODUCTION OF LEGISLATION TO INCREASE THE STANDARD MILEAGE RATE DEDUCTION FOR CHARITABLE USE OF AUTOMOBILES

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. KELLY. Mr. Speaker, because voluntarism plays so important a role in this country, I rise today to introduce legislation that will, in a small way, assist people who give their time and efforts to charitable organizations.

Americans are a giving people, Mr. Speaker. Whether volunteering at a veterans nursing home, helping to deliver meals to the homebound elderly, helping a child learn to read, or helping entire nations ravaged by famine or strife, I think it speaks well of our society that we are so readily willing and able to help our neighbors in need.

There are ways in which the Federal Government can help promote voluntarism, including the use of the Tax Code. In 1984, Congress passed legislation that set a standard mileage deduction rate of 12 cents per mile for persons who use their own automobiles in the course of supporting the work of charitable organizations. This was an important step to offset the out-of-pocket costs of those who use their cars for volunteer work.

Over a decade later, however, the mileage deduction rate remains at 12 cents per mile, despite the fact that the deductibility of mileage expenses for the business use of automobiles has risen over the years to 31.5 cents per mile. The legislation that I introduce today corrects this oversight and raises the deduction for volunteers to 18 cents per mile, the same ratio between the charitable and business deductions which existed in 1984. My bill also takes the next step by giving the Secretary of the Treasury the authority to adjust the deduction for volunteers each year to reflect changes in costs, authority which is lacking under current law.

Mr. Speaker, it should be the policy of our Government to support and promote voluntarism, and this legislation does just that. I urge my colleagues to join me in support of this important legislation.

HONORING WAKEFIELD GRACE UNITED METHODIST CHURCH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ENGEL. Mr. Speaker, it is well known that churches are often not only the spiritual centers of communities but also the centers of gravity which hold them together. For 110 years the Wakefield Grace United Methodist Church has been such a center for the Wakefield section of the Bronx.

The church was founded in 1875 when that small community was known as Washingtonville. The neighborhood worshippers decided that the only Methodist churches in the area were too far away to walk to with children and started to meet in the first floor of a dwelling at 241st Street and Richardson Avenue. When the Sunday school reached an enrollment of 91 it was decided to erect a building for the church.

The pragmatism of the neighborhood showed itself again when they disassembled a church building in Mount Vernon, where that congregation was building a new church, and reassembled it on land donated for their worship. And in 1887 the cornerstone of the rebuilt church was laid.

The present parsonage was built in 1911 and 2 years later a neighboring building was bought and turned into the social hall. The church has also had adversity; one tower was struck by lightning in 1927, setting it on fire, and in 1989, only 2 days before Christmas, a fire destroyed the stained glass windows and the organ. Despite this, the church has served as an anchor to the people of the area.

The church today, under the guidance of Bishop Ernest S. Lyght and the Rev. Allen N. Pinckney, Pastor, continues to serve as a beacon to the area, allowing the spiritual and temporal values of the neighborhood to grow and prosper.

INTRODUCTION OF H.R. 1703, DEPARTMENT OF VETERANS AFFAIRS EMPLOYMENT DISCRIMINATION PREVENTION ACT

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. EVANS. Mr. Speaker, as you know, the problem of sexual harassment is not new to our society, let alone our Federal work force. It has been only in the past decade or so, however, that we in Congress have begun to truly recognize the depths of the problem and attempted to eliminate if from the workplace—even if such harassment comes from the highest levels of management.

As recent testimony before the House Veterans Affairs Subcommittee on Oversight and Investigations has revealed, sexual harassment has been no stranger to the Department of Veterans Affairs [VA] over the past few years. Despite what I consider the sincere efforts of VA Secretary Jesse Brown, the VA's zero tolerance policy against sexual harassment has failed.

In one highly publicized case brought to light during hearings last month, several VA employees had the courage to raise serious, substantiated allegations of sexual harassment against their boss, the Director of the Fayettesville, NC, facility. One employee was demoted after she rejected the Director's advances. When the filed charges of harassment with her immediate supervisor she was told she had little chance of succeeding on her claim because the accused was a powerful hospital director. In open testimony before our committee, she testified under oath that life had become so difficult for her at the facility that she was literally afraid to go to work each day, and ultimately transferred at her own expense to another VA hospital to get away from the Fayetteville Director.

Other employees testified that the same Director commonly made references to various parts of their female anatomy, commonly used profanity, and made sexually suggestive comments toward them, and in one case grabbed an employee's breasts at a Christmas party. Still, when some of these women attempted to file charges of harassment against the Director, local and regional VA counsels discouraged them from pursuing such claims and provided incorrect information concerning how and when to file discrimination charges.

Even amidst substantiated allegations of harassment and abusive treatment of women in the Fayetteville, NC, facility, the VA's solution was to transfer the Fayetteville Director to sunny Bay Pines, FL—the Director's planned retirement destination—with a pay increase and lessened responsibilities. The VA also paid his moving expenses, and specifically allowed him to be considered for a return to the Senior Executive Service [SES] in 3 years. The female victims of the Director's abuse, meanwhile, continue to suffer the lingering traumatic effects of his harassment.

Unfortunately, little has changed in the VA workplace since 1992, when I first chaired oversight subcommittee hearings on this issue. At that time, we heard equally compelling testimony from a legion of women who also were subjected to abusive and hostile treatment by senior level managers in the VA workplace. Incredibly, one woman who testified during the 1992 hearing presently remains on disability leave from the VA, still unable to return to work because of the emotional trauma she suffered at the hands of her senior level VA harasser.

That is why today I am pleased to join as an original cosponsor of the Department of Veterans Affairs Employment Discrimination Prevention Act. This bipartisan legislation, introduced today in the House, revamps the way VA investigates internal allegations of sexual harassment by, and against, its own employees and seeks to bring confidence and trust to the EEO process at the VA.

Boiled down to its essence, this legislation changes the way charges of harassment and other discrimination claims are handled within the VA; instead of allowing claims to be investigated by poorly trained collateral duty employees at the very facility where the harassment or discrimination is said to exist, our bill requires that all such claims be investigated and reviewed by well-trained central office employment law experts with no direct ties to the VA facility where the discrimination has allegedly occurred. In addition, the bill calls for the final agency determination to be made by independent administrative law judges [ALJ's] rather than VA bureaucrats.

This bill will help ensure that well-trained specialists investigate such claims, and will directly address the all-too-familiar scenario where a poorly trained, lower level VA employee is asked to investigate harassment or discrimination charges against a senior official who may have everything to say about his or her continued employment with the agency.

I sponsored a nearly identical version of this legislation which overwhelmingly passed the House in the 103d Congress, but was never acted on in the Senate. At that time, the VA believed that a proposed Government-wide reform of the equal employment opportunity [EEO] processes at all Federal agencies would occur. The VA opposed the legislation on that basis, and also indicated that many of the changes called for in the bill could be made administratively.

Nearly 5 years later there has been no Government-wide reform of the EEO process, there has been no major overhaul of the VA EEO administrative process, and the VA's well-intentioned zero tolerance policy has proven to be ineffective.

We cannot be expected to wait any longer for meaningful reform of the VA EEO process to occur. More importantly, this Nation's veterans and the VA employees dedicated to serving them cannot be expected to wait any longer for meaningful action and honest reform.

By enacting this legislation, we in Congress can help put the VA back on the path toward eradicating discrimination at the work place. Our veterans and VA employees deserve no less.

FIFTH AND SIXTH GRADERS SPEAK OUT—IT'S TIME FOR A NATIONAL HOLIDAY TO HONOR WOMEN'S ACHIEVEMENTS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise to give voice to the views of Sheila LeCompte's fifth and sixth grade students at Clear View Charter School in Chula Vista, CA, who have argued forcefully for a national holiday to honor 1 of 10 women whom they believe are worthy of this recognition.

One of the students, Diana Camacho, has it right when she says: ''Not one woman has been celebrated with a holiday, even when they have accomplished just as much as the men. Considering that now we are all treated equal, I believe famous women who changed the world need credit.''

Diana suggests that Marie Curie should be honored with a holiday: ''She changed the world dramatically through her medical discoveries. She was the first person to win two Nobel prizes.''

The 11- to 12-year-old children's nominations for a national holiday run from the well-known to more obscure, but nevertheless very deserving, women. Former First Lady Eleanor Roosevelt was picked by Taylor Barnes and Paul Hernandez. Ernest Joseph Z. Castillo nominated Susan B. Anthony who fought for woman's right to vote.

Brian P. Trick suggests that the ''mother of modern computers,'' Grace Hopper, be nominated. He feels strongly about a honor: ''Women are important in making our society a better place for many generations to come. . . She was the one that said that computers could understand English and worked to prove it. Because of her work, we are able to have personal computers and other tools without special training.''

Jean-Marc Apalategui and Alen Cabandong nominate 19th Century suffragist, anti-slavery activist, and former slave Sojourner Truth for a national holiday.

Christopher Del Rio would like Harriet Tubman's birthday to be declared a national holiday. He called her the ''mother of the civil rights movement.''

Singer Ella Fitzgerald gets Reuben Felizardo's vote, and Juliette Lowe, the founder of the Girl Scouts of America, is Andy Castiglione's nomination. Aviator Amelia Earhart was the pick of Kevin Han and Jennifer Olsen.

These women are all worthy role models and national heroes.

I agree with these students. A national holiday for one of this Nation's outstanding women will motivate girls and young women. They can stand on the shoulders of these great women. Mr. Speaker and colleagues, listen again to Diana Camacho's convincing reasons to honor Madam Curie—her choice for a national holiday: ''When I read about her, I got inspired to do better in everything I do. So with a holiday, just think of the influence it could have on young girls who learned about her! If we did this, it would change the way people look at women, because it would send the message that women can do great things just like men can—and be noticed. It would change the world just like Marie Curie did.''

It's time for a national holiday to honor one of our women of achievement.

A SPECIAL TRIBUTE TO THE LATE GOVERNOR PETER TALI COLEMAN OF AMERICAN SAMOA

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FALEOMAVAEGA. Mr. Speaker, I rise to honor the memory of a distinguished Pacific leader, the late Uifa'atali Peter Coleman, former Governor of American Samoa, who passed away last month after a long battle with cancer. A dedicated public servant with more than 50 years of public service, Governor Coleman was our first American Samoan statesman, a Pacific American with a truly regional vision. It is that vision for which he will always be remembered by our people.

He was someone important for whom I had tremendous respect. Governor Coleman was always cordial and courteous to me and always extended the hand of friendship. Although we disagreed on certain issues, we agreed on many others, and among them the importance of a strong American presence in the Pacific region.

I learned from him how to handle the stress of political life, how to take the storms in stride and never make a disagreement into a personal matter. He was the kind of individual of whom political opponents like former Governor A.P. Lutali could say, ''Uifa'atali and I may have been adversaries in politics, but in life we were always friends.''

Mr. Speaker, Governor Coleman exemplified all the traits of a true Samoan leader. He was a soldier and a warrior, a pioneer and a man of vision, a statesman and a man of wisdom. He possessed that quality which Samoans value most in our leaders, that of tofa mamao, which denotes a leader with a sense of vision or understanding and anticipating future events. Above all, Governor Coleman was a humble person who thought less of how he would be remembered in the future than of what he could accomplish today.

Uifaatali Peter Coleman was born on December 8, 1919, in Pago Pago, American Samoa. He received his elementary school education in Tutuila and graduated from St. Louis High School in Honolulu, where he joined the National Guard and enlisted in the U.S. Army at the beginning of World War II. Assigned to the Pacific theater, he was stationed in the Solomon Islands, Vanuatu and Hawaii. By the end of the war, he had risen to the rank of captain. In 1982, for his military service, he was inducted into the U.S. Army Officers' Candidate School Hall of Fame in Fort Benning, GA.

After the war, Governor Coleman enrolled in Georgetown University, and in 1949 he received a bachelor of science degree in economics from that institution. While in college he worked as a staff secretary to a Member of Congress, became a member of the U.S. Capitol Police Force and in what was then the Office of Territories at the U.S. Department of the Interior. He became the first Samoan to my knowledge to receive a law degree from a major U.S. university. After that, he returned to American Samoa, where he became the first Samoan to serve as public defender and later became attorney general.

In 1956, he was appointed Governor of American Samoa by President Eisenhower, one of the first Pacific Islanders to serve as governor in the Pacific. he held that position until 1961.

During those years he chaired the Convention which drafted American Samoa's Constitution and his administration laid the foundation for what has later become known as the American Samoa Government. To properly understand his achievements, Mr. Speaker, we must remember that at that time he had limited resources and hardly any staff to speak of—i.e., there were no younger, educated American Samoans to fill the positions in government. All that came later.

From 1961 until 1965, Governor Coleman served as Administrator of what is now the Republic of the Marshall Islands. So great was the regard in which he was held that he became, by special act of the Nitijela (the Marshallese Parliament) the first U.S. citizen ever accorded an honorary Marshall Islands citizenship.

During his subsequent 17 years in the northern Pacific, Governor Coleman served as Deputy High Commissioner of the U.S. Trust Territory of the Pacific Islands and, subsequently, as Acting High Commissioner, which position he held until 1977. His performance firmly established him as a regional statesman.

When American Samoa held its first gubernatorial election in 1977, he ran for office and became the first elected Governor, a position which he held three times. During his elected years in office, he continued to forge close ties between the territory government and Washington DC and with Federal and State agencies and institutions. He was responsible for American Samoa's membership in both the National Governors Association and the Regional Western Governors Association. In 1980 he became the first territorial Governor to serve as chairman of the Western Governors Conference. He was elected a member of the executive committee of the NGA in 1990.

As a regional leader, Mr. Speaker, Governor Coleman's record is equally distinguished. He co-founded the Pacific Basin Development Council in 1980 and was its first elected President in 1982. In 1982 he hosted and chaired the South Pacific Commission's annual conference in Pago Pago, American Samoa. At a special SPC meeting in 1983 and later in a conference in Saipan, he argued Strenuously for equal membership in SPC for Pacific territories. This he ultimately was successful in obtaining for the territories.

He was two times a member of the standing committee of the Pacific Islands Conference of Leaders. He was on the founding board of the Pan-Pacific Alliance for Trade and Development and a founding member of the Offshore Governor's Forum, which he chaired from 1992 to 1993.

Governor Coleman was loved and respected by the people he served—both in American Samoa and in the region. I know that everyone who ever had the privilege of working with him had tremendous respect for his common sense, his intelligence, and his decency.

His generosity of spirit was well-known. He was a role model and a mentor to many young people, myself included. As he gained political stature, he helped younger aspiring leaders—he opened up windows of opportunity and it is as a mentor that many of us will remember him best. From the ''teaching stories'' he shared to the examples of achievement which his own life offered, he inspired many of us to consider public service. As my distinguished colleague from Guam, Congressman ROBERT UNDERWOOD, has said, ''He accurately saw himself as a developer of indigenous governments, bringing Pacific islanders to full recognition of their right to self-government and their capacity to implement the same.''

His regional stature was widely acknowledged, Mr. Speaker. In 1970 he was granted an honorary degree by the University of Guam, who cited him as a ''Man of the Pacific.'' In 1978, he received an honorary doctorate from Chaminade College in Hawaii, Pacific Magazine called him, ''a man who is probably on a first name basis with everybody from the heart of the Pacific islands to their most distant corners.''

This stature as a regional leader led to a number of special assignments. He was a member of numerous U.S. delegations to treaty negotiations, observances and regional conferences, among them the U.S. delegation which negotiated the 1981 Treaties of Friendship with Kiribati, Tuvalu, Tokelau and the Cook Islands, the second Pacific Islands Conference of Leaders in Rarotonga in 1985, the Pacific Democrat Union Conference in Fiji in 1987, the centenary observance of the U.S. Tonga Treaty of Friendship in 1988, and the American Samoa delegation to the Wellington Conference which banned driftnet fishing in the South Pacific in 1989.

In the words of his longtime political rival, former Governor A.P. Lutali, ''I am proud that my friend Uifa'atali earned a place in history for his devotion and service to our people and the peoples of the Pacific.'' Whether we remember the dedicated public servant, the leader, the regional statesman, the role model for Pacific youth, the good friend whose personal warmth was always evident—or any of his other remarkable aspects, we all mourn his loss.

What stands out in my mind is Governor Coleman's regional stature. Here was a man, a Pacific islander, who saw beyond the shores of his own island—a man who clearly saw the link between the welfare of American Samoan and the welfare of other Pacific islanders. He fought for a responsible U.S. presence in the region, he cofounded, encouraged, and nurtured regional organizations and he inspired a whole generation of young Pacific islanders to strive to better themselves by following his example and his vision.

Mr. Speaker, I recently attended the funeral services which were held for Governor Coleman in Honolulu, HI. I am very glad to also note that our Governor Tauese P. Sunia and his lovely wife, Faga, were in attendance at the services. Additionally, the President of the Senate, High Chief Lutu Tenari Fuimaono and his wife Sinira, the Speaker of the House, High Chief Mailo Sao Nua, the Commissioner of Public Safety, High Chief Te'o Fuavai, plus a special honor guard from the Department of Public Safety in American Samoa were present.

In closing, Mr. Speaker, I would like to offer my condolences to Governor Coleman's wife, Nora, and his children and grandchildren. I am sure that the proud legacy which he left them will live on in their hearts and in the hearts of all the people of the Pacific.

Mr. Speaker, I recently attended the funeral services which were held for Governor Coleman in Hawaii. I am very glad to note that our Governor Tauese P. Sunia and his lovely wife Faga were in attendance at the services. Additionally, the President of the Senate, High Chief Lutu Tenari Fuimaono and his wife Sinira, the Speaker of the House, High Chief Mailo Sao Nua.

In closing, Mr. Speaker, I would like to offer my condolences to Governor Coleman's dear wife Nora and his children. I am sure that the proud legacy which he left them will live on in their hearts and in the hearts of all the peoples of the Pacific.

PROCLAMATION

Pursuant to the authority vested in the Governor of American Samoa, under the flag code prescribed by the Congress of the United States of America shall be flown at half staff as a mark of respect and a tribute to the memory of Uifatali Peter Coleman, former Governor of American Samoa, and one of the fathers of the government and the territory of American Samoa from April 28, 1997, until May 28, 1997.

Furthermore, by the authority vested in me by the constitution and laws of American Samoa, as executive head of this territory, I hereby order the flag of American Samoa to be flown also at half staff. I would also like to ask all the departments, agencies, and offices of the American Samoa to observe in the most appropriate manner and custom befitting the occasion of the passing of this great leader.

In witness whereof I set my hand and seal on the 28th day of April, 1997, at Utulei, American Samoa.

TAUESE P.F. SUNIA,
Governor of American Samoa.

[From the Hawaii Star-Bulletin, Apr. 29, 1997]

PETER COLEMAN, ''MAN OF THE PACIFIC''

(By Mary Adamski)

HONOLULU.—Peter Tali Coleman was called ''a man of the Pacific'' in one of the many honorary degrees he was awarded, but that was not a fanciful title. It would serve as a summary of his life.

He was the first Samoan to be appointed governor of American Samoa, a US territory and later the first elected governor there.

His service as governor bridged five decades, first from the appointment in 1956–61, to three elected terms, the most recent ending in 1993.

He spent nearly 17 years as an American appointee in administrative roles in the former U.N. Trust Territories of Micronesia. Then he served as an advisor to the government and the emerging Western Pacific nations as they gained independence. He founded PTC Inc., a government relations firm specializing in Pacific island matters, was the Republican national committeeman from American Samoa, and an attorney.

Coleman, 77 died yesterday (Monday) at his Honolulu home after a two-year struggle with cancer.

''He was early recognized as a leader and will be remembered as one of the forerunners in the Pacific among native-born leaders who helped their nations chart their own destinies,'' said Hawaiian Governor Ben Cayetano.

''His contribution will be long and recalled with respect and affection.''

Governor Tauese P.F. Sunia of American Samoa ordered the United States and American Samoa flags to be flown at half-staff for 30 days in Coleman's home islands. Sunia will attend services in Honolulu next week, according to his Chief of Staff.

''There is no question of Peter Coleman's place in history, not only in American Samoa, but throughout the Pacific,'' said Sunia in a message to the Coleman family ''I am proud to say I knew him, that I worked for and with him, and that I witnessed the progress and change he brought to American Samoa.''

Kitty Simonds, Executive director of the Western Pacific Regional Fisheries Management said: ''He really knew the heart of the Pacific people.'' She recalled Coleman's effort to affirm native islanders' fishing rights, a move not popular with the American fishing industry or the tuna packing firms in Pago Pago.

City Councilman Mufi Hannerman said: ''He was definitely a role model for many Samoans. Through his example, he embodied the best ideals and value of a public statesman.''

D.E. ''Rags'' Scanlan, president of Royal Guard Security, said Coleman was ''distinguished by his work for the betterment of all in the South Pacific.'' Scanlan whom Coleman tapped to coordinate relief efforts after a 1981 hurricane devastated Samoa, said the man was ''very unpolitical. He was in politics but wasn't a politician, he worked behind the scenes.''

J.E. Tihati Thompson of Tihati Productions said: ''I will always respect him for the assistance he gave not only to the people of Samoa, but also to the Tokelau people of Swains Island Atoll while in office. He grew into a very gracious statesman who many would consult for political advice.''

[From the Samoa News, May 15, 1997]

A EULOGY IN MEMORY OF PETER TALI COLEMAN

(The following eulogy was presented by William Patrick ''Dyke'' Coleman at the recent funeral of his father, former Governor Peter Tali Coleman. Dyke was Governor Coleman's chief of staff in his most recent administration (1989–1993).)

Dad introduced as to Samoa during the summer of 1952 when we first arrived in Pago Pago Harbor on board the Navy transport vessel the USS Jackson. We kids were just overwhelmed and excited by the beauty of the Harbor and the majesty of the surrounding mountains on that July morning.

Grandma Amata had accompanied us on the trip from Honolulu and Chief Tali, Aunty Mabel and Snookie and other family members were there to welcome us.

The living quarters we were assigned to was the old nurses' quarters at Malaloa, the house was spacious, wide open and structurally sound and we kids loved it. Mom and Dad learned later that these quarters had been condemned but that really never bothered us because we didn't know what that meant and didn't care anyway.

To Dad, as long as the family's safety and health were not being compromised, the label was of no consequence and the condemned house he viewed as a minor, temporary inconvenience that was not worth complaining about.

The house, for now, served our purposes. He adapted and taught us to do the same. Don't get hung up on the minor things. He never lost focus of his larger destiny.

Things that would bother many of us never seemed to bother him. He handled criticism the same way. Those who knew him well can attest to that. He reserved his energies for life's larger problems.

Only he knew that, very soon thereafter, he would occupy the best house on the island, the governor's mansion. Occupying the governor's house itself was not the goal. He aspired to lead his people and never lost focus of that objective.

Dad practiced law during these early days and his clients would often instead of cash pay him with live chickens and pigs. The house was the perfect place in which to learn and develop responsibility to raise and care for them.

Of course some of these animals soon became pets. We had a pet pig named Porky that we let into the house all the time, and Grandma Amata would get angry and chase the pig out with a broom. On school days Porky would always greet us when we got home. One day Porky didn't meet us. We combed the entire area around the house and the mountainside. We couldn't find him.

Dad had now become Attorney General and we kids had become so upset and distraught that Dad called the police force to help look for our pig. We never found Porky. We knew he ended up in someone else's umu. It took a long time for us to get over that loss.

Dad used to cut our hair, even after he became Governor. His haircuts made us very sad and we cried every time we had to get one. We wanted to look like Elvis but ended up looking like Fred Flintstone. The hairline was almost always uneven and so we would get teased and slapped in the head by the other kids.

One time my brother Milton ran away from home because he didn't want his hair cut. Anyway he finally returned home when he got too hungry. And of course the rest of us promptly reported him to Dad. Misery loves company. Milton got his spanking, which made us gleeful and after his haircut, lost his appetite.

As kids we didn't fully appreciate that those haircuts showed Dad to be a true visionary. Today these haircuts are considered fashionable and quite stylish with the younger crowd. Dad was ahead of his time.

Mom was always behind the scene, providing her strengths to support Dad and the family. For all this intelligence, strength of character and self-discipline, his sense of humor was how he kept life in perspective, everything in balance.

He used humor to fend off criticism, to laugh with others, to tolerate the inflated egos his line of work brought, and even to laugh at himself. His sense of humor was his way of remaining within himself.

One day when he was still at Queen's Hospital I went to visit with him. He had just awakened and I sat there making loose talk and joking with him. I told him casually that Amata had called earlier from Washington.

He asked what she had wanted. I told him she asked how he was doing and that he should start thinking about the governor's race for the year 2000. He laughed so hard he cried.

God bless you.

A TRIBUTE TO SHIMON EREM

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, it is an honor to rise today to recognize Shimon Erem as the recipient of the Lawrence J. Weinberg Distinguished Service Award. This award recognizes Shimon for his outstanding grassroots political service which has helped to strengthen relations between the United States and Israel.

Shimon Erem has been a tireless leader of our community and our Nation recognizing the necessity of open dialog, particularly over difficult issues which jeopardize freedom and peace. He has personally arranged meetings among the leaders of France, Norway, Poland, Israel, and the United States, as well as conferences between Christian and Jewish pastors to better Judo-Christian relations.

In addition to his national leadership Shimon has served our local community by participating in California statewide politics, while personally forging relationships between State officials and party activists. Shimon is a true champion of democracy locally in California and throughout the world.

Shimon understands the basis of democracy and the need for strong leadership. He has headed several organizations including B'nai B'rith, the World Alliance of Christians and Jews, Center for Strategic Studies in Los Angeles, and countless others. The Los Angeles community and I thank Shimon for his exceptional service and dedication to the preservation of democracy throughout the world.

Alexis de Tocqueville once said that:

> A people among whom individuals lost the power of achieving great things single-handed would soon relapse into barbarism.

Tocqueville meant that democracy would not survive without people like Shimon sacrificing time and energy for the benefit of this Nation. I honor Shimon Erem for his work toward peace and congratulate him as the recipient of the Lawrence J. Weinberg Distinguished Service Award.

THE INTRODUCTION OF THE CONGRESSIONAL OFFICE OF REGULATORY ANALYSIS CREATION ACT

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. KELLY. Mr. Speaker, I am introducing legislation that will greatly assist this body in obtaining information that it can use to fulfill its responsibilities under the Congressional Review Act. My legislation would create a Congressional Office of Regulatory Analysis, or CORA, whose sole purpose would be to provide Congress substantive information on the potential impact of new regulations on our Nation's small business.

In March 1996, the Small Business Regulatory Enforcement Fairness Act [SBREFA] was enacted. Contained within this legislation is an often overlooked, but nevertheless significant, provision that gives Congress the authority to prevent new Federal regulations from taking effect. This new regulatory disapproval authority is designed to allow Congress to become a more active participant in the regulatory process.

Members of Congress have often protested that Federal agencies routinely promulgate regulations that exceed their legal authority. Given these complaints, and the fact that the regulatory burden has become unbearably large, one would expect that Congress would be vigorously employing its powers under the Congressional Review Act. However, in practice, the exact opposite is true. As of May 21, 1997, roughly 14 months after the Congressional Review Act became effective, 4,574 nonmajor final rules have been submitted to GAO and Congress, and 72 major rules, on which GAO is required to submit a statement to Congress, have been issued. Yet, not a single resolution of disapproval has been passed. The House of Representatives has failed even to consider one such resolution.

In my opinion, this is not how the Congressional Review Act was designed to operate. Congress must use its authority to exercise stronger oversight of the regulatory state. Before I describe the responsibilities of CORA, however, I would like to make one point very clear: this initiative is not based on the assumption that all regulations are bad. Some regulations have been instrumental in protecting our environment and ensuring the safety of millions of American workers. These efforts should not be weakened, and it is not the intent of this legislation to do so.

Having said that, let me explain more fully what CORA is designed to do. Under my bill, a new legislative support office, called the Congressional Office of Regulatory Analysis, would be created. Why is such an office needed? As discussed above, the Congressional Review Act is simply not being implemented. The executive branch continues to churn out new regulations at a staggering pace. In most cases, the only information that Members of Congress have available to them regarding a regulation is that which is provided by the promulgating agency. As we all know, Federal agencies are required to complete a number of reports and analyses on rules that they are promulgating. A problem exists, however, because agencies often ignore these requirements, or fail to thoroughly comply with them. Aside from what an agency may provide, there is no other source of information that Congress can rely upon. CORA's sole purpose would be to analyze new agency regulations to help Congress determine whether the use of its disapproval authority under the Congressional Review Act would be warranted.

How would the Office operate? Under current law, virtually all new regulations are required to be filed with Comptroller General of the General Accounting Office and each House of Congress. The Comptroller General has unique responsibilities if these regulations are determined to be major. A major rule, whose determination is made by the Administrator of the Office of Information and Regulatory Affairs, is defined as a rule that will likely have an annual effect on the economy of $100 million or more. In these instances, GAO is required to submit a report to the committees of jurisdiction by the end of 15 calendar days containing an assessment of the agency's compliance with the procedural steps required by various statutes and executive orders relating to the regulatory process. The usefulness of these reports, however, is minimal because they simply assess procedural steps taken by an agency, and do not at all address the substance of the regulation. As a result, they do little to assist Members of Congress determine the merits of the rule itself.

This would change under my legislation. Initially, the functions now designated to the General Accounting Office would be transferred to CORA. In addition to the report on an agency's compliance with procedural steps, CORA would also perform its own regulatory impact analysis of major rules. Such an analysis would provide a second opinion on the agency's actions and provide Members with a substantive assessment of the impact the regulation is likely to have. This information could then be used to facilitate use of the Congressional Review Act.

In addition, CORA could also conduct regulatory impact analyses of nonmajor rules. Currently, there is no type of review of these regulations by GAO or anyone else. CORA would undertake these analyses at the request of a committee or individual Member, based on a priority system established within the legislation and the discretion of the Director of the Office. Under such a system, CORA could analyze important nonmajor rules using limited budgetary resources.

Under the Unfunded Mandates Reform Act, the Congressional Budget Office also has certain regulatory analysis functions. CBO is required to estimate the costs of regulations that may be needed to implement a particular piece of legislation. Upon request, CBO is also required to compare its estimate with that of the agency promulgating the rule. Because CORA would be the repository of regulatory information for Congress, it would be appropriate for CORA to assume this function.

Mr. Speaker, Congress needs accurate, reliable, nonpartisan information that it can use to assess new regulations. A source for such information does not currently exist. My legislation would create a small, inexpensive, and focused office within the legislative branch that could provide such information. It would consolidate and centralize such a function, and greatly facilitate effective implementation of the Congressional Review Act. With the annual cost to our economy of Federal regulations estimated at roughly $700 billion and growing, how can we afford not to have such an office?

Thank you, Mr. Speaker.

HONORING LINDA VISTA SCHOOL

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. KIM. Mr. Speaker, I am honored to rise today and salute Principal Schara and the teachers and students of Linda Vista Elementary School in Yorba Linda, CA for having been awarded the Blue Ribbon School Award by the U.S. Secretary of Education. I am proud to represent such a fine institution in Congress.

Blue Ribbon awards honor 263 secondary, middle and junior high schools around the

country for showing exceptional dedication to providing a top notch education to its students and preparing them for the next century. Linda Vista was the only school in the 41st District to receive this highly sought-after award. Blue Ribbon schools must show strong leadership, a clear vision, and sense of mission that is shared by all connected with the school, high quality teaching, a challenging up-to-date curriculum, policies, and practices that ensure a safe environment conducive to learning, a solid commitment to parental involvement and evidence that the school helps all students achieve high standards.

Linda Vista School was selected through a highly competitive process in which state education departments, the Department of Defense dependent schools, the Bureau of Indian Affairs, and the Council for American Private Education nominate schools which best meet the superior standards of the award. The selected schools are then visited and reviewed by a panel of 100 outstanding members of the education community. This panel then makes final recommendations to the U.S. Secretary of Education.

Linda Vista will be honored next fall at a national ceremony in Washington DC where the school will be given a plaque and a special flag to fly.

Mr. Speaker, I ask my colleagues to join me in commending Linda Vista School for its dedication to preparing its students for the challenges they will face growing up in and around Orange County. Behind this Blue Ribbon school is a dedicated group of faculty, students, and staff whose commitment to education is an example for schools around the country to follow.

TAIWAN'S PRESIDENT LEE DESERVES PRAISE FOR SUCCESS DURING HIS FIRST YEAR

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. JEFFERSON. Mr. Speaker, I rise today to note that Monday, May 20, 1997, marked the first anniversary of the administration of President Lee Teng-hui and Vice President Lien Chen of Taiwan.

A few weeks ago, several Members of Congress and I stopped briefly, too briefly, in Taipei on our return to the United States from a congressional trade development trip to Asia and the Pacific rim.

During our stopover, we had the opportunity to visit with President Lee and Vice President Lien. President Lee impressed me, and I believe other members of the delegation, with his commitment to instituting full democracy in Taiwan. I was equally impressed by President Lee's commitment to provide a higher standard of living in Taiwan and to improve relations with both the United States and China.

The first-year record of President Lee and Vice President Chen offers promise for future progress. Taiwan has maintained a steady economic growth with a per capita income of $13,000—U.S.—that is equivalent of many Western European countries. Taiwan has expanded relations with several countries and has sought a continuing dialog with the People's Republic of China about eventual unification with a more democratic and open government in China.

Finally, Mr. Speaker, President Lee deserves congratulations on the many accomplishments during his first year in office and best wishes for continued success and progress. I hope that I will be able to visit Taiwan again and to stay longer than just a few hours.

ARTHRITIS AWARENESS MONTH

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. JONES. Mr. Speaker, I come before this body today in honor of Arthritis Awareness Month. This month is set aside to increase the public's knowledge about arthritis, and the many related diseases which affect the joints, bones, muscles, skin, and other connective tissues.

Arthritis and its related diseases are among the most common causes of chronic pain, disability, and disfigurement in Americans today. These diseases occur at all ages, impair the quality of life, and many require medical care and attention over long periods of time.

Health experts estimate that by the year 2020, when the Baby Boom generation approaches the prime years for the onset of chronic illnesses, 60 million Americans will have arthritis, a 50 percent increase over today's estimate.

Currently, the combined cost to society of medical care and lost wages for arthritis and related diseases is estimated to be at least $143 billion a year.

Arthritis is the No. 1 cause of disability in America. It can limit everyday activities, such as dressing, climbing stairs, and getting in and out of bed, for approximately 7 million Americans. This figure is expected to increase to 12 million by the year 2020.

Though these figures are astounding, they do not truly make an impact until arthritis touches your family. That is what has happened to me. In early 1990, my wife of 31 years, Joe Anne, was experiencing pain in her hands.

After repeated visits to our family doctor, we discovered she has arthritis in her hands. My wife is a very active, determined, and energetic woman. For example, when she was pregnant with our daughter Ashley, Joe Anne delivered calves on her father's farm. For years she was a high school teacher in our hometown. Now she devotes her time and energy to the horses she has bred and trained for years.

Though she has not allowed her arthritis to stop her activities, she is in constant pain and has difficulty doing some things that many of us take for granted.

Joe Anne and I are fortunate enough to reside in the great State of North Carolina. Our State's many opportunities have attracted some of the best and brightest minds in the medical field. In fact, there is a research center in my home State that is one of the leaders in the fight against arthritis.

The Thurston Arthritis Research Center at the University of North Carolina at Chapel Hill has joined the National Institute of Arthritis, the Centers for Disease Control, and the Arthritis Foundation to bring together a superior medical research team. They have dedicated their facilities to achieve their mission: to eradicate arthritis and ease the suffering of arthritis victims.

The work these facilities have already done speaks to their skill and determination. Their recent breakthroughs are bringing us closer to preventing—and curing—some of the most crippling and costly diseases that affect our Nation.

For example, researchers believe that treatments involving adequate calcium and nutrients, coupled with an exercise program, may provide the most practical approach to the prevention of osteoporosis.

There is also an exciting new avenue of research which indicates that lupus may involve abnormalities in the body's ability to eliminate unnecessary, damaged, or potentially harmful cells. This process is known as programmed cell death. A better understanding of programmed cell death may lead to new treatments for arthritis.

In addition, the studies currently being conducted which examine the causes of cartilage breakdown, and ways to stimulate growth of cartilage, will lead to new treatments in osteoarthritis.

I support the ongoing search for a cure to arthritis. As we work on the fiscal year 1998 budget, I urge my colleagues in the House to consider the thousands of people, present and future, who suffer from arthritis and related disorders.

The Thurston Arthritis Research Center and organizations like it are very close to a breakthrough in their research. Please join me in lending these researchers all the support you can. Your health, or the health of someone you love, could depend on it.

TRIBUTE TO BRUCE A. SEYMORE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BONIOR. Mr. Speaker, today I would like to congratulate Mr. Bruce Seymore as he retires after thirty-one years of service with the city of Port Huron as the director of finance. His colleagues will be honoring him with a dinner on June 27, 1997.

Mr. Seymore began his career with the city of Port Huron in 1966 as director of finance. Under his leadership and guidance, for twenty-one years, the department received the Certificate for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada. The department has received this distinction longer than any other unit of government in Michigan.

Along side his success with the city of Port Huron, Mr. Seymore has been an incredible asset to his community. Throughout the years, Mr. Seymore has served on the Michigan Waterways Council of Girl Scouts Board and as president of Goodwill Industries. His compassion and devotion to those in need prompted the board of directors at Goodwill to give Mr. Seymore the Scotty Hanton Award in 1979. The Scotty Hanton Award is granted yearly to a person who personifies the essence of Goodwill. The nominees are picked based on their time of service, time investment, personal contributions, and spirit.

I would like to congratulate Bruce Seymore as he retires and wish him and his family all the best.

WALTER CAPPS ''IN OUR HEARTS'' MEMORIAL DAY SPEECH

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. EVANS. Mr. Speaker, this Monday is Memorial Day. Members of Congress will be home in joining with our constituents at many important ceremonies honoring the memory of those who sacrificed their life in the service of our Nation.

Mr. Speaker, one of our new Members, WALTER CAPPS, of California, will be giving the keynote address as a major Memorial Day gathering in Los Osos, CA. Congressman CAPPS is a true friend of those currently serving in the military and a staunch advocate on behalf of our veterans and their families.

Representative CAPPS has shared his planned remarks with me. I am pleased to submit a copy of Representative CAPPS' remarks into the CONGRESSIONAL RECORD moving speech and I urge my colleagues to read and reflect on his remarks.

IN OUR HEARTS

(By Walter Capps)

Corporal Haley, Father Kozanecki, Master Sergeant Martin, Supervisor Laurent, Reverend Ford, esteemed Veterans, ladies, and gentlemen.

It is a humbling and awesome task to stand before 1,000 people this morning in this breathtaking location to help observe Memorial Day.

Today, all over this great nation, Americans from every walk of life are taking time to honor the memory and reflect on the sacrifices of those who gave their lives so that we can live our lives in peace and freedom. Today more than any day, they are in our hearts.

And just as importantly, we pay tribute to those—like the hundreds in this gathering today—who served in our military forces. You may not have given your lives, but you certainly gave of your bodies and souls in defense of your country and the cherished principles which make our nation so great. You too are in our hearts.

From the first shot fired of the Revolutionary War to the scud missile casualties in the Persian Gulf, nearly 1.2 million Americans have been killed at war.

This statistic is staggering. Simply uttering it and moving on threatens to obscure the individuality of each fallen man or woman, and to dim the historic lessons of each American conflict.

The first Memorial Day was observed on May 30, 1868, three years after the Civil War set our nation against itself and claimed the lives of half a million people from the Union and the Confederacy.

Nearly 130 years later, these deaths must remind us of the urgency to settle our own differences under the rule of law and with the decency of a civil society. We must never resort to the internal warfare that has killed countless people across the globe—from Zaire to Chechnya—even this year. And the lesson of the Civil War about the cruelties and degradation of racial bigotry are sadly those that still have not been fully realized by our society.

Many of you fought in World War II. In fact, some have made their home in this beautiful county because you trained here before shipping out overseas.

To you, and your 400,000 comrades in arms who perished in Europe and in the Pacific, the world will forever owe a priceless debt of gratitude for vanquishing tyrants who committed unspeakable crimes against innocent people and who threatened the very existence of civilized life on earth. The lessons of World War II, of course, are that we can never tolerate the unchecked genocidal passions of ruthless dictators and expansionist military campaigns which threaten fellow democracies and even our own shores.

I see many Vietnam vets here today. I have known and worked with some of you since I first came to California 32 years ago and began teaching a university course on the Vietnam War.

The lessons of the Vietnam war are profound. From this war, we learned that we must never blame the war on the warriors. The sad fact that more Vietnam vets have killed themselves than died on the battlefield teaches us that when we send soldiers to war, we must, as a nation, support them when they return.

And from the Vietnam war, we must resolve only to send U.S. troops into harm's way when critical American strategic or moral interests demand our engagement, and never make this decision out of a sense of ideological zealotry.

Those who join us today who served in World War I, Korea, the Gulf War, and other conflicts and peacekeeping missions have, of course, made their own special contributions in defense of American security and values.

My friends, I have participated in Memorial Day exercises for many years, but this is the first year that I have been honored to do so as your Congressman.

It is an unparalleled honor and high privilege to represent our communities and its people in our nation's capital. And as your Representative, I have new challenges and responsibilities.

As a Congressman, I have no higher duty than to preserve the security of our nation by ensuring that our military remains the best trained, best equipped, and most prepared in the world. Yes, even in the age of budget cuts and downsizing, we can and must maintain an efficient and cost-effective military skilled not only in conventional warfare, but at combating the new enemies of terrorism, drug trafficking and organized crime.

As a Congressman, and a Member of the International Relations Committee, I am doing all I can to rid the world of the most horrifying weaponry of past and potential wars. I am active in the efforts to ban antipersonnel land mines and am pushing for swift action on the critical chemical weapons treaty.

As a Congressman, I am committed to maintaining the highest level of Federal benefits for our veterans and their families. In this effort, I will continue my previous work as a private citizen, when I helped bring the first ever Vet Center to Santa Barbara.

I am, for example, cosponsoring legislation to ensure that veterans receive substantial health benefits and that they are never shortchanged on retirement pay. And I am proud to say that my office has been able to help a number of veterans secure medals to which they were entitled but never received.

As a Congressman, I will keep pushing our government and the governments of Vietnam and other former adversaries to leave no stone unturned in our sacred battle to determine the final status of all the brave combatants who are still missing in action.

And as a Congressman, I will honor the memory of those who died in service of our nation by trying to preserve the unique American values for which they fought. Today is the day when all of us should pledge to redouble our fight to ensure that the basic rights we all enjoy—freedom of speech, freedom of religion, freedom of the press, and the freedoms afforded by our democratic political system are never, ever, diminished.

My friends, some of you know that I was born in Omaha, Nebraska. That's why I'm particularly proud to quote the inscription that many of you have read for yourselves at the Omaha Beach Cemetery in Normandy:

''To these we owe our highest resolve, that the cause for which they died shall live.''

Freedom, peace, justice, dignity, and prosperity. These are the qualities of life all of us here on the Central Coast and across America enjoy. We must never take them for granted. And we must forever remember and honor those who fought and died for the cherished causes that will endure for generations to come.

Today, and every day, they are in our hearts.

TRIBUTE TO MAJ. HAL GEER—MILITARY ORDER OF THE WORLD WARS

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, it is a great privilege for me today to rise and pay tribute to an exemplary American, Maj. Hal Geer, who is being honored by his peers with the Military Order of the World Wars for his extraordinary devotion to our country. The order symbolizes distinguished service within the Armed Forces and is awarded to one who embodies the highest degree of honor, duty, and patriotism.

Hal's life story exemplifies those virtues that make a true hero. The tenderfoot oath that he swore when he was 12—''On my Honor I will do my best to do my duty to God and my Country,''—became the creed by which he lived his life. Just 1 week after the tragedy of Pearl Harbor, Hal heeded the call of duty to his country and voluntarily enlisted in the Army, leaving behind his wife, to fight for democracy abroad. Hal also passed up officer candidate school to become a combat photographer and he actively sought front-line assignments.

Gen. George Patton once said, ''Wars may be fought with weapons, but they are won by men.'' We can stand here free today because of men like Hal Geer who went beyond the call of duty.

Hal's courage and valor place him among the pantheon of true American heroes. He flew more than 85 air combat missions in China, risking his own life to show the American people the courage of our troops in action. Hal later volunteered to work behind enemy lines in China where he stood under constant fire. That heroism has brought Major Geer countless decorations and commendations, and has made him World War II's most highly decorated combat photographer.

However, Hal showed his devotion not just in war but also in peace time. In addition to serving as president of the Congregational Church of North Hollywood, he has also devoted countless hours to teaching religious education classes. Furthermore, Hal has produced Memorial Day services to ensure that

those who died for our country are never forgotten, and that we never forget that the price for democracy is eternal vigilance.

Today, I join those who have devoted their lives to defending our country in honoring Maj. Hal Geer with the Military Order of the World Wars.

HONORING GILBERT AND SALLY KERLIN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ENGEL. Mr. Speaker, I speak today in praise of two people who for more than 50 years have worked in environmental and community causes. Gil and Sally Kerlin have both been important elements in the cultural and social life of Riverdale.

As a volunteer Gil Kerlin led the Riverdale Community Planning Association in the early 1950's to propel the rezoning of the northwest Bronx and spearhead the creation of the Natural Area District. He was a founder of Wave Hill, a prototype of preservation in the New York City area and chairman of its board until 1991. He was active in establishing the Riverdale Historic District and has chaired the Riverdale Nature Preservancy which is dedicated to preserving and enhancing the quality of life in Riverdale.

Mr. Kerlin is a graduate of Harvard University, Trinity College in Cambridge, England, and Harvard Law School. Sally Kerlin is a graduate of Radcliffe College and attended the Bank Street College of Education. She is a member of the Society of Women Geographers and created a series of maps used in teaching the relationships between the U.S. topography and man's use of it. She also worked on the creation of Wave Hill.

Mr. and Mrs. Kerlin are being honored by the Riverdale Senior Services, an organization dedicated to working with seniors and celebrating its 23d anniversary. This wonderful organization and this marvelous couple epitomize the contribution of caring people for their neighborhood. They deserve our praise for all the good work they have done to improve life in their community.

A TRIBUTE TO MY GOOD FRIENDS TINA AND GARTH COONCE

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. POSHARD. Mr. Speaker, I rise today to honor an outstanding couple from my hometown, Marion, IL. Tina and Garth Coonce are wonderful people who are working in the service of the Lord. They are the founders and president of the Tri-State Christian Television Broadcast station, and this year they are celebrating their 20th anniversary on the air.

I have had the pleasure of being a guest on their show from time to time and have enjoyed sharing with many viewers the role of spirituality in the public arena. I was able to share the lessons I have learned as an elected official and as a cofounder of a group known as Faith in Politics.

The good Lord has given Garth many talents. the is an excellent writer and is the renowned author of ''How To Keep Your Life in Focus.'' Garth also is quite a scholar and has earned a bachelor of science in business administration, a masters of business administration, a doctorate in humanities, and an honorary doctorate of divinity. To say the least, Garth is a learned man.

Mr. Speaker, Garth's past corporate experience has helped him run the hugely successful Christian Radio Broadcast Flagship. He has a marketing background and has managed an accounting practice, in addition to serving on the International Task Force for Artificial Sweeteners, the National Association of Accountants, the Chemical Management Advisory Board, and the National Religious Broadcasters. He is also a U.S. Air Force veteran and an multiengine pilot with instrument rating.

Garth's family has always been this backbone. His wife, Christina, an integral part of Garth's ministry, has been this partner through every endeavor and also ministers as a noted Christian leader herself. Garth has been known to say, ''One of my great sources of joy is the tremendous family God has given me.'' His eldest daughter, Victoria, and son-in-law, Curt Clark, are both proud alumni of Oral Roberts University. Victoria now is an instructor of communications, while Curt is a successful executive with Pepsi Corp. His younger daughter, Julie, also a graduate of Oral Roberts University, married Thomas Connor Nolan III, who is now executive director of the Tri-State Christian Television Broadcast station.

Mr. Speaker, the Coonce's are an inspiration. They are a rare family that does not feel ashamed to show their faith to others and to witness the good news of Christ. Through their Christian Television Broadcast station they have touched thousands of viewers who are in need of the Gospel, and I applaud them for their outstanding efforts. God speed.

IN HONOR OF THE FRITZ REUTER ALTENHEIM LIFE CARE COMMUNITY: CELEBRATING 100 YEARS OF SERVICE TO THE RESIDENTS OF THE NORTH JERSEY AREA

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay special tribute to the Fritz Reuter Altenheim Life Care Community on the occasion of its centennial anniversary. For 100 years, this organization has been committed to the notion that our aged population deserves the help of our whole community. This momentous occasion will be celebrated at a gala dinner dance on Sunday June 1, 1997, in the grand ballroom of Schuetzen Park, in North Bergen, NJ.

Founded in 1897 as a continuous care retirement community, the Fritz Reuter Altenheim home has impacted the lives of many. Originally designed to accommodate aging German immigrants, the home contained a chapel. furnished living quarters, a dining room, and a kitchen. The cornerstone of the Fritz Reuter Altenheim home was laid in 1898 and 1 year later, on June 15, 1889, the first occupants moved in.

Due to dedicated and caring individuals, the Fritz Reuter Altenheim home has expanded tremendously, now housing a fully staffed nursing unit, a residential facility, as well as independent living apartments, with all facilities open to all seniors.

Since its incorporation as a nonprofit organization in 1897, it has been funded in large part by donations, voluntary efforts, and bequests. It is kindness and selflessness that keeps this home alive and enables it to grow.

I ask that my colleagues join me in recognizing the Fritz Reuter Altenheim Life Care Community for its outstanding work and commitment. I applaud their expansion of care to the seniors in my district. I expect that the Fritz Reuter Altenheim staff and administrators will continue to serve the community in the same noble fashion for another 100 years.

TRIBUTE TO AL GRIMSON

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BONIOR. Mr. Speaker, today I would like to congratulate Mr. Al Grimson as he retires from his job as accounting manager from the Macomb County Finance Department. His colleagues will honor him with a dinner and reception at the end of this month.

For 23 years, Al has been a dedicated and committed accountant for Macomb County. In 1974, Al began working as an auditor for Macomb County Community Mental Health. Al later went on to serve Macomb County in a variety of positions. He became the administrative assistant for the budget and finance department, an audit officer for the internal audit department before becoming the accounting manager. His participation in accounting associations, his background, and experience, made him a valuable member and leader in the financial departments within Macomb County.

In an era when community service has become so important, Al is a shining example of a dedicated volunteer. As a Berville Lion and a member of the Elks Club, Al has been committed to improving the lives of people throughout the community. He has also been on the Selfridge base community council, Fraternal Order of Police, and a marine safety officer. As a father, he also knows how important children are and became a football and little league coach. Al has touched the lives of many people in the community through his participation in so many activities.

Over the years, Al's experience, leadership, and knowledge have made him an incredible asset to Macomb County and Macomb County's Finance Department. I would like to thank Al for all of his contributions and wish him and his family all of the best.

THE MEDICAL DEVICE REGULATORY MODERNIZATION ACT OF 1997

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Ms. ESHOO. Mr. Speaker, I'm pleased to join with my colleague from Texas, Mr. BARTON, to introduce the Medical Device Regulatory Modernization Act of 1997.

Since coming to Congress over 4 years ago, I have heard a consistent message from medical device companies in my district—the Food and Drug Administration is not keeping up with innovation. Companies were asking for congressional action to help modernize FDA's regulatory process.

The bipartisan legislation we are introducing today accomplishes that goal.

We've had testimony before the Commerce Committee that the agency lacks the resources to keep up with its workload and as a result reviews were taking too long.

The Barton/Eshoo bill frees up FDA resources by allowing for independent review for class I and class II devices that are not implantable or likely to cause serious harm if they fail. Class I and class II devices are relatively less complex, ranging from surgical gloves and syringes to MRI machines. By increasing the use of third parties for lower risk devices, the agency will be able to focus their attention on higher risk, more complicated products that demand greater resources and time.

We were told that a chasm of communication exists between medical device companies and the FDA.

Under our legislation, FDA will be required to meet with applicants at their request both during the investigational device exemption phase and early on in the product review stage. It is hoped that through this increased communication, there will be a greater understanding on the part of the applicant as to what the agency will require for approval, and a greater understanding by the agency of the technology being employed by the applicant.

We heard that the FDA needs to recognize national and international performance standards to cut down on paperwork and redundant reporting requirements.

The bill allows the FDA to recognize national and international standards and allows companies to self-certify to these standards. There are penalties for the falsification of data and all certification information is available at FDA's request.

Last, companies have raised concerns that in reviewing applications, FDA has, in the past, required information from companies that is outside the scope of the application.

The bill makes clear that it is FDA's job to review applications for substantial equivalence, for lower risk devices, or safety and effectiveness, for higher risk devices. The agency is not charged with reviewing relative effectiveness, which should be determined by the marketplace, or for reviewing items outside the proposed intent of the device; as long as the public health is not at risk.

These are some of the key provisions of the legislation, but they are by no means the only important provisions in this bill. There are 22 sections to the legislation that address issues including cost market surveillance, dispute resolution, humanitarian use of devices, device tracking and regulatory harmonization to name a few. It is a comprehensive approach to modernizing the way the FDA regulates medical devices.

Representative BARTON and I have worked very hard to ensure that this bill moves the agency forward. It's a positive blueprint to strengthen the FDA's oversight of the public health. I believe it will help the agency review products more efficiently and improve communications between FDA and industry, brining new products to market and to the patients that urgently need them.

I urge my colleagues to support it.

IN MEMORY OF HAZEL SCHWEIRKING GRAFFEO

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Ms. KAPTUR. Mr. Speaker, I rise today to pay tribute to a remarkable woman from my district. Hazel Schweirking Graffeo of Oregon, OH passed away on Tuesday, April 29, 1997. Mrs. Graffeo fought a very courageous 8 year battle with cancer. Although that battle cost her dearly, she never lost her spirit.

Mrs. Graffeo was devoted to her husband and family, and enjoyed cooking for them. She also loved entertaining for others. She was a fan of big band music and enjoyed dancing. She loved reunions and other family activities.

Mrs. Graffeo's generous heart extended beyond her family and friends. She was an active member in the Alba Club, the Oregon Democratic Club, St. Charles Hospital Auxiliary, VFW Post 9816, and St. John Lutheran Church in Williston, OH. Everywhere, she exuded good cheer, strong values, and made others feel welcome.

Mrs. Graffeo is survived by her husband Joe and daughters Sharon, Janet, Janice, and Carolyn, as well as 12 grandchildren and 12 great-grandchildren. Our sympathies and prayers are with them, but we know that the memory and example set by Hazel Graffeo will give them a measure of comfort. Even as they mourn their loss, may they celebrate her life.

SUPPORT FOR THE DRUG FREE COMMUNITIES ACT OF 1997

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SANDERS. Mr. Speaker, I rise today in support of the Drug Free Communities Act of 1997, legislation which supports communities across the Nation in their efforts to reduce rising teenage drug abuse. Studies show that teenage use of marijuana, inhalants, cocaine, methamphetamine, LSD, heroine, and other drugs is on the increase—and it is among children that we are seeing the greatest increase in use. The Drug Free Communities Act of 1997 is an important step toward empowering communities to fight the growing phenomenon of drug abuse among our Nation's youth.

I would like to add that I very much appreciate that the original cosponsors of this bill, Mr. PORTMAN, Subcommittee Chairman HASTERT, Mr. LEVIN, and Mr. RANGEL, as well as the subcommittee ranking member, Mr. BARRETT, were very willing to work with me to mold this legislation so that rural communities, as well as urban communities, are given the same chance to benefit from this Federal program. Because of our discussions, this bill now provides that antidrug coalitions in rural communities, communities under 30,000 people, will be given the opportunity to receive up to $100,000 in Federal matching funds. This puts rural communities at the same level as urban communities for receiving Federal matching funds.

Mr. Speaker, let me emphasize that drug abuse is not only an urban problem, but is also a problem in the rural communities of this country. Drug pushers find a market for their drugs, not only in the schools of urban areas, but also in the schools of our rural areas. We are beginning to see gang activity in our rural communities and these gangs are largely centered around drug use. Presently, it is our rural areas which are ill-equipped to handle an influx of drugs because rural areas do not have access to the local resources which urban areas enjoy. Because of bipartisan cooperation which has taken place, rural antidrug coalitions will be better able to deal with drug abuse problems.

Again, I thank the gentlemen for their cooperation and willingness to accept my input on this bill, and I urge passage of this important legislation.

SMALL BUSINESS REMEDIATION ACT

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BARTON of Texas. Mr. Speaker, I rise today to introduce a bill which will help improve the environment while protecting small businesses. This bill, the Small Business Remediation Act, will enable the Nation's 30,000 dry cleaners, their employees, neighbors, and customers to improve the local environment while preserving the dry cleaners' ability to preserve businesses and remain vital contributors to their communities. The bill has bipartisan support in Congress and tremendous nationwide support from the dry cleaning industry, and I urge the House to pass the legislation.

For the last few years dry cleaners, one of the largest groups of small businesspeople in America, have faced substantial potential liability associated with the remediation of soil surrounding some dry cleaning businesses. This potential liability has resulted in the small business owners in the industry having trouble obtaining or renewing leases and borrowing money, or even risk bankruptcy.

This potential liability is being greatly compounded by the misapplication of the Federal drinking water standard to soil remediation projects. This makes no sense, of course, but this standard is being used by States which are overseeing the remediation of some dry cleaning sites mostly because there is no other standard readily available.

The Federal drinking water standard for the relevant compound—perchlorethylene or

perc—is set at 5 parts per billion. Unfortunately, while that level might be appropriate for drinking water, it can hardly be considered necessary for protection from perchlorethylene in dirt.

As a result of the arbitrary, illogical situation of applying the drinking water standard in other cases, dry cleaners increasingly face clean-ups requiring staggering sums of money. In many cases, the dry cleaner may simply be forced to declare bankruptcy and walk away penniless. In such cases, the soil is not remediated, the environment is not improved, and the community is weakened.

Last fall, the House Commerce Committee, Subcommittee on Oversight and Investigations, which I chair, held hearings on this issue. We heard witnesses who testified that they had lost businesses built over a lifetime, suffered terrible emotional distress, spent millions of dollars chasing illusory risks, and been prevented from expanding their businesses because of this mismatched regulatory approach. Most disturbing, we repeatedly heard that many dry cleaners fear to pass their business along to their children, all because of the possibility of being caught in this bureaucratic web. This is not healthy for our communities or our environment.

To remedy this problem, the Small Business Remediation Act would like the soil remediation standard for perc to the Occupational Safety and Health Administration standard, which is currently set at 100 parts per million. This is the standard which OSHA has found to be protective of workers who are exposed to perc in the workplace everyday for their entire working lives.

The bill I am introducing today would set the remediation standard 10 times stricter than the OSHA standard. If OSHA strengthened its standard in the future, the soil remediation standard would be strengthened automatically. Therefore, it does not freeze science, and allows changes in new evidence dictates.

The bill does not change the Federal drinking water standard and does not prevent States or EPA from cleaning up dry cleaning sites.

Our approach will provide certainty to dry cleaners, their neighbors, surrounding businesses, banks, and the entire community. At the same time, by setting an achievable goal, the Small Business Remediation Act will lead to more efficient and timely improvements of the environment. By providing certainty, it will help focus resources on clean-ups, not lawyers.

Mr. Speaker, I encourage all Members to join us in this commonsense approach to a problem that affects all American communities. By supporting the Small Business Remediation Act, Members can help improve the environment, strengthen small business, and promote the prosperity of our neighborhoods and towns.

THE MANAGED CARE PLAN ACCOUNTABILITY ACT OF 1997

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. STARK. Mr. Speaker, together with Mr. KILDEE, Mrs. LOWEY, Mr. MILLER of California, Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. SANDERS, Mr. TIERNEY, Mr. FROST, Mr. DELLUMS, Ms. CHRISTIAN-GREEN, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. WAXMAN, Mr. RANGEL, Mr. KLECZKA, Mr. BERMAN, Mr. KENNEDY of Rhode Island, Ms. RIVERS, Mr. MCGOVERN, Mr. KUCINICH, and Ms. TAUSCHER, I am proud to introduce the Managed Care Plan Accountability Act of 1997, a bill which amends ERISA to provide equality and fairness to the millions of Americans whose health benefits are regulated by the Federal Government.

ERISA was enacted in 1974 to uniformly govern employee benefit plans. To this end, ERISA includes a wide-ranging preemption provision that supersedes any and all State laws insofar as they relate to an employee benefit plan, including health insurance.

Under current law, ERISA managed care plans are often completely exempt from liability for any medical decision made as a result of plan policy. If a patient is injured as a direct result of a plan's cost-containment policy, for example, the patient is entitled to sue only for the value of the denied treatment. Patients in ERISA plans are not entitled to other compensation, such as lost wages or pain and suffering, as is currently available to patients in non-ERISA plans.

For example, Newsweek magazine recently reported a case in which a managed care plan denied a heart attack victim's request for surgery because the only hospital qualified to perform the needed procedure was located outside of the plan's service area. By the time the patient appealed the decision and received the necessary approval, it was too late. The patient's heart was damaged beyond repair, and he died shortly thereafter while awaiting a heart transplant. In this case, the patient's health insurance was part of an employer-sponsored benefits package and therefore, regulated by ERISA.

Under current law, the family was entitled only to the cost of the denied procedure. In other words, the most damaging thing that could happen to the HMO responsible for the loss of their loved one is the cost of the procedure that could have saved the person's life.

While a price tag should never be put on a human life, there should be some reasonable compensation paid to patients and their families who are victims of medical malpractice. This is especially true when victims suffer life-altering, if not fatal injuries due directly to the negligence of a plan executive attempting to save money.

Imagine if your child died of leukemia because your HMO would not authorize an early blood test. The twisted irony is that you could recover no more than approximately $130—the cost of the test. A child's life is surely worth more than $130. This is a travesty.

This bill would create a new cause of action under ERISA which would allow consumers to seek additional damages from employer-sponsored health plans. The new cause of action would have concurrent jurisdiction, allowing the action to be brought either in Federal or State court. Additionally, this legislation would protect physicians from unfair lawsuits by making the health plan responsible for constraints they place on providers.

Our legislation is fair and long overdue. Plans that actively manage the care of their enrollees must be held accountable for their decisions. Employees of ERISA-regulated health plans deserve the same rights and protections as people in non-ERISA plans.

HONORING DEWITT CLINTON HIGH SCHOOL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ENGEL. Mr. Speaker, DeWitt Clinton High School, in my congressional district, opened its doors for the first time in 1897 with about 500 boys and 21 faculty assembled to hear from the principal. Since that time the school has moved several times and its enrollment has grown to 3,850.

The school has also grown in stature and this year it was named one of the five most improved high schools in the United States. DeWitt Clinton was also praised because of its outstanding peer mediation and negotiation program.

The school meets or exceeds all of the chancellor's standards. Its college admission rate was 91.1 percent last June while its dropout rate was only 2.8 percent. Its attendance rate is 90.8 percent. The students have also shown consistent improvement in the State regents exams over the past 4 years. Perhaps most significantly, it is one of only 11 New York City high schools, out of 136, given the highest 5-star rating by the New York Times.

A measure of a school's success is a list of its graduates and DeWitt Clinton's is most impressive with such alumni as James Baldwin, Burt Lancaster, Richard Rodgers, Neil Simon, A.M. Rosenthal, Paddy Chayefsky, Daniel Schorr, Arthur Gelb, Fats Waller, Jan Peerce, Nate Archibald, Bernard Kalb, and Stan Lee. These are people who have given to the country and to the world. The students at DeWitt Clinton have a strong tradition to uphold and show every indication of doing it.

I join my colleagues in congratulating the school, its faculty, its students, and their parents as representatives of a century of higher education.

TRIBUTE TO AARON HENRY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LEVIN. Mr. Speaker, on, May 19 a wonderful human being and a truly great American passed away in Clarksdale, MS—Aaron Henry.

I mention first his human qualities because of the unusual warmth of his personality and capacity for friendship. Had he only been a friend, as he was for so many of us from many walks of life, he would remain indelibly etched in our thoughts and memories. Of course, his life went far beyond private relationships and friendships. He dedicated so much of his time to the public arena, pursuing the American Dream of equal opportunity for all Americans.

He started in this pursuit, in the Army during World War II where he fought for integration and next as he obtained a degree in pharmacy under the GI bill. He then set up shop on Fourth Street in Clarksdale, which became his source of livelihood and a major hub for those working with him to bring equal opportunity and justice to Mississippi. I first saw

Aaron Henry in action at the 1964 Democratic Convention. The Michigan delegation was seated near that of Mississippi, and we witnessed his valiant efforts with Fannie Lou Hamer and others to end segregation in the Democratic Party of his home State.

He failed then, but never lost hope. A few years later I saw that first hand when I spent a week with Aaron Henry and his coworkers in Clarksdale in a project—the Mississippi-Michigan Alliance—which he and I had set up to obtain help in efforts to register voters in his hometown. It was a grassroot endeavor, succeeding in registering hundreds of new voters though failing to break down other barriers. There was an election held while I was there and I remember visiting one precinct where there were no minority voters and a minority candidate for the State legislature did not receive a single vote from that particular precinct. I had never before visited a precinct in a contested election where a unanimous vote had been cast for one of the candidates, whatever the nature of the contest.

But though personally involved in the election, Aaron Henry refused to give up or lose hope. Indeed, one reason he was such a great American was because he believed America's greatness would ultimately lead to the realization of the dreams of all of its people. So I left Clarksdale a few pounds heavier from all of the ice cream consumed at the old-fashioned soda fountain in his Fourth Street Pharmacy but also many degrees uplifted by the spirit and determination of Aaron Henry. As we met and talked now and then over the years, none of this ever ebbed.

Aaron Henry's death will be deeply mourned by the many of us privileged to be his friend and blessed by his example of fighting hard, with good will. Hopefully, his native State will mourn him across its cities and farms. He was born in its rural land, toiled in one of its important towns and journeyed it throughout, from border to border. His legacy is his hopefulness. The task now of his beloved State, of his beloved Nation and of all of us who loved him is to keep his faith and continue his battle.

TRIBUTE TO SGT. JOEL R. PRICE

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, it is a great honor for me today to rise and pay tribute to police officer, Joel R. Price, who has dedicated the last 20 years to serving our community and helping others. This esteemed officer and citizen truly embodies exceptional qualities of duty, sacrifice, and dedication, making him a model for fellow officers and the people of Los Angeles. For these reasons, Joel R. Price is being honored by the Reseda Chamber of Commerce as the 1997 Police Officer of the Year.

This award was achieved by Joel's long, distinguished career which he began by serving our community in 1977 as a station officer for the city of Los Angeles. His commitment and hard work quickly found an even higher calling after he graduated from the Police Academy and began working in the southwest and Van Nuys areas as a detective. His perseverance and distinguished service enabled him to rise quickly through the ranks. Joel put in long hours as a detective where his reputation as a dedicated and skilled member of the force were quickly recognized.

Additionally, Joel patrolled Los Angeles during the 1984 Olympic games to ensure the safety of the participants. Thanks to people like Joel the games were a success.

An important aspect of our community is bridging racial gaps. Through his bilingual abilities, Joel has reached out to the Spanish-speaking community to ensure all Americans have an equal voice.

Joel remains ever vigilant in trying to help the youth in our community. He has worked extensively on antigang task forces to bring those who have committed crimes to justice and sought to provide a positive role for those young people at risk everyday.

Here Sergeant Price's activities transcend mere prevention. He has provided our young people in California an alternative to the violence which plagues our streets. Joel has also been a role model to the community, devoting countless hours to the Police Athletic League and the West Valley youth Center. Additionally, Joel took it upon himself to help the less fortunate during the holidays by collecting food during Thanksgiving and toys during the Christmas season for the police department's giveaway.

I am proud to honor Joel R. Price as Police Officer of the Year and thank him for his outstanding contributions both on the force and to our community.

TRIBUTE TO BOB LENT

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BONIOR. Mr. Speaker, I take great pride in rising today to ask my colleagues to join me in recognizing Bob Lent, UAW Region 1 director, who will be honored by UAW Local 909 on June 29, 1997.

Through the years, Bob Lent has been a fighter. His tireless efforts have improved the lives of the working families throughout southeastern Michigan. Bob is a man who has dedicated his life to securing dignity and respect for all people. He has been a champion of civil rights and civil liberties, and has helped create a stronger, more united community.

In 1949, Bob Lent began a career with the UAW that has spanned 48 years. He started as a spray painter at the Dodge main plant of Local 3 in Hamtramck, MI. After serving his country as an Army paratrooper from 1951 to 1953, Bob returned to Michigan to become a millwright apprentice and a skilled tradesman at the Chrysler 9-Mile Road Press Plant, Local 869.

While at UAW Local 869, Bob's strong leadership and vision were recognized and he was chosen by his colleagues to serve in a distinguished list of appointed and elected positions. He was an alternate chief steward, trustee chairman, vice president, president, education representative, and assistant director. His vast knowledge and experience made him a logical choice for director.

Bob was first elected to the UAW executive board as a regional director at the UAW's 27th Constitutional Convention in May 1983, at Dallas, TX. After his re-election to a third term, Bob was elected director of UAW Region 1 which covers Detroit's East Side, Pontiac, Macomb, and St. Clair Counties and part of the ''Thumb'' area of southeastern Michigan, and including Canada.

Bob is not only an active union leader, but a community leader as well. He served on the labor advisory committee at both Oakland and Wayne State University. He has been a Democratic precinct delegate. He is a lifetime member of the NAACP. He also serves on the board of directors of the United Way of Pontiac-Oakland County and Detroit Area United Foundation.

Few people have given to their community with the vision and commitment that Bob Lent has given to his. He is a person who has inspired the admiration of many. I am honored to call him a friend. I want to congratulate Bob on his very distinguished career and I wish him and his family all of the best.

A TRIBUTE TO REV. FREDERICK EID: 50 YEARS OF SERVICE AS A MISSIONARY OF CHANGE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a truly exceptional gentleman, Rev. Frederick Eid, on the 50th anniversary of his ordination to the priesthood. This momentous occasion will be recognized during a mass to be celebrated on May 31, 1997 at Our Lady of Grace Church in Hoboken, NJ.

The story of Father Eid began 80 years ago on May 23, 1917, in my hometown of Union City, NJ. It was here that his desire to educate others was born. He was educated at local Catholic schools and subsequently attended Seton Hall University, after which he entered Holy Name Seminary. Father Eid was joyfully ordained into the priesthood on May 31, 1947.

Father Eid began his life's journey of service to others while on a mission to Latin America. He started out in Mexico and traveled to El Salvador and Honduras, where he ministered to the local communities. Father Eid gained his deep appreciation of Hispanic culture and learned to speak Spanish. Upon his return to the United States, Father Eid expanded his focus with both an African-American mission in Essex County and St. Mary's Parish in Jersey City.

The lives of the residents of Hoboken took a fortunate turn with Father Eid's arrival at Our Lady of Grace Church in December 1968. During his tenure at Our Lady of Grace Church, Father Eid has become a member of many families in the area. He has had a special affinity for those less fortunate than himself. Father Eid has worked tirelessly with the local court system, and the Division of Youth and Family Services in particular, to care for the needs of the children in the area. Additionally, Father Eid serves as chaplain to those charged with protecting and saving lives: the Hoboken Ambulance, Police, and Fire Departments.

It is an honor to have such a caring and dedicated individual work on behalf of the residents of my district. Father Frederick Eid's extraordinary efforts will be remembered for

many generations. I ask that my colleagues rise with me and applaud this remarkable missionary of change.

HONORING FALLEN VOLUNTEER FIREMEN AT THE ELWOOD CITY VOLUNTEER FIRE DEPARTMENT

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. KLINK. Mr. Speaker, I rise today to commend the efforts of volunteer firefighters across the country and to pay special tribute to two courageous members of the Ellwood City Volunteer Fire Department, Paul K. Frederick and David E. Martino, who lost their lives in a tragic blaze 8 years ago.

Volunteer firefighters bring peace of mind to the communities they protect. These courageous, civic-minded individuals have recognized a need and have pledged to serve. They risk their own lives to protect our communities from the devastation and destruction that fire causes.

Paul Frederick and David Martino were two individuals who risked their lives and expected nothing in return. While their passing devastated Ellwood City, it united a small town and allowed their family, friends, and loved ones to reflect upon the lives of these fallen heroes.

Emergency personnel volunteers provide an invaluable service. No price can be put upon the feeling of security that accompanies their presence. We honor men such as Paul Frederick and David Martino for the glory they achieved, but did not seek. We remember those who have sacrificed their lives to save others.

And so, Mr. Speaker, I urge you and all my colleagues in the House of Representatives to rise and pay tribute to the memory of Paul K. Frederick and David E. Martino. Furthermore, I commend the Ellwood City Volunteer and Auxiliary Fire Department for their bravery, dedication, and commitment to their community.

IN MEMORY OF MSGR. JEROME E. SCHMIT

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Ms. KAPTUR. Mr. Speaker, the people of northwest Ohio lost a great man, a giant oak, this past week. Msgr. Jerome E. Schmit, who passed away on Thursday, April 10, 1997. Monsignor was born on December 4, 1910, the youngest of five children. He graduated from St. John's High School in Toledo in 1982, St. John's College in 1932, and attended the Pontifical Josephinium in Worthington, OH, where he studied theology and the Scriptures. He received his masters in social work degree from Catholic University of America in 1941.

Overcoming prejudice about a congenital disability which impaired his speaking ability, Monsignor Schmit overcame his cross and was finally ordained a Catholic priest on June 7, 1941. He received his ordination from Bishop Karl J. Alter and, over the years, gained not only the respect but love of his flock.

Early in his career, Monsignor was appointed to Catholic Charities in Toledo, and it was there that he truly made his mark—ministering to the legion of children of our community. Guiding the CYO [Catholic Youth Organization] program, Monsignor Schmit developed an entire youth program under which Boy Scouts, Girl Scouts, and 600 basketball teams flourished. His leadership made the CYO program a proud institution of the Toledo Catholic Diocese. Property was purchased and developed, programs were expanded ever further, and thousands upon thousands of children have now been served by his ministry. He became the cherished relative to every family whose lives he touched.

In 1942, Monsignor Schmit was asked to take over the Catholic Club, a recreational facility, and was soon named director of Catholic Charities and director of the diocesan youth department. He served the Catholic Club until retiring from the position in 1980.

Not content to limit development of local youth sports and recreation, Monsignor Schmit was a part of the Lucas County rec committee which developed the Lucas County Rec Center. Through the committee's work, the recreation center added baseball diamonds and a pool. During the 1950's, a baseball franchise was purchased, and Monsignor Schmit became the secretary-treasurer of the Toledo Mud Hens Triple A baseball team. Until his death, he was secretary-treasurer of the Lucas County Rec Center.

Elevated to papal chamberlain, he was entitled to the title Monsignor in 1954. In 1963, he was elevated to domestic prelate. Associate pastor at St. Patrick's Historic Church from 1951 until 1968, Monsignor Schmit was named the church's pastor in 1968. He retired—but only officially—from those duties in 1981.

Monsignor Schmit's achievements and recognitions are too numerous to mention. In addition to those described above, a few of these include: founder of the council of Catholic men in 1945; awarded the city of Toledo Recreation Award in 1954 for his outstanding contributions to amateur athletics; awarded the Silver Beaver Award from the Boy Scouts of America, whom he served as chaplain, in 1952; member of the Old Newsboys Goodfellows; receipt of the American Red Cross Distinguished Service Award in 1963; St. John's Alumni 1975 Man of the Year; awarded outstanding service as chaplain of the Toledo police department for 25 years in 1980; induction into the Toledo City Athletic League Hall of Fame in 1984; board member of the Toledo Legal Aid Society; founder of the Baseball Hall of Fame in Maumee, OH; founder of the Shoe Bowl football competition; charter member of the Catholic Better Community Development Corp. which provides housing for elderly, disabled, and low-income people; and chaplain of the Catholic War Vet's Logsdon Walla Post.

A man of quiet dignity yet truly profound inspiration and with a wry sense of humor, Monsignor Schmit will be greatly missed. He left our community a magnificent legacy, perhaps best described in his obituary; ''Monsignor Schmit's energy, inventiveness, and dedication to the ideal of service has touched virtually every facet of our community's life.'' He ''inspired hundreds of young people to lead wholesome, Christian lives.''

Monsignor Schmit was preceded in death by his family: parents Henry and Minnie Schmit; brothers Rev. John Schmit, Rev. George Schmit, and Dr. Bernard Schmit; and sister Ursula Schmit. However, he leaves behind the family of our community, and we will miss his effervescence, his devout faithfulness, his humble manner. Monsignor Schmit epitomized a life well-spent. Godspeed, good and faithful servant.

IN HONOR OF WAYNE STATE UNIVERSITY'S PRESIDENT, DAVID ADAMANY

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Ms. KILPATRICK. Mr. Speaker, I rise today in tribute, honor, and dedication to the work and devotion of Dr. David Adamany, of Wayne State University. Wayne State University, located in the city of Detroit, MI, and in the 15th Congressional District, has produced many illustrious graduates serving our Nation in all aspects, large and small. Dr. Adamany will soon retire as president of Wayne State University. I wanted to take this opportunity to let my colleagues, the people of the great State of Michigan and the citizens of our country, to know of but a few of the stellar advances that Wayne State University have made under the skilled leadership of Dr. Adamany. Dr. Adamany has devoted 15 years of his life serving as president of Wayne State University—the longest serving president at Wayne State University. His retirement will be a significant loss to the university.

Under Dr. Adamany's leadership, Wayne State University joined the ranks of the Carnegie Foundation's top rank of national research universities. At the same time, Wayne State University remained committed to promoting racial equality, ranking with nine historically black colleges and universities among the 10 institutions that award the largest number of bachelor's degrees to African-Americans. Such achievements were largely made possible by the dedication of President Adamany. He is a person of diverse talents, extraordinary intelligence, profound vision, and boundless energy for turning that vision into reality. That reality is embodied in Wayne State University—a university that has succeeded in providing quality education at an affordable price to women and men of every class, station, race, religion, nationality, age, and personal lifestyle who would otherwise have no such opportunity. This commitment to providing the greatest possible access to all individuals seeking higher learning has been driven by Dr. Adamany's deeply held belief in opportunity and democracy.

In addition to his leadership in academic excellence, he has established Wayne State University as an important contributor to the economic revitalization of the city of Detroit and its residents. Indeed, with over $62 million in service programs and over $250 million in campus development, Dr. Adamany has led Wayne State University in pursuing policies that have served broader community interests as well as the university's own interests.

It is my honor and privilege to congratulate Dr. David Adamany, president of Wayne State

University, for his tremendous accomplishments and many years of dedicated service, both to Wayne State University and to the larger community. I wish him much good fortune in his future endeavors, and hope that Wayne State University may find a new president who can build upon the legacy that David Adamany leaves behind.

A TRIBUTE TO DENTON WAITE

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, I rise today to recognize Denton Waite for his extraordinary bravery and distinguished service to our community. It is a great honor to recognize him as the Fire Fighter of the Year.

Denton comes from a family of firefighters where saving lives is a honor-held tradition passed down from generation to generation. Every day for the last 16 years Denton has gone into our community fighting fires from South Central Los Angeles to the San Fernando Valley, mastering high-rise fires and brush fires alike, at times putting himself at risk. It is for these selfless acts that our community comes together to honor Denton Waite.

In addition to excelling as an apparatus operator, Denton recognizes when it is necessary to go beyond the call of duty to control dangerous situations. During the 1992 Los Angeles riots he earned the Medal of Valor for his quick thinking and selfless actions extinguishing a major fire before it blew out of control.

It is because of Denton's heroic performances that the younger members of the department look up to him as a mentor. Denton utilizes his experience to teach other firefighters to react calmly to emergency situations so that they will not unnecessarily put their lives in danger. His experience combined with his well-crafted sense of teamwork undoubtedly influences younger firefighters and ultimately reflects well upon the Los Angeles Fire Department.

Today I join Denton's friends, family, and the city of Reseda in honoring him as the Fire Fighter of the Year.

TRIBUTE TO THE 1997 GRADUATES RECOGNIZED BY THE CHALDEAN FEDERATION OF AMERICA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BONIOR. Mr. Speaker, I rise today to congratulate all the students being recognized by the Chaldean Federation of America at their annual commencement and scholarship program. The program will be held June 10 at the Mother of God Chaldean Church in Southfield, MI.

An umbrella organization of Chaldean churches and civic organizations, the Chaldean Federation of America devotes the majority of its efforts to education. The federation encourages Chaldean youth not only to remain in school, but to strive for academic excellence and achievement. Almost 400 Chaldean students graduating from southeast Michigan high schools or colleges and universities will be recognized.

Individual success and the prosperity of America depend on education. It is truly encouraging to know that so many of these students, who in many case are first generation Americans, are learning this lesson early. Because of their success, the Chaldean community, Michigan and the United States will all benefit.

I commend the graduating class of 1997 and encourage all the individuals involved to remain students for life. I wish all the graduates—our future leaders—continued success.

INTRODUCTION OF THE WELFARE FLEXIBILITY ACT

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ARCHER. Mr. Speaker, today I along with several of my colleagues are introducing the Welfare Flexibility Act.

During the 104th Congress, we passed and the President signed legislation ''ending welfare as we know it.'' The principle of this legislation is to enable States to offer creative and innovative means for providing aid to citizens in need. Unfortunately, the President has blocked Texas' efforts to move forward with their reform proposal. A proposal that Deputy Secretary-Designate of Health and Human Services Kevin Thurme called innovative.

Therefore, I have introduced legislation that will permit any State to privately contract for the delivery of welfare benefits. In Texas, this legislation will have dramatic implications. Instead of beneficiaries traveling from agency to agency to enroll in various programs, they will now be able to ''one-stop-shop'' for all benefits.

Additionally, it is my understanding from Governor Bush that the Texas welfare proposal will save the State nearly $10 million a month by eliminating unneeded and duplicative services. The Governor has committed these funds for providing health care to poor children; a goal I'm certain we all recognize as commendable.

I also believe that this legislation will benefit many other States that are seeking the opportunity to design a welfare system that will best serve their needs. Among them, Florida, Arizona, and Wisconsin are all attempting to move forward with innovative proposals. This legislation will give them the foundation they need to help their citizens in need.

In closing, I am disappointed that statutory change is required to give these States the ability to implement what I thought was the intent of the last Congress' actions. However, I am certain that we will be successful in passing this important bill and I look forward to having my colleagues, on both sides of the aisle, join me in support.

This legislation has been scored by the Congressional Budget Office as revenue neutral, and I submit a letter from CBO Director June E. O'Neill for the RECORD.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 22, 1997.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: At your request, CBO has reviewed a draft bill that would allow any state to use nongovernmental personnel in the determination of eligibility under the Medicaid, Food Stamp, and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) programs. Although the bill could either increase or decrease spending for these programs, CBO estimates that it would have no net effect on federal spending compared with current law.

Sincerely,

JUNE E. O'NEILL.

CONGRATULATING KENNETH BURROUGH ON HIS INDUCTION INTO THE SOUTHWESTERN ATHLETIC CONFERENCE HALL OF FAME

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Ms. BROWN of Florida. Mr. Speaker, I would like to congratulate Mr. Kenneth Burrough, who will be inducted tomorrow into the Southwestern Athletic Conference [SWAC] Hall of Fame.

A native of Jacksonville, FL, Kenny graduated from William Raines High School in 1966. In every sport he participated, he excelled. In his senior year alone, Kenny received All-State honors in every sport and received 85 4-year college scholarships in football, basketball, and track. His teachers also remember him as a successful and hard working student. Kenny was a true student-athlete.

In the Fall of 1966, Kenny travelled to Houston, TX, to attend Texas Southern University [TSU] on scholarships for football and track and field. Playing for the Tiger football team, Kenny—also known as double zero [''00'']—won the team's most valuable freshman award.

His skill and talent as a wide receiver earned him the all-SWAC outstanding back and all-SWAC football awards as a sophomore as he led the conference in receptions and receiving yards. Later that same year, Kenny won all-conference honors in track and field as a member of the 440-meter relay team and the 100-meter dash.

In 1968, Kenny was honored as Texas Southern University's most valuable player by leading the football conference again in receptions and receiving yards and winning all-SWAC honors in the 440-meter relay and 100-meter dash. For his outstanding track and field efforts, Kenny received an invitation to the 1968 U.S. Track and Field Olympic Trials.

By Kenny's senior year, he was voted TSU's most valuable player, had earned All-SWAC honors, and received the All-American Award by the Sporting News and the Pittsburgh Courier. To finish off his incredible college career, Kenny played in the senior bowl and in the all-stars game against the Super Bowl Champion Kansas City Chiefs.

By 1970, Kenny had become one of the most coveted football players in America. Later that year, Kenny was selected by the

New Orleans Saints as one of National Football League's first round drafts picks. After 1 year with the Saints and being selected to the all rookie team, Kenny was traded to the Houston Oilers in exchange for 5 players.

While in Houston, he left the league in receptions for 7 years and yards gained for 5. As he concluded his 13-year NFL career, Kenny's success with Houston had earned him four trips to the Pro Bowl.

Currently, Mr. Burroughs lives in the Houston, TX area where he works as a motivational speaker with an emphasis on public relations and sales. In his spare time, Mr. Burroughs speaks at local schools and recruits major corporations to sponsor community development programs.

It is a true honor for Mr. Burroughs to be one of nine former collegiate and professional stars inducted. Mr. Burroughs' accomplishments, present and past, clearly demonstrate why he is so special and deserves to be a member of the Southwestern Athletic Conference Hall of Fame. Congratulations to Mr. Burroughs and to his family on this most special of occasions.

HONORING THE TRUE VINE BAPTIST CHURCH

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the True Vine Baptist Church of Houston, as they celebrate their 58th anniversary. This church has dedicated itself not only to the enlightenment of its parishioners, but to providing guidance and leadership to the young people of our community.

The True Vine Baptist Church has for years drawn parishioners from across the State with inspired sermons, but is now recognized also for its dedication to providing discipline and support for our young people. Pastors Jesse Johnson, Jr. and Harry Jackson well know how simple instruction and guidance from the church can make a huge difference in young people's lives. Mr. Johnson likes to tell the story of a young boy who told him of his dream to become a doctor. When pastor Johnson asked what field he wanted to study, the boy was unsure. Johnson told the young boy that vagueness and lack of direction would not get him far in the field of medicine. Only with focus and sense of purpose can you achieve success in life.

Pastors Johnson, Jackson, and the people of the True Vine Baptist Church are building a better future for Houston because they are instilling in these young people a sense of purpose and duty to their community. The church works with those who fear they cannot make anything of their lives and gives them a better sense of self and a stake in the future of their community. Pastors Johnson and Jackson use their hands-on approach to build a congregation of good citizens, one parishioner at a time.

Pastors Johnson and Jackson know it is not enough just to talk to young people and tell them to feel better about themselves. To build a sense of self-worth and duty, they know that opportunities and activities must be available to our young people, to keep them off the streets. To this end, they hope to purchase property adjoining their church to build a gymnasium so that they can sponsor more activities for the neighborhood and provide more kids with a place to enjoy themselves in safety. They hope to establish a true vine scholarship program to give more youth the opportunity to get the education they need to succeed in life. By working so hard to build a brighter future of young people, the True Vine Baptist Church is showing us all what it takes to build better communities.

Mr. Speaker, I congratulate the True Vine Baptist Church as they celebrate their 58th anniversary. I wish them further success in providing the young people of Houston the leadership and spiritual guidance they need to build a better future.

SISTER VIANNEY RETIRING

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a beloved educator and religious leader from my district in Pennsylvania, Sister M. Vianney, O.S.F. Sister Vianney is retiring from her position as principal of Holy Rosary School in Duryea, PA. Sister Vianney has served in this position for almost half of her religious life.

A native of Altoona, PA, Sister Vianney began her career as a first-grade teacher. Before coming to Holy Rosary she worked in several other schools in the Northeast. Of all the schools, she considers the staff and children of the Holy Rosary School her family. Beloved by all, Sister Vianney can frequently be found tossing a ball in the playground or engaging in a game of jump rope with the students.

Along with being a friend and role model to the students Sister Vianney has led the school through two major expansion projects in 1989 and 1991 to accommodate preschoolers and a kindergarten.

Mr. Speaker, Sister Vianney has made caring a concern and quality education a tradition at Holy Rosary. We all know how important the role of a good teacher is in providing a strong education to our children. Sister Vianney personifies these important core values. When area residents offer praise to a well-mannered child, they often say ''Oh you are so good, you must go to Holy Rosary.''

Mr. Speaker, I am pleased and proud to join with her many friends, colleagues and the children and parents of Holy Rosary in thanking Sister Vianney for her years of service and congratulating her on a job well done. I wish her continued success in her retirement.

BEST WISHES TO TAIWAN PRESIDENT LEE TENG-HUI

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. TOWNS. Mr. Speaker, on May 20, 1997, the people of Taiwan celebrated President Lee Teng-hui's first anniversary in office.

Lee Teng-hui, the ninth President of the Republic of China on Taiwan, is a Cornell-educated statesman, who strongly believes in economic and political growth. During his years in office, first as the appointed President and later as the first elected President in the history of the Republic of China, he has given the people of Taiwan confidence in themselves and the hope of an even better tomorrow.

President Lee is a leader with vision. Thanks to him, the people of Taiwan are able to enjoy high standards of living and personal freedoms, privileges unknown to their brethren on the Chinese mainland.

Congratulations to the people of Taiwan.

IN HONOR OF FATHER LEO L. MARCIL

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SOLOMON. Mr. Speaker, I would like to take this opportunity to pay tribute to a great man and a great community leader, Father Leo L. Marcil, who will have served in the priesthood for an incredible 50 years this May 31, 1997. Father Marcil will be celebrating his years of service at a public ceremony on Sunday, June 1, 1997, in Hudson Falls, NY, of my congressional district.

Mr. Speaker, Rev. Leo Marcil is a product of beautiful upstate New York where he has resided virtually his entire life. From his birth in Cohoes, to his being ordained by the revered Bishop Edmund Gibbons in Albany, to his first assignment in June 1947 at St. Alphonsus Church in my hometown of Glens Falls, NY, where he served until 1963, to his amazing 28 years of service at St. Paul's in Hudson Falls, Father Marcil has been a mainstay in each and every community. Currently, Father Marcil makes his home at the now joint St. Mary's/St. Paul's rectory in Hudson Falls where he continues his activities on behalf of that community and nearby Glens Falls even after his retirement in 1992. And I use the word retirement loosely, Mr. Speaker. That's because the good Father can't help but keep a busy schedule, celebrating daily mass, twice on Tuesday, visiting the Glens Falls Hospital twice a week, and delivering communion to the home bound.

Mr. Speaker, that's what makes Father Marcil so special to those whose lives he has touched over his 50 years in the cloth. And believe me, he has impacted countless people in those times and does to this very day. People who go out of their way to share a kind word, flash a loving smile, and help those without expecting anything in return always do make a lasting impression. That's why I have always admired people like Father Leo Marcil who offer their services to neighbors in the community, especially to those who may not have the privilege of hearing his words of wisdom regularly.

Actions like these are what makes Father Marcil a pillar of the Hudson Falls and Glens Falls communities. We would all do well to emulate his brand of respect for one another and public service. On that note, Mr. Speaker, I ask that you and all Members of the House rise and join me in tribute to Father Marcil's living legacy and in wishing him many more years of happiness and success.

TRIBUTE TO CAPT. JERRY LINENGER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LEVIN. Mr. Speaker, on January 12, Capt. Jerry Linenger flew into orbit on the space shuttle *Atlantis* to begin a 5-month stay aboard the Russian Space Station Mir. This weekend, more than 130 days later, *Atlantis* is bringing Jerry Linenger home.

It is with no small amount of hometown pride that we note that Captain Linenger was born and raised in Eastpointe, MI, which is split between our two congressional districts. He attended East Detroit High School and went on to receive a bachelor's degree from the U.S. Naval Academy. Thereafter, he earned a number of advanced degrees, including a doctorate in medicine from Wayne State University in Detroit. He joined NASA in 1992 and flew a mission on the space shuttle *Discovery* 2 years later.

Captain Linenger is the fourth U.S. astronaut to live aboard the Mir station. All of these missions are important, both in terms of their contributions to science as well as to the advancement of United States/Russian cooperation in space. This particular mission has resonated with many people because of a series of letters Captain Lingenger wrote to his 1-year-old son John, for him to read when he's older. Some of these letters have been published on NASA's Internet site with Captain Linenger's permission so the public could get a feel for his experience.

These letters describe Captain Linenger's day-to-day activities aboard Mir, his early memories of his grandparents and his own experience growing up in Michigan, his fondness for geography, and his enthusiasm concerning the exploration of space. The constant theme through all these letters is his affection for his wife and son. We would like to highlight one of these letters:

DEAR JOHN: Just received a note from Mommy—who said you've really been a great little boy lately. Says that you are at the age where you try to mimic everything anyone does. And that you're laughing lots. And everyone thinks you are so cute. Mommy agrees. Me too. You're the best, John.

But the big news was that you had [your] first trip to the corner park. Mommy says that the rocking horse was your favorite, but you also did okay on your first swing ride.

Alright, John. I can help you some on this. Some tips from your Dad.

Never get on a teeter totter with someone bigger than you.

No matter how hard you try, you will never succeed at doing a loop-the-loop on the swing.

For added speed down the slide, find an old waxed potato chip bag lying around (they are always blown against the fence nearby), sit on the bag, and then slide down. After a few times you'll really be moving, and all the girls will hold you in awe.

And talk about speed—your Daddy was really flying today! Whizzed across Isla de Chiloe, the crest of the Ande (three or four of the taller peaks still snowcapped), across Patagonia and out Golfo San Jorge in two minutes flat. Del Fuego in the distance. Clear. Spectacular.

Maybe someday you'll be a geography nut like your father. For now, just make sure you can find your way home from the park.

And John, pay serious attention to those books Mommy always reads you at night. Keep those eyes open—don't go fading off half way through the story like you usually do. If some day you go on a trip like I'm on, you'll be trying tdraw on every bit of information, every bit of training, every morsel of practical stuff you've ever learned in your whole life in order to succeed.

Now that I think about it, they don't make waxed potato chip bags anymore. Scratch that idea, John. Maybe it'll be better to start off slowly and savor the ride all the way down. . . .

Love you John. Tell Mommy that Daddy sure was happy to get her note. And that I'm just fine.

DAD.

The last 5 months have been eventful and challenging ones for the crew of Mir as they have confronted a series of equipment breakdowns aboard the space station, including a fire, high temperatures due to a carbon dioxide removal system that overheated, leaking fumes, and broken oxygen generators. Even so, from these letters, there is little doubt that the biggest challenge Captain Linenger faced was being absent from his 14-month-old son.

We want to congratulate Captain Linenger on the successful completion of his mission and express our best wishes to him and his family.

THE CHINA MARKET ACCESS AND EXPORT OPPORTUNITIES ACT

HON. DOUG BEREUTER

OF NEBRASKA

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BEREUTER. Mr. Speaker, this legislation is a combination of legislation individually sponsored by myself (H.R. 35, the Fair Trade Opportunities Act) and Representative EWING (H.R. 941).

Removes China from the annual Most-Favored Nation [MFN] process when that country accedes to the World Trade Organization under an accession process that is supported by the United States.

After China's accession to the World Trade Organization, the President would no longer have to waive or certify that China meet Jackson-Vanik requirements. China would receive normal tariff status routinely unless either the Congress or the President used other existing authority to raise tariffs on China's goods.

Requires the President to utilize a strategic and flexible ''snap-back'' tariff if China either denies United States adequate trade benefits or fails to take adequate steps to become a member of the WTO.

On a one-time basis and within 6-months of the enactment of the legislation, the President would be required to determine if China is ''not according adequate trade benefits''—defined in existing law—to the United States or if China is not taking adequate steps to become a WTO member. If the President makes such a finding, then the President shall impose snap-back tariffs on China 6-months after that determination. In imposing snap-back tariffs, the President has wide discretion to determine both the amount of the tariff and on which categories of products the snap-back tariffs will be imposed. However, under no circumstances can the President exceed the legislation's snap-back tariff ceiling which is the pre-Uruguay round MFN tariff rates, for example, the column No. 1 tariff rates in effect on December 31, 1994.

A study by the Congressional Research Service estimates that if the President were to utilize his full snap-back authority, for example, on the top 25 Chinese exports to the United States—based on 1995 figures—an additional $325 million in tariff revenue would be generated for the United States Treasury.—This estimate is not adjusted to reflect any downward demand for the product due to the increased tariff.

The President would be required to terminate the imposed snap-back tariffs on China on the date China becomes a WTO member or on the date the President determines that China is according adequate trade benefits to the United States or making taking significant steps to become a WTO member, whichever is earlier. The President would also be able to modify the snap-back tariffs for any reason as long as the appropriate congressional committees are notified.

INTRODUCTION OF TWO ENVIRONMENTAL INITIATIVES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. KILDEE. Mr. Speaker, today, I rise to introduce two bills, the Land and Water Conservation Fund Accessibility Act of 1997 and a proposal to establish the St. Helena Island National Scenic Area.

It was President John F. Kennedy who had the infinite wisdom to propose legislation to create a land and water conservation fund. In 1964, Congress established, with bipartisan support, the land and water conservation fund [LWCF] for public acquisition of park and recreation lands for recreation planning, acquisition and development.

To assure that the LWCF received sufficient funds to carry out the original intent of the law, in 1968, Congress decided to set aside the revenue received from oil and gas leasing on the outer continental shelf [OCS] to fund conservation efforts. The idea was simple. One resource, oil and gas, would be exploited, but the revenues generated would be invested in another resource, the purchase of lands and waters. Up to $900 million is collected for the use of the LWCF each year but Congress must first appropriate the money before it can be spent. Funds appropriated for the LWCF have been declining rapidly in recent years, with only $138 million being spent for the program last year. The State grant portion of the LWCF was not funded at all in fiscal year 1996 or 1997. Furthermore, the House Budget Committee in the last Congress proposed a 5-year moratorium on land acquisition and a phase out of the entire LWCF program.

My legislation, the Land and Water Conservation Fund Accessibility Act, would remedy the funding problem by taking the entire LWCF off-budget thus ensuring that its funds will be spent for the purpose it was created. By doing this, the Federal land agencies would have more funds to better manage fragile habitat and endangered lands. This would

also provide funds for States to improve parks for inter-cities, and other vital recreational areas. Furthermore, I want to point out that this bill leaves intact the current authority of Congress to make funding decisions about LWCF projects, as part of the annual Interior appropriations bill.

Because the appropriations have been dwindling, it has been debated whether the funds from LWCF should be taken from Federal projects and moved to State initiatives. If my bill were passed, we would not have this decade. The LWCF affects every geographic region in America, from a small park or bike trail in Flint, MI, to a wilderness area in northern Michigan. Like myself, the National Audubon Society, the Nation Recreation and Park Association, the Natural Resources Defense Council, the Wilderness Society, the Defenders of Wildlife, the Trust for Public Land, the National Parks and Conservation Association, the National Association of State Outdoor Recreation Liaison Officers, the National Wildlife Federation, the Sierra Club and many more organizations who represent various interests across our country agree that the real issue here is that we are not spending enough money on the State and Federal level to conserve our Nation's heritage. As the population increases, land is quickly being developed. We must have the foresight, as our predecessors did in 1964, to realize that we must act now so that future generations will also have the opportunity to enjoy our precious public resources.

Mr. Speaker, the second bill I am introducing is the establishment of the St. Helena Island Scenic Area. St. Helena Island is a 241-acre island located in Lake Michigan about 6 miles west of the Mackinac Bridge. The island has been put up for sale by private landowners who are willing to sell it to the Federal Government. The island is contiguous to the Hiawatha National Forest.

For the last 10 years, the Michigan Lighthouse Association and the Boy Scouts of America have been restoring a lighthouse on the island that was originally built in 1873. This beautiful lighthouse and its grounds are the only development on the entire island.

St. Helena Island provides habitat for several endangered plants and animals, including the Pileated Woodpecker and the Bald Eagle. At the western end of the island, there is a 17-acre Great Blue Heron rookery which has been designated by the Michigan Department of Natural Resources as a refuge.

In designating this island as a National Scenic Area, we will ensure that it is given permanent protection for the enjoyment of future generations. I urge my colleagues to join me in supporting the passage of these environmental initiatives.

MISSING AND EXPLOITED CHILDREN'S CAUCUS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FROST. Mr. Speaker, I rise in support of the newly formed Missing and Exploited Children's Caucus of which I am a founding member. This caucus was formed in response to the rise of kidnaping and murder of young children in this country. Each year hundreds of thousands of American families are confronted with this unique tragedy—a missing child. In the last 30 days in Texas alone, four children have been abducted and brutally murdered. This caucus has been organized to increase the awareness of these tragic occurrences and to introduce legislation to combat these heinous crimes.

I became painfully aware of the problem of repeat sex offenders who target children when a tragic situation occurred in Arlington, TX, which is part of my congressional district. On January 13, 1996, little Amber Hagerman, an innocent 9-year-old girl, was abducted and murdered. Amber was bright and pretty and was riding her bike on January 13 when someone came along and took her away.

We don't know who took her, but we do know that a little girl, just a child, was brutally murdered and her body left to be found. This case occurred in my congressional district, but I am sure that events like this have happened—sadly—in every corner of our country, in our cities, and in the heartlands.

Whoever took Amber didn't know and didn't care that she was an honor student who made all A's and B's. They didn't care that she was a Brownie who had lots of friends and who loved her little brother dearly. They didn't care that her whole life was ahead of her and that her parents wanted to watch her grow into the lovely young woman she promised to be.

This tragedy has focused public attention on the need to toughen laws for sex offenders, particularly offenders who victimize young children.

In response to this tragedy, I introduced the Amber Hagerman Protection Act and portions of this bill were attached to the Omnibus Appropriations Act, which was signed into law on September 30, 1996. The Amber Hagerman Child Protection Act expands Federal court jurisdiction over repeat child sex molesters who cross State lines and creates a two-strikes law which mandates life in prison after a second offense. The act also expands the death penalty. Prior to the enactment of the Amber Hagerman Act, Federal law provided for the death penalty on the first offense when a child is killed on Federal property or is kidnaped and taken across State lines. The Amber bill adds the death penalty when the person who murders the child has cross State lines with the intent of committing a sex offense.

I was very pleased that portions of this bill were signed into law last year; however, this is just the beginning. Clearly, the safety of our neighborhoods requires that additional laws be passed by Congress to keep sex offenders off the streets and it is my hope that this new caucus will learn what we can do on a legislative level.

As a caucus, we need to look at where the Justice Department is in terms of implementing a national registry system for sex offenders. Local enforcement agencies tell me that the best help they could get from the Federal Government is a national registry system for sex offenders, and we ought to make sure that this system is up and running in the near future.

Last year, the Pam Lychner Sexual Offender Tracking and Identification Act of 1996 was signed into law. This bill establishes, by law, a national registry system and will improve the minimum system the FBI is now establishing under the President's order. Prior or the passage of the Pam Lychner Act, the President directed the Justice Department to develop within 60 days a plan for a national sex offender registry. It's imperative that an interim system be operational in the near future in order to assist the local law enforcement agencies.

This coming Sunday, May 25, is National Missing Children's Day. Back in 1983, President Ronald Reagan proclaimed May 25 National Missing Children's Day. And today, all across the country, groups will be holding candlelight vigils, memorials, and other events to increase public understanding and awareness of this national tragedy. We all need to get involved—parents, relatives, politicians, police, and other enforcement agencies—to direct attention to the problem of missing children.

It is my hope, Mr. Speaker, that someday we will not need a National Missing Children's Day or caucus in Congress to combat he growing epidemic of missing and exploited children. It is my hope that someday every child in America will feel safe. It is my hope that someday every child will feel secure while riding his or her bicycle in the neighborhood. It is my hope that someday no parent will ever have to face the tragedy that Amber Hagerman's parents had to face last year. But until that day comes, we need to work together to protect this country's greatest asset—our children.

THE CRISPELL MIDDLE SCHOOL PAYS TRIBUTE AT THE TOMB OF THE UNKNOWN SOLDIER

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. GILMAN. Mr. Speaker, next week about 50 students from the Crispell Middle School in Pine Bush, NY, will be touring our Nation's Capital. The high point of their visit will be a wreath-laying at the Tomb of the Unknown Soldier in Arlington National Cemetery. The three students who will be presenting the wreath were chosen by means of an essay contest.

I found these essays to be so inspirational and informative for all of us that I ask that they be inserted in their entirety at this point in the CONGRESSIONAL RECORD.

THE TOMB OF THE UNKNOWN SOLDIER

(By Cass Bazelow)

''My only goal is when you leave for the highschool, you can pat yourself on the back and say your proud to be in the United States'', a teacher said the first day of 8th grade. It totally slipped my mind until The Vietnam War was being discussed and it was said how many men and women gave their lives, for their country. A team. We are all a team and each give our part; some greater then others but all involved, to make us the great nation that we are. Giving one's life is the greatest contribution to any team and it deserves to be honored.

He was young, 18 to 19 years of age. He just got a girl-friend and a car and was planning what to do with the rest of his life. The political parties and situations in Vietnam were of no concern to him. That was the biggest mistake in his life because a few days later, he was drafted to save a country he didn't even live in—South Vietnam. The boy couldn't even vote on righteous things in his

own country, let alone stop communism in another but he went willingly because he believed what his country believed. All this came in an insane package at one time and his life was havoc. He went, for his country, and fought, for his country, and died, for his country.

The Tomb of the Unknown Soldier is important to this nation not because of the name or the location but because of the honor and symbolism. Some may think that it is such a trifling way to give thanks to those who gave their lives to this country. It's not the tomb that gives thanks but the people who visit it and the honor one feels as they place a wreath at the foot of the monument because of what it stands for. The people visiting it is more of an honor then any marker could be. Our country is made up of symbols and monuments of freedom and love. The tomb is a symbol of life, not death, because the people who visit it keep the memory, of ones who died, alive.

I believe I should present the wreath at The Tomb of the Unknown Soldier to honor that young boy 18 to 19 years of age. To honor all the people in situations different or similar as this. They went, for their country, and fought, for their country, and died, for their country. I go, for their honor, and cry, for their honor, and remember, for their honor.

When June rolls around, I will thank that boy. Who is this boy? It doesn't matter who this boy is, if he is from rural America or Urban America, from mountains or sea. It matters not if he was a farmer or an iron worker; He is our nation's son. That boy made me realize what a great country we live in. The USA is not the country because of the land; the people make the country. When I leave, I will pat myself on the back and be proud because of that boy.

TOMB ESSAY

(By Athanasia A. Anagnostou)

Why is it that I'd like to lay a wreath down at the Tomb of the Unknown Soldier? Truthfully, I'm not sure. It may possibly be the chill which runs down my spine when I contemplate about how many citizens of America have lost their lives, fighting for what they believe in. Laying a wreath at the Tomb is an important way to commemorate them, no matter how small it may seem.

Even though my parents weren't born here, they came to America for the same reasons as everyone else—to live a better life. America, ''The melting pot, land of opportunity'' is what it's called. And why? Because we fought to make America into a symbol for all of these things. From the Revolutionary war to Vietnam, soldiers have all lost their lives for the ''American Dream.'' Since I've had family members fighting in American Wars, I've often wondered how they and others summoned up the courage to risk their lives so that things may be better for everyone. I've imagined how crushing it must have been for parents to bid their beloved children farewell when they went off to battle, never to see them again. However, I've also pondered about the amount of lives that inevitably will be lost in the future wars with people still striving to make this country fit for the ''Life, liberty, and pursuit of happiness'' of its citizens.

So in conclusion, I say that it is not important as to who lays down the wreath at the Tomb of the Unknown Soldier, but that deceased soldiers are commemorated by all of us, even if only in our hearts and minds.

TOMB ESSAY

(By Michael Nickerson, Jr.)

The Tomb of the Unknown Soldier represents patriots who fought bravely for this country and their bodies were never found. It would be a great honor to place the wreath on the Tomb of the Unknown Soldier. This tomb honors the thousands of people, who fought bravely and died to preserve the rights of the next generations, but their bodies were never found or identified.

My father fought in the Vietnam War. This was never declared a war, and many of the soldiers that returned were shunned by their fellow country men, and even their own country. Many of the Vietnam vets didn't receive the same privileges as other war veterans. My dad doesn't talk a lot about the war. I know the memories bother him. He was one of the lucky ones that made it home with only a leg wound. Every now and then he mentions some of his friends that never made it home. It makes it even harder for friends and families when their loved one's are MIA's, POW's, or their bodies have never been identified or returned. The Vietnam Wall and The Tomb of the Unknown Soldier helped heal some of my father's wounds.

I would love the opportunity to place the wreath on the tomb site of these brave and unidentified soldiers. I would be saying goodbye and thank you, not only to my dad's friends, but to all the men and women who died from my freedom. I would also be honoring all the men and the women who fought for this country.

THE MEDICAL DEVICE REGULATORY MODERNIZATION ACT OF 1997

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BARTON of Texas. Mr. Speaker, I rise today to introduce the Medical Device Regulatory Modernization Act of 1997, along with my colleague, Congresswoman ANNA ESHOO. This legislation will improve and streamline the Food and Drug Administration's [FDA] regulation of medical devices. This is a bipartisan initiative to provide additional resources to the FDA for reviewing innovative devices and modernizing FDA regulation of the device industry.

Currently, the FDA limits choice, access, and opportunities for patients. As the rest of the country moves into the 21st century, we must make sure the FDA moves with us. When the lives of millions of people are hanging in the balance, inefficiency doesn't cut it. For example, if the FDA had approved the drug interleukin–2 as quickly as it had been approved in Europe, the lives of 3,500 kidney cancer patients might have been saved. If the FDA had approved the drug misoprostal, which helps to treat gastric ulcers, up to 15,000 deaths might have been prevented.

The Medical Device Regulatory Modernization Act of 1997 sets forth a formal mission statement to provide reasonable assurance of safety and effectiveness and to review devices in a manner that does not unduly impede innovation or product availability. In regards to investigational device exemptions [IDE's], the bill would require that the FDA set clear terms under which doctors could use devices in clinical trials for other compassionate purposes. It will require FDA officials to meet with medical device applicants early in the IDE process to clarify company goals and agency expectations.

This legislation would also allow the FDA to recognize national and international performance standards by publishing them in the Federal Register and allowing companies to self-certify to the standards. Penalties would be levied for falsification of data, and certification data would be available for FDA inspection.

Under our bill, the uses of a device specified by the FDA during clinical trials must be consistent with FDA expectations of uses during the premarket approval [PMA] process, unless the agency determines there could be harm to public health.

The bill also calls for independent review for most class I and II devices, except for permanently implantable or life-sustaining products. This frees FDA resources from reviewing less complex new devices so these products could reach consumers sooner, allowing the FDA to devote more personnel to reviewing cutting-edge technologies and get those devices to the market quicker.

The FDA was formed in 1927 to enforce the 1906 Pure Food and Drug Act. Safety was important then and is just as important today. But delay does not mean safety. The current practices of the agency do not enable the FDA to benefit patients and consumers because decisions simply take too long. Congress needs to act, and as a result patients will receive much needed medication and medical devices more quickly.

Mr. Speaker, I urge the Members of this body to join Congresswoman ESHOO and I in supporting this important piece of legislation to streamline and improve the Food and Drug Administration's regulation of medical devices.

IN RECOGNITION OF THE NEW YORK UNIVERSITY WOMEN'S BASKETBALL NATIONAL CHAMPIONSHIP

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. NADLER. Mr. Speaker, I rise today to recognize the outstanding performance of New York University's 1997 National Champion women's basketball team. After compiling an incredible record of 29 wins and 1 loss, New York University went on to a heart-stopping, last-minute victory over Wisconsin-Eau Claire in the Division III National Championship game.

Led by Head Coach Janice Quinn, the winningest coach in New York University's women's basketball history, and team captains Jen Krolikowski and Marsha Harris, the Violets brought N.Y.U. its first basketball national championship ever. Marsha Harris' last-second layup to seal the Violets' come-from-behind victory also brought the city of New York its first basketball national champion in almost 20 years.

The players, coaches, and athletic staff were rewarded for their hard work and dedication with a momentous achievement. The Violets' championship is a great accomplishment for New York University athletics, the university itself, and the entire community. I am proud to have New York University within my district.

CONGRATULATIONS TO AMA PRESIDENT DR. DAN ''STORMY'' JOHNSON

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LAMPSON. Mr. Speaker, I rise today to congratulate Dr. Dan ''Stormy'' Johnson who is currently serving as president of the American Medical Association. Dr. Johnson is only the fourth native Texan to hold this national position, and the first from my district. He is being honored tomorrow night at a recognition dinner in Port Arthur, TX. Dr. Johnson was born in Port Arthur and received his M.D. degree from the University of Texas at Galveston. He has been active in organized medicine for many years, and prior to his service as president of the AMA, Dr. Johnson served both as speaker and vice speaker of the AMA House of Delegates. It is a true honor to have such an outstanding individual and medical leader come from Port Arthur, TX, in my district.

Dr. Johnson's commitment to the medical field is legendary and his pursuits within this profession leave him worthy of our recognition. He was cofounder and president of the American Society of Head and Neck Radiology and he is also a past president and past chair of the board of the New Orleans Radiology Society. Dr. Johnson has also served in his community for many years on the boards of the Louisiana State Museum and its support group, the Friends of the Cabildo. He has lectured extensively throughout the United States on many issues of health care reform, most notably on financing the delivery of health care. Some of Dr. Johnson's ideas to improve the cost effectiveness of our health care system include using the concepts of pluralism and patient choice. These innovative ideas have helped in the debate on the importance of health care reform.

I applaud Dr. Johnson for his dedication to the medical profession and I send him my sincere congratulations for his achievements within this field. I look forward to attending the recognition dinner in his honor so that I may personally be able to congratulate Dr. Johnson on his special day.

THE PUBLIC HAS A RIGHT TO KNOW WHO'S MONEY IS BEHIND A CANDIDATE—THE CAMPAIGNS IN THE SUNSHINE ACT WILL SOLVE THAT PROBLEM

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. HORN. Mr. Speaker, today I add one more piece to the pile of legislative proposals related to reform of our campaign finance laws. In doing so, I recognize that this is the issue most frequently mentioned and, so far, least frequently addressed in this Congress. This seems to reflect the public's attitude that this is the one problem we most need to solve and that we are least likely to tackle.

My own views and my legislative efforts on campaign finance cover the proverbial waterfront. I support proposals ranging from immediate action under the Shays-Meehan comprehensive reform bill to the more protracted steps called for in the bipartisan blue ribbon commission bill. In short, I believe we here in Congress should overhaul a campaign finance system that has been riddled with loopholes from Supreme Court rulings and the ingenious schemes of legions of lawyers and consultants. But I am aware of the substantial and probably well-founded view that we will not do so.

There is, in fact, reasonable cause to think we should not take this job because there simply are too many agendas, too many self-interests, too many conflicts of interest when those of us who hold public office attempt to write rules for how others can unseat us. The popular view is that having politicians write campaign finance laws is like having sharks organize a swim meet. For that reason, I support the bipartisan bill to create a nonpartisan commission on this issue. The goal of this approach is to allow nonpoliticians with no specific, personal axes to grind to take a good look at this issue and try to come to practical, sound steps that will provide a level playing field for our election campaigns.

But I am aware that the commission approach also faces many objections and may never move from proposal to reality. For that reason, I am introducing a third approach that will allow us to immediately address what I believe to be the most serious problem in the campaign finance arena while we work out further steps toward comprehensive action. I would like to believe this bill will not face any opposition from any quarter—though on campaign finance I have learned that opposition needs no cause to exist.

The bill I am introducing today is the most basic step possible in campaign finance reform. This bill simply requires full disclosure of all sources of all campaign funds. That is all. It does not stop so-called soft money from being raised or spent. It simply requires that all soft money be identified by source. This bill does not ban or limit so-called independent expenditures which we all know are seldom independent in any real sense and which I believe are the most damaging and dangerous development in our political system in many years. Even so, I do not try to outlaw these expenditures. My bill simply requires that the sources of funds for the expenditure must be identified in the same way that we require disclosure by every candidate committee.

In short, Mr. Speaker, this bill is a straightforward statement that anyone can become involved in our campaigns, but everyone must come out into the sunshine and reveal their identities. In doing so, everyone is subject to the same scrutiny by the media and the voters as to their agenda and goals, their tactics and rhetoric and their influence on our elections.

Mr. Speaker, there has been great and legitimate concern about reports that some foreign governments may have secretly influenced last year's Presidential or congressional campaigns through covert campaign contributions to candidates. Our Committee on Government Reform and Oversight, on which I serve, has begun investigating these reports, as we should.

However, I would note the real impact of foreign money may never be known and can never be learned. The simple reality is that these activities could well be cloaked behind so-called ''independent expenditures'' by some innocuous sounding organization like the Committee for Something or Other. Pick any name, pour any amount of money into it from any source on Earth and it can become a major player in our political campaigns. Our current campaign finance laws have no real prohibition on this kind of activity, no real way of policing such activity and no serious way to enforce any sanction we might want to impose for such activity. In short, the current laws are a joke, brought to us by a Supreme Court that seems convinced that freedom of speech can and should be equated with the ability to spend.

At a minimum, Mr. Speaker, at the absolute minimum, we must pass the kind of disclosure bill I am introducing today. At the very least, the people of this country deserve to know who is spending money to influence their vote. At the very least, our system must be protected from secret persuaders, whether foreign or domestic, who want to play the game but do not want to follow even the simplest rules of fair play and open debate.

Democracy rests on the firm foundation of open and free debate, where every viewpoint can be presented and every cause can be examined. To allow secret causes to be cloaked in anonymity is to allow democracy to be subverted from the shadows. That is the reality of our current laws and that is what we must change this year. It is time to enact legislation that creates campaigns where the identity of the attacker is revealed, where the merits of the attack can be examined and where the ability of the voters to decide for themselves is protected.

It is time to reverse the steady unraveling of our laws on campaign activity and to stop absurd and dangerous practices that destroy public trust and undermine democracy itself. It is time to require that our campaigns be conducted in the sunshine where the disinfectant of full disclosure can work its wonder.

Mr. Speaker, I thank Mrs. JOHNSON of Connecticut, Mrs. MALONEY of New York, and many other colleagues for joining in sponsoring this legislation and I commend these proposals to all Members of the House as a bill well deserving of their support.

We need to pass this legislation because the average voting citizens has a right to know what interests, if any, relate to a candidate for public office. Attached is the bill and its original cosponsors.

H.R. 1705

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 ''Campaigns in the Sunshine Act of 1997.''

SEC. 2. APPLICATION OF REPORTING REQUIREMENTS UNDER FEDERAL ELECTION CAMPAIGN ACT OF 1971 TO CERTAIN EXPENDITURES.

(a) SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

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

''(9) in the case of a reporting committee which is a political party committee, any information which would otherwise be required

to be reported under this subsection if the term 'expenditure' included any amount expended by the committee for the purpose of influencing an election for Federal office.''.

(b) INDEPENDENT EXPENDITURES.—

(1) ADDITIONAL REPORT FOR PERSONS FIRST MAKING EXPENDITURES AFTER DEADLINE FOR PRE-ELECTION REPORT.—Section 304(c) of such Act (2 U.S.C. 434(c)) is amended—

(A) in paragraph (2), by striking ''Statements'' and inserting ''Except as provided in paragraph (4), statements''; and

(B) by adding at the end the following new paragraph:

''(4) In addition to any statements required to be filed in accordance with subsection (a)(2), any person who first makes independent expenditures with respect to an election in an aggregate amount or value in excess of $1,000 after the deadline for filing a pre-election report under subparagraph (A)(i) of such subsection shall file a statement containing the information described in paragraph (2) at the time the person makes independent expenditures in such aggregate amount or value.''.

(2) EXPANDING SCOPE OF EXPENDITURES SUBJECT TO REPORTING.—Section 304(c) of such Act (2 U.S.C. 434(c)), as amended by paragraph (1), is further amended by adding at the end the following new paragraph:

''(5) For purposes of this subsection, the term 'independent expenditure' means—

''(A) an independent expenditure described in section 301(17); or

''(B) any other payment (without regard to whether the payment is otherwise treated as an expenditure under this title) which is used to produce or distribute any broadcast material, newspaper, magazine, billboard, direct mail, phone bank operation, or similar type of public communication or political advertising which refers to a clearly identified candidate or political party, which is made without cooperation or consultation with any candidate or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate (other than any payment which would be described in clause (i), (iii), or (v) of section 301(9)(B) if the payment were an expenditure under such section).''.

(3) CLARIFICATION OF REQUIREMENT TO REPORT PERSONS MAKING CONTRIBUTIONS FOR CERTAIN INDEPENDENT EXPENDITURES.—The second sentence of paragraph (2) of section 304(c) of such Act (2 U.S.C. 434(c)) is amended by striking the period at the end and inserting the following: '', together with the information described in subparagraph (C) of the previous sentence.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to expenditures made on or after the date of the enactment of this Act.

PEOPLE'S RIGHT TO ACCESS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. HOYER. Mr. Speaker, I rise today to let the American people know about a growing concern with the public's access to Government information. Throughout our country's great history, the Government Printing Office has been the source of all printing done by all Federal agencies. Under title 44 of the United States Code, all agencies are required to use the Government Printing Office for their printing needs. However, over the years, more and more of the executive branch agencies have been doing their own in-house printing, circumventing the system and neglecting to make all Government documents available to the Depository Library System and thus breaking the channel of information to the American people.

At a recent hearing of the Senate Rules and Administration Committee, it was stated that more than half of all Government documents printed by executive agencies were never sent to depository libraries. Well over 50,000 documents have not been made available in the public domain.

It is important that people know just how serious this problem is. The Office of the Superintendent of Documents at the Government Printing Office recently issued a report on the extent of the problem which I am placing in the CONGRESSIONAL RECORD for all to read. We must not allow this loss of public information to continue and must get all Government documents to our Depository Library System.

FUGITIVE DOCUMENTS: SCOPE AND SOLUTIONS

THE SCOPE OF THE PROBLEM

According to 44 U.S.C. Sec. 1902, ''Government publications, except for those determined by their issuing components to be required for official use only or for strictly administrative or operational purposes which have no public interest or educational value and publications classified for reasons of national security, shall be made available to depository libraries through the facilities of the Superintendent of Documents for public information.'' Depository libraries make these publications available for free use by the public. Traditionally, most Government publications of general interest, including legislative, regulatory, business, and consumer titles, as well as many scientific and technical reports and studies, have been distributed through the GPO's Federal Depository Library Program (FDLP).

Many publications produced by the Government fail to be included in the FDLP. Documents that belong in the Program, but which are excluded, are known as fugitive documents. Their absence from depository library collections impairs effective public access to Government information.

Although no study has resulted in a definitive answer, we estimate that more than 50 percent of all tangible Government information products are not being made available to the Federal Depository Library Program (FDLP). Of these, we estimate that there are about 55,000 scientific and technical documents and reports which are neither printed through GPO nor furnished by the issuing agencies to the FDLP as required by law. The issuing agencies do, however, provide either a printed copy or an electronic image file of each of these documents to the National Technical Information Service (NTIS).

In FY 1996, NTIS took in about 160,000 scientific, technical, and business-related titles, most but not all of which were published by the Government. We estimate that about 70 percent, or 112,000, of NTIS's total intake belongs in the Program. Compared with the 57,000 titles in the FDLP in FY 1996, this leaves at least 55,000 fugitive titles which should have been provided to GPO by the publishing agencies, NTIS provides bibliographic access to the publications it takes in through its abstracting and indexing activities. This makes them available to the public and to depository libraries on an on-demand basis from NTIS, but at a significant cost.

In addition, there is an unknown number of fugitives which are primarily general, public interest materials produced by agencies using avenues other than GPO. It is virtually impossible to estimate the total number of these titles, but they may well number in the thousands and include, but are not limited to, the publications of Federal District Courts and Courts of Appeal, Federal Election Commission financial disclosure statements, and Library of Congress Congressional Research Service reports.

Recently, four major factors have contributed to increasing losses of key general interest publications to the FDLP. These are: (1) electronic information dissemination via agency Web sites without notification to the FDLP; (2) the decreasing compliance with statutory requirements for agencies to print through GPO or to provide copies of publications not printed through GPO to the FDLP; (3) the increasing trend for agencies to establish exclusive arrangements with private sector entities that place copyright or copyright-like restrictions on the products involved in such agreements; and (4) increasing use by agencies of language in 44 U.S.C. Sec. 1903 that permits publications to be excluded if they are ''so-called cooperative publications which must necessarily be sold in order to be self-sustaining.''

Even in cases where the FDLP learns about such fugitive general interest publications, extensive negotiations and even Congressional intervention have proved necessary to ensure compliance with the depository library provisions of Title 44. The following list includes some particularly egregious examples of failure to comply with statutory requirements. It should be noted that OMB's Office of Information and Regulatory Affairs (OIRA) has not provided any significant assistance to GPO in detecting or resolving these problems.

U.S. INTERNATIONAL AIR TRAVEL STATISTICS

U.S. International Air Travel Statistics was published by the Department of Transportation using data derived from the Immigration and Naturalization Service and distributed to the FDLP. In FY 1996, Congress transferred the collection and dissemination of this data to the Department of Commerce's International Trade Administration (ITA). According to ITA, this publication is available for sale from ITA's Tourism Industries office, is a self-sustaining publication not fully funded by Federal monies, and is exempt from distribution to the FDLP.

HANDBOOK OF INTERNATIONAL ECONOMIC STATISTICS

For many years, this publications was printed and published by the CIA as the Handbook of Economic Statistics, sold by the Superintendent of Documents Sales Program and distributed to the FDLP. After 1992, the CIA no longer made it available to the sales or depository programs. It is now sold by NTIS and paper copies are not being offered to the FDLP. The 1996 edition of the CIA's World Factbook CD–ROM includes an electronic version of the Handbook, but for such standard reference works, the preferred format for depository distribution is paper.

PRECURSOR SYSTEMS ANALYSES OF AUTOMATED HIGHWAY SYSTEMS

This CD–ROM product is being sold by the Department of Transportation and is not being provided to the FDLP. Although the FDLP may be receiving some of the printed reports that form the basis of the CD–ROM, it is probably not receiving all of the data included.

ORDER NOW CD–ROM

This NTIS CD–ROM product includes two years' worth of abstracts and indexes not available elsewhere. NTIS has expressed a willingness to make the CD–ROM available as a benefit to the public and as a promotional tool for their sales program, provided GPO paid the retrieval software fees,

but has stated that ''[a]t no time did we consider this to be a question of compliance with Title 44,'' apparently based on the fact that the publication in question is electronic rather than print.

TOXIC SUBSTANCE ACT CHEMICAL SUBSTANCE INVENTORY

The last material associated with this EPA product that was received by the Depository Program was the 1990 Supplement to the 1985 edition. It is now available exclusively through NTIS. When contacted, EPA said that it supplied data to NTIS, not a finished product, and for this reason was not responsible for depository copies. NTIS has not furnished copies for the Depository Library Program.

CREATING A GOVERNMENT THAT WORKS BETTER BUT COSTS LESS: STATUS REPORT CD–ROM

This series has been distributed by the Sales and Depository Programs in print but the CD–ROM, which includes additional information, is available only from NTIS. NTIS has not responded to requests for depository copies.

EXPORT ADMINISTRATION REGULATIONS

Despite a request in writing to the Bureau of Export Administration requesting a copy of this database for mounting on GPO Access, the agency has not responded. The agency has, however, entered into an exclusive distribution agreement for both print and electronic versions of the EAR with NTIS, and has paid NTIS to mount the database. A year ago, the Superintendent of Documents wrote to Bruce McConnell of OIRA to request an OMB review of the agreement between NTIS and the Office of Export Administration but did not receive a response. Several months of discussion with NTIS, as well as intervention by the Joint Committee on Printing, were required before NTIS agreed to provide print copies of this product.

BIG EMERGING MARKETS

Developed by the International Trade Administration and printed by a private firm in a joint venture with NTIS, this product was originally offered to the FDLP in microfiche format. This was unsuitable due to the presence of color charts in the product. Only after several months of discussion and Congressional pressure did NTIS provide print copies.

JOURNAL OF THE NATIONAL CANCER INSTITUTE

This periodical is now published by Oxford University Press under the terms of a Cooperative Research and Development Agreement (CRDA) with the National Cancer Institute (NCI). Initially the FDLP was told by NCI that this arrangement rendered the Journal a non-Government product, even though editorial work is still being performed by NCI employees. After NCI officials discussed the matter with the Joint Committee on Printing, Oxford University Press agreed to furnish depository copies. NCI has not, however, returned calls made by FDLP for the purpose of setting up a mechanism to accomplish this.

HISPANICS-LATINOS; DIVERSE PEOPLE IN A MULTICULTURAL SOCIETY

This title was first published by a private sector trade association based in Washington, DC. Although the data was gathered and prepared at public expense it was provided to this private group, which then copyrighted the publication and sold it for $10 per copy. Because Hispanics-Latinos was not printed through GPO, it was not initially available to the Depository Program. When this situation was brought to the attention of the Census Bureau through Senate Rules Committee hearings, the Bureau reprinted the book through GPO so depository copies would be available.

A NATION OF OPPORTUNITY/KICKSTART INITIATIVE

The United States Advisory Council on the National Information Infrastructure issued two reports that were initially published by West Publishing, a major private sector seller of legal publications and databases, although they were prepared by the Commission at public expense. Initially these publications were not made available to either the Superintendent of Documents Sales or Depository Programs.

Once the Joint Committee on Printing was apprised of this situation it contacted the Commission. As a result, the National Telecommunications and Information Administration of the Department of Commerce reprinted the publications through GPO in a much less elaborate black-and-white format and both the Sales and Depository Programs acquired copies.

POPULATION OF STATES AND COUNTIES OF THE UNITED STATES: 1790–1990

This Census publication was printed by NTIS rather than through GPO. Through what was described by Census as a ''handshake agreement,'' NTIS asked that Census not make this publication available to either the Depository or Sales Programs for the first six months so as not to hurt its exclusive sale by NTIS. As a result of Senate Rules Committee hearings, GPO obtained a copy from Census shortly after its publication by NTIS. The Depository Program printed copies for its use and Sales acquired copies for sale to the public.

SOLUTIONS TO THE FUGITIVE DOCUMENTS PROBLEM

Since nearly all fugitives involve titles not printed or procured through GPO, the simplest and most cost-effective solution would be for agencies to obtain all of their tangible information products through GPO. This would afford the FDLP the opportunity to ride for depository copies. Any agencies not obtaining their information products through GPO would be in compliance with Sec. 1903 if:

The agency provides the requisite depository copies to the FDLP, free of any encumbrances such as software licensing fees or copyright-like restrictions

In the case of online services, the agency provides no-fee access to the FDLP

THE COSTS OF COMPLIANCE

If delivered to the Superintendent of Documents (SoD) in print format, these formerly fugitive titles would represent a significant new workload that neither the SoD or the libraries in the FDLP have adequate resources to handle. We estimate that, based on the current mix of paper, microfiche, and electronic formats being disseminated by the FDLP, providing these fugitives in a similar mix would increase costs by approximately $8 million. This, however, is an unlikely scenario.

In our view, it is more plausible that the migration of printing of electronic publishing already in evidence will continue to grow. This scenario provides a unique opportunity to bring additional information into the FDLP for no-fee public use. When the source information is in electronic format, the agency can either make it available on their own Internet Web site, or can ask GPO to make it available via the GPO Access service. Either of these approaches would enable the FDLP to provide more information to the public, while limiting the increased costs to the Government. In this scenario, the projected decline in the amount of printed material would gradually reduce the costs to the Program.

When an agency publishes via the Web, the major SoD cost increases are for the provision of cataloging and locator services so users can find the information; and for permanent access services to ensure that the electronic content is maintained for use in the future. We believe that these costs should be funded out of the SoD appropriation. If an agency provides electronic content for disseminating via GPO Access, there will be costs associated with processing that information and mounting it on the system. These ''developmental'' costs may be borne by the originating agency, by the SoD, or by a combination of the parties. In any case, we would expect some cost savings to the Government and the SoD from this electronic approach when compared to the all-print scenario.

A low-cost solution for the FDLP may be at hand which would make the scientific and technical information held by NTIS available on a no-fee basis to depository libraries through the use of electronic imaging technology. We are presently participating in a pilot project whereby NTIS will provide depository libraries access to these image files at no cost. At issue that still needs to be resolved is that NTIS is considering restrictions on the redissemination of these files by depository libraries to prevent any adverse effect on NTIS sales. Before the NTIS solution can be viewed as a workable approach for large quantities of fugitive information, NTIS' copyright-like restriction on redissemination of the electronic version of the information must be eliminated.

In addition, it is critical that any revision of Title 44 make clear that an agency's obligation to provide their information to the FDLP is not overtaken by other requirements, including any mandate to operate on a self-sustaining or cost-recovery basis. For example, when an agency charges users for access to Government information at its Web site, there needs to be statutory language that clearly directs the agency to provide no-fee depository access.

Revisions to Chapter 19 of Title 44 must also provide for advance notification of the FDLP by agencies when information products are initiated, modified, or terminated on agency Web sites, define Government information products so as to include in the FDLP any publications produced under agreements with private sector entities, and delete the current exemption for ''cooperative publications.''

DEFANGING THE ESTATE TAX EMPIRE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. GINGRICH. Mr. Speaker, I would like to bring my colleagues' attention to the attached Washington Times editorial from May 19, 1997—''Defanging the Estate Tax Vampire.'' This piece thoughtfully lays out the arguments for repealing the death tax.

As I often say, I do not believe that Americans should have to visit the IRS at the same time they must see the undertaker. Abolishing the death tax is one of the most important actions we can take on behalf of America's family owned businesses and farms.

Building a successful business to pass onto children and grandchildren is a part of the American dream that we should lift up—not squelch. It is vital that we use examples such as this piece to make our case and build support everywhere in America for abolishing the death tax.

[From the Washington Times, May 19, 1997]

DEFANGING THE ESTATE TAX VAMPIRE

(By Bruce Bartlett)

There is a growing support on Capitol Hill for abolishing the estate tax, which has been part of the federal tax system since 1916. A number of bills that would do so have been introduced, including H.R. 902 and S. 29, sponsored by Rep. Chris Cox and Sen. Richard Lugar, respectively. Hearings have already been held in both the House Ways and Means Committee and Senate Finance Committee.

One of the strongest arguments for repeal is that the estate tax is disproportionately burdensome relative to the revenue it raises. In no country is the estate tax a significant source of revenue. Even egalitarian Sweden raises just 0.1 percent of its revenue this way. And the average for all members of the Organization for Economic Cooperation and Development, the association of Western industrialized countries, is just 0.4 percent. In the United States, the estate tax raises about 1.1 percent of total revenue, which puts us at the upper end of the list.

With the estate tax raising such a small percentage of revenue, it would not be difficult to find alternative revenue sources that would raise the same amount. For example, taxing capital gains at death would raise as much revenue as the estate tax far more simply and at a lower rate. (Under current law, heirs pay capital gains tax only on the increase from the time of inheritance. Thus the estate itself pays no capital gains tax at all, no matter how much the assets may have appreciated.)

Supporters of repeal often point to Canada and Australia as examples of countries that have abolished their estate taxes in recent years. However, the number of countries with no estate tax is actually much longer. A review of Coopers & Lybrand's latest international tax guide found at least 46 countries with no estate or inheritance taxes. Although some are small countries known for being tax havens, many are not. These include Israel, Mexico, New Zealand and Switzerland, among others.

To be sure, the absence of an estate tax does not mean wealth transfers are entirely free of tax. Canada, Australia and Israel tax capital gains at death. Some countries treat inheritances as ordinary income for tax purposes, while others impose stamp duties and transfers. New Zealand and India tax gifts even though there is no tax on estates. And while Switzerland has no federal estate tax, 25 of the 26 canons (states) impose such a tax. Nevertheless, this review shows that should the United States choose to eliminate its death taxes, we would have a good deal of company.

HEALTHSOURCE SAGINAW: CARING FOR THE COMMUNITY

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BARCIA. Mr. Speaker, my colleague [Mr. CAMP] and I, rise today to recognize a facility that serves both of our districts, providing some of the best health care that people can find anywhere: HealthSource Saginaw. This facility has been in operation since 1930, when it was first known as Saginaw Community Hospital, and continues to be a vital provider of ongoing and emergency care in the Saginaw area.

The facility describes its mission as being ''to restore persons we serve to meaningful lifestyles by providing select, innovative, efficient services in a coordinated continuum of care.'' From its Saginaw Township location, it offers behavioral medicine services, rehabilitation services, and subacute and extended care.

Mr. Speaker, an institution is only as good as its personnel, and it is our view that the 512 employees of HealthSource Saginaw are among the best. Their caring attitude conveyed to patients each and every day help this hospital to retain its reputation as a sought-after facility.

As we continue to expect our health care providers to use the best available technology, maintain the highest level of proficiency individually, and hold costs to reasonable levels, we believe that facilities like HealthSource Saginaw merit recognition. We urge all of our colleagues to join us in offering our thanks for, and recognition of, HealthSource Saginaw.

HEALTHSOURCE SAGINAW: CARING FOR THE COMMUNITY

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CAMP. Mr. Speaker, we have both worked closely with the leadership of this 319-bed facility on a range of issues vital to the people who depend upon HealthSource for their medical care. Lester Heyboer, the president and CEO of the facility, has done an outstanding job in leading this facility at a time when competition among care givers, including among nonprofit facilities, is intense and challenging. I am particularly supportive of the employees who have contributed so much to the success of the hospital. I am particularly proud of the quality of care provided to all patients and the compassionate and successful treatment of those residing in the psychiatric unit. HealthSource Saginaw's employees are of the highest caliber and deserve to be commended for their work.

NEW LIFE FOR PLANT AND EQUIPMENT LOANS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LAFALCE. Mr. Speaker, today I am introducing legislation to extend the life of the certified development company or 504 loan program. It is this guarantee program, operated by the Small Business Administration [SBA], which provides a major source of capital for small businesses which need long-term financing for plant and equipment purposes.

Mr. Speaker, I am very proud to be able to claim authorship of this program. It is a direct descendent of legislation I introduced and which was enacted into law in 1980.

The development company program matches financing from a private lender for one-half of the project, with the owner providing 10 to 20 percent and private investors providing the balance with a guarantee from SBA.

It clearly is an example of encouraging privatization. During the initial years of the program, the Treasury provided the matching funds. But 1987 legislation changed the source of this portion of the funds from the U.S. Treasury to private investors, with an SBA guarantee. The program has operated superbly since then.

Since Wall Street Investors have become involved, the program has provided $8.5 billion in SBA guarantees to 26,000 small firms.

Private lenders more than doubled the amount of this funding with their share of the project cost.

The result has been tremendous, both for the small firms and also for the Government. This funding has resulted in the creation of more than 338,000 jobs by these small business borrowers, along with the preservation of additional hundreds of thousands of private sector jobs.

Possibly of equal importance to those of us in Congress is that the program has been operating for the past several years at a zero subsidy rate. It pays for itself by user fees; no appropriated funds are needed to pay anticipated losses in the event a loan defaults.

But there is cause for alarm. The user fees paid under this program are sunset September 30. If they are not extended, the program will terminate October 1.

This should not be permitted to happen.

I urge my chairman, JIM TALENT, and his Senate counterpart, CHRISTOPHER BOND, to rectify this immediately and to move the necessary legislation through the legislative process without additonal delay.

My bill is available as the vehicle or can be used as a guideline for the development of other legislation.

The legislation I have introduced provides the requisite extension of user fees for 3 years, although I would hope that we would seek another way to fund the program.

It also provides program authorizations for the same time-frame and makes changes in the authorizing legislation. These changes allow us to take advantage of the expertise which exists in the personnel employed by the certified development companies which deliver and act as loan servicing agents for the SBA in regard to loan approval and liquidation actions.

I believe that we need to expand the services these companies deliver. This will reduce the program cost and hopefully will allow us to reduce user fees reflecting these cost savings.

I urge favorable consideration of my proposal.

A detailed summary of my proposal, the Certified Development Company Enhancement and Improvement Act of 1997, is attached.

SUMMARY OF CERTIFIED DEVELOPMENT COMPANY ENHANCEMENT & IMPROVEMENT ACT

1. AUTHORIZATION LEVELS

The bill would authorize continuation of the certified development company program for three years at the following levels:

1998: $3.0 billion;
1999: $3.5 billion;
2000: $4.5 billion.

For comparison purposes, the 1997 appropriation level is $2.6 billion, although usage is not expected to exceed $2 billion.

2. FEES

1996 legislation increased fees under this program in order to reduce the subsidy rate of the program to zero:

.9375% or 15/16 of 1% payable annually by the small business borrower;

.125% or 1/8 of 1% payable annually by the certified development company; and

.50% or 1/2 of 1% payable by the first mortgage lender on the amount of its loan.

These fees are sunset September 30, 1997.

The bill would extend these fees for three additional years, but would expressly limit the amount to the amount necessary to continue the program at a zero subsidy level. If the subsidy rate declined in the future, SBA would be required to reduce the fee.

3. PREMIER CERTIFIED LENDERS PROGRAM

1994 legislation authorized SBA to establish a premier certified lenders program consisting of up to 15 certified development companies which would receive delegated authority from SBA to approve debentures on behalf of the Agency. In return, the CDC would agree to establish a loss reserve and be responsible for re-paying SBA for up to 10% of any loss on such debentures. The program was sunset September 30, 1997.

The bill would make this a permanent program and eliminate the ceiling on the number of participants. It would also modify the program by:

tightening eligibility standards by requiring that CDC applicants demonstrate their proficiency in closing and servicing loans over at least the last two years;

delegating authority to the CDC to liquidate loans which default;

allow the CDC to fund its reserve fund by deposits in a Federally insured institution or by an irrevocable letter of credit; and

Limit the amount of the required reserve fund to 10% of the CDC's exposure, but specifically require the CDC to replenish the reserve fund within 30 days of the payment of any loss or pay the loss from separate funds; and allow the CDC to withdraw the applicable deposit from the reserve fund when the loan is re-paid.

It also would direct SBA to separately determine both the default rate and the recovery rate on liquidated loans for premier CDCs and to compare it to the default and recovery rates on CDC loans by nonpremier companies. This data would be used to evaluate the adequacy of the reserve fund and to permit reductions, if appropriate.

4. MULTIPLE BORROWERS IN ONE PROJECT

The existing statute references SBA authority to a ''small business concern'' (singular), which SBA interprets as precluding several small businesses obtaining financing to participate and locate their businesses in one facility.

The bill would clarify that multiple small businesses can seek funding to participate in one project site (similar to the authority for multiple borrowers under the 7(a) program).

5. PARTIAL LEASES OF PROJECT PREMISES

Under current statute, a borrower cannot buy or construct the property unless the borrower will use all of the property (i.e., he cannot lease the property to another except partially for a limited time and only upon a showing of the need for future expansion). This is basically a reflection of policy that SBA does not make loans to landlords. It does, however, prohibit a growing legitimate business concept—lease of part of the property for an unrelated purpose, e.g., a minimart as part of a gasoline service station.

The bill would authorize a borrower to lease not more than 25% of the property.

6. PROJECT FINANCING AND COLLATERAL

1996 legislation is being interpreted to preclude the seller of property from providing the 15–20% down payment mandated to be made by the borrower/purchaser. Seller financing of the requisite amount, either solely or in combination with the buyer/borrower, would provide the same safety to the SBA funding.

The bill would permit seller financing to provide the requisite down payment.

The bill would also specify that collateral be valued at the estimated sale price between a willing buyer and seller and that any decision to require the borrower to provide non-project property as collateral for the loan may be made only on a case by case basis.

ON THE OCCASION OF THE DEATH OF JAMES M. FOX

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SESSIONS. Mr. Speaker, I come to the floor today with deep regret, to talk about the death of one of America's finest public servants. James M. Fox, the former Deputy Director of the FBI with the responsibility for the New York office, died on the morning of Friday, May 15.

James Fox was a dedicated agent of the FBI, serving a distinguished career of 31 years. He served in Bureau offices in New Haven, Chicago, San Francisco, Los Angeles, and in FBI headquarters in Washington, DC. He concluded his successful career heading up the FBI office in New York City.

As a renowned expert in terrorism, espionage, and organized crime, Mr. Fox played major roles in the investigation of the bombing of the World Trade Center and the conviction of Mafia boss, John Gotti.

Mr. Fox received a Man of the Year/Distinguished Public Service award from the Police Department's Finest Foundation, St. John's University, John Jay College, the Professional Investigators' Association, Detective Endowment's Association, National Father's Day Committee, and the Ellis Island Medal of Honor Society. In November 1992, New York Governor Mario Cuomo awarded Mr. Fox the State's Law Enforcement Executive of the Year award. Clearly, Mr. Fox contributed significantly to law enforcement throughout this Nation.

Mr. Fox was a consultant on terrorism matters for CBS news, and was frequently seen on network TV regarding espionage and organized crime, his other areas of expertise during his 31 years at the FBI. In further service to his community, Mr. Fox served on the board of directors for the National Center for Missing and Exploited Children, the New York City Police Foundation, and the New York Citizens Crime Commission.

I want to send my condolences to the Fox family, including his widow, Elaine, and his two daughters. Mr. Fox exemplified the very best in public service, and did so much to ensure the safety and security of the citizens of this great Nation. He was dedicated to law enforcement, the Bureau, and the American people. We owe him and his family a debt of gratitude, and I urge my colleagues to join me in sending his family our best wishes.

MAINE LEGISLATURE SPEAKS ON A GLOBAL LANDMINE BAN

HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ALLEN. Mr. Speaker, I would like to share with my colleagues a resolution passed by the Maine State Legislature last month on the subject of landmines. I am informed that this is the first time any State legislature in the country has gone on record calling for the elimination of antipersonnel landmines. The resolution calls on the President to negotiate an international ban on the production, use, and stockpiling of antipersonnel landmines, and to pursue an international treaty through the Ottawa process by this December. It also asks State agencies to help, as far as practicable, in the rehabilitation of landmine victims living in Maine.

I am pleased that the legislature from my State has sent this message, and I hope that it will encourage legislatures in other States to adopt similar measures. The U.S. Campaign to Ban Land Mines, a coalition of over 200 nongovernmental organizations, is taking this approach to generate attention at the State and local level for a global landmine ban. I appreciate the work of the mid-coast chapter of the American Red Cross, and Julie Groom-Thompson, director of the Brunswick office, in helping the effort to get the resolution through the legislature in Augusta.

An antipersonnel landmine ban is an urgent need. Each year, as many as 26,000 people are killed or maimed by these hidden weapons in the ground, and most are innocent civilians who stumble upon the mines as they are plowing a field or walking along a road, often many years after the mine was planted. This means one victim every 22 minutes. The numbers are astounding—Cambodia has some 10 million still in the ground; Angola, 15 million; and Bosnia, 3 to 6 million. While each small, plastic landmine costs only a few dollars to produce, each costs thousands of dollars to remove. The removal costs are daunting, but the related economic costs, in lost productivity and human lives—are incalculable.

Recognizing the scourge of landmines, several governments, along with diverse nongovernmental organizations in many countries, have mobilized to institute a global ban on the production and use of antipersonnel landmines. In May 1996, President Clinton announced his commitment to lead a global effort to ban landmines. Later in the year, the governments of 50 countries met in Ottawa to draft a plan to outlaw landmines through an international treaty, which would be ready for signature in December, 1997. This past January, the administration announced it would not support the Ottawa process, and instead decided to pursue a ban through the United Nations Conference on Disarmament. While the U.N. process is an appropriate international forum for this issue, the practical result of this option is to delay indefinitely an international agreement on a landmine, since recalcitrant countries like China are able to block action.

The resolution passed by the Maine Legislature calls on the President to endorse the Ottawa process, and I believe this is the right approach. We cannot afford to wait while dozens of innocent civilians are killed or injured

each day. I commend the Senator PAT LEAHY and Representative LANE EVANS for their leadership in advocating for a landmine ban, building support in Congress, and seeking funding for humanitarian aid and landmine clearance activities. I support their efforts. Again, I applaud the message sent by the legislature in my State, and hope those in other States can do the same.

I ask that a copy of the resolution be printed in the RECORD.

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO NEGOTIATE A BAN ON ANTIPERSONNEL LAND MINES

We, your Memorialists, the Members of the One Hundred and Eighteenth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the President of the United States, as follows:

Whereas, antipersonnel land mines are munitions placed by hand under, on or near the ground or other surface area or delivered by artillery, rocket, mortar or similar means or dropped from an aircraft and that are designed, constructed or adapted to be detonated or exploded by the presence, proximity or contact of a person; and

Whereas, an average of 71 people, the overwhelming majority of whom are civilians, are killed or maimed every day by antipersonnel land mines; and

Whereas, the estimated 80,000,000 to 110,000,000 antipersonnel land mines strewn across at least 64 countries cause havoc in the economies of developing nations: refugees can not return home, farmers can not till the fields, relief shipments can not be delivered, herd animals can not approach water holes, health care systems are overwhelmed by land mine victims and clearance costs are extraordinary; and

Whereas, the ecological and economic impact of antipersonnel land mines has yet to be fully calculated as they render arable land useless and contribute to over-farming of suitable land; and

Whereas, the United States has been a major producer and exporter of antipersonnel land mines for most of the past 25 years; and

Whereas, the cost, to the American taxpayers of salaries, equipment, transportation and other needs, of removing antipersonnel land mines was approximately $17,000,000 from 1989 to 1996 and will continue to adversely affect the civilian sector of the United States economy; and

Whereas, despite international momentum for a global ban on antipersonnel land mines, a recent United Nations conference failed to negotiate a ban; and

Whereas, at the Ottawa International Strategy Conference in Ottawa, Canada in October 1996, the governments of 50 nations adopted the ''Ottawa process'' recognizing the urgent need for a ban on antipersonnel land mines and outlined actions for reaching a ban rapidly in the hope of signing a treaty to ban antipersonnel land mines in Ottawa in December 1997; and

Whereas, in Cambodia, approximately one of every 236 people is an amputee from a land mine injury and there are approximately 7,000,000 to 9,000,000 uncleared land mines or approximately one for each citizen of the country; and

Whereas, Maine is home to refugees from Southeast Asia, Afghanistan, Africa, Central America, Bosnia-Herzegovina, Croatia and elsewhere whose lives have been and continue to be directly affected by loss of life, maiming and economic havoc caused by antipersonnel land mines, including those that the United States implanted during warfare in Southeast Asia or exported to other countries; now, therefore, be it

Resolved: That We, your Memorialists, urge the President of the United States to fulfill his commitment to negotiate an international ban on the manufacture, stockpiling, transfer and use of antipersonnel land mines, with a view to completing the negotiations as soon as possible, by active participation in the Ottawa process by which an international treaty banning antipersonnel land mines will be ready for signing in December 1997; and be it further

Resolved: That the appropriate bureaus, departments or agencies of the State of Maine coordinate with and assist, as far as practicable, community-based organizations or groups with rehabilitating victims of land mines who reside in Maine; and be it further

Resolved: That a suitable copy of this resolution be prepared and presented by the Secretary of State to the Honorable William J. Clinton, President of the United States, each member of the Maine Congressional Delegation and United States Secretary of Defense, William S. Cohen.

IN HONOR AND REMEMBRANCE ON MEMORIAL DAY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FRELINGHUYSEN. Mr. Speaker, on Memorial Day, we remember those who died for our country.

There is something both haunting and mysterious about Memorial Day that makes it a special day every year. At the first commemoration of Memorial Day, May 30, 1868, Senator James Garfield delivered an oration at Arlington National Cemetery in which he said: ''I am oppressed with a sense of impropriety of uttering words on this occasion. If silence is ever golden, it must be here, beside the graves of 15 thousand men whose lives were more significant than a speech.''

Our forefathers chose this day wisely knowing that during this time of year, we say goodbye to the spring season, as we embrace summer: the warm weather, the green grass and leaves of the trees, the freshness of the air and abundance of flowers, the crack of bats, the inevitable fireflies, the conclusion of the school year and the commencement of so many young people into new phases of their lives.

In fact, those high school seniors turning tassels best represent the youth of the heroes we remember today. When I reflect on wartime, the thing I most remember was that everyone who served with me was so incredibly young. Too often, we forget that wars are fought by the young—men and women in the prime of their lives—18-, 19-, 20-years-old.

Our fallen heroes were young men and women just embarking on life's journey, with dreams of becoming doctors, lawyers, teachers, and owners of small businesses. They look risks. They played ball and danced until dawn. They were strong and seemingly immune to danger. But when their country called them, they went without question and without delay.

And they soon discovered, like many before them and after, that there is nothing glorious about war. Nothing is glorious about leaving a husband or wife to answer the call to serve one's country. There is no glory in a young child crying out for their mother or father who is serving in a faraway land. And it is real pain and sorrow—not glory—that parents feel when they say their final farewells to their children at military funerals.

The glory of youth has been cut short by many wars. Cut short by wars fought in places we had never heard of and surely against people we had never met. And sometimes for reasons we did not fully understand. But we supported them then and remember them now. And we must not become complacent in remembering the great cause for which they fought. These true patriots were our country's best and brightest and they deserve much more than a single holiday in spring.

There is glory in remembering their service, but it is their disappearance through death that forever changes our own lives and those that loved them. For families of those who've fallen, it may be an empty room at home, a faded family portrait, grandchildren never coming to visit, or a vacation never shared.

And so as we remember these blessed names on our memorials, admire the presentation of colors, recite the Pledge of Allegiance, sing our national anthem, and pray together, let us listen deeply to the playing of Taps and remember those men and women who died in service to our country.

At the end of World War I, John McCrae wrote a now-famous poem called In Flanders Field that manifests the challenge we have before us as we remember those who died for our freedom.

In Flanders Field the poppies blow
Between the crosses, row on row,
That mark our place; And in the sky,
The larks, still bravely singing, fly
Scarce heard amid the guns below
We are the Dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie
In Flanders Field
Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders Field.

Let us all remember our brave warriors and hold their torch high. Thank you, God Bless You, and God Bless America.

Daily Digest

HIGHLIGHTS

The House passed H.R. 956, Drug Free Communities Act, under suspension of the rules.

Senate

Chamber Action

Routine Proceedings, pages S4925–S5021

Measures Introduced: Twenty bills and one resolution were introduced as follows: S. 779–798 and S. Con. Res. 28. **Pages S5001–02**

Measures Reported: Reports were made as follows:

S. Res. 57, to support the commemoration of the bicentennial of the Lewis and Clark Expedition, with amendments.

S. 610, to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, known as ''the Chemical Weapons Convention'' and opened for signature and signed by the United States on January 13, 1993, with an amendment in the nature of a substitute.

S. 768, for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili. **Page S5001**

Concurrent Budget Resolution: Senate continued consideration of S. Con. Res. 27, setting forth the congressional budget for the United States government for fiscal years 1998, 1999, 2000, 2001, and 2002, taking action on amendments proposed thereto, as follows: **Pages S4925–43, S4944–94**

Adopted:

Lautenberg (for Boxer) Amendment No. 355, to express the sense of the Senate regarding tax cut benefits. **Pages S4926, S4935, S4992–93**

Bond Modified Amendment No. 324, to express the sense of the Senate regarding the protection of children's health. **Pages S4926, S4959–62, S4985–86**

Lautenberg (for Dodd) Amendment No. 335, to ensure that the concurrent resolution conforms with the bipartisan budget agreement to restrict revenue reductions over a the ten-year period.

Pages S4926, S4981–82

McCain Modified Amendment No. 328, to express the sense of the Senate that the revenues generated to finance an intercity passenger rail fund under section 207 should not be appropriated before enactment of legislation to reauthorize and reform the National Rail Passenger Corporation.

Pages S4926, S4982–84

By 83 yeas to 16 nays (Vote No. 84), Gramm Modified Amendment No. 320, to ensure that the 4.3 cents Federal gas tax increase enacted in 1993 will be transferred to the Highway Trust Fund.

Pages S4926, S4963–64, S4986–87

Lautenberg (for Byrd) Modified Amendment No. 353, to expand opportunities to access funding in the Highway Reserve Fund. **Pages S4926, S4989**

Lautenberg (for Biden) Amendment No. 354, to express the sense of the Senate regarding the extension of the Violent Crime Reduction Trust Fund through fiscal year 2002. **Pages S4926, S4989–90**

Lautenberg (for Kohl/Kerry) Modified Amendment No. 352, to express the sense of the Senate on early childhood education. **Pages S4926, S4990–91**

Hollings Modified Amendment No. 302, to express the sense of the Senate that the Highway Trust Fund should not be taken into account in computing the deficit in the budget of the United States.

Pages S4925, S4991

Hollings Modified Amendment No. 303, to express the sense of the Senate that the Airport and Airway Trust Fund should not be taken into account in computing the deficit in the budget of the United States. **Pages S4925, S4991**

Hollings Modified Amendment No. 304, to express the sense of the Senate that the Military Retirement Trust Funds should not be taken into account in computing the deficit in the budget of the United States. **Pages S4925, S4991**

Hollings Modified Amendment No. 305, to express the sense of the Senate that the Civil Service

Retirement Trust Fund should not be taken into account in computing the deficit in the budget of the United States. **Pages S4925, S4991**

Hollings Modified Amendment No. 306, to express the sense of the Senate that the Federal Unemployment Compensation Trust Fund should not be taken into account in computing the deficit in the budget of the United States. **Pages S4925, 4991**

Bond Modified Amendment No. 325, to express the sense of the Senate concerning the Highway Trust Fund. **Pages S4926, S4991**

Faircloth Modified Amendment No. 321, to express the sense of the Senate that a non-refundable tax credit for the expenses of an education at a 2-year college should be enacted. **Pages S4926, S4992**

Domenici (for Kyl) Modified Amendment No. 348, to express the sense of the Senate that the budget resolution agreement does not foreclose the possibility of Congress adopting additional tax cuts in the future, so long as they are paid for. **Pages S4926, S4992**

Rejected:

Moseley-Braun Amendment No. 336, to provide $5 billion for school repair, renovation, modernization, and construction priorities, offset by closing tax loopholes. (By 56 yeas to 43 nays (Vote No. 79), Senate tabled the amendment.) **Pages S4926–36, S4935–38**

Warner/Baucus Amendment No. 311, to ensure that transportation revenues are used solely for transportation. (By 51 yeas to 49 nays (Vote No. 80), Senate tabled the amendment.) **Pages S4926, S4945–49**

Bumpers Amendment No. 331, to ensure that the medicare cuts that will be enacted are not used to pay tax cuts and that instead the tax cuts are completely paid for by the closure of tax loopholes. (By 73 yeas to 26 nays (Vote No. 81), Senate tabled the amendment.) **Pages S4926, S4956, S4984–85**

Bumpers Amendment No. 330, to delay the effectiveness of the tax cuts assumed in the Budget Resolution until the Federal budget is balanced. (By 81 yeas to 18 nays (Vote No. 82), Senate tabled the amendment.) **Pages S4926, S4956–59, S4985**

Inhofe Amendment No. 301, to create a point of order against any budget resolution for fiscal years after 2001 that causes a unified budget deficit for the budget year or any of the 4 fiscal years following the budget year. (By 52 yeas to 47 nays (Vote No. 85), Senate tabled the amendment.) **Pages S4925, S4980–81, S4987–88**

Pending:

Kerry Amendment No. 309, to allocate funds for early childhood development programs for children ages zero to six. **Pages S4926, S4951–56**

Dorgan Amendment No. 310, to express the sense of the Senate that the Congress should continue efforts to reduce the on-budget deficit without counting social security surpluses. **Page S4926**

Wellstone Modified Amendment No. 313, to provide for increases in funding for Headstart and Earlystart, child nutrition programs, and school construction, which will be paid for by reducing tax benefits to the top 2 percent of income earners in the United States as well as by reducing tax benefits that are characterized as corporate welfare or tax loopholes. **Pages S4926, S4973–77**

Wellstone Amendment No. 314, to provide that Pell Grants for needy students should be increased. **Pages S4926, S4977–80**

Abraham Amendment No. 316, to express the sense of the Senate that, to the extent that future revenues exceed the revenue aggregates, those additional revenues should be reserved for deficit reduction and tax cuts only. **Pages S4926, S4988–89**

Gramm Amendment No. 319, to ensure that the discretionary limits provided in the budget resolution shall apply in all years. **Page S4926**

McCain/Hollings Amendment No. 326, to express the sense of the Senate that the Congress shall take such steps as necessary to reconcile the difference between actual revenues raised and estimates made and shall reduce spending accordingly if Spectrum Auctions raise less revenue than projected. **Page S4926**

McCain/Mack Amendment No. 327, to express the sense of the Senate with respect to certain highway demonstration projects. **Page S4926**

Lautenberg (for Moseley-Braun) Amendment No. 333, to express the sense of the Senate regarding the use of budget savings. **Page S4926**

Lautenberg (for Moseley-Braun) Amendment No. 334, to express the sense of the Senate regarding the value of the social security system for future retirees. **Page S4926**

Specter Amendment No. 338, to provide for a reduction in mandatory spending and an increase in discretionary spending relating to children's health. **Page S4926**

Specter Amendment No. 339, to provide for a reduction in mandatory spending and an increase in discretionary spending relating to children's health. **Page S4926**

Specter Amendment No. 340, to restore funding within the discretionary health function to maintain progress in medical research, offset by reductions in Federal agency administrative costs. **Pages S4926, S4962–63, S4964–68**

Domenici (for Grams) Amendment No. 346, to require that the $225 billion CBO revenue receipt windfall be used to for deficit reduction and tax relief, and that non-defense discretionary spending be kept at a freeze baseline level. **Page S4926**

Domenici (for Coverdell) Amendment No. 347, to provide for parental involvement in prevention of drug use by children. **Page S4926**

Domenici (for Snowe/Coverdell) Amendment No. 349, to express the sense of the Senate relative to higher education tax relief and higher education expenses. **Page S4926**

Withdrawn:

Bumpers Amendment No. 332, to express the sense of the Senate that no budget reconciliation bill shall increase the Federal deficit. **Pages S4926, S4958, S4969–73**

Ashcroft Amendment No. 323, to limit increases in the statutory limit on the debt to the levels in the budget resolution. **Pages S4926, S4973, S4987**

Murray/Wellstone Amendment No. 291, to express the sense of the Congress concerning domestic violence. **Pages S4925, S4989**

Lautenberg (for Harkin) Amendment No. 350, to express the sense of the Senate supporting an increase in funding for defense 050 account funds dedicated for medical research. **Pages S4926, S4989**

Lautenberg (for Harkin/Bingaman) Amendment No. 351, to reduce the incentives to use tax gimmicks that artificially increase revenues in 2002 in ways that make balancing the deficit more difficult after 2002. **Page S4926, S4989**

Robb Amendment No. 356, to express the sense of the Senate on social security and retirement savings. **Pages S4926, S4989**

During consideration of this measure today, Senate also took the following action:

By 41 yeas to 58 nays (Vote No. 83), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Ashcroft Amendment No. 322, to add enforcement mechanisms to reflect the stated commitment to reach a balanced budget in 2002, to maintain a balanced budget thereafter, and to achieve these goals without raising taxes. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell. **Page S4986**

A unanimous-consent agreement was reached providing for further consideration of the resolution and amendments pending thereto, on Friday, May 23, 1997, with a final vote to occur thereon. **Page S5021**

Appointments:

North Atlantic Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed Senator Hatch as a member of the Senate Delegation to the North Atlantic Assembly during the First Session of the 105th Congress, to be held in Luxembourg, May 28–June 1, 1997. **Page S5021**

North Atlantic Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed Senator Biden as Vice Chairman of the Senate Delegation to the North Atlantic Assembly during the 105th Congress. **Page S5021**

Nominations Received: Senate received the following nominations:

Kenneth S. Apfel, of Maryland, to be Commissioner of Social Security for the term expiring January 19, 2001.

Stanley O. Roth, of Virginia, to be an Assistant Secretary of State.

Marc Grossman, of Virginia, to be an Assistant Secretary of State.

John Christian Kornblum, of Michigan, to be Ambassador to the Federal Republic of Germany.

David J. Scheffer, of Virginia, to be Ambassador at Large for War Crimes Issues. **Page S5021**

Messages From the House: **Page S5000**

Measures Referred: **Page S5000**

Measures Placed on Calendar: **Pages S5000–01**

Communications: **Page S5001**

Executive Reports of Committees: **Page S5001**

Statements on Introduced Bills: **Pages S5002–14**

Additional Cosponsors: **Pages S5015–17**

Authority for Committees: **Pages S5017–18**

Additional Statements: **Pages S5018–21**

Record Votes: Seven record votes were taken today. (Total—85) **Pages S4937–38, S4949, S4985–88**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:20 p.m., until 9:30 a.m., on Friday, May 23, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5021.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—FOREIGN ASSISTANCE

Committee on Appropriations: Subcommittee on Foreign Operations concluded hearings on proposed budget estimates for fiscal year 1998 for foreign assistance programs, focusing on international affairs, after receiving testimony from Madeleine K. Albright, Secretary of State.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of James A. Harmon, of New York, to be President, and Jackie M. Clegg, of Utah, to be First Vice President, both of the Export-Import Bank of the United States, after the nominees testified and answered questions in their own behalf. Ms. Clegg was introduced by Senators Hatch and Bennett.

ELECTRONIC FUND TRANSFER

Committee on Banking, Housing, and Urban Affairs: Committee held hearings to examine electronic funds transfer and electronic benefit transfer and the effect of these programs on Federal benefit recipients, receiving testimony from John D. Hawke, Jr., Under Secretary of the Treasury for Domestic Finance; John R. Dyer, Principle Deputy Commissioner, Social Security Administration; Stephen L. Lemons, Acting Under Secretary of Veterans Affairs for Benefits; Kathleen Myers, Brooklyn-Wide Interagency Council of the Aging, Inc., Brooklyn, New York; and Marcelyn Creque, American Association of Retired Persons, Richard A. Wannemacher, Jr., Disabled American Veterans, and Margot F. Saunders, National Consumer Law Center, all of Washington, D.C.

Hearings were recessed subject to call.

PROFESSIONAL BOXING

Committee on Commerce, Science, and Transportation: Committee concluded oversight hearings on activities of the professional boxing industry, focusing on the possible creation of a pension system or assistance fund for professional boxers, after receiving testimony from Richard DeCuir, California State Athletic Commission, Sacramento; Floyd Patterson, New York State Athletic Commission, Poughkeepsie; Brenda Reneau, Oklahoma Department of Labor, Oklahoma City; Gregory P. Sirb, Pennsylvania State Athletic Commission, Harrisburg, on behalf of the Association of Boxing Commissioners; Seth G. Abraham, Time Warner Sports, Roy Langbord, Showtime Networks, Inc., and Thomas Hoover, Veteran Boxers Association of New York, all of New York, New York; Jim Brady, Boxing News, Lawrence, Massachusetts; Rich Rose, Ceasars World Sports, Las Vegas, Nevada; Alfonso Daniels, Riverdale, Maryland; and Joseph M. DeGuardia, Bronx, New York.

INTERNET TAX FREEDOM ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded hearings on S. 442, to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, after receiving testimony from Representatives Cox and White; Lawrence H. Summers, Deputy Secretary of the Treasury; Timothy M. Kaine, National League of Cities, Richmond, Virginia; Linda Rankin, Bear Creek Corporation, Medford, Oregon; Wade Anderson, Texas Office of the State Comptroller, Austin; Kendall L. Houghton, Committee on State Taxation, Washington, D.C.; and James Walton, Association of Online Professionals, Nashville, Tennessee.

ELECTRIC UTILITIES DEREGULATION

Committee on Energy and Natural Resources: Committee met to further discuss proposals to advance the goals of deregulation and competition in the electric power industry, focusing on financial implications of utility restructuring, receiving testimony from Ronald L. McMahan, Resource Data International, Inc., Boulder, Colorado; Steven M. Fetter, Fitch Investors Service, New York, New York; Kit Konolige, Morgan Stanley & Co., and Douglas W. Kimmelman, Goldman, Sachs & Co., both of New York, New York; Frank Pazlar, Minnesota Utility Investors, St. Paul; T. Graham Edwards, South Carolina Public Service Authority (Santee Cooper), Columbia, on behalf of the Large Public Power Council; and William D. Steinmeier, Jefferson City, Missouri, on behalf of the Electric Utility Shareholders Alliance.

Committee will meet again on Thursday, June 12.

COMMUNITY BASED FORESTRY

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management met to discuss the emerging process of community-based forestry, or finding community-based solutions to conflict resolution in public land management, receiving testimony from Lynn Jungwirth, Watershed Research and Training Center, Hayfork, California; Carol Daly, Flathead Economic Policy Center, Kalispell, Montana; Jonathan Kusel, Forest Community Research, Taylorsville, California; Dan'l Markham, Willapa Alliance, South Bend, Washington; Wendy Hinrichs Sanders, Lake States Forestry Alliance, Inc., Hayward, Wisconsin; Jack Shipley, Applegate Partnership, Grants Pass, Oregon; Nadine Bailey, Timber Producers Association of Michigan and Wisconsin, Inc., Rhilander, Wisconsin; Louis Blumberg, Wilderness Society, San Francisco, California; Neil Dion, Plumas Forest Project, Blairsden, California; John Doggett, American Farm Bureau, Washington, D.C.; and Bonnie Phillips, Pilchuck Audubon Society, Seattle, Washington.

CHINA MFN STATUS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs held hearings on East Asian and Pacific Affairs to examine whether the renewal of China's most favored nation status is an appropriate tool for the United States to use in trying to shape the Chinese government's international and domestic policy, receiving testimony from Representative Bereuter; Jeane J. Kirkpatrick, American Enterprise Institute, Nicholas R. Lardy, Brookings Institution, James J. Przystup, Heritage Foundation, and Robert Kagan, American University, all of Washington, D.C.; and Kenneth Lieberthal, University of Michigan, Ann Arbor.

Subcommittee recessed subject to call.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the following business items:

S. 261, to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government, with an amendment in the nature of a substitute;

S. 207, to review, reform, and terminate unnecessary and inequitable Federal subsidies, with amendments;

S. 307, to authorize the transfer to States of surplus personal property for donation to nonprofit providers of assistance to impoverished families and individuals;

H.R. 680, to authorize the transfer to States of surplus personal property for donation to nonprofit providers of necessaries to impoverished families and individuals; and

The nominations of David J. Barram, of California, to be Administrator of General Services, and Mary Ann Gooden Terrell, to be an Associate Judge of the Superior Court of the District of Columbia.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 768, for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili;

S. 507, to establish the United States Patent and Trademark Organization as a Government corporation, to amend the provisions of title 35, United States Code, relating to procedures for patent applications, commercial use of patents, and reexamination reform, with amendments;

S. 610, to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, known as ''the Chemical Weapons Convention'' and opened for signature and signed by the United States on January 13, 1993, with an amendment in the nature of a substitute;

H.R. 400, to streamline operations in the Patent and Trademark Office of the Department of Commerce and to provide efficient and effective protection of patents and trademarks, with an amendment in the nature of a substitute; and

The nominations of Eric L. Clay, of Michigan, to be United States Circuit Judge for the Sixth Circuit, Arthur Gajarsa, of Maryland, to be United States Circuit Judge for the Federal Circuit, Alan S. Gold, to be United States District Judge for the Southern District of Florida, and Thomas W. Thrash, Jr., to be United States District Judge for the Northern District of Georgia.

COLLEGE BOWL ALLIANCE

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights and Competition concluded hearings to examine antitrust and competitive issues within the college football Bowl Alliance, which consists of the Southeastern Athletic Conference, the Big 12, the Atlantic Coast Conference, and the Big East, as well as the University of Notre Dame, after receiving testimony from Senators McConnell, Bennett, Thomas, and Enzi; Ron Cooper, University of Louisville, Louisville, Kentucky; Wally Richardson, Penn State University, State College, Pennsylvania; Richard Peace and David Baker, both of the University of Wyoming, Laramie; Roy F. Kramer, Southeastern Conference, Birmingham, Alabama; Karl Benson, Western Athletic Conference, Englewood, Colorado; Cedric W. Dempsey, National Collegiate Athletic Association, Overland Park, Kansas; Gary R. Roberts, Tulane University Law School, New Orleans, Louisiana; James E. Delany, Big Ten Conference, Park Ridge, Illinois; Chad Lewis, Brigham Young University, Provo, Utah; Tim Layden, Sports Illustrated, New York, New York; and Richard Circuit, Plymouth Holiday Bowl, San Diego, California.

Hearings were recessed subject to call.

AUTHORIZATION—SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

Committee on Labor and Human Resources: Subcommittee on Public Health and Safety concluded hearings on proposed legislation authorizing funds for the Substance Abuse and Mental Health Services Administration, after receiving testimony from Nelba Chavez, Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Marsha Lillie-Blanton, Associate Director, Health Services Quality and Public Health Issues, Health, Education, and Human Services Division, General Accounting Office;

Luceille Fleming, Ohio Department of Alcohol and Drug Addiction Services, Columbus, on behalf of the National Association of State Alcohol and Drug Abuse Directors, Inc.; Mary Phillips Hauser, Marathon, Inc., Providence, Rhode Island, on behalf of Therapeutic Communities of America; J. David Hawkins, University of Washington, Seattle; James Langenbucher, Rutgers University, New Brunswick, New Jersey; A. Kathryn Power, Rhode Island Department of Mental Health, Mental Retardation and Hospitals, Cranston, on behalf of the National Association of State Mental Health Program Directors; Mary Jane England, Washington Business Group on Health, Washington, D.C., on behalf of the American Psychiatric Association; Philip J. Leaf, Johns Hopkins University School of Hygiene and Public Health, Baltimore, Maryland; and Fred Frese, National Alliance for the Mentally Ill, Akron, Ohio.

GPO REFORM

Committee on Rules and Administration: Committee concluded hearings to review legislative recommendations on certain revisions to Title 44 of the U.S. Code which authorizes the Government Printing Office to provide permanent public access to Federal government information, after receiving testimony from Henry J. Gioia, Senior Management Analyst, Office of the Director of Administration and Management, Office of the Secretary, Department of Defense; Gary R. Bachula, Deputy Under Secretary of Commerce for Technology Administration; John W. Carlin, Archivist of the United States; and Joan K. Lippincott, Coalition for Networked Information, Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 48 public bills, H.R. 1702–1749; 1 private bill, H.R. 1750; and 9 resolutions, H. Con. Res. 86–91 and H. Res. 156–158, were introduced. **Pages H3201–03**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Taylor of North Carolina to act as Speaker pro tempore for today. **Page H3171**

Guest Chaplain: The prayer was offered by the guest Chaplain, the Rev. Sam P. Lamback, Jr. of Byron, Georgia. **Page H3171**

Journal Vote: By a recorded vote of 352 ayes to 65 noes, Roll No. 154, the House agreed to the Speaker's approval of the Journal of Wednesday, May 22. **Pages H3171, H3191–92**

North Atlantic Assembly: The Chair announced the Speaker's appointment of Representative Bereuter, as Chairman; Representative Solomon, as Vice Chairman; and Representatives Regula, Bateman, Bliley, Boehlert, Roukema, Ballenger, Hamilton, Rush, Lantos, and Manton to the United States Group of the North Atlantic Assembly. **Page H3171**

Motion to Adjourn: Rejected the Moakley motion to adjourn by a yea-and-nay vote of 80 yeas to 339 nays, Roll No. 152. **Page H3187**

Waiving Two-Thirds Vote Requirement For Same Day Consideration: The House agreed to H. Res. 155, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules. **Pages H3189–90**

Suspension—Drug Free Communities Act: By a yea-and-nay vote of 420 yeas to 1 nay, Roll No. 153, the House voted to suspend the rules and pass H.R. 956, amended, to amend the National Narcotics Leadership Act of 1988 to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth. **Pages H3176–87, H3190–91**

Recess: The House recessed at 1:08 p.m. and reconvened at 6:38 p.m. **Page H3192**

Memorial Day District Work Period: By a recorded vote of 67 ayes to 278 noes, Roll No. 155, the House failed to agreed to H. Con. Res. 87, providing for the adjournment of the two Houses of Congress. **Pages H3195–96**

Recess: The House recessed at 7:45 p.m. and reconvened at 12:02 a.m. on Friday, May 23. **Page H3196**

Extension of Remarks: It was made in order that for today all members be permitted to extend their remarks and to include extraneous material in that section of the Record entitled ''Extension of Remarks''. **Page H3196**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of Wednesday, June 4. **Page H3196**

Resignations—Appointments: It was made in order that notwithstanding any adjournment of the House until Tuesday, June 3, 1997, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. **Page H3196**

Meeting Hour—Tuesday, May 27: Agreed that when the House adjourns on Friday, May 23, it stand adjourned to meet at 10:00 a.m. on Tuesday, May 27. **Page H3196**

Meeting Hour—Friday, May 30: Agreed that when the House adjourns on Tuesday, May 27, it stand adjourned to meet at 10:00 a.m. on Friday, May 30. **Page H3196**

Meeting Hour—Tuesday, June 3: Agreed that when the House adjourns on Friday, May 30, it stand adjourned to meet at 12:30 p.m. on Tuesday, June 3, for Morning Hour debate. **Page H3196**

Designation of Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Morella to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 3, 1997. **Page H3196**

Committee Resignation: Read a letter from Representative Manzullo wherein he resigned from the Joint Economic Committee. **Pages H3196–97**

Joint Economic Committee: The Chair announced the Speaker's appointment of Representative Ewing to the Joint Economic Committee. **Page H3197**

Transportation and Infrastructure Committee Resolutions: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions adopted by the committee on May 7, 1997—referred to the Committee on Appropriations. **Pages H3197–99**

National Historical Publications and Records Commission: The Chair announced the Speaker's appointment of Representative Blunt to the National Historical Publications and Records Commission. **Page H3199**

Referrals: S. 430, to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds was referred to the Committee on Resources. **Page H3199**

Senate Messages: Message received by the Senate today appears on page H3171.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H3187, H3190–91, H3191–92, and H3196. There were no quorum calls.

Adjournment: Met at 10:00 a.m. and adjourned at 12:07 a.m. on Friday, May 23.

Committee Meetings

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from Members of Congress.

FINANCIAL MODERNIZATION

Committee on Banking and Financial Services: Continued hearings on Financial Modernization, including, H.R. 10, Financial Services Competitiveness Act of 1997. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System; Ricki Helfer, Chairman, FDIC; the following officials of the Department of the Treasury: Eugene Ludwig, Comptroller of the Currency; and Nicolas Retsinas, Director, Office of Thrift Supervision; Arthur Levitt, Jr., Chairman, SEC; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Commerce: Subcommittee on Energy and Power approved for full Committee action the following bills: H.R. 1277, amended, Department of Energy Civilian Research and Development Act of 1997; H.R. 848, to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York; H.R. 1184, to extend the deadline under the Federal Power Act for the construction of the Bear Creek hydroelectric project in the State of Washington; and H.R. 1217, to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington.

NATIONAL HIGHWAY AND TRAFFIC SAFETY ADMINISTRATION REAUTHORIZATION

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection continued hearings on Reauthorization of the National Highway and Traffic Safety Administration.

Testimony was heard from Ricardo Martinez, M.D., Administrator, National Highway Traffic Safety Administration, Department of Transportation; and public witnesses.

21ST CENTURY—VOCATIONAL AND TECHNICAL EDUCATION

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth, and Families held a hearing on Vocational and Technical Education for the 21st Century. Testimony was heard from public witnesses.

HIGHER EDUCATION—EARLY RETIREMENT

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on Early Retirement in Higher Education. Testimony was heard from public witnesses.

ADMINISTRATION'S NATIONAL CAPITAL REVITALIZATION AND SELF-GOVERNMENT IMPROVEMENT PLANS

Committee on Government Reform and Oversight: Subcommittee on the District of Columbia held a hearing on Economic Development of the Administration's National Capital Revitalization and Self-Government Improvement Plans. Testimony was heard from Michael Barr, Deputy Assistant Secretary, Community Development, Department of the Treasury; the following officials of the District of Columbia: Marion Barry, Mayor; Linda Cropp, Chairwoman Pro Tempore, City Council; and Charlene Drew-Jarvis, member, Council; and public witnesses.

CENSUS 2000—RACE AND ETHNICITY

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held a hearing on Race and Ethnicity in the Census 2000. Testimony was heard from Senator Akaka; and public witnesses.

AFRICAN GROWTH AND OPPORTUNITY ACT

Committee on International Relations: Subcommittee on Africa approved for full Committee action amended H.R. 1432, African Growth and Opportunity Act.

FORCED LABOR IN CHINA

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on Forced Labor in China. Testimony was heard from public witnesses.

FEDERAL AGENCY COMPLIANCE ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 1544, Federal Agency Compliance Act. Testimony was heard from Stephen H. Anderson, Judge, U.S. Court of Appeals, 10th Circuit, Salt Lake City, Utah; Stephen W. Preston, Deputy Assistant Attorney General, Civil Division, Department of Justice; Arthur Fried, General Counsel, SSA; Daniel J. Wiles, Deputy Associate Chief Counsel, IRS, Department of the Treasury; and public witnesses.

AMERICANS WITH DISABILITIES ACT—APPLICATION TO MEDICAL LICENSURE AND JUDICIAL OFFICERS

Committee on the Judiciary: Subcommittee on the Constitution held a hearing regarding Application of the Americans with Disabilities Act to Medical Licensure and Judicial Officers. Testimony was heard from Richard S. Brown, Judge, Court of Appeals, State of Wisconsin; Peter Verniero, Attorney General, State of New Jersey; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts and Intellectual Property held a hearing on the following bills: H.R. 567, Madrid Protocol Implementation Act; and H.R. 1661, Trademark Law Treaty Implementation Act. Testimony was heard from Bruce A. Lehman, Commissioner and Assistant Secretary, U.S. Patent and Trademark Office, Department of Commerce; Shaun Donnelly, Deputy Assistant Secretary, Trade Policy and Programs, Bureau of Economics and Business Affairs, Department of State; and public witnesses.

QUADRENNIAL DEFENSE REVIEW

Committee on National Security: Continued hearings on Quadrennial Defense Review. Testimony was heard from the following officials of the Department of Defense: Gen. Dennis J. Reimer, USA, Chief of Staff, Army; Adm. Jay L. Johnson, USN, Chief of Naval Operations, Navy; Gen. Charles C. Krulak, USMC, Commandant, U.S. Marine Corps; and Gen. Ronald R. Fogleman, USAF, Chief of Staff, Air Force.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife, and Oceans approved for full Committee action the following measures: H.R. 608, Marion National Fish Hatchery Conveyance Act; H.R. 796, amended, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System; H.R. 1278, amended, National Oceanic and Atmospheric Administration Authorization Act of 1997; H.R. 1658, Atlantic Striped Bass Conservation Act Amendments of 1997; and H. Res. 87, expressing the sense of the House of Representatives that the

United States and the United Nations should condemn coral reef fisheries that are harmful to coral reef ecosystems and promote the development of sustainable coral reef fishing worldwide.

The Subcommittee also held a hearing on H.R. 374, Sikes Act Improvement Amendments of 1997. Testimony was heard from Representative Delahunt; Sherri W. Goodman, Deputy Under Secretary, Environmental Security, Department of Defense; Gary Edwards, Assistant Director, Fisheries, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

COMMERCIAL SPACE ACT

Committee on Science: Subcommittee on Space and Aeronautics continued hearings on the Commercial Space Act of 1997: Space Transportation. Testimony was heard from Edward A. Frankle, General Counsel, NASA; Patti Grace Smith, Associate Administrator (Acting), Commercial Space Transportation, FAA, Department of Transportation; and public witnesses.

SMALL BUSINESS TECHNOLOGY TRANSFER PILOT PROGRAM

Committee on Small Business: Subcommittee on Government Programs and Oversight held a hearing on the performance of the Small Business Technology Transfer Pilot Program (STTR). Testimony was heard from Susan D. Kladiva, Acting Associate Director, Energy, Resources and Science Issues, Resources, Community and Economic Development Issues, GAO; Kesh Narayan, Director, Industrial Innovative Group, NSF; Daniel O. Hill, Assistant Administrator, Technology, SBA; Robert L. Neal, Jr., Director, Office of Small and Disadvantaged Business Utilization, Department of Defense; and public witnesses.

CAPITOL VISITOR CENTER AUTHORIZATION ACT

Committee on Transportation and Infrastructure: Subcommittee on Public Buildings and Economic Development held a hearing on H.R. 20, Capitol Visitor Center Authorization Act of 1997. Testimony was heard from Representative Mica; Wilson Livingood, Sergeant at Arms, House of Representatives; Alan Hantman, Architect of the Capitol; Winston Tabb, Associate Librarian, Library of Congress; and public witnesses.

DVA—SAFETY AND SECURITY PROCEDURES

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing to review safety and security procedures within the Department of Veterans Affairs. Testimony was heard from the following officials of the Department of Veterans Affairs: John H. Baffa, Deputy Assistant Secretary, Security and Law Enforcement; Richard P. Miller, Director, G.V. "Sonny" Montgomery Veterans Affairs Medical Center, John E. Ogden, Director, Pharmacy Service and Kenneth Faulstich, Engineering Management and Field Support Office, all with the Veterans Health Administration; Joseph Wolfinger, Assistant Director, Training Division, FBI, Department of Justice; Charles F. Rinkevich, Director, Federal Law Enforcement Training Center, Department of the Treasury; representatives of veterans organizations; and a public witness.

LOW INCOME HOUSING TAX CREDIT

Committee on Ways and Means: Subcommittee on Oversight approved for full Committee action a Subcommittee Report on the Administration of the Low Income Housing Tax Credit.

FUTURE OF SOCIAL SECURITY

Committee on Ways and Means: Subcommittee on Social Security continued hearings on the Future of Social Security for this Generation and the Next, focusing on the 1997 Annual Report of the Board of Trustees on the financial status of the Social Security Trust Funds. Testimony was heard from the following Trustees of the Social Security Board of Trustees, SSA: Marilyn Moon and Stephen G. Kellison; and public witnesses.

BRIEFINGS

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis, and Counterintelligence met in executive session to hold Briefings on Counter-terrorism Operations and Counterproliferation Operations. The Subcommittee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, MAY 23, 1997

Senate

No meetings are scheduled.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, May 23

Senate Chamber

Program for Friday: Senate will continue consideration of S. Con. Res. 27, Fiscal Year 1998 Concurrent Budget Resolution, with a final vote to occur thereon.

Senate will also consider S. 610, Chemical Weapons Convention Implementation Act, and consider any cleared legislative and executive business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, May 27

House Chamber

Program for Tuesday: No Legislative Business.

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