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House of Representatives

The House met at 10 a.m.

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

We recognize, O gracious God, that the burden of responsibility to support and defend the good traditions of this land is the concern of every person. Help us, in our assignments, to focus on what unites us, enable us to see more clearly those concerns that we share, may we be more articulate about those gifts of freedom and liberty for which we are custodians, and give us the vision to remember to be good stewards of the heritage that we have together. May we never settle for the good when we can do better, or give in to winning arguments instead of promoting justice and mercy. Lift our sights, O God, to see what truly makes us human so that we will be the people You would have us be and do those good things that honor You and serve this Nation with dignity and grace. In Your name we pray. Amen.

THE JOURNAL

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

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

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

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

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

Mr. TIAHRT. 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. 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The point of no quorum is considered withdrawn.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. Will the gentleman from Colorado [Mr. HEFLEY] come forward and lead the House in the Pledge of Allegiance.

Mr. HEFLEY 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.

AMERICA DESERVES A RAISE

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

Mr. BALLENGER. Mr. Speaker, ''America deserves a raise.'' That is a slogan I quite agree with. I have a proposal that will give millions of taxpayers exactly that. It is called tax cuts. This is a method that probably has never occurred to those who coined the slogan, ''America deserves a raise,'' but tax cuts are the best way to give taxpayers a raise.

Now, of course, the politicians really would not be giving anybody anything. The money people earn is already theirs to begin with. Government would only be letting them keep more of what they work so very hard to get.

Mr. Speaker, taxpayers do deserve a break. They should be able to keep more of their own money. They would then have the power to live their lives as they see fit, more freedom to realize their dreams, to build for the future and to provide for themselves and their families.

Yes, Mr. Speaker, America deserves a raise.

ARROGANT POLITICAL ACTS RESULT IN STAGNATION AND NONACTION

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

Mr. FROST. Mr. Speaker, for the last 4 months a bipartisan task force on ethics reform has been meeting. Yesterday the 12 Members of that task force voted out its final recommendations with only one dissent, the gentleman from California [Mr. THOMAS]. All the Democrats voted for it and all but Mr. THOMAS on the Republican side. We set a public hearing for Friday and we were directing to have the matter voted on on the floor next week, perhaps as early as Tuesday.

Late last night we were informed that the Republican leadership of the House of Representatives had fired the task force, canceled the public hearing, and would not have the bipartisan work of the task force considered on the floor next week. This is the most arrogant political act since the Saturday Night Massacre, when Richard Nixon fired Archibald Cox 24 years ago.

We, as a bipartisan group, had agreed upon ways to reform the ethics task force with all the Republicans except one supporting that, and then we were fired by the Republican leadership last night and told we may not proceed to amend the ethics procedures of this House. This is unacceptable.

TAX REDUCTIONS SOON A REALITY FOR AMERICANS

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

Mr. NEUMANN. Mr. Speaker, in the great State of Wisconsin, Governor Tommy Thompson has provided the people of Wisconsin with tax reductions and maintained a balanced budget, and that is what we are about to do out here in Washington, DC.

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We are on the verge of finishing our commitment to the American people. We are already in the third year of our plan to balance the budget, the third year of a 7-year plan to balance the budget; we are way ahead of schedule, and we are now about to provide the American people with tax reductions.

What does that mean to a family in Janesville, WI? They have three kids, one headed off to college, and they are going to get help paying the college tuition to the tune of $1,500. For the other kids that are still home in that family, they are going to get another $1,000 on top of that.

The tax cuts are being provided at the same time we fulfill our commitment to the American people to balance the Federal budget so that our children in this great country can look forward to a sound financial future and opportunities to live the American dream that we have had.

BALANCE THE BUDGET WITH DISCIPLINE

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

Mr. GREEN. Mr. Speaker, the tax bill crafted by the gentleman from Texas [Mr. ARCHER] has some good items in it. Every American would like to have a tax cut, whether it be an income or estate or a capital gains tax. But I am beginning to fear that we are losing sight of the ball, that we originally came here in the early 1990's to balance the budget.

When President Clinton was elected in 1992 we had a deficit of $290 billion. This year that deficit is expected to be $57 billion. What are we seeing now? We are seeing an unfair tax bill that may be passed by this House that will make the tax cuts so large that we will not have that balanced budget, maybe not even by 2002.

Let us pass a reasonable tax cut that treats parents and college students fairly, working parents fairly, and even investors. But let us not lose sight of the ball to balance that budget as soon as we can.

DEMOCRATS' CURIOUS DEFINITION OF INCOME

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

Mr. BARTLETT of Maryland. Mr. Speaker, here is a riddle that is very confusing to Americans: How does your $35,000 income turn into an income of $75,600? Answer: When liberal Democrats are doing the counting.

According to the Census Bureau, 71 percent of the tax cuts from the Republican tax bill will go to people who earn between $20,000 and $75,000 a year. However, the administration says that over 77 percent of the tax cuts will go to people earning more than $75,000 a year.

Who is right? Well, one has to understand that the administration figures what one earns does not count; what the administration counts is one's family economic income.

Note: Say your family's income is $35,000. To that one will have to add, according to the administration, $18,000 for the rent one could get if one did not live in his house; $5,500 for the family health insurance his employer provides; $3,000 for the buildup in his pension; $2,000 a year for one's IRA contribution; $1,500 for the buildup of one's life insurance policy; $600 for one's parking space at work, and it goes on and on until your income is $75,600. The administration's tax books are cooked.

COMMON SENSE FOR CONGRESS

(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, the White House says that the Republicans help the rich and hurt the poor. From taxes to disaster aid, let there be no mistake: The White House is winning.

But I ask at what expense? Rich versus poor, black versus white, man versus woman, old versus young. Politics of class, politics of race, the politics of fear, the politics of division. Yes, the White House is winning. The White House is winning the political spin battle, but I say to the Congress, unless both parties start to use some common sense and stop cannibalizing one another, the American people will lose this war. All of them. Any party that is that bad would never get elected.

TAX RELIEF FOR THE MIDDLE CLASS

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

Mr. HEFLEY. Mr. Speaker, has anyone noticed that any tax cut proposal made by Republicans is reflexively labeled tax cuts for the wealthy by the liberal Democrats. Given that the tax cuts in the balanced budget amendment are targeted at middle class taxpayers, I interpret this strange reaction in one of two ways: It means that either they think middle class taxpayers are rich, which must be news to a lot of middle class people who live very modestly, or it means that they really do not like the idea of tax cuts at all, because it means that big government programs cannot expand as fast as they want.

Of course, there could be other interpretations. It could simply reflect the confusion so common among liberal Democrats about whether tax money already belongs to the taxpayers who earned it, or whether the tax money actually belongs to the politicians who then spend it in Washington in ways designated to get themselves reelected. It could also be plain old fashioned envy, a favorite tool of liberals. Whatever it is, such nonsense should be ignored and the middle class should get tax relief.

EQUITABLE TAX RELIEF FOR AMERICANS

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

Ms. KILPATRICK. Mr. Speaker, I first want to offer and ask the Nation to pray for Dr. Betty Shabazz who continues to be blessed and sick in a New York hospital.

I also want to talk about the tax cuts that are before this House of Representatives and this Congress. We all want a tax cut. Democrats want a tax cut. We want the tax cuts to go to the people who most need it, those middle income people who work every day, who take care of their families, who want to send their children to school, and who make under $40,000 a year.

We want a tax cut. We want it equitable. We want our children to be able to grow and to learn.

So as this House addresses the tax situation and the cut that will be had by Americans around this country, let us not forget the families, the children, the people who work every day to take care of their children. Let them have the tax cut, those that make $40,000 and less.

CONFUSION ABOUT GIVING AND TAKING

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

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, there seems to be a lot of confusion on the other side of the aisle about who is giving and who is taking. I am talking, of course, about those of my colleagues who believe this liberal baloney about giving, giving the people that which already belongs to them.

Not a day passes in Washington without the left wing of Congress mindlessly repeating something that I hold to be blatantly false, that the politicians are giving anybody a tax break. Only in Washington do people define taking a little less to somehow be giving.

Now, the wealthy, who give the most, sometimes hundreds of times more than anybody else, are not taking from anyone. Yes, Mr. Speaker, that is the key to the liberals' failure to understand this issue. Every time Tiger Woods wins another tournament or Bill Gates brings about another software innovation to the marketplace, or a farmer in Colorado buys another section, no one is worse off by their achievements.

Government takes from them, not the other way around. The term ''tax cuts for the rich'' is just another liberal euphemism for their genuine belief that the fruits of their labor does not really belong to them, and that these politicians in Washington should have greater claim to it than they do.

ETHICS REFORM TASK FORCE DISSOLVED

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

Mr. PALLONE. Mr. Speaker, I was shocked to learn that Speaker GINGRICH had suddenly dissolved the ethics task force, and this Tuesday night massacre I hope does not effectively end bipartisan ethics reform.

After 4 months of work, a bipartisan task force voted 11 to 1 in support of an ethics reform package, but none of us will ever see the fruits of their labor, just hours before it issued its report. While the task force reviewed the rules and made its recommendations, both Democrats and Republicans agreed to a 6-month moratorium on all ethics complaints.

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Now it appears that the entire process was merely a political device to shield Members from ethics complaints and to delay investigations. Speaker GINGRICH is the last person who should be thwarting ethics reform. He should not have the final word on this. He should allow the task force to issue its report, and allow the House to vote on this bipartisan reform proposal.

AMERICANS DESERVE A TAX BREAK TODAY

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

MR. TIAHRT. Mr. Speaker, we are all familiar with the advertising phrase ''You deserve a break today.'' Americans deserve a tax break today. It has been 16 years since Americans have had any tax relief. In fact, we have suffered through the two largest tax increases in history in just the last half decade. Working families deserve a tax break, $500 per child tax relief, reduction in capital gains, reduction in death taxes, credits for investing in college. It all boils down to more freedom. It includes more control of your money, and it means stoking our economy, making more money available for investments. That means more jobs.

Yes, Mr. Speaker, America does deserve a tax break today.

THE REPUBLICAN COMPANY STORE

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

Mr. KLINK. Mr. Speaker, in the last Congress we had a debate about minimum wage. There were many people in the Republican leadership that got up and took the well and said that they were opposed to increasing the minimum wage. It caused me at that point to muse that somewhere between Abraham Lincoln and NEWT GINGRICH the Republican Party had changed its opinion of slavery.

Eventually we decided in a bipartisan fashion to give America's lowest paid workers a raise. We increased the minimum wage. Now as we are in the process of getting some 1 million people from welfare into workfare by a time certain, the Republicans have changed their mind again. They have decided that slave labor guaranteed by the Federal Government is all right, that those people that we are moving from welfare to workfare should not be paid a minimum wage.

We are time-limiting their welfare benefits, forcing them into the work force but not guaranteeing them a minimum wage. Thus we are trapping those same people economically. This really is a Republican version of the old company store, when at the end of the year the workers owed the company store more than they had paid; so what we are telling these people is: At the end of the year, you will owe us for the benefit we gave you of being able to work.

To the Republicans I say, ''Get real.''

URGING MEMBERS NOT TO WASTE THEIR VOTE ON H.R. 1270

(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, I have been in this well many times to discuss the facts surrounding the nuclear waste debate. I have largely concentrated on the issues of transporting nuclear waste across this Nation's highways and rail system. Over and over I have stressed that there are very real safety issues that must be addressed and resolved before we as legislators mandate a life-threatening policy on the American people who live in our districts.

To further illustrate my point, Mr. Speaker, I would like to share a recent mishap. On May 22 of this year an unexpected pressure buildup forced the top off a large metal shipping container at the U.S. DOE's Fernauld site near Cincinnati, OH. The container held five 55-gallon drums of radioactive waste. This happened to a container that was a stationary container, not in the transport arena. If these caps are this unsafe, how can we pass a bill that would endanger the lives of every citizen in this country? I urge Members not to waste their vote on H.R. 1270.

NO JUSTICE OR FAIRNESS IN THE REPUBLICAN TAX BILL

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

Mr. STRICKLAND. Mr. Speaker, the Scripture tells us or asks us, ''What then is required of us but to do justice, to love mercy, and to walk humbly with our God?''

Mr. Speaker, there is very little justice in the Republican tax plan that is going to be presented to this House. According to the Treasury Department, the vast majority of the tax cuts in the Republican bill would go to the wealthiest of Americans. Specifically, the Treasury Department information tells us that two-thirds of the Republican tax cuts would benefit families with incomes of over $100,000 per year. The richest 1 percent would receive an average tax break of over $12,000. Not many of my constituents earn $100,000 a year. There is no justice, no fairness, in the Republican tax bill. We need tax relief for America's working families.

SUPPORT INCREASED FUNDING FOR FEDERAL TRIO PROGRAMS

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

Mr. FORD. Mr. Speaker, I extend my prayers to Dr. Shabazz in her recovery in New York.

Mr. Speaker, this morning I rise because yesterday the Subcommittee on Postsecondary Education, Training, and Life-long Learning of the Committee on Education and the Workforce held a hearing on the reauthorization of the Higher Education Act.

For over 30 years this act has provided postsecondary education opportunities for millions of Americans. This is a shining example of providing national leadership and resources to help educate all Americans. In the hearing yesterday they reviewed Federal TRIO programs. TRIO provides academic counseling and outreach to students from families who earn less than $25,000 a year. It helps students who would not otherwise receive postsecondary education by giving them a chance and giving them an opportunity.

TRIO, Mr. Speaker, is making a difference. A 1993 study by the Department of Education found that TRIO is extremely effective at counseling young people in their elementary and secondary school years, for it is based on the Jeffersonian principle that education should be provided to those who have an ability to learn and not just an ability to pay.

Recently released results of the Third International Math and Science Study found that American third and fourth graders, Mr. Speaker, rank highest in math and science worldwide. Let us give TRIO a chance. Refund it, and allow us the opportunity to train those eighth-graders when their scores dropped.

A WARNING TO AMERICANS: THE PRESIDENT HAS BROKEN HIS WORD

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to warn the working men and women of this country that the President has broken his word. He says he is going to veto a tax bill that contains exactly what he agreed to, badly needed tax relief for families and children.

Through his spokesman, the President says he will not sign a tax bill that contains a $500-per-child tax credit, estate tax relief, and a capital gains reduction. I am outraged, first, that he would once again break his word, and second, that no one is holding him accountable. Every American who is faced with high taxes deserves an explanation. It is time for the President to quit playing games.

Mr. President, honor your commitment. America needs tax relief now.

INTRODUCING LEGISLATION TO GUARANTEE TAX FAIRNESS

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

Mr. HINCHEY. Mr. Speaker, the hallmark of any tax system has to be fairness and justice. No system of taxation, particularly in a republic like ours, can be supported if it is not fair and just. What the majority here in this House is trying to do is to perpetrate on the people of this country a system of taxation which is neither fair nor just.

The best example of that in the recent bill that they have proposed is a proposal to eliminate the alternative minimum tax. The alternative minimum tax was established back in 1986, when it was discovered that major American corporations with huge profits were paying absolutely no taxes to the Federal Government.

On one occasion, for example, a major American corporation, in spite of the fact that it had $5.5 billion in profits, paid no taxes to the Federal Government whatsoever, while the average taxpayer in my State, for example, was paying $34,000 of their hard-earned money in taxes that year. Obviously if we reduce the taxes for major corporations, others are going to have to make up the difference. That difference will have to be made up by the American working people.

I am going to introduce a resolution supporting the alternative minimum tax and an amendment to the bill when it comes on this floor to make sure that profitable corporations pay their share of taxes.

INTRODUCTION OF H.R. 1813, PERSONAL INFORMATION PRIVACY ACT

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

Mr. KLECZKA. Mr. Speaker, I rise today to point out how our children's privacy is being violated. Last week the Wall Street Journal told how a jelly bean manufacturer uses its Web site to pump kids for personal information.

Lured by a free sample of jelly beans, children are asked to give this company their name, address, gender, age, and where they shop. The fine print disclaimer states that any information disclosed is the property of the candy maker to use any way it wants.

Jelly bean makers are not the only ones taking advantage of our children on the Net. Other on-line sites frequently require children to fill out questionnaires about themselves, their friends, and their family. This practice of prodding children for information on the Web is not only unethical, it is also dangerous. Not only can marketers use this information to further prey on our children, but it also leaves children vulnerable to wrongdoers who can victimize them.

The gentleman from New Jersey, Mr. BOB FRANKS, and I have introduced H.R. 1813, the Personal Information Privacy Act, that would keep critical information about children and their families from becoming fodder for marketers and potential wrongdoers. I urge my colleagues to become a sponsor of H.R. 1813.

PROBLEMS WITH THE CHILD CREDIT

(Mrs. KENNELLY of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY of Connecticut. Mr. Speaker, this summer during the Presidential election, everyone, Republicans, Democrats, promised the American people a child credit. We certainly should keep that promise. However, when we look at the bill that has passed out of the Committee on Ways and Means, the promise is not kept for many people. Working families can lose a child credit if they have day care expenses. What a message to send out to the 70 percent of working parents, two-parent families, with young children.

Average families can lose both the child credit and the educational credit because they are thrown into the alternate minimum tax, a great complication in the tax system, but one that was put in there to make sure very well-off families did not zero out, certainly not to get a complicated tax form for people with children.

Here we look at the bill. Poor families cannot get the child credit because they do not earn enough money. Hard-working families with children will see their credit disappear before their eyes because they are using the education credit or the child credit. Then we look at wealthy families, and they do not get it because they earn too much money. We agreed on a child credit. We should go back and do it right. Americans need that $500. Americans need that tax credit.

MIDDLE-CLASS AMERICANS ARE ASKING: WHO IS ON MY SIDE?

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

Ms. DELAURO. Mr. Speaker, as this body begins to implement the balanced budget agreement, working middle-class Americans are asking themselves one simple question: Who is on my side?

The Republicans' tax proposal makes clear who their party is looking out for: big business and the wealthy; for under the Republican bill over half the tax benefits go to the top 5 percent of Americans, those making over $250,000 a year.

In addition, they are giving $22 million in new tax breaks to big business by phasing out the alternative minimum tax, which was supposed to ensure that even big corporations pay some taxes every year, the way hard-working middle Americans pay their taxes every year. But Mr. Speaker, this is wrong for these corporations to be able to limit their tax obligation. We need to provide tax relief to those families who really can use it, hard-working middle-class American families.

The Democrats have proposed a tax cut package whose benefits are targeted to these families, families struggling to make ends meet, to put food on the table, with enough left over to pay for health care for their kids. We are on your side.

CHINA'S SALE OF MISSILES TO IRAN

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

Ms. PELOSI. Mr. Speaker, as we prepare for the debate and the vote on most-favored-nation status for China, I wish to call to the attention of my colleagues a statement made by Secretary William Cohen yesterday in which he said that Iran this month successfully tested a new air-launched antiship cruise missile obtained from China.

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A Member should have serious concerns about China's proliferation behavior to Iran. We spend a great deal of time, money, and effort to promote the Middle East peace, and Iran is a menace to that peace.

I would like to also call to the attention of my colleagues the statement by the Office of Naval Intelligence: Discoveries after the Gulf war clearly indicate that Iraq maintained an aggressive weapons of mass destruction procurement program. A similar situation exists today in Iran with a steady flow of materials and technologies from China to Iran.

This exchange is one of the most active weapons of mass destruction programs in the Third World and is taking

place in a region of great strategic interest to the United States.

Mr. Speaker, this is also a place where our young people are in harm's way in the Persian Gulf. I urge my colleagues to seriously attend to the issue of proliferation as they decide on their vote and vote no on most-favored-nation status to China.

AVAILABILITY OF CLASSIFIED ANNEX AND SCHEDULE OF AUTHORIZATIONS FOR REVIEW BY MEMBERS

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

Mr. GOSS. Mr. Speaker, I wish to announce to all Members of the House that the permanent select committee has ordered H.R. 1775, the Intelligence Authorization Act for fiscal year 1998, reported to the House. That report was filed this morning.

I would also like to announce that the classified annex and the classified schedule of authorizations accompanying H.R. 1775 are available for review by Members at the offices of the Permanent Select Committee on Intelligence in room H–405 of the Capitol. The committee office will be open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House. It is my understanding that H.R. 1775 will be considered on the floor the week we return from the Independence Day recess.

I would recommend that Members wishing to review the classified annex contact the committee's director of security to arrange a time and date for that viewing. This will assure the availability of committee staff to assist Members who desire that assistance during the review of the classified materials. I urge Members to take some time to review these classified documents before the bill is brought to the floor in order to better understand the recommendations of the committee.

The classified annex to the committee's report contains the intelligence committee's recommendations to the intelligence budget for fiscal year 1998 and related classified information that may not be disclosed publicly but which Members are entitled to.

It is important that Members keep in mind the requirements of clause 13 of rule XLIII of the House adopted at the beginning of the 104th Congress. That rule only permits access to classified information by those Members of the House who have signed the oath set out in rule XLIII.

For Members who wish further instruction on rule XLIII and the oath, they can also call the intelligence office.

NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1997

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 164 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 164

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 437) to reauthorize the National Sea Grant College Program Act, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour, with forty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Science now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII. Each section of that amendment shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. ROGAN). The gentleman from Florida [Mr. GOSS] is recognized for one hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], my friend, ranking member, former distinguished chairman 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 the purpose of debate only.

Mr. Speaker, this rule is straightforward, fair, was reported without dissent by the Committee on Rules. Under House Resolution 164, any Member seeking to improve the bill by offering a germane amendment may do so. The rule provides for 1 hour of general debate, 40 minutes equally divided between the chairman and ranking member of the Committee on Resources and 20 minutes afforded to their counterparts from the Committee on Science, as we heard from the reading from the Clerk.

The rule also reconciles a slight difference between those committees by considering an amendment in the nature of a substitute as the base text for consideration. It is a sensible process that allows us to consider the bill in a timely fashion without restricting the rights of the minority or individual Members, the deliberative process at work in the people's House.

H.R. 437 reauthorizes the National Sea Grant College Program. This program leverages a small Federal investment of approximately 50 million a year which is matched by nonfederal funds to over 300 sea grant institutions and affiliated schools throughout our Nation. Located at the Nation's premier research universities, sea grant focuses the skills of hundreds of researchers on issues affecting the development and use of our marine and coastal resources. It is a program that is working.

I am proud to be a cosponsor of H.R. 437, especially as a Representative from the great State of Florida and its wonderful coastline and beaches. I am particularly pleased that my home State of Florida is a leading participant in the program. All nine of our State universities are involved in sea grant activities, along with several private universities and marine research laboratories. Sea grant provides a good example of the national benefits that can come with local investment. I urge my colleagues to join me in supporting this wide-open fair rule that makes this important bill in order.

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

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

I thank my colleague and dear friend, the gentleman from Florida [Mr. GOSS], for yielding me the customary half hour.

Mr. Speaker, I rise in support of this open rule. It is a very, very good program. The National Sea Grants College Act was created 30 years ago to improve the marine resource conservation management and use. Since that time, Mr. Speaker, the U.S. sea grants have provided our country with priceless information about our marine resources, how best to conserve them, how best to use them.

This marine science is not only limited to ocean life, Mr. Speaker. It includes our coastal and Great Lakes areas as well.

Today there are over 300 sea grant institutions, two of which are in my home State of Massachusetts: the Massachusetts Institute of Technology and Woods Hole. Woods Hole has been a national leader in marine biotechnology research for many years. And Massachusetts Institute of Technology has been a leading participant in sea grant programs since 1969.

Today they are researching the northern right whale. This is an endangered species whose last natural habitat is in the Stellwagon Bank. Unfortunately, something in the environment is changing the whale's breeding patterns and causing great concern not

only to the whales but to humans as well.

Massachusetts Institute of Technology is currently trying to find out what is happening in the whales' environment and how we can fix it. Their research really comes none too soon until there are only about 250 right whales living today. Massachusetts Institute of Technology is also working with Massachusetts Water Resource Authority to study the contaminants in Boston Harbor and what effect they have on shellfish and other marine life indigenous to our area.

So I urge my colleagues to support this bill. It provides for continued success in a great program which helps us protect and better understand our marine resources.

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

Mr. GOSS. Mr. Speaker, I am delighted that we both share, the distinguished gentleman from Massachusetts and myself, appreciation for this program. I have been to Woods Hole many times and applaud what a marvelous facility it is, and I invite the gentleman to come to Florida to some of our facilities. I know that he will have equal respect for them.

Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Maryland [Mrs. MORELLA].

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

I have also been to Woods Hole, and I also invite this group to the Chesapeake Bay to see how the sea grant program operates.

First of all, Mr. Speaker, I support the open rule guiding the consideration of the reauthorization of the National Sea Grant college program, and I support the bill H.R. 437. I want to commend my colleagues on the Committee on Science and the Committee on Resources for working out a compromise version of H.R. 437 that deserves the support of the entire House of representatives.

Sea grant is a program that enables us to understand how our complex coastal and marine environments function, to develop novel ways to benefit from our marine resources without overexploiting them and to extend and communicate the benefits of scientific ocean research to our Nation's citizens.

In my own State of Maryland, sea grant efforts have played an important role in understanding, protecting and restoring the Chesapeake Bay. I will give one example. Sea grant researchers in Maryland, Virginia, Delaware and North Carolina have detailed over the last decade through competitively funded research the life cycle of the blue crab. Their findings about the blue crab are already proving helpful in understanding threats to the last great Chesapeake Bay fishery, and they will enable us to develop sound strategies to protect this renowned resource.

In addition, sea grant leads the Nation in its support for peer reviewed fundamental discovery in marine biotechnology in our Nation's research institutions. Marine biotechnology research shows great promise to help this Nation develop new industries of enormous economic potential.

Sea grant also extends the results of that research to users through sea grant's educational and outreach efforts. For example, the Maryland sea grant extension program is administered by and works closely with the Cooperative Extension Service to advance aquaculture, improve environmental decisionmaking and provide citizens with information needed for nonregulatory protection of our natural resources.

Maryland sea grant educational activities provide research experiences for undergraduates, help instruct K through 12 students in environmental science and biotechnology, and translate complex scientific information into terms useful for the average citizen.

As a member of the Committee on Science and a cosponsor of this excellent bill, I am in full support of this reauthorization, which balances fiscal responsibility with the protection of important programs that work for the good of our Nation.

I commend the author of this bill, the gentleman from New Jersey [Mr. SAXTON], the chairs of my Committee on Science, the gentleman from Wisconsin [Mr. SENSENBRENNER] and the chair of the Committee on Resources, the gentleman from Alaska [Mr. YOUNG], along with the staffs of both committees for their efforts to preserve and improve this valuable program.

I urge my colleagues to join me in supporting the rule and H.R. 437, a bill that is good for the environment, good for education and supportive of sound scientific solutions for the preservation of our Nation's marine resources.

Mr. MOAKLEY. Mr. Speaker, I did visit the State of the gentleman from Florida [Mr. GOSS], and I had great delight in seeing Shamu down there.

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

Mr. GOSS. Mr. Speaker, I appreciate the communication from the distinguished gentleman from Massachusetts. I want to explain to him that he has experienced just the beginning. There is so much more than Shamu, but that is a good start.

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.

□ 1045

The SPEAKER pro tempore (Mr. CALVERT). Pursuant to House Resolution 164 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 437.

□ 1045

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 437) to reauthorize the National Sea Grant College Program Act, and for other purposes, with Mr. ROGAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes; and the gentleman from Wisconsin, [Mr. SENSENBRENNER] and the gentleman from Indiana [Mr. ROEMER] each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

Mr. Chairman, I rise in support of H.R. 437, a bill to reauthorize the Sea Grant College Program. I introduced H.R. 437 on January 9 of this year. The bill was referred to the Committee on Resources and then to the Subcommittees on Fisheries Conservation, Wildlife and Oceans, which I chair.

I am pleased that the bill has the bipartisan support of 107 cosponsors, including the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources; the gentleman from California, Mr. GEORGE MILLER, the ranking Democrat; and the ranking Democrat on the Subcommittee on Fisheries Conservation, Wildlife and Oceans, my good friend, the gentleman from Hawaii, Mr. NEIL ABERCROMBIE.

I would also like to thank at this point the members of the Committee on Science, particularly the chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER] who, incidentally, celebrated his 29th birthday just 4 days ago, and we wish him every happiness in his 30th year on this planet.

The gentleman from California [Mr. CALVERT] was also very helpful.

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

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

Mr. SENSENBRENNER. Mr. Chairman, the gentleman's calculator is a little bit off, but we will excuse him for that.

Mr. SAXTON. Well, Mr. Chairman, we wish the gentleman a happy, happy birthday, anyway.

I would also like to thank the gentleman from California [Mr. CALVERT] for his able assistance as a member of the Committee on Science during this process.

H.R. 437 was reported to the Committee on Resources on March 12 and an amended version of the bill was reported by the Committee on Science, which I just mentioned, on April 22.

The committees have subsequently reached agreement on a compromise text, which is the vehicle before the House today.

The National Sea Grant College Program was established by Congress in 1966 to improve our Nation's marine resource conservation efforts, to better manage those resources, and to enhance their proper utilization.

H.R. 437, the National Sea Grant College Program Reauthorization Act of 1997, authorizes funding for Sea Grant through fiscal year 2000; simplifies the definition of issues under Sea Grant's authority; clarifies the responsibilities of State and national programs; consolidates and clarifies the requirements for the designation of Sea Grant colleges and regional groups; repeals an international program that has never been funded; prohibits lobbying with Federal funds, and assures that Sea Grant research will be adequately peer reviewed.

By enacting this legislation we will be sending a clear message supporting the conservation and research-based management of our marine and coastal resources. I urge all Members to support the bill.

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

Mr. ABERCROMBIE. Mr. Chairman, I yield myself such time as I may consume and I rise in strong support of the bill.

However, I would like to add that, hopefully, the funding for Sea Grant, the funding numbers for the Sea Grant proposal here, are more accurate than those recently assigned to the gentleman from Wisconsin [Mr. SENSENBRENNER]. This represents a compromise, Mr. Chairman. Perhaps those numbers the gentleman from Wisconsin had assigned to him by the gentleman from New Jersey [Mr. SAXTON] also represent a compromise.

But this represents a compromise, Mr. Chairman, between the Committee on Resources and the Committee on Science, which shares jurisdiction with the Committee on Resources over the research component of Sea Grant.

The bill reauthorizes the National Sea Grant College Program, which for over 30 years has addressed important local, regional, and national marine resource management problems through education, research, and public outreach.

The compromise text, Mr. Chairman, reauthorizes Sea Grant for 3 years. It clarifies the roles of the national office and the Sea Grant colleges. It strengthens competitive peer review, as the gentleman from New Jersey mentioned, particularly for grants and contracts for research, education and outreach, and generally brings Sea Grant up to date as a modern education and research program.

The authorization levels in the bill will force some belt-tightening at the national Sea Grant office but will provide for modest growth in funding for programs and projects carried out by the Sea Grant colleges themselves. These activities are the heart and soul of the Sea Grant Program and are parts of the program that must be preserved, especially in difficult budget times.

Since 1968, speaking from personal experience, Mr. Chairman, the University of Hawaii's Sea Grant College Program has been a useful resource in the areas of aquaculture, marine biotechnology, coastal processes, coastal pollution and reef ecology. In the State of Hawaii marine resources are vital. Hawaii's coastal resources, which are world-renowned tourist attractions, generate nearly 40 percent of our gross State product. The value of our coastal resources is dependent on their health and beauty.

I want to express my appreciation for the cooperation the minority has received from the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Alaska [Mr. YOUNG] and their staffs. H.R. 437 is not really a bipartisan bill, Mr. Chairman, it is a nonpartisan bill. I think all of us who represent coastal areas have long appreciated the benefits of this practical, noncontroversial program.

We would have been on the floor nearly 2 years ago reauthorizing this popular and pragmatic program if ideology had not interfered. On that note, I appreciate the cooperation extended by the leadership of the Committee on Science in the person of the gentleman from Wisconsin [Mr. SENSENBRENNER] and his staff in working out this compromise. Mr. Chairman, I certainly appreciate the work, in addition, of my good friend, whom I had the pleasure of working with in a previous committee, the Minerals Subcommittee, the gentleman from California [Mr. CALVERT].

I hope this new spirit of cooperation leads to more timely authorization of marine research and oceanography programs, which are so vital not only to this Nation but to the planet, Mr. Chairman, over which the two committees share jurisdiction. This is a good start on a very good bill reauthorizing a popular program. I urge the House and all of our colleagues to support this legislation.

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

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

Mr. Chairman, I rise in support of H.R. 437, the National Sea Grant College Reauthorization Act of 1997. This legislation reflects a cooperative effort between the Committee on Science and the Committee on Resources to craft a Sea Grant reauthorization bill that is in the best interest of the program and of the taxpayers. I believe that the product of that effort, the amendment in the nature of a substitute to H.R. 437 brought by the gentleman from New Jersey, achieves these goals, and I urge bipartisan support.

This amendment is a 3-year reauthorization that adds or modifies various definitions, clarifies the duties of the program director, sets forth the duties of the Sea Grant institutions and certain types of entities conducting Sea Grant programs. The amendment includes merit reviews of grant and contract applications, repeals the Sea Grant International Program, which has never been funded, and reauthorizes the Sea Grant program at $54.3 million for fiscal year 1998, $55.4 million for fiscal year 1999, and $56.5 million for fiscal year 2000. It also authorizes, within these amounts for each fiscal year, up to $2.8 million for competitive grants for university research on the zebra mussel and up to $2.0 million for oyster disease research.

The amendment also promotes efficiency and to ensure that the taxpayers' money is spent on research and not on bureaucracy. It limits administrative spending to no more than 5 percent of the lesser of the amount authorized or appropriated each fiscal year, and clarifies that the maximum pay for voting members of the Sea Grant Board is determined by the Secretary of Commerce.

Finally, the amendment prohibits the use of Sea Grant funds for lobbying, and requires the Secretary of Commerce notice the Committees on Science and Resources of any reprogramming of Sea Grant funds or reorganization of any Sea Grant program, project or activity.

I believe the Committees on Science and Resources have crafted a noncontroversial bill that is good for the Sea Grant Program and good for the taxpayers, and urge my colleagues to support it.

In closing, I wish to thank the gentleman from California [Mr. CALVERT], the chairman of the Committee on Science's Subcommittee on Energy and Environment, and the gentleman from Indiana [Mr. ROEMER], the subcommittee's ranking member, for their hard work on this legislation.

I would also like to thank the Committee on Science's ranking member, the gentleman from California [Mr. BROWN] for his bipartisan support.

I also want to commend the efforts of the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources; the gentleman from California [Mr. MILLER], ranking member of the Committee on Resources; my friend, the gentleman from New Jersey [Mr. SAXTON], chairman of the Resources Subcommittee on Fisheries Conservation, Wildlife and Oceans; and the gentleman from Hawaii [Mr. ABERCROMBIE], the subcommittee's ranking member, even though the calculator in the Committee on Resources on my age is way off, and I excuse them for that.

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

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

Mr. Chairman, I am pleased that the House has a chance today to pass H.R. 437, to reauthorize the National Sea Grant College Program. The Sea Grant

program was established by Congress in 1966 and has contributed much to the marine sciences over the past 30 years.

The nationwide Sea Grant network is composed of 26 Sea Grant colleges which act as centers for the participation of over 300 universities from both coastal and inland States. The Sea Grant focus on research, education, technology transfer and public service makes this a unique program with a long record of accomplishment.

In 1994, the National Academy of Sciences conducted an indepth review of the Sea Grant program and said, and I quote, ''Sea Grant has been virtually the only source of funding in the United States for activities in marine policy and has been a major contributor for the fields of marine aquaculture, coastal and estuarine research, marine fisheries management, seafood safety, marine biotechnology, marine engineering, and marine technology development.''

Mr. Chairman, I would like to commend the leadership of both the Committee on Science and the Committee on Resources for working out an agreement on Sea Grant reauthorization. It is clear that the Sea Grant Program has always enjoyed strong congressional support from both sides of the aisle and from all of the committees that have jurisdiction.

The administration has requested funding for the basic Sea Grant Program but has continued to propose the termination of one project of great importance to many Members of Congress who live in the Great Lakes region. I refer to the zebra mussel research program that has been carried out by some of the Sea Grant colleges.

The zebra mussel was first sighted in 1988 and has rapidly spread throughout all of the Great Lakes, the Hudson River, the Saint Lawrence River, and much of the Mississippi Basin. The zebra mussel infestation has assumed nightmarish proportions and has affected electric power generation, industrial water intake facilities, fishing, recreational uses of waterways and beaches, and, Mr. Chairman, agriculture.

A female zebra mussel can lay up to 1 million eggs per year, of which more than 5 percent will survive.

□ 1100

They live up to 5 years and can colonize in a density of 10,000 mussels per square yard. There are no known predators, and we lack any real understanding of what control strategies have any chance of success.

Mr. Chairman, when the committee held hearings on the Sea Grant Program, we discussed at length the shortsighted decision of the administration to propose no funding for zebra mussel and other invasive species research. Indeed, James Baker, the Administrator of NOAA, agreed with us that this is a serious problem in need of Federal attention.

A number of members of the committee, some of whom will speak today, wrote a letter to the administration emphasizing our desire to see this research funded. Mr. Chairman, I include for the RECORD that letter.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, RAYBURN HOUSE OFFICE BUILDING,
Washington, DC, March 19, 1997.

Hon. D. JAMES BAKER,
Under Secretary for Oceans and Atmosphere, National Oceanic and Atmospheric Administration, Washington, DC.

DEAR DR. BAKER: We would like to express our strong support for continued funding for Zebra Mussel research that has been included in H.R. 475, the Marine Research Revitalization Act of 1987. The impact of Zebra Mussel infestation has spread far beyond the Great Lakes and now stands to threaten waterways nationwide.

Your testimony before the Subcommittee affirmed the vital importance of this problem. It is critical that control strategies and eradication methods be fully explored on an expeditious basis.

It is our intent to support funding for this program and we look forward to working with you in ensuring that this research is vigorously pursued over the next several years.

Sincerely,

KEN CALVERT,
Chairman, Subcommittee on Energy and Environment.
VERN EHLERS,
Vice Chairman, Committee on Science.
TIM ROEMER,
Ranking Democrat, Subcommittee on Energy and Environment.
LYNN RIVERS,
Member of Congress.

Mr. Chairman, I am gratified that the funding we identified for zebra mussel research has been retained in this bill that we have before us today. This problem is not trivial and it is not parochial. It will soon affect all coastal areas from the Atlantic to the Pacific to the gulf coast. We desperately need to make progress in understanding more about invasive species and how to control them.

The Sea Grant Program has performed a critical role in addressing this problem. I would like to further thank the gentleman from California [Mr. CALVERT], who I have worked with very closely on this bill in a very, very bipartisan way and particularly on this zebra mussel problem. I would like to thank the gentleman from Michigan [Mr. EHLERS] and the gentlewoman from Michigan [Ms. RIVERS] and also our distinguished chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER] who has also been very supportive and very knowledgeable on this zebra mussel problem.

Mr. Chairman, I again want to thank the leadership of the two committees in bringing this bill to the floor. I urge all of my colleagues to support it.

Mr. Chairman, I am pleased that the House has a chance today to pass H.R. 437 to reauthorize the National Sea Grant College Program. The Sea Grant Program was established by Congress in 1966 and has contributed much to the marine sciences over the past 30 years.

The nationwide Sea Grant network is composed of 26 Sea Grant colleges which act as centers for the participation of over 300 universities from both coastal and inland States. The Sea Grant focus on research, education, technology transfer, and public service makes this a unique program with a long record of accomplishment. In 1994, the National Academy of Sciences conducted an in depth review of the Sea Grant Program and said ''Sea Grant has been virtually the only source of funding in the United States for activities in marine policy, and has been a major contributor for the fields of marine aquaculture, coastal and estuarine research, marine fisheries management, seafood safety, marine biotechnology, marine engineering, and marine technology development.''

Mr. Chairman, I would like to commend the leadership of both the Committee on Science and the Committee on Resources for working out an agreement on Sea Grant reauthorization. it is clear that the Sea Grant Program has always enjoyed strong congressional support from both sides of the aisle and from all of the committees of jurisdiction. Unfortunately, it has not always enjoyed strong support from the administration. From 1984 through 1990, no funding was requested by the administration, yet the Congress continued to provide the needed resources.

More recently, the administration has requested funding for the basic Sea Grant Program but has continued to propose the termination of one project of great importance to many Members of Congress who live in the Great Lakes States. I refer to the zebra mussel research program that has been carried out by the Sea Grant colleges.

The zebra mussel were first sited in 1988 and have rapidly spread throughout all of the Great Lakes, the Hudson River, the St. Lawrence River, and much of the Mississippi Basin. The zebra mussel infestation has assumed nightmarish proportions and has affected electric power generation, industrial water intake facilities, fishing, recreational uses of waterways and beaches, and agriculture.

A female zebra mussel can lay up to 1 million eggs per year of which more than 5 percent will survive. They live up to 5 years and can colonize at a density of 10,000 mussels per square yard. There are no known predators and we lack any real understanding of what control strategies have any chance of success.

Mr. Chairman, when the committee held hearings on the Sea Grant Program, we were unable to determine to our satisfaction why funding for zebra mussel research and other invasive species was not requested. Indeed, Dr. James Baker, Administrator of the National Oceanic and Atmospheric Administration readily agreed with us that this is a serious problem in need of Federal attention. I and other interested members of the committee, some of whom will speak today, wrote a letter emphasizing our desire to see this research funded.

I am gratified that the funding we identified for zebra mussel research has been retained in the bill we have before us today. This problem is not trivial and it is not parochial. It will soon affect all coastal areas from the Atlantic to the Pacific to the gulf coast. We desperately need to make progress in understanding more about invasive species and how to control them. The Sea Grant Program has performed a critical role in addressing this problem. I'd like to think Mr. EHLERS, Ms. RIVERS, Mr. CALVERT, and others for their help on this.

Mr. Chairman, I again want to thank the leadership of the two committees in bringing this bill to the floor. I urge all of my colleagues to support it.

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

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentleman from Mobile, AL [Mr. CALLAHAN], who also serves as the chairman of the powerful Subcommittee on Foreign Operations, Export Financing and Related Programs and does such a wonderful job for us.

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

Mr. CALLAHAN. Mr. Chairman, I thank my colleague from New Jersey, Mr. SAXTON, for yielding me the time, and I rise in support of H.R. 437, the National Sea Grant College Program Reauthorization Act.

Mr. Chairman, this program is extremely important to all coastal States, not just the State of Alabama. The National Sea Grant College Program is a Federal-State partnership which works to support 29 sea grant programs in coastal and Great Lakes States and Puerto Rico. It is probusiness, proenvironment, and proeducation.

It is a relatively small program which supports fundamental marine research, education, and outreach activities. It assists Federal, State, and local coastal decisionmakers to make informed decisions on issues which affect marine ecosystems, human health, and coastal economies which depend on a healthy and viable research.

In the State of Alabama, Mr. Chairman, the National Sea Grant College Program supports the continuing efforts of the Mississippi-Alabama Sea Grant Consortium, which brings together people from different occupations and scientific disciplines to address common problems and opportunities that affect the coastal regions of the northern Gulf of Mexico and the Nation and the world.

It promotes research on the endangered sea turtle recovery, blue crabs, and oyster disease pathology. It conducts outreach and educational efforts in coordination with Alabama's Dauphin Island Sea Lab so that teachers and the public at large have access to the latest scientific information.

Mr. Chairman, I urge my colleagues to support H.R. 437 so that the National Sea Grant College Program can continue to promote marine research excellence, environmental conservation, and educational outreach.

Mr. ABERCROMBIE. Mr. Chairman, I yield such time as he might consume to the gentleman from Texas [Mr. GREEN].

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

Mr. GREEN. Mr. Chairman, I thank my colleague from Hawaii, [Mr. ABERCROMBIE], for allowing me the time to speak today in support of H.R. 437, the National Sea Grant College Program Reauthorization Act.

The Sea Grant College Program, established in 1966, provides wise stewardship over our marine and coastal resources. It is a partnership between our universities and the National Oceanic and Atmospheric Administration. The mission of the Sea Grant Program is to promote and sponsor research, education, and outreach aimed at the wise utilization and conservation of our Nation's coastal and marine resources in order to develop and maintain a sustainable economy and a healthy environment.

I represent a district in Houston, TX. It is the Port of Houston; and our Sea Grant College is Texas A&M at Galveston, with programs spread all along the gulf coast of Texas and where a person can learn about both the ocean and coast and environment and innovative marine technologies.

The 29th District, like I said, is in the Port of Houston, about 50 miles away from the Texas A&M campus, but it is vital to all the ports along the Texas coast and also to our Nation. Texas A&M Sea Grant College provides business owners, fishermen, and community groups information about how to achieve the most economically while responsibly conserving the marine environment.

Without the Sea Grant Program, the citizens of Texas and our Nation cannot stay current and competitive with the rest of the world. By reauthorizing the Sea Grant Colleges through the year 2000, we have ensured that we will help train future citizens who will not only look to protect our oceans and coastal areas, but they also will be trained to properly use our marine resources.

I urge my colleagues to support H.R. 437. This bill makes significant improvements in the Sea Grant Program by streamlining the review process, reducing administrative costs, and clarifying the Federal and university roles in the program. This program is a 30-year success story. It has proven its value and worth to our country. Again, I rise in support of the bill and again thank my colleagues on both sides of the aisle for putting together this effort.

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

Mr. CALVERT. Mr. Chairman, I also want to wish a happy birthday to the gentleman from Wisconsin [Mr. SENSENBRENNER]. I found it interesting that I am somewhat older than the chairman, until one of my colleagues pointed out that, once you become chairman, you become 20 years younger, which explains why we have such longevity around this place.

First, Mr. Chairman, I want to thank the gentleman from Alaska [Mr. YOUNG] and the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Wisconsin [Mr. SENSENBRENNER] for working together to iron out their differences on this Sea Grant Program so we can move forward on this bill.

In particular, the gentleman from New Jersey [Mr. SAXTON] is to be commended for working diligently through two Congresses to authorize this program. If our brethren in the other body will cooperate, we will succeed this year.

The National Sea Grant Program has been an integral part of our Nation's efforts to better conserve and manage our publicly owned coastal marine resources, which are essential to our continued economic growth.

In 1994, the Ocean Studies Board of the National Research Council reviewed the Sea Grant Program and found that it has over the years played a significant role in U.S. marine science, education, and outreach. In California, the University of California operates the largest of 29 Sea Grant Colleges. In fiscal year 1996, the California program supported 36 research projects at 12 universities in all parts of the State.

These projects have proved to be important for our coastal areas. For example, UCLA's Sea Grant scientists are developing a revolutionary technique that will allow us to determine the different types and origins of bacteria in our coastal waters. Other projects funded by Sea Grant have provided information on the probable movement of oilspills under hundreds of different sea conditions.

Mr. Chairman, the Sea Grant Program is marked by high quality peer-reviewed scientific research. The committee substitute, as agreed to by both the Committee on Science and the Committee on Resources, is fiscally responsible and limits bureaucratic overhead to 5 percent of the program's funding.

I want to thank the gentleman from Indiana [Mr. ROEMER], who has been very helpful in working with us in a bipartisan way to complete this bill. I would urge my colleagues to support this bill and move it on.

Mr. ROEMER. Mr. Chairman, I yield the balance of my time to the distinguished gentlewoman from the State of Michigan [Ms. RIVERS].

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

Mr. Chairman, I am pleased to stand in support for funding for the Sea Grant proposal, as well as funding in the area of invasive species. For those of my colleagues who are not familiar with the Great Lakes, and, amazingly, a significant number of people are not, there is a song that refers to the Great Lakes as the inland seas. And for my colleagues who have not actually viewed the Great Lakes, they are very awesome. These are not small bodies of water.

In fact, 20 percent of the world's fresh water exists in the Great Lakes basin. They contain 95 percent of the fresh water surface in the United States. So when the Great Lakes are threatened, to a larger extent our Nation is threatened. We rely on the Great Lakes for

water, for fish, and for other kinds of foods.

Right now, the Great Lakes are suffering a plague, a plague of incredible magnitude, in that zebra mussels, an invasive species who originated in the Caspian Sea, have become predominant across the Great Lakes basin.

Damage attributable to zebra mussels during the 1990's is estimated to be as high as $5 billion. That is billion with a ''b.'' They are causing extreme difficulty in every manner possible for municipalities who are trying to maintain their water systems, for individuals who may own property on the shore, for sport fishermen and any other number of individuals who take advantage of the Great Lakes.

It is imperative that we maintain funding for zebra mussel research. It is imperative that we recognize the intensity of this problem and the enormity of the effects of this problem. Zebra mussels, as has been said earlier, reproduce prodigiously and their colonies can cover nearly any solid surface in a very short period of time. Inlets become clogged. Docked boats become fouled. And most aquatic habitats have been covered by dense masses of mussels.

The Great Lakes Sea Grant network has frequently taken the lead in addressing the zebra mussel problem through their research, education, and outreach activities. Within a month of the first confirmed sighting in Lake Erie, Sea Grant scientists were researching ways to control them.

It is imperative that we maintain these research programs, that we make this a top priority in Sea Grant research. For those reasons, I support continuing funding of Sea Grant and continuing funding for zebra mussel research.

Mr. SAXTON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. QUINN], who is also the chairman of the Subcommittee on Benefits.

Mr. QUINN. Mr. Chairman, I appreciate the gentleman from New Jersey [Mr. SAXTON] yielding me the time.

Mr. Chairman, I rise today to join others and associate myself with the remarks of the previous speakers in favor of H.R. 437, a bill reported by the Committee on Resources that would reauthorize the National Sea Grant College Program.

Mr. Chairman, it is interesting that we have heard from speakers this morning from Texas and Alabama and Indiana and California and Michigan; now I rise from New York to talk about this program. Sea Grant is an outstanding research and public outreach program that seeks useful answers to many of the nagging problems that affect the Nation's oceanic and Great Lakes coastline.

The program is a model for what all Federal research and outreach programs should be. This one, of course, is characterized by peer-reviewed competitive awarding of research grants, strong focus on research that will solve the real coastal problems that people are dealing with, a strong commitment to translating and extending the results of research to potential users, a shared funding with State, local, and private resources, and finally an emphasis on results that will benefit the lives of our citizens, communities, and businesses.

Along the Great Lakes shores, as my colleague just pointed out, the New York Sea Grant is playing a key role in helping individuals, water and power authorities, Government agencies, and marine business cope with the spread of zebra mussels and other exotics that impact the Lakes' shoreline and ecosystem.

Sea Grant specialists in nearby Brockport, New York, the district of the gentleman from New York [Mr. LAFALCE] operate NOAA's Zebra Mussel Information Clearinghouse, which has helped thousands across the State, Nation and the globe to address virtually every aspect of this exotic pest.

Sea Grant specialists continue to assist the watersheds through their public education programs. And lastly, Sea Grant has been an accessible and an impartial source of policy and engineering information on the issue of Great Lakes water levels as well as erosion.

I am also proud to say that the Sea Grant field office, located at the State University of New York at Buffalo, has played a key role in the University's faculty and administration to develop an excellent Great Lakes program that focuses faculty attention and resources on pressing Great Lakes issues and reaches out educationally to all audiences in the greater Buffalo area on the same issues.

H.R. 437 will allow Sea Grant to continue its excellent efforts, and it also takes steps to improve the program. The Committee on Resources has appropriately succeeded in streamlining aspects of the program and has removed previously authorized aspects of the same program that were not warranted to be continued.

I ask all our Members, not only from this area, to make sure that they understand the program is a good program. It enjoys bipartisan support from all sections of the country. All Federal programs, I believe, should reflect the track record of success, low cost, and effectiveness that this program, the Sea Grant program, has exemplified.

I ask all my Great Lakes colleagues, as well as Members of the House, to support H.R. 437 as reported by the Committee on Resources, and I commend the committee members on both sides for the great work that they have done.

□ 1115

Ms. RIVERS. Mr. Chairman, I yield the remainder of my time to the gentleman from Hawaii [Mr. ABERCROMBIE] and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey [Mr. SAXTON] and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. ABERCROMBIE. Could the chairman kindly tell me how much allotted time remains both with the Science Committee and with my committee?

The CHAIRMAN. The gentleman from Hawaii has 17 minutes remaining and the gentleman from New Jersey has 12½ minutes remaining.

Mr. ABERCROMBIE. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Chairman, we all know how valuable the National Sea Grant College Program is and we know how important it is as a catalyst for scientific research, but I want to say a word about how the program helps young people learn through outreach and education.

The Michigan Sea Grant Extension offers shipboard education for K through 12 students through their Great Lakes Education Program. Sea Grant's K through 12 program stresses hands-on exploration of our environment to stimulate interest at an early age in scientific studies. The program based in Mount Clemens, MI, targets fourth graders and is offered to all grade school students throughout the country.

I had the good fortune recently to join 40 fourth graders from Saint Joan of Arc Elementary School in Saint Clair Shores on a trip down the Clinton River and into Lake Saint Clair. This is a program that operates throughout the spring and the early months in the fall. It takes fourth graders and it teaches them about the whole process of the lake. The Great Lakes, especially Lake Saint Clair and the connecting waters in my district, are going through a huge change in the eutrophication process that has resulted because of the zebra mussels cleansing the water and letting the sunlight come in, letting the weeds grow and then trapping some of the fecal matter that have created really a disastrous situation in our Great Lakes.

This program educates our young people on how that happens and how to avoid it from happening. The young people on this vessel move from one point on the vessel to another point, and they do experiments for about 2 hours. It is a wonderful program. It educates them about the environment, it teaches them about their lake and how important it is to not only their environment but to the economy of the area. It is something that Sea Grant has done and done very well. I just

want to commend all the folks who worked on this program.

On the day of our trip, the Sea Grant Extension celebrated the participation of its 10,000th student. That is 10,000 students who now know more about the ecology of our lake and about how to use our water resources wisely.

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. METCALF].

Mr. METCALF. Mr. Chairman, as an original cosponsor of H.R. 437, I rise in strong support of this excellent reauthorization bill for the National Sea Grant College Program. I want to commend the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources, for introducing this bill to reauthorize a valuable program.

The Sea Grant Program was designed to identify marine resource issues at the grassroots level and bring the scientific expertise of university researchers to bear in addressing them. Sea Grant has a broad network of over 300 colleges, universities, and research institutions which conduct competitive, peer-reviewed scientific research on problems affecting coastal areas.

The sound scientific research that Sea Grant provides is critically important in helping many coastal communities like those I represent in Washington State to improve their economies and our competitiveness in world markets. As former chairman of the Washington State Senate's Environment and Natural Resources Committee and as a member of Washington Sea Grant's Ocean Resources Assessment Advisory Committee, I have had the opportunity over the years to observe Sea Grant's effectiveness. For example, Washington's Sea Grant Program has achieved broad ranging successes, from human lives saved as a direct result of Sea Grant fishing vessel safety training, to reduced bycatch and waste at sea through the development of new fishing techniques. Sea Grant represents an effective partnership between the Federal Government and the States, in which each Federal dollar must be matched at least 50 percent by funds from the States, the private sector or other non-Federal sources.

H.R. 437 is consistent with and authorizes appropriations at exactly the same level as the fiscal year 1997 House-passed Commerce appropriations bill. It also makes significant improvements in the Sea Grant Program by streamlining the proposal review process, reducing administrative costs and capping total program costs below the service level. The National Sea Grant College Program plays a vitally important role in maintaining the health and usefulness of our coastal and marine resources.

Mr. Chairman, I urge my colleagues to vote with me in support of this important bill.

Mr. ABERCROMBIE. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. WEYGAND].

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

Mr. WEYGAND. Mr. Chairman, I thank the gentleman from Hawaii [Mr. ABERCROMBIE] for yielding me this time. I appreciate the opportunity to be here to voice my strong support for H.R. 437.

Mr. Chairman, Rhode Island, my State, is known as the Ocean State. It has a long and valiant history and a reliance upon Narragansett Bay and the Atlantic Ocean for its economic well-being. The bay creates jobs, it attracts tourists and supplies the foundation of commercial and recreational fishing that is a real mainstay in our economy, not only for Rhode Island but for New England. Narragansett Bay generates an immediate economic impact of over $2 billion for my small State just on fisheries and things immediately associated with the bay and well over $10 billion when we think about all the tourism and other aspects that it provides.

The Rhode Island Sea Grant Program and the University of Rhode Island, one of the most distinguished oceanographic institutions in the country, are indispensable contributors to the knowledge base that enables us to be good stewards of our valuable resources. The Rhode Island Sea Grant Program is also, though, more than just that. It is a collaboration of many agencies, like the university, our Rhode Island Department of Environmental Management, the Rhode Island Coastal Resources Management Center, the Environmental Protection Agency and a host of environmental and community groups like Save the Bay, one of the largest environmental groups in the country. At the university, much of our money that comes in for marine research is from Sea Grant.

Currently, the Sea Grant Program is involved in improving long-term forecasting of changes in fishing stocks, allowing us not only to develop long-term sustainability of fisheries in Rhode Island and New England but throughout the world; conducting biotechnical research that may result in potential sources of anticancer compounds, certainly one that has great impact not only to the country but to the world. Also, the Sea Grant Program offers advisory services on harbor management, seafood quality and safety, safety at sea, and educational and career activities for our youngsters as well as our college students.

One of the great new areas of Sea Grant is the area of aquaculture, an area that in Rhode Island and New England's economy which has been very stagnant, is very important, because it will provide new sources of revenue through sea farming and the aquaculture community. We think this is extremely important.

Therefore, Mr. Chairman, I ask all of my colleagues to strongly support this bill. I think that the Sea Grant Program not only is helpful to the Ocean State, Rhode Island, but to the Great Lakes, to all parts of our country, our economy, our tourism but, most important, the resources of our great country.

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentleman from Kennedyville on Maryland's beautiful Eastern Shore [Mr. GILCHREST].

Mr. GILCHREST. I thank the gentleman from the Garden State for yielding me this time.

Mr. Chairman, I want to compliment the gentleman from New Jersey [Mr. SAXTON], the gentleman from Hawaii [Mr. ABERCROMBIE], and the gentleman from Wisconsin [Mr. SENSENBRENNER] for this compromise bill that goes a long way into understanding the nature and the usefulness and the resourcefulness of the Sea Grant Program.

Mr. Chairman, this program, Sea Grant, takes young idealists and inculcates into them knowledge, experience to become pragmatic, idealistic scientists, to become a piece of the infinite puzzle to understand the mechanics of creation.

What are the problems in the Great Lakes with zebra mussels and how do we solve that? What is the problem in the Chesapeake Bay with MSX and dermo? Where did it come from and why is it so tenacious? What is the problem of fishkills in North Carolina? Millions of fish have died in the estuaries of North Carolina. The tragedy of the commons in the Gulf of Mexico; the coastal fisheries of the United States, where there are more people, better technology, catching fewer fish. How do we solve this?

To understand the complexities of the power and the weaknesses, the endurance and the sensitive limitations of the Earth's natural processes, we need educated, knowledgeable, dedicated young people to begin a lifetime of service to this environmental end.

Mr. Chairman, our resources on planet Earth are limited. There are no more new frontiers on the other side of the horizon on the ground. Our horizons physically are limited and to a certain extent they have come to an end. What is our next frontier? Our next frontier is an intellectual frontier. If we use up our resources in the manner in which we are using them now, especially the resources from the marine ecosystem, we cannot go anywhere in this infinite, hostile environment we call the universe. We are here.

Mr. Chairman, we need science, we need knowledge, and we need the technique to implement that science and that knowledge to preserve the natural processes, which is to preserve the natural resources on this planet.

One of the solutions to this puzzle, Mr. Chairman, is the Sea Grant Program. I encourage my colleagues to vote for this legislation.

Mr. ABERCROMBIE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. I want to thank the gentleman from Hawaii for yielding me this time.

Mr. Chairman, I will not use the entire 3 minutes, but I did want to say in my prior life, before I was in Congress and before I was a politician really, I was a Sea Grant coastal law specialist. I mention that, because I learned a lot about the Sea Grant Program and particularly how it benefits the average person. Sea Grant really is a very valuable program because it reaches out to help so many people in very positive ways. I think that many Members of Congress and certainly the public at large are not aware of how far-reaching its positive efforts are. When I was a coastal law specialist, basically I worked with various user groups, if you will, whether it was marina owners or commercial or recreational fishermen or longshoremen, anyone really who was involved in the coastal environment took advantage of what we called the New Jersey Marine Advisory Service, which was basically an outreach program financed through Sea Grant to help those people, working people mostly, who made their living from the sea or from the coastal area.

□ 1130

It was a very unique program in a way because it is one of the few times, I think, when people who are in the Federal employ actually are in the working area, if my colleagues will, and actually helping people on a daily basis with their problems. I thought that it was tremendously valuable, and of course I have also had contact with the Sea Grant program because here in Congress and Federal agencies we have Sea Grant fellows, and I know that this reauthorization legislation specifically provides for the continuation of the Sea Grant fellowship program, again another way to get young people involved, to help interaction here in Washington, as well as with the Federal agencies, to learn more about how we at the Federal Government can be a positive force in the field, so to speak.

In my own State of New Jersey the Sea Grant program is managed by the New Jersey Marine Science Consortium which is an alliance of about 30 colleges, universities, private organizations and individuals interested in marine affairs, and New Jersey Sea Grant is very cost effective. I have to stress that; very cost effective in that all resources are shared by the institutions that participate in the Sea Grant program, thereby avoiding duplicative purchases statewide, and collective State and Federal funds are used for administration of a summer marine science program for college students as well as operation and maintenance of a small research fleet and state-of-the art sampling equipment.

Mr. Chairman, I do not want to take much more time, but I wanted to, say, just give some recent examples of Sea Grant-supported research and outreach activities in New Jersey that have positively impacted the lives of the residents of my State.

Right now Sea Grant is funding two biotechnology research projects that help develop products with practical uses in the pharmaceutical and pulp industries. It is sponsoring a commercial fisherman's safety training program. It is supporting a red tide research effort, and the list goes on.

Sea Grant is a valuable program, and we should support this legislation.

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from the State of Washington, [Mrs. LINDA SMITH].

Mrs. LINDA SMITH of Washington. Mr. Chairman, as a member of the Committee on Resources from the beautiful State of Washington, I rise in strong support of this bill. The National Sea Grant College Program is very important to the Pacific Coast, but especially to my district. I want to commend the gentleman from Alaska [Mr. YOUNG] of the Committee on Resources and especially the gentleman from New Jersey [Mr. SAXTON] who is also the bill's sponsor. But never to forget the subcommittee staff because they actually do so much of the work in making sure that the bill works right.

The National Sea Grant program is a network of over 300 colleges, universities and research institutions throughout the country focused on the wise use of marine resources. Literally thousands of coastal communities and small coastal businesses depend on Sea Grant for a wide range of services and for critical, impartial, scientific advice and help. Over half of our Nation's population resides in coastal districts and Sea Grant plays a significant role in improving the lives of our constituents through high-quality competitive research, education and community outreach.

For example, in my home State of Washington, Sea Grant has helped save our State's shellfish industry which is dominated by small family-owned operations. They have done this through the development of a high-quality, year-round triploid oyster. Sea Grant's information on strategic planning and financial management of public ports has been unmatched, in our area at least, and the program's effort in small coastal communities in our area are demonstrating economic and social benefits of waterfront revitalization.

H.R. 437, as reported by the Committee on Resources, makes significant improvements in the program by streamlining the proposed review processes and reducing administration. Now this is capping the overall program costs while still serving the communities, and this is what this Congress is all about, doing it better, balancing the budget and still serving.

I urge all of my colleagues to support this bill, and I again want to thank the chairman for introducing it and for its sponsor.

Mr. ABERCROMBIE. Mr. Chairman I yield such time as he may consume to the gentleman from Michigan [Mr. STUPAK].

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

Mr. STUPAK. Mr. Chairman, I rise in strong support of H.R. 437.

I thank the gentleman from Hawaii for yielding, and would like to congratulate Mr. SAXTON and Mr. AMBERCROMBIE for their leadership on this important issue.

Mr. Chairman, the National Sea Grant College Program plays a vital role in protecting the fragile ecosystem of the Great Lakes. When the National Sea Grant College Program was originally authorized, it directed that funds be used to research aquatic nuisance species in the Great Lakes region. Typically, most of this money has gone toward zebra mussel research and has been successful in stemming the flow of zebra mussel infestation.

As many of you know, the zebra mussel is a nonindigenous species that infiltrated the Great Lakes in the 1980's when it was dispensed with bilge water from a Black Sea cargo ship. Since then, zebra mussels and other aquatic nuisance species have caused substantial damage to water infrastructure systems. A recent Sea Grant survey of Great Lake facilities using surface water showed the cost of battling zebra mussels from 1989–94 was over $120 million, in recent years it is up to $30 million per year.

In addition, a recent study by the Office of Technology Assessment estimates that the power industry alone may spend more than $3 billion over the next 10 years just to control zebra mussel infestation in water intake systems.

Apart from these economic costs, there is evidence that the zebra mussel may disrupt the lower food chain and deplete valuable Great Lake fish stocks. This could severely impact a $4 billion sport and food fishery in the Great Lakes region.

Zebra mussel infestation is not a problem that is only limited to the Great Lakes. The zebra mussel is spreading rapidly across the United States, having been found throughout the Mississippi Valley, the Gulf Coast, the Chesapeake Bay, and in locations as far away as California. In fact, the zebra mussel has now spread to 20 States and continues to spread. To give you an idea how fast zebra mussels multiply, it is possible that one zebra mussel could produce as many as 1 million eggs.

The National Sea Grant College Program's research into aquatic nuisance species is crucial and must be maintained and even enhanced if the spread of these species is to be prevented and controlled. The zebra mussel research is especially important, as lessons learned from this research can be applied to the prevention and control of other aquatic nuisance species.

H.R. 437 continues the Federal Government's commitment to zebra mussel research and to fighting the spread of this aquatic nuisance species, which is more than just a nuisance.

In addition Mr. Chairman, Michigan Sea Grant plays a pivotal role in my district in addressing a wide range of issues that are vital to the Great Lakes. For example, Sea Grant is a leader in developing new approaches for the responsible management of Great Lakes fisheries, working with over 600 seafood processors and fishermen to improve seafood safety, coordinating citizen volunteers in my

district to monitor Great Lakes water quality, and helping State and local governments create new economic opportunities in coastal recreation and tourism, while managing development wisely in an industry whose economic impact on my State now rivals that of automobile production.

My Chairman, I strongly urges the passage of this bill.

Mr. ABERCROMBIE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I want to wish the Chair of the Committee on Science, the gentleman from Wisconsin [Mr. SENSENBRENNER], a happy birthday, and I also want to thank the Chair of the Subcommittee on Fisheries, Conservation, Wildlife and Oceans for his very kind comments on the passing of my father.

Mr. Chairman, we see that there is strong bipartisan support for this effort, and I want to tell Members why. I think that America believes and understands that it may be the land masses of the world that separate the peoples, but it is the oceans that bring us together.

I co-authored the reauthorization of the Sea Grant program basically because I believe it is a great program, one that enables important efforts in marine resource conservation to be properly managed. When we think about our oceans and our coasts and the Great Lakes, they are tremendous resources and of great importance not only to our economy but also to our social and to our cultural vitality. But our population, over half of which lives on 10 percent of the land defined as coastal, puts incredible pressures on these environments. We harvest the fish and other living organisms. We alter the physical environment. We fill in wetlands. We dredge our harbors. We bulkheaded our shorelines. We pollute. We introduce alien species into our ecosystems. We are adding substances to the atmosphere that increases the ultraviolet radiation and alter the globe's climate.

We should see it as a priority to have high-quality, competitive, peer-reviewed science to better understand these dynamic resources, our effects on them, and to propose ways to minimize negative impacts while enhancing economic benefits. Hand in hand with this must come programs to get this information out to the public and user groups with the goal of wise, sustainable use.

For nearly 30 years this is exactly what the Sea Grant program has been doing, and it is doing it in a fiscally responsible way. Federal funding for Sea Grant must be matched by non-Federal contributions. Over half of the funding of Sea Grant programs come from non-Federal sources. Funded at about $50 million annually, we need to support its reauthorization.

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. EHLERS].

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

Mr. EHLERS. Mr. Chairman, I join the gentleman from Maryland [Mr. GILCHREST] in commending and complimenting the chairman and ranking members of these two committees for an excellent bill, and I rise to speak in favor of this bill and encourage my colleagues to support it and vote for it.

Over a hundred years ago this Nation established land grant universities which have served this Nation well. One of their primary purposes was to conduct research in the uses of our land, particularly for agriculture, and today we still have a network of agricultural research which is second to none in the world and which has been of great benefit to the farmers and the citizens of this country.

More than half, in fact considerably more than half, of our planet's surface is occupied by oceans and large lakes, and yet we have devoted far less of our resources to research upon the water ways of this planet than we have to the land of our Nation. The good feature of this bill is that it begins and continues the process of research that we have instituted for the oceans and the Great Lakes. The Great Lakes of this Nation are a valuable resource. They hold more than 90 percent of the fresh water in this Nation and are the primary source of fresh water throughout the world.

Michigan alone has greater shoreline than any other State of the Union other than Alaska. We have over 3,000 miles of shoreline which indicates the importance of aquaculture, fisheries, and things of this sort to the State of Michigan. But research and the science necessary to really maintain the fisheries of this planet and the resources of the Great Lakes has been lacking.

This bill will help continue the research we have begun in places such as Ann Arbor and other resource facilities in the Great Lakes area, but throughout this Nation this bill will provide the funding that is needed to do the research necessary to continue to ensure that our fisheries are adequate to supply the needs of our Nation and of other nations.

A new problem has arisen in the recent past and is also addressed in this bill, and that is the problem of invasive nonindigenous species. A major problem at the moment, of course, is the zebra mussel which is creating havoc in the Great Lakes and is rapidly spreading across this Nation. It is plugging water supply lines to power plants, municipalities, creating problems for boaters, ship owners, and we need a great deal more research in understanding the zebra mussel and other invasive species.

I am very pleased that this bill specifically addresses the zebra mussel problem, and I hope in the future we will be able to increase the funding for the study of invasive species so that we can in fact tackle the problem, reduce the difficulty of dealing with these species in the Great Lakes and in other bodies of water in and upon the shores of this Nation.

It is a good bill, and I urge the support of my colleagues. Vote for it.

Mr. ABERCROMBIE. Mr. Chairman, I believe that the gentleman from New Jersey [Mr. SAXTON] has the duty to close the debate. I have four more speakers. I am not sure whether he has more speakers and how much time is left for him, and I wonder if I might impose upon him to allow our speakers to catch up so that we can conclude properly.

Mr. SAXTON. I have no objection to that, Mr. Chairman.

The CHAIRMAN. The gentleman from Hawaii has 7 minutes remaining.

Mr. ABERCROMBIE. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT]. Other speakers have had more time but, as we know, the gentleman from Ohio, [Mr. TRAFICANT] will be able to conclude his remarks within 1 minute.

Mr. TRAFICANT. Mr. Chairman, I want to commend the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from New Jersey [Mr. SAXTON] for this job, and the gentleman from Hawaii [Mr. ABERCROMBIE] and the gentleman from Indiana [Mr. ROEMER].

Now no parts of the Great Lakes touches my district, and I have no ocean frontage, but I am working on that, and the Congress should know that, and I support this bill, but I will be offering an amendment, and that amendment is very simple and straightforward. If we buy American-made products and an American company continues to have business, an American worker gets a paycheck. From that paycheck we get some taxes, and from those taxes we can provide these grants, and it works for all of us.

So we are going to reach out and touch somebody like the phone service, and I will be offering that amendment, and I would appreciate my colleagues' support. But again I would like to commend both of the committees for the compromises and the efforts they made to bring a good bill that will be helpful to science and research in America.

Mr. ABERCROMBIE. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON of Wisconsin. Mr. Chairman, I join with my other colleagues, especially as a representative of Wisconsin, wishing a happy birthday to my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER].

I rise in strong support today of the National Sea Grants College Program Reauthorization Act as another representative of a Great Lakes district with a wide array of boating and marine interests. I know well the importance of this bill before us. In this bill we are investing, I think, up to $2.8 million next year to research the control of the zebra mussels in the Great

Lakes. For those colleagues who are not familiar, and I am sure many of them are with this devastating problem of nonindigenous species, I can tell them the invasion of zebra mussels has caused a great burden to the Great Lake States in the past decade. The zebra mussel: A mollusk that was carried to the Great Lakes in the late 1980's traveling in the ballast water of European freighters. Here in an environment without a natural predator the mussels spread widely, quickly attaching themselves to any hard surface in sight. They have clogged water intakes of sewer systems, utilities and factories, filling boat holes, covering beaches with their sharp shells. They cause great economic and ecological hardship to our region; I used to live on the Great Lakes and know about them.

Currently there is no answer for this disease. If my colleagues can imagine, every female mussel can produce 30 to 40,000 offspring several times a year, every mussel lives up to 8 years. I know it sounds like a bad horror movie, but the problem is real, and unless we contain the research on this species and how to control it, we expect the zebra mussels to continue to spread to other waters and bring their destruction to other regions.

In this bill we will spend up to $2.8 million to continue the research on the zebra mussel, exploring methods of control, examining how to prevent invasions in the future. If my colleagues think this is a large investment, I ask them to think of businesses all over the Great Lakes which are forced to spend hundreds of thousands of dollars every year to filter and scrape out zebra mussels from their pipes and intake systems.

□ 1245

I hope we will continue our strong support for this vital research.

Part of the reason we have learned much about the zebra mussel is due to this bill and the great Sea Grant College Program. I urge my colleagues to support H.R. 437.

Mr. SAXTON. Mr. Chairman, I have some additional time which I am not going to use; and with the permission of the Chair, I yield 4 minutes of my time to the gentleman from Hawaii [Mr. ABERCROMBIE] for the purposes of control, so that he can dispense it to Members on the other side.

The CHAIRMAN. For the information of the majority, the gentleman from New Jersey has 7½ minutes remaining, and 4 of those minutes, without objection, are yielded to the gentleman from Hawaii [Mr. ABERCROMBIE].

There was no objection.

Mr. ABERCROMBIE. Mr. Chairman, as always, I am very grateful to the gentleman from New Jersey [Mr. SAXTON]. This is in the spirit within which this bill was concluded, and I very much appreciate it.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Mrs. TAUSCHER].

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

I rise to discuss a nonnative aquatic weed which is taking over our Nation's waterways and is rapidly becoming a national problem. While I recognize the extreme threat that other nonnative aquatic species can cause, and the zebra mussel infestation of our Great Lakes and rivers throughout the Midwest is a prime example, I believe we need to begin to focus national attention on directing research funds on controlling and eliminating other nonindigenous aquatic species.

In my State of California we have more nonindigenous species destroying our natural environment than any other State. One of the worst offenders in the San Francisco Bay Delta includes Egeria Densa, a water weed that originates in Brazil and has taken over not only our local waterways but the canals, rivers, lakes, and bays around the country, including the Mississippi River, the Florida Everglades, and the Chesapeake Bay. This weed impacts water quality in the bay by displacing native vegetation and choking the waterways, causing severe damage to boats, loss of recreational area, and a dramatic reduction of the property values along the deltas in my district.

Rooted in the bottom of the delta, this nonnative weed reproduces when fragments of the plant break off and travel with boats or tidal flow to be deposited and then grow in another area. The plant picks up nutrients in the delta and, with the help of the Sun, spreads like wildfire throughout the delta sloughs. In the past several years, this spread has accelerated to the point that I fear any solution may soon be too little too late.

Already there are areas that only a couple of years ago were open for boaters, yet are now completely inundated by this weed. In fact, many areas of the delta are now so full of Egeria Densa that it has turned canals into clogged beds of weeds in which nothing else can compete.

I support this bill because it provides money for research into aquatic nuisance species like Egeria Densa.

Mr. Chairman, I look forward to working with the chairman and ranking members of the Committee on Science and the Committee on Resources on this very important issue in the future. Research is needed to develop an effective and environmentally benign method to eradicate Egeria Densa before it becomes a major epidemic in my delta and around the Nation.

Mr. ABERCROMBIE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan [Ms. STABENOW] to conclude and close out our side of the debate.

Ms. STABENOW. Mr. Chairman, to leaders who have worked so hard on this issue, congratulations to both sides and I appreciate the cooperation of the majority in yielding time for us today.

This is such an important bill to the great State of Michigan, as has already been indicated by my colleague from Grand Rapids, MI, we have more Great Lakes, more wonderful waterways than any other State in the Union. It is incredibly important that the sea grant research project be continued and be strengthened in order to monitor the Great Lakes.

The sea grant has contributed substantially to improving the use of Great Lakes resources and understanding them. For instance, in our State, there has been a great focus, as has been talked about already, on the issue of zebra mussels. There is a very important program that is called the inland lake monitoring program that has helped constituents in my district. We have monitored over 100 lakes and found 45 lakes in which there have been zebra mussels identified.

The inland lakes program that is operated through this grant research project allows citizens to learn important information about how to prevent the spread of zebra mussels, how to identify zebra mussels early in their life. It greatly relates to the ability to swim, to boat, to enjoy the wonderful lakes that we have in Michigan as well as around the country, and it is important that we continue our research so that we can prevent zebra mussels in the long run.

I want to share one other important success story about the Michigan Sea Grant Program that I have not heard discussed today, and that is the development of revival techniques for victims of cold water immersion, which is also a success story of the sea grant research project. With the help of the sea grant research project, people who have been underwater for periods of up to one-half hour are now being successfully revived whereas in the past these people had been given up as a drowning death. With the support of a successful sea grant research project and outreach program, the entire approach to cold water immersion has changed.

We know that there is success story after success story in this research program. It is important for our quality of life; it is important for our ecosystem; it is important for the country that we maintain a vigilant research and outreach project through the national sea grant program. I am very pleased to rise with my colleagues in support of H.R. 437 and urge a strong bipartisan vote today.

Mr. ABERCROMBIE. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

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

I would just like to take a couple of minutes to close the general debate by saying that this is obviously a program that is very important all across the country. Nowhere is it more important than my home State of New Jersey, where a full 10 percent of all of the marine science consortium members are from New Jersey, headed up, of course,

by the sea grant university, Rutgers University. Through these 31 members of the New Jersey marine science consortium, a number of very worthwhile projects have been carried out.

One of the projects is really a project which is at the forefront of development of technology in marine research. That program is known as the LEO 15 project. LEO is an acronym which stands for Long-term Ecosystem Observatory, which is literally an observatory which is stationed several miles off the New Jersey coast in the Atlantic Ocean. And through fiberoptic connection to shore and satellite technology, the data in a real-time situation is collected and transported via fiberoptic and satellite technology to Rutgers University and directly there into schoolrooms and university rooms all across the country. So that on a real-time basis, people can have knowledge of, study, and make use of the data that is collected from the LEO observatory. It is a very worthwhile tool in helping us to understand on an ongoing basis what is happening in the ocean, on the ocean floor, relative to a variety of scientific issues that are important.

In addition to that, we in New Jersey are studying fish recruitment in estuaries, which means essentially how do we enhance fisheries in the breeding grounds and the spawning grounds in our estuaries. We have a variety of projects with regard to water quality and the impacts of sediments in some of our estuarine areas such as Barnegat Bay. We are using a $600,000 sea grant each year to study and try and find the answers to oyster diseases and research in that area. We have a workshop ongoing with regard to environmental sustainability of the marine industry, the marina industry, which essentially is a program to enhance the understanding of environmental issues as they are affected by boaters in marinas and those issues.

We also have an ongoing program in New Jersey on the industrial use of marina biotechnology products. In other words, how can we develop and use products which are friendly to the environment. So these programs which are of vital importance to the future use of the marine estuarine environment are of vital importance, and in each case they are carried out because the sea grant program provides the resources to do so.

So I would like to ask that my colleagues on both sides of the aisle, it would be nice to get a unanimous vote on this. I have heard no objections.

In closing, Mr. Chairman, let me say that this is another example of a Committee on Resources bill emanating from the Subcommittee on Fisheries Conservation, Wildlife and Oceans, which enjoys the bipartisan nature of our good relationships with each other between Republicans and Democrats and Members of the House.

So I ask for everyone to support this very, very worthwhile bill.

Mr. YOUNG of Alaska. Mr. Chairman, H.R. 437 reauthorizes and amends the National Sea Grant College Program Act of 1966. This bill was introduced by JIM SAXTON, and a number of Members, like me, who believe that this has been an effective Federal program.

Sea Grant was established in 1966 in order to improve our Nation's marine resource conservation efforts, to manage those resources more effectively, and to enhance their proper use. The program is patterned after the highly successful Land Grant College Program, which is familiar to many of our noncoastal Members.

For over 30 years, Sea Grant has successfully achieved its goals through a unique combination of research grants, marine advisory services, and education. Alaska's Sea Grant Program has improved our understanding of commercial fish stocks, the factors affecting the size and health of those stock, and the best economic uses for fishery resources. Using this information, we have developed effective management regimes, and we continue to create more jobs with fewer long-term impacts to our fisheries.

Alaska Sea Grant also supports a comprehensive Marine Advisory Service, which has provided industry training programs on topics ranging from marine safety and seafood technology, to business management for fishermen and shoreside support facilities. Through proper training, we ensure that our industries, businesses, and individuals who depend on productive fisheries can continue to do their jobs effectively. Ron Dearborn, who does an excellent job as Director of the Alaska Sea Grant College Program, is serving as president of the Sea Grant Association this year.

Sea Grant is a perfect example of the type of program that we should support. The program produces tangible results and, most importantly, it maximizes immediate and long-range returns by matching Federal investments with State and private funds.

Unfortunately, during the last Congress, the Resources and Science Committees were unable to reach an agreement on reauthorization legislation. I am pleased that this year those disagreements have been resolved, and we are able to bring this compromise text to the floor. This bill is the product of 3 years of hard work and dedication.

Mr. Chairman, it is important that we reauthorize Sea Grant this year, and I compliment Mr. SAXTON for his efforts. This program is important to the State of Alaska, our coastal communities, and every American. Therefore, I strongly urge an ''aye'' vote on H.R. 437.

Mr. CASTLE. Mr. Chairman, I rise in strong support of H.R. 437.

In 1966, Congress established the National Sea Grant College Program in order to encourage the wise stewardship of our marine resources through research, education, outreach, and technology transfer.

Today, there are 29 sea grant programs, one in every coastal State and in Puerto Rico, working in partnership with the National Oceanic and Atmospheric Administration.

Each program has a common goal: To foster the wise use, conservation, and management of marine and coastal resources through practical research, graduate student education, and public service.

The University of Delaware, designated the Nation's ninth sea grant college in 1976, conducts research in marine biotechnology, coastal engineering, environmental studies, fisheries, marine policy, and seafood science—all vitally important to promoting coastal economic growth and improving the quality of coastal environments.

It plays a key role in training graduate students in marine studies and its outreach staff provides a variety of groups, from business owners to school teachers, with a wealth of timely, objective information and assistance in addressing coastal problems and opportunities.

Delaware's Sea Grant Program and others like it across the country are focused on making the United States the world leader in marine research and the sustainable development of marine resources.

I strongly urge my colleagues to support the National Sea Grant College reauthorization and help make that goal a reality.

Mr. LAZIO of New York. Mr. Chairman, I rise to speak in strong support of the National Sea Grant College Program and H.R. 437.

The National Sea Grant College Program is an integrated program of research, education, and extension activities which has consistently proven its value to the taxpayer throughout its nearly 30-year history.

Sea Grant works at the precommercial stage, with a focus on small, family owned businesses, to improve the responsible use and development of our Nation's coastal, marine, and Great Lakes resources.

Sea Grant is unique among university-based programs in that it develops useful information through research geared toward improving economic opportunities and conserving natural resources for future generations.

Federal funding for Sea Grant is highly leveraged by contributions from outside the Federal Government. Almost half the funding for Sea Grant comes from non-Federal sources; investments made by Sea Grant are heavily matched by each of the participating States, as well as by universities and the private sector.

Sea Grant supports high-quality, competitive, peer-reviewed scientific research to address critical marine resource issues and opportunities and, importantly, to deliver the results of that research to constituents through Sea Grant marine extension and education programs.

In my home State of New York, Sea Grant has assisted agencies, municipalities and constituents in understanding both the technical and policy implications of prospective erosion control measures for our coastal communities. On Fire Island in my district, and the Fire Island National Seashore, this research has saved taxpayers needless expenditures on approaches that would not work. Sea Grant has also helped charter fishing operators understand the fishery resources they depend on, and has assisted seafood retailers in maintaining the quality and safety of products they sell to consumers.

I would like to commend my colleagues on the Resources and Science Committees for bringing H.R. 437 to the floor today. This bill makes significant improvements in the Sea Grant Program by streamlining the proposal review process, reducing administrative costs, and clarifying the Federal and university roles in the program. I urge my colleagues to join me in voting for H.R. 437 to make Sea Grant an even better program than the fine one it is today.

Mr. SPENCE. Mr. Chairman, I rise in strong support of H.R. 437, and I want to commend my colleague, Chairman DON YOUNG of the Resources Committee, for his initiative in bringing this important piece of legislation to the floor.

The National Sea Grant College Program is a network of over 300 colleges, universities, technical schools, and research institutions located throughout the country which provide economic opportunities and address real problems associated with our abundant coastal and marine resources. Sea Grant represents a strong university-business-Government partnership that responds to local, regional, and national needs.

Federal funding for the Sea Grant Program is highly leveraged by contributions from outside the Federal Government. Almost half of the funding for Sea Grant comes from matching grants funds from research institutions. In South Carolina, Sea Grant funds are often used as seed money to leverage funding from other Federal, State, local, and private sources.

For example, the Sea Grant Program in South Carolina is part of a nationwide network of university campuses and marine laboratories involved with Operation Pathfinder, an educational initiative involving the National Oceanic and Atmospheric Administration, the U.S. Navy, and the U.S. Department of the Interior to train elementary and middle-school teachers in multidisciplinary skills in oceanography and coastal processes.

Of grave importance, Mr. Chairman, is the fact that South Carolina and other Southeastern and Gulf States are subject to a number of hurricanes and coastal storms annually. Risks to life and property associated with these coastal natural hazards will increase with the anticipated growth of coastal populations in this region over the next several decades, from 36 million people currently to over 73 million by the year 2010. According to the Insurance Institute for Property Loss Reduction, these storms cost an estimated $58 billion in insured losses attributable to wind alone, with total insured losses produced by Hurricane Hugo, Andrew, Iniki, and the winter storms of 1993 and 1994 of $42.7 billion. The Sea Grant Program in South Carolina has initiated a coordinated research and extension program on coastal natural hazards which seeks to mitigate and reduce the amount of damage and subsequent monetary loss to property owners and the insurance industry. Examples of such efforts include research and development of low-cost, structural retrofit strategies for homeowners, development of a vulnerability mode for use by emergency management personnel to predict storm damage and cleanup needs, the formation of a South Carolina Association for Hazard Mitigation, and the development of a Community Sustainability Center as an educational and training facility for schools, planning and building code officials, and hazards engineers.

H.R. 437 makes significant improvements in the Sea Grant Program. It streamlines the proposal review process, reduces administrative costs, caps the total program costs below the current services level, and clarifies Federal and academic roles in the program.

I would urge my colleagues to recognize and acknowledge the many contributions to the Nation's economic development and resource management made by the National Sea Grant College Program over the last 30 years by voting in support of this important bill.

Mr. CUNNINGHAM. Mr. Chairman, I rise in strong support of the National Sea Grant College Program Reauthorization Act of 1997, H.R. 437.

My home State of California is home to the largest Sea Grant Program in the Nation. The California Sea Grant College system is a statewide, multiuniversity program of marine research, extension services, and education. Through the research it sponsors, California Sea Grant contributes to the growing body of knowledge about our coastal and ocean resources and helps solve contemporary problems in marine ecosystems. Its extension services transfer this knowledge to a wide community of users in California, the Pacific region, and the Nation.

Since the beginning of the Sea Grant Program in 1968, California has become a leader in Marine Biology and the development of new products in the areas of marine pharmacology, aquaculture, fisheries, water quality, coastal habitat, and ocean engineering. The universities participating in this program are known for their leadership and accomplishments in the study of our oceans. We in San Diego are particularly proud of the work done at Scripps Institute of Oceanography, a part of the University of California at San Diego. Scripps has achieved global recognition for its pioneering work in oceanography, due in no small part to the Sea Grant Program.

Almost everyone living in southern California is affected by the management of our oceans for jobs, recreation, goods and services. The top seven ocean related industries in California generated nearly $20 billion in direct and indirect economic activity, supporting nearly 500,000 jobs. However, the preservation and study of our oceans is important not only to those who live in California or along the coasts but to the Nation as a whole.

I encourage all of my colleagues to join me in supporting this program by voting for H.R. 437.

Mr. HOYER. Mr. Chairman, I rise today in support of H.R. 437, the Marine Resources Revitalization Act of 1997 and I want to commend both the Resources and Science Committees for reaching a compromise on this very important bill. We have needed to reauthorize the National Sea Grant Program since October 1995 and I applaud Representatives SAXTON, YOUNG, ABERCROMBIE, and FARR on their leadership.

As a member from a coastal district, I am acutely aware of the problems of the coastal marine environment, and of the excellent work of the Sea Grant Program to address these problems. I remain a supporter of Sea Grant's peer-reviewed research, education, and outreach programs that deal with problems in Maryland such as oyster disease and chemical contaminants in coastal waters.

Established in 1966 to improve the conservation, management, and utilization of ocean and coastal resources, the Sea Grant College Program has been a national leader in conducting scientifically based marine research and distributing the results to hundreds of universities throughout the country. The University of Maryland, located in my district in College Park, is 1 of 26 designated Sea Grant Colleges and is a national leader on living marine and estuarine resources research.

Mr. Chairman, the Chesapeake Bay is arguably the world's greatest estuary and offers the scientific community one of the most abundant and important places to conduct research. Over the past several years, the oyster population has become increasingly threatened by diseases such as MSX and Dermo, and Sea Grant has been leading the way on the Oyster Disease Research Program which is providing a better understanding of shellfish disease.

Today, Sea Grant continues to provide scientific data and analysis which are used in efforts to prevent oyster parasites from developing. I will support H.R. 437, which will authorize the program through fiscal year 2000, and continue to support appropriations for Sea Grant. The Chesapeake Bay is one of Maryland's greatest natural assets, and in my continued efforts to protect, preserve, and promote this magnificent resource, I will remain a strong supporter of the University of Maryland's work with the National Sea Grant Program.

Mr. Chairman, I encourage my colleagues to support this legislation to reauthorize this very important environmental program.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise today in support of this bill, which would fully reauthorize a program that has been vital to our Nation's oceanic industries.

The Sea Grant Program was established in 1966 to improve our Nation's marine resource conservation and management efforts, and is modeled after the very successful Land Grant College Program.

The fishing industry in the Pacific Northwest produces about 55 percent of the Nation's seafood, and is a critical component of many coastal economies in my State. The Oregon Sea Grant Program has been highly successful in its research and marine extension programs, which are oriented toward this industry.

One example of its research activities involves the utilization of seafood wastes. Few people realize that between 30 and 40 percent of the seafood raw material is actually used in food products, while most of the remaining material typically goes to waste. The Oregon Sea Grant Program helps fund research which examines the potential for using some of this waste material in products such as fishmeal and bioactive products including enzymes. These efforts have spawned new, multimillion dollar industries in the Pacific Northwest. Researchers are also studying ways to remove bioactive components of seafood waste water to save money for both processors, municipalities, and customers.

The Oregon program has also been very successful in assisting fishing dependent families adapt to the changing industry conditions, and has been a major force in the development of the Pacific Whiting Industry in Oregon. In addition, the Sea Grant Program is also involved in State and local efforts to restore severely degraded salmon and watershed habitats.

Other programs around the Nation, working closely with industries, have developed new aquaculture techniques, designed improved coastal planning schemes, created new methods of saving cold-water drowning victims, and created a comprehensive data base on toxic contaminants in an aquatic system. And again, I want to stress that the benefits of Sea Grant extend beyond the applied commercial and environmental effects. This university program has been instrumental in educating future generations of researchers in the techniques and nuances of marine science.

These successes clearly warrant support for fully funding the program at levels consistent with those in recent years, as this bill authorizes.

I am convinced that these and many other basic research programs are wise investments in the Nation's economic future. We now have more than anecdotal evidence that research pays off handsomely for our economy over time, but it also pays off by significantly improving our quality of life. Scientists have been doing more with less in recent years. These advancements of efficiency should be commended and continued. However, we must continue to acknowledge the invaluable responsibilities shouldered by our research communities, especially on university campuses. We must maintain strong support for important scientific investigations and for the education of students across the science, math and engineering disciplines.

I urge my colleagues to join me in support of this legislation.

Mr. FORBES. Mr. Chairman, I rise today in strong support of H.R. 437, a bill to reauthorize the National Sea Grant College Program within the National Oceanic and Atmospheric Administration [NOAA].

In New York, the Sea Grant Program, based at the University of Stony Brook on Long Island, has been a vital force in finding answers to critical coastal issues that affect New York's fishing and tourism industries. Stony Brook's Sea Grant supports more than 20 scientific research projects annually and has provided more than $25.3 million in support of research, education, and outreach projects since its formation more than 25 years ago.

Over the past 4 years, Stony Brook's Sea Grant Program has focused a great deal on the causes of periodic outbreaks of brown tide algae in Long Island's coastal waters, particularly on the East End and in the Great South and Moriches Bays. In fact, the Federal Coastal Ocean Program [COP], under NOAA, has awarded $1.5 million in grants to researchers studying the brown tide algae blooms that have plagued the waters of Long Island's East End and South Shore. Administering the Sea Grant Program at Stony Brook, the 3-year Brown Tide Research Initiative [BTRI] is a coordinated effort by nationally recognized experts at eight universities and research institutions, including the University at Stony Brook.

The National Sea Grant Program is a network of 29 university-based programs located in States with coastlines on either oceans or the Great Lakes. In New York, the Sea Grant Program is a joint operation between the State University of New York at Stony Brook and Cornell University. New York Sea Grant conducts important research into the forces of coastal erosion, providing invaluable insight for beach protection programs.

The national investment in the Sea Grant Program is a tremendously wise one, and not solely from an ecological standpoint. Financially, the program works. Every Federal dollar is matched by $2 in State, local, and university resources. Though outmatched by other sources, it is the Federal investment that acts as the program's catalyst, attracting much-needed support from other, diverse sources.

The Brown Tide Research Program undertaken at Stony Brook, is just one example of how the National Sea Grant College Program works, but it is indicative of the collaborative effort and broad commitment that is the program's hallmark. It is the model for public, private, and university partnerships that pool resources, facilities, and brain power to tackle a serious problem that no single entity is capable of addressing.

In the long run, an alliance like the New York Sea Grant Program at Stony Brook will save Long Island taxpayers' money, while conducting important scientific research that ultimately solves the problems that afflict our most important industries: fishing and tourism.

Therefore, I urge my colleagues to vote in support of H.R. 437 and in support of the Sea Grant Program that serves as a model for all public programs because of its ability to work smarter and more efficiently for its customers, the American people.

The CHAIRMAN. All time for general debate has expired.

The amendment in the nature of a substitute printed in the designated place in the CONGRESSIONAL RECORD and numbered 1 shall be considered by section as an original bill for the purpose of amendment, and pursuant to the rule, each section is considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Sea Grant College Program Reauthorization Act of 1997''.

Mr. SENSENBRENNER. Mr. Chairman, I ask unanimous consent that the remainder of the amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of the amendment in the nature of a substitute is as follows:

SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

(a) SEA GRANT INSTITUTION.—Section 203 (33 U.S.C. 1122) is amended by adding at the end the following new paragraph:

''(16) The term 'sea grant institution' means—

''(A) any sea grant college or sea grant regional consortium, and

''(B) any institution of higher education, institute, laboratory, or State or local agency conducting a sea grant program with amounts provided under this Act.''.

(b) FIELD RELATED TO OCEAN, COASTAL, AND GREAT LAKES RESOURCES.—Section 203(4) (33 U.S.C. 1122(4)) is amended to read as follows:

''(4) The term 'field related to ocean, coastal, and Great Lakes resources' means any discipline or field, including marine affairs, resource management, technology, education, or science, which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources.''.

(c) SECRETARY.—

(1) IN GENERAL.—Section 203(13) (33 U.S.C. 1122(13)) is amended to read as follows:

''(13) The term 'Secretary' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.''.

(2) CONFORMING AMENDMENTS.—The Act is amended—

(A) by striking section 203(15) (33 U.S.C. 1122(15));

(B) in section 209(b) (33 U.S.C. 1128(b)), as amended by this Act, by striking '', the Under Secretary,''; and

(C) by striking ''Under Secretary'' every other place it appears and inserting ''Secretary''.

SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLANNING GUIDELINES AND PRIORITIES AND EVALUATION.

Section 204(a) (33 U.S.C. 1123(a)) is amended in the last sentence by inserting after ''The Secretary'' the following: '', in consultation with the sea grant institutions and the panel established under section 209,''.

SEC. 5. DUTIES OF DIRECTOR.

Section 204(c) (33 U.S.C. 1123(c)) is amended to read as follows:

''(c) DUTIES OF DIRECTOR.—

''(1) IN GENERAL.—The Director shall administer the National Sea Grant College Program subject to the supervision of the Secretary. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

''(A) advise the Secretary with respect to the expertise and capabilities which are available within or through the National Sea Grant College Program, and provide (as directed by the Secretary) those which are or could be of use to other offices and activities within the Administration;

''(B) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the National Sea Grant College Program, on a cooperative or other basis;

''(C) encourage cooperation and coordination with other Federal programs concerned with ocean, coastal, and Great Lakes resources conservation and usage;

''(D) advise the Secretary on the designation of sea grant institutions and, in appropriate cases, if any, on the termination or suspension of any such designation;

''(E) encourage the formation and growth of sea grant programs; and

''(F) oversee the operation of the National Sea Grant Office established under subsection (a).

''(2) DUTIES WITH RESPECT TO SEA GRANT INSTITUTIONS.—With respect to the sea grant institutions, the Director shall—

''(A) evaluate the programs of the institutions, using the guidelines and priorities established by the Secretary under subsection (a), to ensure that the objective set forth in section 202(b) is achieved;

''(B) subject to the availability of appropriations, allocate funding among the sea grant institutions so as to—

''(i) promote healthy competition among those institutions,

''(ii) promote successful implementation of the programs developed by the institutions under subsection (e), and

''(iii) to the maximum extent consistent with the other provisions of this subparagraph, provide a stable base of funding for the institutions; and

''(C) ensure compliance by the institutions with the guidelines for merit review published pursuant to section 207(b)(2).''.

SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.

Section 204 (33 U.S.C. 1123) is amended by adding at the end the following new subsection:

''(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—Subject to any regulations or guidelines promulgated by the Secretary, it shall

be the responsibility of each sea grant institution to—

''(1) develop and implement, in consultation with the Secretary and the panel established under section 209, a program that is consistent with the guidelines and priorities developed under section 204(a); and

''(2) conduct merit review of all applications for project grants or contracts to be awarded under section 205.''.

SEC. 7. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.

(a) REPEAL.—Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

(b) CONFORMING AMENDMENT.—Section 209(b)(1) (33 U.S.C. 1128(b)(1)) is amended by striking ''and section 3 of the Sea Grant Program Improvement Act of 1976''.

SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.

Section 207 (33 U.S.C. 1126) is amended to read as follows:

''SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

''(a) DESIGNATION.—The Secretary may designate an institution of higher learning as a sea grant college, and an association or alliance of two or more persons as a sea grant regional consortium, if the institution, association, or alliance—

''(1) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources;

''(2) will cooperate with other sea grant institutions and other persons to solve problems or meet needs relating to ocean, coastal, and Great Lakes resources;

''(3) will act in accordance with such guidelines as are prescribed under subsection (b)(2);

''(4) meets such other qualifications as the Secretary, in consultation with the sea grant review panel established under section 209, considers necessary or appropriate; and

''(5) is recognized for excellence in marine resources development and science.

''(b) REGULATIONS AND GUIDELINES.—

''(1) IN GENERAL.—The Secretary shall by regulation prescribe the qualifications required to be met under subsection (a)(4).

''(2) MERIT REVIEW.—Within 6 months after the date of enactment of the National Sea Grant College Program Reauthorization Act of 1997, the Secretary, after consultation with the sea grant institutions, shall establish guidelines for the conduct of merit review by the sea grant institutions of project proposals for grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for peer review of all research projects and require standardized documentation of all peer review.

''(c) SUSPENSION OR TERMINATION OF DESIGNATION.—The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a).''.

SEC. 9. AUTHORIZATIONS OF APPROPRIATIONS.

(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Section 212(a) (33 U.S.C. 1131(a)) is amended to read as follows:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

''(A) $54,300,000 for fiscal year 1998;

''(B) $55,400,000 for fiscal year 1999; and

''(C) $56,500,000 for fiscal year 2000.

''(2) ZEBRA MUSSEL AND OYSTER DISEASE RESEARCH.—Of the amount authorized for a fiscal year under paragraph (1)—

''(A) up to $2,800,000 of the amount may be made available as provided in section 1301(b)(4)(A) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4741(b)(4)(A)) for competitive grants for university research on the zebra mussel; and

''(B) up to $2,000,000 of the amount may be made available for competitive grants for university research on oyster disease.''.

(b) ADMINISTRATION.—Section 212(b) (33 U.S.C. 1131(b)) is amended—

(1) by striking so much as precedes paragraph (2) and inserting the following:

''(b) ADMINISTRATION.—

''(1) LIMITATION.—Of the amount appropriated for each fiscal year under subsection (a), an amount, not exceeding 5 percent of the lesser of the amount authorized under subsection (a) for the fiscal year or the amount appropriated under subsection (a) for the fiscal year, may be used for the administration of this Act, including section 209, by the National Sea Grant Office and the Administration.'';

(2) in paragraph (2)—

(A) by striking ''subsections (a) and (c)'' and inserting ''subsection (a)''; and

(B) by striking ''(2)'' and inserting ''(2) LIMITATION ON USE OF OTHER AMOUNTS.—''; and

(3) by moving paragraph (2) 2 ems to the right, so that the left margin of paragraph (2) is aligned with the left margin of paragraph (1), as amended by paragraph (1) of this subsection.

(c) REPEAL.—Section 212 (33 U.S.C. 1131) is amended by repealing subsection (c) and redesignating subsections (d) and (e) in order as subsections (c) and (d).

(d) PROHIBITION ON LOBBYING; NOTICE OF REPROGRAMMING OR REORGANIZATION.—Section 212 (33 U.S.C. 1131), as amended by subsection (c) of this section, is further amended by adding at the end the following:

''(e) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by this section shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

''(f) NOTICE OF REPROGRAMMING.—If any funds authorized by this section are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(g) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Resources, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the National Sea Grant College Program.''.

SEC. 10. CLERICAL, CONFORMING, AND TECHNICAL AMENDMENTS.

(a) CLERICAL AMENDMENTS.—

(1) Section 203(3) (33 U.S.C. 1122(3)) is amended by striking ''the term'' and inserting ''The term''.

(2) Section 203(6) (33 U.S.C. 1122(6)) is amended by moving subparagraph (F) 2 ems to the right, so that the left margin of subparagraph (F) is aligned with the left margin of subparagraph (E).

(3) The heading for section 204 (33 U.S.C. 1124) is amended to read as follows:

''SEC. 204. NATIONAL SEA GRANT COLLEGE PROGRAM.''.

(4) Section 209 (33 U.S.C. 1128) is amended by striking all of the matter that follows the first full sentence through ''shall advise'', and inserting ''(b) DUTIES.—The panel shall advise''.

(5) Section 205(b)(3) (33 U.S.C. 1124(b)(3)) is amended by striking ''or section 206''.

(6) Section 204(d)(1) (33 U.S.C. 1123(d)(1)) is amended—

(A) by striking ''five positions'' and inserting ''one position''; and

(B) by striking ''the maximum rate for GS–18 of the General Schedule under section 5332'' and inserting ''a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376''.

(b) CONFORMING AMENDMENTS.—

(1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is amended by striking ''maximum rate for GS–18'' and all that follows through the end of the sentence and inserting ''maximum rate payable under section 5376 of title 5, United States Code.''.

(2) Section 209 (33 U.S.C. 1128) is amended—

(A) in subsection (b)(3) by striking ''colleges and sea grant regional consortia'' and inserting ''institutions''; and

(B) in subsection (c)(1) in the last sentence in clause (A) by striking ''college, sea grant regional consortium,'' and inserting ''institution''.

(c) TECHNICAL AMENDMENT.—Section 209(c)(5)(A) (33 U.S.C. 1128(c)(5)(A)) is amended by striking ''the daily rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code'' and inserting ''a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code''.

AMENDMENT OFFERED BY MR. FARR OF CALIFORNIA

Mr. FARR of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARR of California:

Page 6, beginning at line 16, amend section 7 to read as follows:

SEC. 7. SEA GRANT INTERNATIONAL PROGRAM.

(a) AMENDMENT.—Section 3(a) of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a(a)) is amended in paragraph (6), by striking ''living marine resources'' and all that follows through the end of the paragraph and inserting ''living marine resources.''.

(b) PROGRAM SUNSET.—

(1) REPEAL.—Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

(2) CONFORMING AMENDMENT.—Section 209(b)(1) (33 U.S.C. 1128(b)(1)) is amended by striking ''and section 3 of the Sea Grant Program Improvement Act of 1976''.

(3) EFFECTIVE DATE.—This subsection shall take effect October 1, 2000.

Mr. FARR of California. Mr. Chairman, I offer this amendment which essentially maintains the Sea Grant International Program authorization without limitation on the countries with which we can collaborate through the year 2000.

We are now becoming more and more aware of how our oceans and Great Lakes are truly international. We just heard of the issue of the zebra mussels which obviously is not just a United States issue, it is a Canadian issue. The very nature of the marine environment dictates that ocean resources are seldom, if ever, conveniently contained within one nation's boundaries.

On May 19 and 20 of this year, the gentleman from Pennsylvania [Mr. WELDON] hosted an advisory committee on the protection of the seas here in this Capitol. I attended that with Vice President AL GORE, with the Speaker of the House, the gentleman from Georgia [Mr. GINGRICH]; Secretary of Defense, William Cohen; Secretary of the Navy, John Dalton; and fellow Representatives including the gentleman from Maryland [Mr. GILCHREST], the gentleman from Rhode Island [Mr. KENNEDY], the gentleman from California [Mr. BROWN], the gentleman from California [Mr. ROHRABACHER]; the gentleman from New Jersey [Mr. SAXTON], and others, as well as representatives from agencies and countries from around the world. We were all here to discuss the importance of oceans in the world's security.

□ 1200

We must recognize that the need for international collaboration and conservation is indeed international, and our goal is of sustainable efforts. My amendment would extend the authorization through the year 2000, with the hope that in the intervening years we will dedicate money to this program and revisit it in the 3 years to judge whether it has merit.

It also opens up the program to be used to collaborate with any country which we believe would be advantageous to us to work with for marine resources issues. I want to make it clear that this program provides for international collaboration on research, education, and conservation, and that funding is only allowed to go to institutions of higher education, laboratories, and institutes in the United States and U.S. territories.

I will be glad to answer any questions on my amendment. I know of no opposition, and I would ask for an ''aye'' vote.

Mr. Chairman, I include for the RECORD the following document:

ANNEX IV

POTOMAC DECLARATION: TOWARD ENHANCED OCEAN SECURITY INTO THE THIRD MILLENIUM

The Vice-President of the United States of America, Hon. Al Gore; Speaker of the House of Representatives, Newt Gingrich; Deputy Prime Minister and Minister of National Defence of Portugal, Senhor Antonio Vitorino; Executive Director of the United Nations Environment Programme (UNEP), Ms. Elizabeth Dowdeswell; Assistant Secretary General of the United Nations, Dr. Nay Htun; 215 governmental and other participants from Australia, Belgium, Brazil, Cambodia, Canada, China, Colombia, Costa Rica, Croatia, Denmark, India, Japan, Korea, Mexico, Mozambique, Netherlands, New Zealand, Norway, Philippines, Portugal, Russian Federation, the Seychelles, South Africa, Sweden, Thailand, Ukraine, United Kingdom and the United States of America, including 18 ministers and deputy ministers; representatives of the following intergovernmental organisations: United Nations; UNEP; United Nations Development Programme (UNDP); the World Bank; the International Oceanographic Commission (IOC) of UNESCO; the Organisation of American States (OAS); and the Commission of the European Union; as well as members of the European Parliament and legislatures from Brazil, Philippines, and the United States; representatives of ACOPS and other non-governmental organisations (NGOs); and representatives of the scientific community and private sector adopted the following Declaration:

THE CONFERENCE

Recognising that:

Continuing intensification of human activity in coastal and marine areas will adversely affect marine and coastal ecosystems world-wide and threatens the well-being of the human population. The natural resource base of world fisheries is threatened by over exploitation, habitat degradation, introduction of alien species and loss of biological diversity. Human security is threatened by unsustainable food production, increased public health hazards and unemployment, which may contribute to escalating human conflicts. Humans themselves have entered into conflict with the very environment which supports them. It is vital to take immediate action to strengthen environmental security if global human security is to be sustained;

Climate change threatens to affect ocean levels and temperature, the land and peoples living in low elevation coastal regions, and species dependent on oceans and land touched by oceans. The oceans play an essential role in the planet's climate, though the mechanisms are poorly understood; and

Sustainable development, including conservation of the marine environment, can actually increase environmental, food and economic security and therefore provide a foundation for political security.

Recommended that:

1. Policies and action by all economic and social sectors adversely affecting the marine environment and resources should be made compatible with sustainable development in order to promote environmental, food and economic security, and to prevent conflicts over natural resources between and within states. Consciousness of the fact that poverty is a root cause of environmental problems must guide policy making. Wasteful consumption patterns must also be addressed.

2. Management of marine and coastal ecosystems, carried out within the framework of integrated coastal and watershed areas management and responsible fisheries, should be based on the full application of the precautionary principle and ecosystem approach, thus achieving the conservation and sustainable use of biological diversity and its components in marine and coastal ecosystems.

3. Scientific research should be increasingly directed towards the understanding of the marine and coastal ecosystems thus providing a basis for policies and action for their conservation and sustainable use. Such research would profit from greater and improved access to data which has been declassified or derived from national security systems, and should include use of innovative techniques for measurement of basic parameters. The possibilities of satellite monitoring of the marine environment should be exploited to the full.

4. International cooperation for the protection of the marine environment and the sustainable use of marine resources must be expanded following the framework of active implementation of the United Nations Law of the Sea Convention, and other relevant conventions and agreements in the fields of environment, fisheries and marine transport, among others. All governments that have not done so, should ratify UNCLOS, as amended in 1994, given that it is an historical international agreement which establishes global maritime boundaries and provides a framework for balancing governance of marine resources, conservation, and traditional freedoms of navigation for trade and naval movements. Binding agreements such as the Convention on Biological Diversity and the Framework Convention on Climate Change should also be ratified by all governments as soon as possible. Moreover, initiatives such as the Global Plan of Action for the Protection of the Marine Environment from Land-based Sources and the International Coral Reef Initiative, should also be actively supported. Degradation of the marine environment, not yet covered by international agreements, such as the problems posed by hazardous organic substances, should be addressed as soon as possible in an integrated manner. Regional cooperation for the protection of the marine environment and sustainable fisheries should be strengthened and coordinated.

5. It is of paramount importance to deepen our current understanding of the root causes of the environmental issues in terms of market failures, inadequacies in policy and governance, and deficiencies in information. A profound interdisciplinary study, bridging social and physical sciences and integrating seas and associated land catchment areas, is required at a national, regional and global level. This should lead to practical measures to address the root causes of the problems themselves. Initiatives such as the recently proposed GEF Global International Water Assessment (GIWA) should be supported.

6. In order to preserve the availability and health of the world's fisheries, effective conservation measures based on the FAO Code of Conduct of Responsible Fishing and the UN Agreement on Straddling Fish Stocks and Highly Migratory Fish, should be put into place. Harvesting capacities should be controlled, management institutions established, fish habitat protected and the necessary scientific knowledge and data pursued. Major efforts should be made to strengthen decision making in regional fisheries organizations or arrangements.

7. Data gathering systems should be put in to place so that the information and knowledge is available for wise decision-making, especially in the coastal zones. These observation systems should be used to ensure continuous benefit. Governments should actively support global oceanic observation systems at a national, regional and global level. Scientific research and information should be directed towards wise decision-making in marine and coastal areas.

8. The end of the cold war and diminution of the risk of global conflict has opened up new possibilities for utilizing national security systems formerly devoted to military activities for peaceful purposes and, in particular, for enhancing the capacity for environmental protection and for sustainable development. The military establishment should share with other societal sectors its enormous scientific and technological capabilities in order to improve our understanding of the functioning of the coastal and marine ecosystems, a condition to enhance environmental security of marine and coastal areas. Each nation should initiate a review of their sensitive data and information, as pioneered by Russia and the US, for declassification and use in diagnosing environmental problems and expanding our knowledge base.

9. Environmental considerations should be incorporated into all sectors of government, while empowering environmental ministries to actively promote this development. Civil society should also be empowered through greater access to environmental information and more active participation in decision-

making. This is of particular relevance for local communities which have traditionally inhabited coastal zones and made use of marine resources.

10. Concerted national and international efforts should be undertaken to introduce environmental studies into all levels of formal school curricula at a global level, in order to eliminate environmental illiteracy, increase environmental awareness, and promote deeper environmental ethics. Up-to-date scientific knowledge about the oceans should be popularised and disseminated to the public both through formal education and creative communication channels such as arts, music, and multi-media. In support of this effort, the year 2000 should be declared as the ''Year of Environmental Awareness'' by the UN General Assembly at its forthcoming Special Session.

11. Efforts should be directed at national, regional, and global levels for mitigation and adaptation to global climate change, as it is likely to threaten the lives and livelihood of millions of people via sea-level rise, changes in ocean salinity, temperature, and production of fisheries and other aquatic life. Climate change affects the economic, environmental and food security of nations. Therefore multilateral and bilateral cooperation should be enhanced to reduce the negative effects of climate change.

12. Given the urgent and imperative need to fully implement the above recommendations, a concrete action plan should be developed to elaborate problems and root causes, and to propose specific actions by ACOPS, and to recommend appropriate organisations and parties to bear responsibility for the implementation of the measures. Such an action plan could be presented to the ACOPS/GLOBE Conference (Stockholm, January 1998) and could be adopted at its ministerial segment. The Conference will inaugurate the 1998 International Year of the Oceans.

13. The Potomac Declaration should be submitted, through the host country, to: the Special Session of the General Assembly of the United Nations, to be held in June 1997; to appropriate United Nations Agencies and regional organisations, including regional economic integration communities; appropriate government agencies; legislative bodies, including GLOBE, Asia Pacific Parliamentarians for Environment and Development, and the International Parliamentary Union; appropriate representatives of the private sector; and local authorities and non-governmental organisations.

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

Mr. Chairman, the Farr amendment will maintain authorization of the Sea Grant International Program which promotes shared marine activities in nations which have mutual interest with the United States.

As we all know, the world is 70 percent covered with water, and the oceans and their resources recognize no political boundaries. It is helpful to our national interests to have a mechanism through which we can collaborate with other coastal nations on research that will ultimately affect all of us, so I believe the Farr amendment is well-intended, well-written, and I rise in support, and ask others on this side of the aisle to support his amendment as well.

Mr. ABERCROMBIE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I also rise in support of the Farr amendment.

The CHAIRMAN. Is there further debate on the amendment?

If not, the question is on the amendment offered by the gentleman from California [Mr. FARR].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

AMENDMENT OFFERED BY MR. TAUZIN

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

The Clerk read as follows:

Amendment offered by Mr. TAUZIN:

Page 8, strike line 24 and all that follows through page 9, line 3, and insert the following:

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

''(A) $55,300,000 for fiscal year 1998;

''(B) $56,400,000 for fiscal year 1999; and

''(C) $57,500,000 for fiscal year 2000.

Page 9, line 4, strike ''DISEASE''.

Page 9, strike lines 14 though 16 and insert the following:

''(B) up to $3,000,000 of the amount may be made available for competitive grants for university research on oyster diseases and oyster-related human health risks.''.

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

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

There was no objection.

Mr. TAUZIN. Mr. Chairman, the amendment I offer today is an amendment to provide authority for up to $3 million of the amount that may be available for competitive grants for university research on oyster diseases and oyster-related human health risks.

Oysters are an important national resource in America. They are a safe and nutritional meat protein that provides many benefits to those who enjoy eating them. Of course, millions are consumed each year. But research into health-related aspects of oyster growing and harvesting and sales and consumption in America is very important.

Earlier this year the President called for the national food safety initiative. The proposal we make today is consistent with the President's approach of developing positive and practical solutions to improve food safety. The program brings the Sea Grant scientists and the oyster industry together to find solutions to concerns related to oysters' health and particularly to diseases that might be related to humans, who enjoy eating oysters in America.

This amendment provides for an increased authorization of $1 million in each of the fiscal years 1998, 1999, and the year 2000, and the authority to make available those moneys for competitive grants at Sea Grant universities around the country.

Sea Grant universities are currently in fact doing a great deal of work in this area. This amendment is meant to make sure that not only the oyster diseases are studied but oyster-related health concerns to humans who enjoy oyster products in America are also studied and, indeed, identified, and taken care of in this country.

I urge the committee to adopt this amendment. It is very much in line with the excellent work the Sea Grant College Program authorization has already accomplished in many areas, and will compliment the work already being done by many Sea Grant universities in this country in this important health and food safety area.

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

I rise to compliment the gentleman from Louisiana for a very well thought out amendment, Mr. Chairman. Obviously New Jersey's Sea Grant Program involves some research relative to oysters. This is a side of the aisle, different but equally important angle. I offer my strong support and ask others to do the same.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have no opposition to the amendment offered by the gentleman from Louisiana [Mr. TAUZIN]. We are all oyster lovers.

The CHAIRMAN. Is there any further debate on the amendment?

The question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of the bill, insert the following new section:

SEC. 11. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated pursuant to section 212(a), as amended by this Act, may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under section 212(a), as amended by this Act, it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under section 212(a), as amended by this Act, the Secretary of Commerce shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

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

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

There was no objection.

Mr. TRAFICANT. Mr. Chairman, I too am concerned about zebra mussels and oyster diseases. I certainly wish and hope that I never get any of them.

My amendment is a little bit different. It deals with a buy-American

provision. Just briefly, 90 percent of American workers, according to an analysis performed by the Philadelphia Inquirer, 90 percent, by major print media, it says that 90 percent of American workers are worried about losing their jobs, their homes, and maybe their pensions. They have never seen so much fear in the workplace.

They also said for every $1 of income there is $2 of debt for American workers. Individual bankruptcies hit an all-time record, an all-time record level. Credit card debt is at an all-time level, manufacturing jobs continue to leave, and the trade deficit with Japan and China is so much we cannot count it.

So my amendment basically says when expending the dollars under this Sea Grant Program, they shall comply with the buy-American laws and do everything possible competitively to buy American-made goods and products, and there shall be a notice made to recipients of assistance of the concerns of Congress, and their encouragement of them to buy American.

Mr. Chairman, I ask for an ''aye'' vote on the amendment.

The CHAIRMAN. Is there any further debate on the amendment?

If not, the question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

AMENDMENT OFFERED BY MR. SHADEGG

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

The Clerk read as follows:

Amendment offered by Mr. SHADEGG:

At the end of the amendment, add the following new tile:

TITLE II—GOVERNMENT SHUTDOWN PREVENTION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Government Shutdown Prevention Act''.

SEC. 202. CONTINUING FUNDING.

(a) IN GENERAL.—If any regular appropriation bill for fiscal year 1998 does not become law prior to the beginning of fiscal year 1998 or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any program, project, or activity for which funds were provided in fiscal year 1997.

(b) LEVEL OF FUNDING.—Appropriations and funds made available, and authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be at 100 percent of the rate of operations that was provided for the program, project, or activity in fiscal year 1997 in the corresponding regular appropriation Act for fiscal year 1997.

(c) PERIOD OF AVAILABILITY.—Appropriations and funds made available, and authority granted, for fiscal year 1998 pursuant to this title for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

(1) the date on which the applicable regular appropriation bill for fiscal year 1998 becomes law (whether or not that law provides for that program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be; or

(2) the last day of fiscal year 1998.

SEC. 203. TERMS AND CONDITIONS.

(a) IN GENERAL—An appropriation of funds made available, or authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be made available to the extent and in the manner which would be provided by the pertinent appropriations Act for fiscal year 1997, including all of the terms and conditions and the apportionment schedule imposed with respect to the appropriation made or funds made available for fiscal year 1997 or authority granted for the program, project, or activity under current law.

(b) EXTENT AND MANNER.—Appropriations made by this title shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 204. COVERAGE.

Appropriations and funds made available, and authority granted, for any program, project, or activity for fiscal year 1998 pursuant to this title shall cover all obligations or expenditures incurred for that program, project, or activity during the portion of fiscal year 1998 for which this title applies to that program, project, or activity.

SEC. 205. EXPENDITURES.

Expenditures made for a program, project, or activity for fiscal year 1998 pursuant to this title shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of fiscal year 1998 providing for that program, project, or activity for that period becomes law.

SEC. 206. INITIATING OR RESUMING A PROGRAM, PROJECT, OR ACTIVITY.

No appropriation or funds made available or authority granted pursuant to this title shall be used to initiate or resume any program, project, or activity for which appropriations, funds, or other authority were not available during fiscal year 1997.

SEC. 207. PROTECTION OF OTHER OBLIGATIONS.

Nothing in this title shall be construed to effect Government obligations mandated by other law, including obligations with respect to Social Security, Medicare, Medicaid, and veterans benefits.

SEC. 208. DEFINITION.

In this title, the term ''regular appropriation bill'' means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of programs, projects, and activities:

(1) Agriculture, rural development, and related agencies programs.

(2) The Departments of Commerce, Justice, and State, the Judiciary, and related agencies.

(3) The Department of Defense.

(4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

(6) The Departments of Veterans Affairs, Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

(7) Energy and water development.

(8) Foreign assistance and related programs.

(9) The Department of the Interior and related agencies.

(10) Military construction.

(11) The Department of Transportation and related agencies.

(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

(13) The Legislative Branch.

Before section 1, insert the following:

TITLE I—NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION

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

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

There was no objection.

POINT OF ORDER

Mr. FARR of California. Mr. Chairman, I object that this amendment is not germane to the bill.

The CHAIRMAN. Does the gentleman from California [Mr. FARR] reserve his point of order, or is the gentleman from California making his point of order at this time?

Mr. FARR of California. Mr. Chairman, I raise a point of order on the amendment.

The CHAIRMAN. The gentleman makes a point of order that the amendment is not germane.

Does the gentleman from Arizona [Mr. SHADEGG] wish to be heard on the point of order?

Mr. SHADEGG. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Arizona [Mr. SHADEGG] is recognized on the point of order.

Mr. SHADEGG. Mr. Chairman, it seems to me this is in fact very germane. It has to do with the operations of the Federal Government. It is clear to me we do not need to see another Federal Government shutdown. It is important that we take steps now to ensure that Federal employees not lose their jobs, and that we not go through that scenario again.

This is a proposal to assure the American people that we do not once again face the prospect of shutting down the Government, and to assure that neither side blackmails the other to ensure or to force increased spending. It seems to me that is germane to this measure. It seems to me it will place this Congress and the U.S. Government in the position that we all agree it should be in.

The President has said that we should never again shut down the Government. He made that statement both in January, twice in January, and once again in March of this year. This measure, I believe, is germane in that it assures that Federal employees, veterans, Social Security recipients, all of those who depend upon the services of the Federal Government, would not lose their jobs.

In addition, Mr. Chairman, it assures that we will not face a situation where one side can blackmail the other side into increasing more spending. It is identical to the provision which was offered by the gentleman from Pennsylvania [Mr. GEKAS] last week, and it takes important steps that this Government needs to take to assure that

operations continue when we reach the end of the fiscal year.

It seems to me that if that is not germane to this legislation and the operations of this Government, then it ought to be germane and it ought to be allowed to have a vote at this particular time. I would urge that it is germane, I would urge that it is important that we make it clear to the people of America that we will not ever again shut down the Government, nor will we allow one side to threaten the other side in a blackmail.

It is quite evident that the President wants to use the threat of a shutdown in this Congress in order to force increased spending. I think that is inappropriate. This is a proposal offered by the gentleman from Pennsylvania [Mr. GEKAS] to accomplish a very important task for this Nation. It seems to me essential that we act upon it and that we act upon it now.

Whether we send it to the President as a freestanding bill or we send it to the President attached to this measure, it is important that we assure all of those who rely upon Government services that spending will continue, that certain minimal services will be preserved.

It is also important for those who pay the tax bill that we not allow spending to get out of hand, and that we not allow one side to blackmail the other into spending more money with the threat of a Government shutdown hanging over our heads. It seems to me clearly germane to this issue and very important that we act on this, and that we act on it now. What we were seeking to do last year was serious.

Mr. FARR of California. Mr. Chairman, I call for regular order and a point of order. This is an authorization bill, not an appropriations bill.

Mr. GEKAS. Point of order, Mr. Chairman.

Mr. FARR of California. It has to do with sea grants.

The CHAIRMAN. The Members will suspend.

The gentleman from Arizona [Mr. SHADEGG] should confine his remarks simply to the question of the point of order. With that admonition, the gentleman may proceed.

Mr. GEKAS. Point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. GEKAS] wish to be heard on the germaneness point of order?

Mr. GEKAS. Yes, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman, we have had a recurring battle over the years as to whether or not this type of amendment would be germane to a subject like the one that is presently on the floor. We are trying to convince the Parliamentarian and the Speaker's office that when we talk about a matter that has to do with a continuation of Government, to prevent shutdown of Government by a transition type of mechanism that we are constantly proposing, that we are, in effect, allowing this measure today to actually go into effect, because if we do have to shut down Government, then this measure and all its sister measures will be of no avail. They will be of no force, because during the shutdown of Government they will go out of existence.

That is why we say that a motion, an amendment that would continue Government, prevent Government shutdown, facilitates this legislation, the subject matter that is on the floor here. Although it has to do with perhaps a budget concept, the very existence of the agency that would be promulgating and continuing the work of the subject matter of this would be in jeopardy if the Government shuts down. That is why we feel this is germane.

The CHAIRMAN. If no other Member desires to argue on the point of order, the Chair is prepared to rule.

Does the gentleman from California [Mr. FARR] simply wish to submit the issue to the Chair with respect to germaneness?

Mr. FARR of California. I do, Mr. Chairman.

The CHAIRMAN. The amendment involves legislative jurisdictions and subject matters, to wit, appropriations, beyond those in the pending bill, and pursues purposes different from those pursued in the bill. The amendment is not germane. The point of order is sustained.

□ 1215

Are there further amendments to the bill?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PEASE) having resumed the chair, Mr. ROGAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 437) to reauthorize the National Sea Grant College Program Act, and for other purposes, pursuant to House Resolution 164, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SAXTON. 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 422, nays 3, not voting 9, as follows:

[Roll No. 208]

YEAS—422

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham

LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
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
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
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 (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
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—3

Hefley
Paul
Taylor (MS)

NOT VOTING—9

Andrews
Barton
Largent
Lipinski
Miller (CA)
Pombo
Schiff
Smith (MI)
Smith (NJ)

□ 1236

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 437, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. SMITH of Michigan. Mr. Speaker, on rollcall No. 208, I was unavoidably detained. Had I been present, I would have voted ''yes.''

THE JOURNAL

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 5 of rule I, the pending business is the question of 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. GUTKNECHT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 366, noes 50, not voting 18, as follows:

[Roll No. 209]

AYES—366

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

NOES—50

Abercrombie
Borski
Brown (CA)
Brown (OH)
Chenoweth
Clay
Coburn
Davis (IL)
DeFazio
English
Ensign
Etheridge
Fazio
Filner
Fox
Frost
Gephardt
Gibbons
Hastings (FL)
Hefley
Hilleary
Hilliard
Hulshof
Kelly
Kucinich
Lewis (GA)
LoBiondo
Maloney (NY)
McDermott
McNulty
Metcalf
Ney
Oberstar
Pascrell
Pickett
Poshard
Ramstad
Sabo
Schaffer, Bob
Smith, Linda
Solomon
Stearns
Stupak
Sununu
Taylor (MS)
Thompson
Tiahrt
Wamp
Waters
Weller

NOT VOTING—18

Andrews
Armey
Barton
Burr
Fawell
Gekas
Gordon
Hill
Largent
Lewis (CA)
Lipinski
Lucas
Miller (CA)
Murtha
Pombo
Schiff
Smith (NJ)
Walsh

□ 1254

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, on rollcall votes No. 204, 205, and 206 I was unavoidably detained. Had I been present, I would have voted ''yes'' on rollcall No. 204, ''yes'' on rollcall No. 205, and ''yes'' on rollcall No. 206.

GOP TAX RELIEF PLAN PUTS MIDDLE-INCOME FAMILIES FIRST

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

Mr. KINGSTON. Mr. Speaker, the Democrats today seem to be characteristically void of facts and rich in rhetoric in their deliveries of one-minutes.

Under the Republican tax bill, the income level of $75,000 per household or less than $75,0000 is going to get 76 percent of the tax relief. Families with incomes over $200,000 get 1.2 percent. I do not understand how they can say that is giving more taxes to the wealthy.

Mr. Speaker, in 1992 the President ran on the platform of middle-class tax cuts but instead, as President, in 1993 passed the largest tax increase in history, including the largest-ever increase in welfare. But after a lot of debate, welfare was reformed. Today the number of dependents, people who are dependent on government, has decreased by 15 percent. Yet, the President wants to expand welfare and not give middle-class tax relief.

What I am saying is he wants to give a $500-per-child tax credit to people who are on welfare and not give it to 11 million middle-class children who need the money very, very desperately for school and education and shelter.

Mr. Speaker, I include for the RECORD this information from the Committee on Ways and Means:

The following table shows the amount of tax relief received by people of various income categories over a 5-year period, according to data provided by the Joint Committee on Taxation.

Income level	Tax relief	Percent of tax relief
Under $75,000	−$89.0 billion	76.4
$75,000 to $100,000	−19.3 billion	16.6
$100,000 to $200,000	−6.7 billion	5.8
$200,000+	1.4 billion	1.2

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members are recognized for 5 minutes each:

THE DETROIT NEWSPAPER STRIKE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, from grocery stores in Kansas City to casinos in Las Vegas, from the strawberry fields in California to the K-Mart stores in North Carolina, to the poultry workers who are working across the South, working people across this country are speaking out for justice, and unions are their voices.

There is something special that is happening in the country that a lot of the media is missing. Working people's wages and benefits have been eroding now since 1979. Eighty percent of the American people have only gotten 2 percent of the income increases since 1979, and they are finding out that what made the middle class and what made people strong in this country during the 1940's and the 1950's was joining together and banding together so they could get a decent reward and wage for their work.

This weekend, we will again hear those strong voices loud and clear from Detroit. At least 50,000 workers, their families, and supporters are expected to participate in Action Motown '97, which is a mobilization solidarity for the Detroit community, locked out newspaper workers, and union members.

I am going to be there, and we will be speaking out to workers, to the labor movement in our community and against the management of the Detroit News and Free Press. The News and Free Press have locked out nearly 2,000 hard-working men and women since February of this year, and these workers sought to resolve a 2-year labor dispute by unconditionally offering to return to work.

How were they treated when they tried to jump-start contract talks and tried to return to work? They were locked out, replaced and told to go home.

□ 1300

It is clear to me that the News and the Free Press are willing to lose millions of dollars in an attempt to break the unions. How clear is it? Their combined circulation is down 286,000 readers. Despite huge ad rate discounts, 1,500 advertisers have stayed away from the papers, causing a 24-percent dip in advertising revenue.

Yet the most startling fact is not statistics but a quote made 1 month after the newspaper workers took a stand for justice by Detroit News editor and publisher Robert Giles. He said, ''We're going to hire a whole new work force and go on without unions, or they can surrender unconditionally and salvage what they can.''

Does that sound like someone who is willing to bargain in good faith? Despite a 1994 Free Press editorial, which stated, ''The U.S. Senate should approve a bill that would prohibit companies from hiring permanent replacements for striking workers. The right to strike is essential if workers are to gain and preserve wages.''

That was the Free Press in 1994. It seems clear that the hiring of permanent nonunion replacement workers has been a newspaper goal all along, because the Free Press does not practice what it preaches. The Free Press and its editor Joe Stroud reneged on their editorial and took a gutless way out, turning their backs on these workers. This is what they said in an editorial that was written in an about-face in 1995, and I quote. They said, ''We intend to exercise our legal right to hire replacement workers.''

I think Cardinal Adam J. Maida of Detroit best put it when he said, ''The hiring of permanent replacement workers is not an acceptable solution. If striking workers are threatened with being permanently replaced, this practice seems to undermine the legitimate purpose of the union and to destroy the possibility of collective bargaining.''

The News and the Free Press are owned by two of the biggest conglomerates in the world, Gannett and Knight-Ridder, who have deep pockets and are willing to lose millions of dollars to set an example in Detroit. They are trying to break the backs of unions and deprive 2,000 workers of their jobs and their families of sustenance. Their actions are unfair, they are unjust, they are illegal, and we will be marching as we marched in Decatur for workers in that city, as we marched for strawberry workers in California. We will be in Detroit because many of our parents and grandparents fought too hard and too long for the gains that unions have made, for the 40-hour workweek, for pensions, for health care benefits, you name it.

I could go on for 10 minutes here with all the things that unions have brought America, not just people who belong to unions. Those benefits benefited everybody in our society. Now they are being taken away one by one, piece by piece by conglomerates and multinationals like Knight-Ridder and Gannett. We are going to be there, I encourage everyone to be there, I encourage everyone to join Action! Motown '97 this weekend.

The SPEAKER pro tempore (Mr. CHAMBLISS). Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

[Mr. GEKAS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

RESOLUTION APOLOGIZING FOR SLAVERY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. HALL] is recognized for 5 minutes.

Mr. HALL of Ohio. Mr. Speaker, last week, I introduced House Concurrent Resolution 96. This is a resolution that apologizes for slavery in the United States. It is rather simple. It is only one sentence long. Let me read it:

Resolved by the House of Representatives that the Congress apologizes to African-

Americans whose ancestors suffered as slaves under the Constitution and the laws of the United States until 1865.

That is simply what it says. It is a very simple idea. The Congress apologizes. It is a powerful message.

When a brother wrongs a brother, he apologizes. That is the foundation for beginning again. That is the price for restoring lost trust. This is the only way to start over. It is a simple gesture. It carries deep meaning. And it is the right thing to do.

When an institution wrongs a people, so it is again the right thing to do. In the name of all Catholics, Pope John Paul II apologized for violence during the 16th century Counter-Reformation and he asked for forgiveness.

Forty years after the Holocaust, the legislature of East Germany apologized for the atrocities committed against the Jews.

Just last month, British Prime Minister Tony Blair apologized for the failure of his country to fully respond to the thousands of deaths during the Irish potato famine of the mid-19th century.

It has been 134 years since slavery ended. Since that time, Congress has taken proud strides forward, done some wonderful things, including civil rights laws. But it is not enough.

Look around. The effects still linger today. Through my work as chairman of the former House Select Committee on Hunger and through my efforts to improve the lives of America's poor, I have seen the effects firsthand. We as a nation must do more. This is not a political gesture, it is not a partisan gesture, it is a very simple gesture and it certainly is the right thing.

The slaves and slave holders are long gone. No one alive today is responsible for slavery. No one alive today was shackled by the chains of slavery in America. Indeed, most Americans are the descendants of people who came to the United States after slavery ended.

All of us today, white and black, live in the shadow of our past. African-Americans today still suffer from the lingering effects. We all pay the price of slavery.

The hatred and racial divisions springing from slavery are very much alive. Let us take this step to bury that hatred with the bones of the slaves and the slave holders.

No Member of Congress today voted on measures to perpetuate slavery. But the Congress as an institution does bear responsibility. The laws we passed ignored, even encouraged slavery. Our Constitution, the foundation for the Congress, and our Government even declared at one time that a black man was only three-fifths of a person.

Congress is a great institution. It is the most respected deliberative body in the world. At least three times in recent years, Congress formally apologized.

In 1988, it apologized to the Japanese-Americans who were interned in the United States during World War II.

In 1993, Congress offered a formal apology to native Hawaiians for the role the United States and U.S. citizens played in the overthrow of the government of the Kingdom of Hawaii 100 years earlier.

In 1990, Congress apologized to uranium miners, people affected by nuclear tests in Nevada, and their families.

An apology by Congress is rare, it is special, but it is not without precedence. Apologizing is symbolic, but it has a great meaning for those who are apologizing and it has power for those who are wronged.

Why apologize to just African-Americans for slavery? What about all the other people who have been wronged by laws passed by the Congress? The wrongs against African-Americans are clear to everyone. The consequences are severe. Maybe we have wronged others. Maybe an apology to them is due. I do not know. That is another issue. I do know that we need to apologize to African-Americans.

Many people have told me that apologizing is an empty, meaningless gesture. If it was so meaningless, why has the resolution erupted a fire storm of controversy throughout this Nation? If apologizing were so easy, then why is this resolution so difficult?

No, it is not easy to apologize. It is the right thing to do. Today 134 years later, it is not too late, but let us wait no longer. We are a nation of immigrants. Those who came as free men went in one direction. Those who came from slave ships, another. If we are to travel towards a common future, we owe it to our children to clearly mark that the early fork in the road was the wrong way.

This is a simple resolution. It simply reads:

Resolved by the House of Representatives that the Congress apologizes to African-Americans whose ancestors suffered as slaves under the Constitution and laws of the United States until 1865.

Mr. CLAY. Mr. Speaker, there is only one thing worse than committing an injustice. There is perhaps only one thing that makes a mistake last forever, and that Mr. Speaker is the failure to offer an apology and to ask for forgiveness. We cannot make amends to our ancestors who were slaves. We cannot right all the wrongs of the past which have contributed to racism and economic injustice. But, we can say that this Nation is very sorry for the saddest chapter in its history.

One of the most profound changes in the history of this society occurred more than 100 years ago. The Civil War rocked the roots of this Nation. The war tested the resolve of the American people to form a more perfect union. It brought an end to slavery—the curse that robbed thousands of Americans of their basic human rights and sabotaged the fundamental premise of equality to which every person is entitled.

The end of slavery in the 19th century and the establishment of the Civil Rights Act in the 20th century were turning points in the history of this Nation. Now, as we approach the 21st century it is time to move further ahead in our quest for a truly democratic society.

On Saturday, President Clinton gave a major address on the race problem that plagues our Nation. In this spirit we embrace the Resolution to Apologize for Slavery. May we begin now to chart the next course toward the achievement of a truly equal, truly colorblind society.

Mr. Speaker, I join other colleagues in cosponsoring the House concurrent resolution to apologize to all African-Americans whose ancestors suffered as slaves. This apology is long overdue, but it is never too late to do what is right.

TRIBUTE TO GEORGE ''MARV'' TEAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado, Mr. BOB SCHAFFER, is recognized for 5 minutes.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise to recognize the life and work of Mr. George ''Marv'' Teal. Marv was born July 4, 1943, to Genevieve O'Brien Teal, while his father, George Vincent Teal, served in the Philippines during World War II. As a boy he thought it was wonderful that the city threw him a big birthday party each year with a parade and fireworks. George was tagged with the nickname ''Marv'' in high school and it stuck with him throughout his life.

Marv died May 21, 1997 in Greeley, CO, where he and his family settled 15 years ago. He was laid to rest at Fort Logan National Cemetery in Denver on May 27, 1997. He was married to Kathy for 29 years. Together they raised three children: A son, George Patrick Teal who is a first lieutenant in the U.S. Army serving as a special projects officer. He has two daughters, Suellen and Kathleen, who are both computer technologists. He also has a granddaughter Laurel, who will be 2 in August. Marv and Kathy raised a lovely family and supported many community activities.

A staunch Republican, he spent many years in leadership roles as precinct chairman, district captain, Weld County vice chairman, county and State assembly delegate, and of course as delegate to the Colorado Fourth Congressional District. He also served as election judge and canvass board member. He contributed his efforts to individual campaigns over the years and was an effective strategist helpful in planning the time lines necessary for the success of those campaigns. George was always to be seen at late night committee meetings, at county and State assemblies and at busy intersections waving campaign signs. There was never a time when a call for help went unheeded. There was also never a time when he expected to be recognized for his efforts. Marv did what he did out of principle. Many people have been influenced by this wise, experienced man. He knew the secret of multiplying his influence by encouraging others of like mind to take leadership in the public realm.

Marv was a quiet man, respectful of others, slow to anger and quick to forgive. He loved reading, flying, computer programming, and bicycling. His proudest accomplishments were of course his children. His son George followed through on the love of country Marv tried to instill by serving in the military and his daughters both followed his love of computers.

That was in fact Marv's first love. After graduating from St. Francis High School in Wheaton, IL, in 1961, he attended a technical school specializing in computer programming. Having his daughters become adept computer specialists was a definite source of fatherly pride. Marv came back to the computer field toward the end of his working career after spending many years in sales.

As a young man Marv was drafted into the Army in 1965 during the first big draft of the Vietnam war. He felt privileged to serve his country as his father and his grandfather had done before him, and he thought it was his patriotic duty. He excelled in turbine generator school at Fort Belvoir, VA, graduating first in his class. He never got to use his mechanics training, though, because he was never sent to Vietnam. Instead he served out the rest of his time in Fort Campbell, KY as a company clerk, supply officer, and finished his last 9 months of service in his favorite duty, as a military policeman.

Marv spent the rest of his life focused on his wife, children, and community. For 10 years he and Kathy were team leaders for World Wide Marriage Encounter weekends for the Catholic church. They were privileged to coordinate more than 60 weekends to help couples make their good marriages into great committed relationships. Marv and Kathy facilitated marriage preparation classes for their church. Marv was also instrumental in forming the Rite of Christian Initiative for Adults at St. Mary's Parish in Greeley. He demonstrated his love of teaching and for young people as a confirmation teacher for 9 years. He was also a board member of Habitat for Humanity and Citizens for Responsible Government.

Marv understood the meaning of the grassroots political process and exemplified it daily. It is people like Marv who contribute to the greatness of America, the behind-the-scenes hard work essential to our communities and the makeup of the character of this great Nation. I am privileged to have known him and experience the results of his efforts. They will not go unappreciated. His memory and the influence he had on us and our Nation will far outlive his life. Each time we celebrate our independence and the freedoms we too often take for granted, we need to remember the contributions of people like Marv.

Mr. Speaker, I would like to submit for the RECORD a short poem that Marv considered his statement of his life's philosophy and indeed it was the best description of his life as a devoted father, a husband, and American.

DESIDERATA

(By Max Ehrmann)

Go placidly amid the noise and haste, and remember what peace there may be in silence. As far as possible without surrender be on good terms with all persons. Speak your truth quietly and clearly; and listen to others, even the dull and ignorant; they too have their story. Avoid loud and aggressive persons, they are vexations of the spirit.

If you compare yourself with others, you may become vain and bitter; for there will always be greater and lesser persons than yourself.

Enjoy your achievements as well as your plans. Keep interested in your own career, however humble; it is a real possession in the changing fortunes of time.

Exercise caution in your business affairs; for the world is full of trickery. But let this not blind you to what virtue there is; many persons strive for high ideals; and everywhere life is full of heroism.

Be yourself. Especially do not feign affection. Neither be cynical about love; for in the face of all aridity and disenchantment it is as perennial as the grass.

Take kindly the counsel of the years, gracefully surrending the things of youth.

Nurture strength of spirit to shield you in sudden misfortune. But do not distress yourself with dark imaginings. Many fears are born of fatigue and loneliness.

Beyond a wholesome discipline, be gentle with yourself. You are a child of the universe, no less than the trees and the stars; you have a right to be here. And whether or not it is clear to you, no doubt the universe is unfolding as it should.

Therefore be at peace with God, whatever you conceive Him to be, and whatever your labors and aspirations, in the noisy confusion of life keep peace with your soul.

With all its sham, drudgery, and broken dreams, it is still a beautiful world. Be cheerful. Strive to be happy.

ONGOING TOBACCO INDUSTRY NEGOTIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. WAXMAN] is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker, the negotiations that are going on at the present time with the tobacco industry, they are requesting that they be excused from punitive damages.

I want to point out to my colleagues that the tobacco industry for 4 decades has misled and deceived the American people about their product. They have lied to the Congress, and they have kept documents secret. Last week we revealed documents that had not been public before from the Liggett Tobacco Co. where they had an attorney-client privilege to try to keep these documents from the public where they knew about a safer cigarette but did not want to make a safer cigarette because their lawyers said that would mean that the cigarette they were already making was unsafe and they would be presumably admitting that.

□ 1315

They refused to turn over to medical people information about the harm from cigarettes because they were fearful of the liability that might attach to them.

Now those documents are simply the tip of the iceberg. There are over 150,000 documents that have claimed to be attorney client privilege. The attorney client privilege will not shield documents if there is fraud or criminal conduct involved, and I believe that if these documents become public, they may well lead to criminal charges being brought.

One of the reasons the tobacco industry is so anxious for a settlement is that one of the terms of their settlement is that these documents would be kept secret forever.

Now if these documents became public, we would know whether there ought to be punitive damages in some of these lawsuits. How can we agree in any negotiation to excuse the tobacco industry from punitive damages without knowing all the facts?

So I would hope that those people that are sitting down and discussing what might be a recommendation to the Congress for settlement of a lot of these issues regarding tobacco will not recommend to us to excuse and forgive the tobacco companies for any actions they may have undertaken that would amount to punitive damages before we know fully what actions they have been engaged in. What we do know is that for four decades they have acted in a way that we would never accept from any other business or corporation in this country. They have manufactured a product and sold it knowing it is harmful and claiming the contrary to be true. They have sold a product that is addictive, and they knew that to be the case, and they denied it. They were targeting our kids, and then they denied it. What are punitive damages all about except to punish people who have acted wrongly? And if the tobacco industry has not acted wrongly in these last four decades, what industry could possibly be accused of acting more wrongly?

I hope they do not come back and recommend to us that we forgive the tobacco industry for their wrongdoing and not hold them accountable if in fact punitive damages are warranted.

GIVE TAX RELIEF TO THE PEOPLE PAYING THE TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. CUNNINGHAM] is recognized for 5 minutes.

Mr. CUNNINGHAM. Mr. Speaker, we have legislation coming before this body that would give tax relief back to the American people.

My father took home 85 percent of his paycheck. My daughters are scheduled to take home 10 percent of their

paycheck at the current spending and the current tax rate on the American people. My brother takes home today only about 45 percent of his paycheck. This is not a legacy that we want to leave to our children. In the tax relief balanced budget plan that is coming before this body this body gives back 97 percent of tax relief to those earning less than $100,000.

Mr. Speaker, $100,000 is a lot of money for a lot of people, but it also gives 72 percent of the tax relief for families earning between $20,000 and $75,000. Our colleagues on the other side, there are those that voted against a balanced budget, those who voted against welfare reform. What we call the liberal faction and leadership of the Democrat Party would say that we are giving only a tax break for the rich. If you take a look at Karl Marx's Communist manifesto, the class warfare, the ideals of union from control of private property right on down the line is class warfare and controlling the American people. What we are trying to do is give tax relief to the American people that are paying taxes.

We went through a pretty violent debate in this body on welfare reform, but yet my colleagues on the other side that support a socialist model for this country would have us believe that people that do not pay any taxes should get back tax relief. Well, we had a welfare reform package. What this package does is the hard-working people that are projected to only get 10 percent of their dollars in their paycheck have some tax relief, and that is is what is focused.

If we take a look at Japan, 1 in 11 workers works for the government; in France, 1 in 4. Now you see what kind of government that was elected in France over these last few weeks. France is controlled now by the socialists and the Communists that support big government and control of private property and on down the line. When they talk about Mr. Sweeney and the AFL–CIO, who do they represent? They represent government workers, and I would tell Mr. Sweeney that if he would support the Government officials and government workers necessary to do the legitimate works of the Constitution and this country, he would find a lot of Republican support. But to go out and fight for additional power for bigger government, for higher taxes, he is going to meet resistance.

And my colleagues on the other side just do not get the message that we want lower taxes on the American people to stimulate growth, to put dollars in their pocket, not the Federal Government. If we take a look at the legitimate functions of this country, then we supply the workers to do that, then I think we can come up with tax relief for all. Ninety-seven percent, 97 percent of the tax relief, goes to families earning less than $100,000; 72 percent less than $75,000, down to $20,000, and those that do not get or pay taxes do not get tax relief. That is a form of welfare. They get all of the other benefits from the Federal Government, but yet the burden of those people trying to send their children to school, trying to put food on the table, trying to do the things that you and I and every other American wants to do is being stymied by an oversized government, by overtaxes and regulation.

That is what this bill does, Mr. Speaker. It gives tax relief back to the American people that are paying the taxes, not nonpaying tax.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

[Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 5 minutes.

[Mr. GEJDENSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

[Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. LEVIN] is recognized for 5 minutes.

[Mr. LEVIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Washington [Mrs. LINDA SMITH] is recognized for 5 minutes.

[Mrs. LINDA SMITH of Washington addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. QUINN] is recognized for 5 minutes.

[Mr. QUINN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. WYNN] is recognized for 5 minutes.

[Mr. WYNN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 5 minutes.

[Mr. NEUMANN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TAX RELIEF FOR THOSE WHO NEED IT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, a comprehensive tax bill says a lot about what the priorities of our Nation are, what the values of our Nation are, in the same way that achieving a balanced budget agreement talks about who we are. The devil, if you will, is in the details, in that one has to take a look at how these concepts translate into actuality, and they determine in large measure of what our priorities and what our values are. They do not exist just by themselves.

When you look into it, whether it is a balanced budget agreement or when you look into the tax cut package, you get a sense of what the priorities and values of this country are, and we have to be clear about what those values are as a Congress and as a nation.

American middle-class families, people who are working hard, playing by the rules, are looking at the various tax proposals that are on the table at the moment and they are in fact wondering ''Who is on my side?''

The tax proposal that has been made by the Republican majority says to the American public that they are on the side of the wealthiest Americans. Under the Republican bill, over half of the tax benefits go to 5 percent of Americans, those who are making over $247,000 a year. An additional quarter of the tax cuts go to families making between $75,000 and $250,000 a year. That means that the rest of the American people have to share what is left over. Under the Republican plan, the 80 percent of Americans at the lowest end of the income scale receive less than 20 percent of the tax benefits. This is simply wrong.

Democrats have proposed an alternative tax package whose benefits are targeted directly to working middle-class families. The message from the Democratic side of the aisle is that we are on their side, the message to working families today. These are just not my words. I might add that there have been a number of newspaper accounts in the last several days that comment on the Republican tax proposal.

The Philadelphia Inquirer says, and this is Thursday, June 12: ''Bill Archer's Gift Horse: The Congressman's

tax cut plan looks good now, but in the long term only the rich will benefit. Average Americans would be the biggest winners, says U.S. Representative BILL ARCHER. Under his new tax cut plan, he has got a tax breakout there that shows three-quarters of tax relief going to households that earn less than $75,000 a year. Quote, sounds nice, but it is bogus. What he unveiled this week ought to be called the Tax Relief of the Money Class Act,'' end quote.

The New York Times, June 11, 1997, describes the tax cut plan proposed by the Republican majority as a favor-the-rich tax plan. It says that the tax writing committee has come up with a proposal that barely eases the strain on middle-class families while showering the rich with benefits. To finance cuts in capital gains and inheritance taxes, Mr. ARCHER has held tax benefits for others at a minimum level.

The Washington Post, June 11: ''A bad tax bill gets worse,'' with the same kind of commentary.

The point is that we do have an opportunity with wanting to provide tax relief for working middle-class families today, and it would appear that the tax cut proposal by the Republican majority is not one that in fact meets the needs of working middle-class families, and in fact that the Democratic alternative looks at education tax cuts, looks at child care tax cuts, looks at a child care dependent tax credit that helps working families today, that focuses a capital gains tax cuts at small businesses, small farmers as well as the estate tax or inheritance tax, or, as my colleagues want to say, the death tax, which provides specifically targeted tax cuts at small farmers, small businesses, and provides the opportunity for those, in fact, who are working and, as I said, playing by the rules, to have the opportunity to get some tax relief.

It would be wonderful if we could provide everyone with tax relief. The 5 percent of the wealthiest Americans in this country at this time do not need to have the opportunity for that relief in the same way that working families do today.

ELIMINATING BURIAL RIGHTS FOR DEATH PENALTY CONVICTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. KNOLLENBERG] is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Speaker, I rise today to introduce legislation that strikes at the very heart of our Nation. It saddens me to rise and offer this today, but it is the right thing to do for the veterans of our country who have given too much for us.

The most heinous domestic terrorist act ever committed ripped apart the insides of our Nation. I am referring to the Oklahoma City bombing, which will always be ingrained in our hearts, our minds, and our souls. Yet, after speaking with veterans and military leaders, we have found out that the criminal who committed this dastardly act which killed 168 people, many of whom were innocent children, can receive, I repeat can receive, the military honor of burial, the military honor of burial in a veterans' cemetery after he receives the death penalty sentence.

Mr. Speaker, I and several of my colleagues have introduced legislation to make sure McVeigh, and other death penalty convicts like him, cannot receive the honors that our fallen heroes have deserved and have been granted. Our Nation's veterans cemeteries are a sacred ground. They are a solemn and sad reminder of the price our Nation has had to pay for the freedom that we enjoy every day. While veterans who commit certain criminal offenses forfeit their benefits, McVeigh could have still received them and received burial at Arlington National Cemetery.

Mr. Speaker, we could not allow that to happen. Too many people whose lives were taken in the name of freedom made the ultimate sacrifice for us. They are placed in that sacred ground. It is not fitting to allow the likes of Timothy McVeigh in their company.

I ask my colleagues to join my effort and cosponsor my bill, and all Members on both sides of the aisle, to eliminate these burial rights for death penalty convicts.

H.R. 100, THE GUAM COMMONWEALTH ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, today is June 19, 1997 here in the U.S. mainland, but on Guam it is June 20. June 20 is the 99th anniversary of the arrival of the first Americans on Guam in the capacity of bringing U.S. Government to the Island of Guam. On June 20, 1898, Captain Glass led three ships into Apra Harbor in Guam and he proceeded to fire some shots, as part of the Spanish-American War. He fired some shots at an abandoned fort. He did not know that the fort had long since been abandoned.

The Spanish authorities, not really even knowing that there was a Spanish-American War, sent out a small delegation of boats to ironically apologize for not being able to return what they assumed was a naval salute, announcing the arrival of the American ships.

Now, since the arrival of Captain Glass and subsequently, the next day on June 21, 1898, the party landed actually on Guam, raised the American standard and secured a surrender from Captain Marina and the Spanish troops and some Chamorros, native Chamorros who were also part of a Spanish militia, the militia was disbanded and Captain Glass sailed away with the understanding that Guam was now part of the emerging American empire. This became formally a part of the instrument of the Treaty of Paris, which ended the Spanish-American War.

In the intervening 99 years, the political status of Guam remains a matter of some interest here in Washington DC, but of vital concern to the people I represent. These 99 years has been a time period where we have endured a Japanese occupation during World War II, where we endured a government by naval officials and under the Department of the Navy; we also endured civilian governors that were selected by the President and only as late as 1970 were the people of Guam granted the authority to elect their own governor.

But in this intervening 99 years we have not had a process to resolve our political status. We have had 99 years with no process for the final act of self-determination for the people of Guam, and we have had 99 years of a lack of resolution about what Guam's future is within the context of the American family, or perhaps even beyond the American family.

It is for this reason that I have introduced H.R. 100 in this Congress, and of course H.R. 100 is numbered in honor of the 100th anniversary of the taking of Guam by U.S. authorities, which will be commemorated and celebrated next year in 1998.

My bill, my commonwealth bill, represents the thinking of the people of Guam about not only the new level of political autonomy they wish to reach within the American family, but also a process, outlines a clear and defined process for how Guam's final political self-determination would be carried out and would be finally consummated.

Guam deserves this, not only because they have been loyal U.S. citizens, but because it is in the American national interests to do so. Guam not only continues to remain a vital strategic part of America's forward presence in Asia, Guam also, the challenges that are presented by territories to the American family is to perfect American democracy in those areas that are not really represented by the Stars and Stripes.

So I ask all of my colleagues and Members of this body to cosponsor H.R. 100. We have the promise of a hearing on this measure by the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources, and that hearing will hopefully occur sometime next month.

So I ask my colleagues to consider cosponsoring H.R. 100, the Guam Commonwealth Act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DAVIS] is recognized for 5 minutes.

[Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada [Mr. ENSIGN] is recognized for 5 minutes.

[Mr. ENSIGN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. ROTHMAN] is recognized for 5 minutes.

[Mr. ROTHMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes.

[Mr. TIAHRT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

MIDDLE-CLASS TAX RELIEF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, we are in a very important debate right now over taxes. The Republican Party is working for middle-class tax relief, and the liberal Members of the Democrat Party and the President are working against middle-class tax relief. I think it is ironic that a President who ran in 1992 on a platform of supporting middle-class tax relief is now fighting middle-class tax relief.

As my colleagues know, once the President was elected, his first act in 1993 was to pass the largest tax increase in the history of this country. Now, we are at another debate. For the first time in 16 years, because of a Republican majority in the House and Senate, we have an opportunity to give significant tax relief, and yet we are being accused of all kinds of things and we are having to fight for this.

It is interesting, because 76 percent of the people who will benefit from the tax relief have a household income of $75,000 or less. Only 1 percent of those who are going to have a tax benefit have a household income of over $200,000, yet we are being accused of giving a tax break for the wealthy.

Mr. Speaker, I do not know what it is with the liberal psyche that being wealthy is synonymous with being evil. It is interesting, because entrepreneurs and people who tend to be wealthy create jobs in this country, and yet liberals seem to hate the job-creator.

I strongly believe that we need tax relief for the middle-class, and will the entrepreneurs also benefit from it? Yes, they will. Is it bad? Well, I always take the case of Ted Turner. I am from Georgia. Ted Turner has brought CNN to Atlanta. He has created hundreds and hundreds of jobs. Is it bad? No; it is not. Will Ted Turner get some tax relief? Yes; he will. Is that horrible? What is so bad about that, I ask my liberal colleagues? Yet, we do not hear from them about that. All we hear is well, we just do not want the rich to get tax breaks. As I said, Mr. Speaker, 76 percent of the tax relief goes to families with a household income of under $75,000.

Now, what is it that the liberals and the President are backing away from? We seem to be in a gridlock right now on the $500-per-child tax credit, and the way the Republican bill is, is that middle-class families with children under 17 years of age and with household incomes of under $110,000 will get a $500-per-child tax credit. Now, what does the President want to do? Well, he wants to use that tax credit to give another welfare benefit to people who are not paying taxes. So what has happened with a President who has promised middle-class tax relief, and also, incidentally, promised welfare reform, and only reluctantly passed welfare reform last year, now is trying to go back on that?

Welfare enrollment has decreased 15 percent. There are less people dependent on the U.S. Government now than there were 1 year ago, and yet the President wants to fly in the face of all of that, break the spirit of that bipartisan legislation, if you will, by giving people who are not working a $500-per-child tax credit on top of something that we are already doing called the earned income tax credit, which is a benefit from going from welfare to work, and it is something that has had bipartisan support, and yet the President wants to say, no, that is not good enough, we are going to give you one more giveaway program. We are going to give you $500-per-child for every child you have while you are not paying taxes.

Common sense would tell us, Mr. Speaker, that is a ridiculous thing to do, particularly when we have at stake 11 million middle-class children whose parents desperately need tax relief for education needs, for medical needs, for shelter, for food, and so forth like that.

I am a father of four small children. Most of my friends, Mr. Speaker, are in the sandwich generation, if you will. That is, their parents are dependent on them or close to being dependent on them, and their children are dependent on them. I can say as I line up in the carpool line and as I go out to the Tee-ball field and I go out to the soccer field, and my wife is a proud soccer mom, I will say that the parents out there desperately need tax relief.

Now, they are not coming out here in Washington and protesting, they are not writing letters, they are not sending us faxes every minute, and the reason why, Mr. Speaker, is because they are out working. These are folks who work 8, 9, 10 hours a day, 5 days a week. They want tax relief, but they do not have paid professional lobbyists who can go out and campaign for it. We just have to do it on our own and we have to do the right thing.

This is the good old American middle-class who is getting squeezed year after year, they need tax relief, they do not need the President expanding welfare, they do not need the fun and games of politics, they do not need more big liberal programs. They need tax relief, and I urge my colleagues to support in a bipartisan fashion the Republican tax bill passed by the Committee on Ways and Means.

NO FUNDING FOR B–2 BOMBER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I would like to address myself to a serious issue that is coming before the Congress tomorrow, and that is our defense appropriation budget. There is an item in there that I will seek to eliminate by virtue of an amendment by the gentleman from California [Mr. DELLUMS] and the gentleman from Ohio [Mr. KASICH] and myself, which would be to strike the funding for the B–2 bomber.

In this time of budgetary constraints, Congress must learn to prioritize our defense dollars. As such, Congress should not authorize the additional procurement of aircraft we do not need and the Pentagon clearly has stated they do not want.

In testimony before the House Appropriations Subcommittee on National Security on June 11, 1997, Pentagon comptroller, John Hamre, testified that while the B–2 is an exceptional aircraft, there is no more money for it. The massive deep attack weapons mix study conducted by the Pentagon concluded that it would not be cost-effective to buy more B–2 bombers. According to the Pentagon, the current fleet of 21 B–2 bombers is sufficient to meet the two-war scenarios. No money is programmed in any budget plan to pay for the outyear costs that will be forced by this decision. Other programs given higher priority by the military may have to be cut back.

Finally, the Congressional Budget Office projects that to build and operate

nine additional B–2 bombers over the next 20 years could cost over $27 billion.

□ 1345

Let me read a variety of editorials that have appeared in the papers around America.

Stuart News, Port St. Lucie, FL, ''U.S. Must Get Maximum Bang for Military Bucks.''

The cost of these programs is staggering, especially considering the strategic fact that the threats that they are designed to counter do not now exist or, like the B–2 bomber, are designed to attack countries that no longer exist.

They are urging we look at first providing for military pay, for military housing, for the readiness of troops, rather than expensive technological equipment that the Air Force and the Pentagon themselves do not support.

The Atlanta Constitution: ''Pentagon is Not a Welfare Agency.''

There is, however, one notable exception to that trend. Last week, the House Appropriations Committee approved a defense budget for 1997 of $245.8 billion, $11 billion more than the Pentagon says it needs, and the Pentagon is not known for underestimating its needs.

Unfortunately, each additional dollar that we spend on defense is a dollar not available for schools,

for infrastructure, or for deficit reduction.

While other nations invest their wealth in those areas, we build B–2 bombers.

''Don't Sacrifice Military Readiness,'' by the St. Louis Post-Dispatch.

Another case is the $2.2 billion for each B–2 bomber, which, again, the Pentagon doesn't want, but which Members of Congress do, to keep weapons contractors and jobs alive in their district. President Clinton himself insists on yet another *Seawolf* submarine to keep the production lines open to build other submarines in the future. Meanwhile, maintenance on helicopters, tanks, trucks, and warships is being deferred. Military pay raises are paltry, and the quality of housing for men and women in uniform isn't as good as it should be.

No; because we are spending billions on a B–2 bomber that the Pentagon does not want.

Milwaukee Journal Sentinel: ''Bring Military Budgets Back to Earth.''

In fact, Congress in recent years has actually padded the military budget

for projects like the B–2 bomber,

that are relics from the cold war and pork-barrel goodies for hometown military contractors.

The evidence against the B–2 is overwhelming. The debate really needs to be about helping people in uniform have decent pay so they are not on food stamps, living in decent housing, like most Americans would like them to live in.

So we have a choice this week, to support the continued expenditure of massive dollars to weapons systems that we no longer need, or we can clearly change direction and focus on priorities that would make this Nation militarily sound and safe.

I urge my colleagues tomorrow to support the amendment offered by the gentleman from California [Mr. DELLUMS], the gentleman from Ohio [Mr. KASICH], and the gentleman from Florida [Mr. FOLEY] to strike the B–2 bomber from funding, to close the production line, to allow the military to continue to have its 20-some B–2 bombers, but clearly understand since the end of communism and Soviet dominance in the cold war, the need for the B–2 bomber has been significantly reduced. Significantly reduced.

Let us look forward to helping make the military strong by supporting their good intentions, and not give them things they have chosen not to ask for.

THE DEMOCRATIC TAX CUT PROPOSAL RESTORES FAIRNESS TO THE AMERICAN TAXPAYER

The SPEAKER pro tempore (Mr. CHAMBLISS). Under a previous order of the House, the gentlewoman from Indiana [Ms. CARSON] is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, I rise today to speak about justice and fairness. When we were children our parents instilled in us a sense of fairness. We were taught to be equitable and impartial and truthful when dealing with others. We were taught to aid those in need. Obviously, all of us in this body took that to heart, and that is why we are here as we pursue public service on behalf of the public.

Let us consider the budget amendment in general, however. Rather than stay within the parameters of the balanced budget agreement which passed the House overwhelmingly, the Republican framers of the tax cut have decided not to play fair, and to abandon the agreement. The original agreement contained a provision to provide at least $35 billion in tax credits for college education. Yet, the Republicans have offered us only $22 billion in education tax credits, in direct violation of the budget agreement.

It seems as though this sense of fairness has been lost on those framing the tax cuts, because they are attempting to undercut the agreement that was made with the President, and will deny American taxpayers $13 billion in tax relief. We should at least play fair and restore this provision of the tax cut.

According to the Department of the Treasury, two-thirds of the Republican tax cuts go to families making beyond $100,000 a year. The majority of constituents in my district, Indianapolis, IN, of which nearly 50 percent make less than $25,000 a year, they certainly will be not happy, they will be unhappy to learn the fact that the Republican tax cut will go to families making over $100,000 a year, for the most part.

I rise to support the Democratic alternative to the Republican tax cut package. Unlike the Republican proposal, the Democratic proposal restores some fairness to the American taxpayer and stays within the parameters of the budget agreement.

In general, the Democratic tax proposal will target its cuts to those making less than $100,000 a year, not the other way around. Seventy-one percent of the Democratic tax cuts will go to nearly 91 million families across the United States that make under $100,000 a year. Twenty-three percent of the Democratic tax cuts will target the most vulnerable of our society, those making under $21,000 a year.

The Democratic alternative will truly allow families to stretch their budget further and provide true tax relief, rather than just smoke and mirrors. I am particularly pleased with the education tax cut initiatives in the Democratic proposal. If we are going to truly effect positive change in our society, provide our young people the chance to improve our Nation's future, we must provide them with the opportunity to access the best education possible.

The Democratic alternative provides more money for the HOPE scholarship, provides incentives for employer-provided educational assistance, and provides a source of cost-free capital for desperately needed school construction; at least $37 billion worth of tax cuts for education. It provides $15 billion more education initiative than the Republican plan does.

Under the Democratic proposal, HOPE scholarship tax credits are provided at a rate of 1,100 for 1997 through 1999, increasing to $1,500 per student after the year 2000.

At Indiana University at Indianapolis, tuition costs $2,400 a year. At Ivy Tech State College, it runs $1,500 a year. The Democratic HOPE tax credit will provide for nearly 50 percent of the tuition at those two referenced universities.

I would encourage, Mr. Speaker, this august body to consider what is fair and adopt the Democratic alternative, so we will truly be providing both HOPE and fairness for our constituents.

Mr. Speaker, I rise today to speak about fairness. When we were children, our parents instilled in us a sense of fairness. We were taught to be equitable, impartial, and truthful when dealing with others. We were taught to aid those in need. Obviously, all of us in this body took this message to heart. Otherwise, we would not have chosen a life of public service. Yet I am sad to say that in examining the recent Republican tax cut initiative, some of my colleagues have abandoned these principles.

First, consider the budget agreement in general. Rather than stay within the parameters of the balanced budget agreement which passed in the House overwhelmingly, the framers of the Republican tax cut have decided not to play fair and to abandon the agreement. The original agreement contained a provision to provide at least $35 billion in tax credits for college education. Yet the Republicans have offered us only $22 billion in education tax credits, in direct violation of the Budget Agreement. It seems as though this sense of fairness has been lost on those framing the tax cuts, because they are attempting to undercut

the agreement struck with the President, and deny American taxpayers $13 billion in tax relief. We should at least play fair and restore this provision into the tax cut package.

Yet the skewed sense of fairness on the Republican side does not end there. The tax cut package as a whole will benefit a small percentage of middle class Americans. Let's go to the numbers. According to the Department of Treasury, two-thirds of the Republican tax cuts will go to families making over $100,000 a year. The majority of constituents in my district in Indianapolis, of which nearly 50 percent make less than $25,000 a year, will not be happy to learn this fact. The Republicans have promised in this Congress and the last that middle-class tax relief was their top priority, to allow those who work hard to take home more of their pay. Instead, middle-class taxpayers get the same old tried and true Republican tax cuts that benefit the wealthy, a Robin Hood in reverse for the majority of Americans.

Mr. Speaker, I rise today to support the Democratic alternative to the Republican tax cut package. Unlike the Republican proposal, the Democratic proposal restores fairness to the American taxpayer and stays within the parameters of the budget agreement. In general, the Democratic tax proposal will target its cuts to those making less than $100,000 a year, and not the other way around Seventy-one percent of the Democratic tax cuts will go the nearly 91 million families across the U.S. that make under $100,000 a year. Twenty-three percent of the Democrat tax cuts will target the most vulnerable of or society, those making under $21,000 a year. The Democratic alternative will truly allow families to stretch their budget further and provide true tax relief, rather than smoke and mirrors.

I am particularly pleased with the education tax cut initiatives in the Democratic proposal. If we are truly going to effect positive change in our society and provide our young people the chance to improve our Nation's future, we must provide them with the opportunity to access the best education possible. The Democratic alternative provides more money for the HOPE scholarship, provides incentives for employer-provided education assistance, and provides a source of cost-free capital for desperately needed school construction. At $37 billion worth of tax cuts for education, it provides $15 billion more education initiatives than the Republican plan does.

Under the Democratic proposal, HOPE scholarship tax credits are provided at a rate of $1,100 for 1997–99, increasing to $1,500 per student after 2001. The Republican is half this amount at $600 per student. In addition, families could receive the credit for 4 years of postsecondary education, rather than only 2 years as provided in the Republican proposal. In my State of Indiana, $600 does not seem like much in accessing postsecondary education. But if we provide double that amount, it will go a long way in reducing the average cost of education in my district in Indianapolis. At Indiana University-Purdue University of Indianapolis, tuition costs $2,400 a year; at Ivy Tech State College, tuition runs at $1,500 a year. The Democratic HOPE tax credit would provide for nearly 50 percent of the tuition at IUPUI, and nearly all of the cost at Ivy Tech. These are the two largest colleges in my district, with over 23,000 students attending the two institutions. By providing the HOPE scholarship at the levels provided for in the Democratic alternative, we will truly be providing HOPE for many of my constituents.

Yet another education related initiative in the Democratic proposal that I applaud is the school construction assistance provision. Schools in my district are dilapidated and crumbling. Indianapolis Public Schools recently approved drastic cuts in programs to rein in spending in their budget. With the Democratic proposal, schools in either empowerment zones or enterprise communities could enter into a partnership with private businesses that would make contributions to school improvements and would issue special bonds to finance school improvements. This would go a long way in communities such as Indianapolis to ensure that our children are not learning in deathtraps, and that we could bring our schools into the 21st century in terms of facilities by the next millennium.

Mr. Speaker, President Clinton addressed this body 4 months ago in his State of the Union address. In it, he laid out an ambitious agenda for education which I, along with the majority of Americans, applauded. The President's vision for our young people and ensuring they receive the best education in the world should not be lost in the budget wrangling that occurs in this House. I urge my colleagues to adopt the Democratic alternative to the tax bill and give our working families, especially our children, the break they deserve.

THE EDUCATION AT A CROSSROADS PROJECT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Kentucky [Mrs. NORTHUP] is recognized for 5 minutes.

Mrs. NORTHUP. Mr. Speaker, I wish to bring to the House's attention the visit last month of the Education at a Crossroads Project. I have had, as the mother of six children, a great interest in education and in the education of each of my children. For that reason, in the 9 years that I was in the Kentucky General Assembly I was very involved in the education program, in working to implement the new Education Reform Act that was implemented by Kentucky in 1990. That act is often pointed to by departments of education around the country as an example of education and education progress.

The implementation of that bill has been very challenging in our State. It is not universally acclaimed and it has not had universal success, but it has made a dramatic difference in the education opportunities for many children. I would like to talk today about some of the basis of that program that I think is accepted and is believed has made the most difference.

The program is based on the fact that each child, each community, each faculty in a school face unique challenges to succeed and have unique talents to address those challenges. It was not believed that at the State level, and certainly, Mr. Speaker, not at the Federal level could we fashion an educational system that would meet all the differing needs of each neighborhood, each community across our State.

So we put in place a program where each State, based on the parental involvement, the teacher involvement, have site-based decisionmaking. They have the ultimate responsibility for each child achieving at a higher level. Yes, we expect each child can learn at a higher level, can achieve high academic success if our expectations are high.

In each of our schools, Mr. Speaker, we have site-based decisionmaking that assesses what the challenges are: what are the programs that are needed, what are the extended day programs, what are the after-school programs, the Saturday learning opportunities, the year-round schools; the challenges that are most needed so each child has the best opportunities for success?

Each school is given the resources so they can determine themselves how to use those resources to meet those needs. As the Federal Government ponders how we make an impact in school, I think looking at Kentucky, as this administration so often does, is a good point of reference.

Rather than fashioning programs that are going to be the same across the country, we need to designate our schools as the front line of education opportunity and make sure that they are not bound by more regulations, by more constraining programs, by programs that tie their hands, tie the teachers' hands, and tie their abilities to uniquely address the challenges that exist in that school.

I have been proud to work with education in Kentucky, and I was thrilled that the Education at a Crossroads came to Kentucky, because it gave them an opportunity to see the Cane Run Elementary School that is in one of the most high-risk neighborhoods of Jefferson County, and the success they have achieved; the children whose grades and their achievement scores have gone up so dramatically, the parents who come to school every morning to that school so they, too, can get their GED and go on to better welfare-to-work opportunities.

The Cane Run Elementary School has dramatically changed the opportunities not only of children who are in that school, but also of the mothers and fathers who are in that district, so their opportunities are better and improved too. There is such a sense of accomplishment, such a sense of achievement, such a sense of joy in that school for the achievement that has been realized.

I think it points to the example of where, on the front lines, the school that is empowered to make the decision to use the money in block grant form to address its needs, the success it can achieve.

They also visited Southern High School, that has a model program, school-to-work. It is helped by the private sector. They have invested a million dollars of equipment and energy to make sure that those students have the high-tech opportunities to learn, so

they can move into the work force in high-paying jobs.

Every student in that senior high whose goal it was to have a good job came out well-trained with more job opportunities than there were students to fill that. These are not kids that are starting at minimum wage, but far above that. Their opportunities and their benefits are proof of the success that program has.

I appreciate, Mr. Speaker, the opportunity to talk to the House today about what works and what does not.

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NATIONAL SECURITY

The SPEAKER pro tempore (Mr. CHAMBLISS). Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. HUNTER] is recognized for 60 minutes as the designee of the majority leader.

Mr. HUNTER. Mr. Speaker, I thought I would start out my discussion today, I want to talk a little bit about national security, but I thought I would start out the discussion today, since MFN, that is most-favored-nation treatment for China, trade treatment for China, is at issue and we will be discussing and debating this issue on the House floor, there is a lot of commentary on it right now, I thought I would start out today with a statement that was made, apparently by the NFIB or one of our other good groups that wants to continue this trade relationship with China, and presumably this $40 billion annual trade deficit that we suffer at the hands of China, one of their statements was, gee, if we cut off China, we are not going to get any Tickle Me Elmos because apparently Tickle Me Elmo is made in, of course, Red China. It is made in China and presumably some of the slave labor that makes some of the textiles in China also makes Tickle Me Elmos.

I thought that in light of what the Chinese are doing with the $40 billion trade surplus that they enjoy over the United States, that means they get $40 billion in hard American dollars for things they sell us in excess of what we sell them, when we do all of our trading at the end of the year, they have got 40 extra billion dollars in their bank accounts that we do not have in our bank account because they enjoy a trade surplus over us. That is largely because the Chinese have a massive tariff for almost every American item.

Of course, they enjoy virtually free access to the American market. But they make Tickle Me Elmo. It is made in China. One of our good trade groups said, gee, we will not have any more Tickle Me Elmos and should we not be upset about that because we want our children to have a nice life and having a Tickle Me Elmo presumably is a real illustration of quality of life now.

But here is the reason why we should not care whether or not we get a lot of Tickle Me Elmos or other toys from Communist China. They are taking that $40 billion and they are going to their friends, the Soviet Union, former Soviet Union, now the main player is Russia, and they are buying military hardware. They are buying a lot of this hardware and aiming it at guess who, the people that provided the dollars in the first place, the good old Americans. They are using this 40 billion extra dollars a year to arm.

That means they are not only building these, this is a missile destroyer that they just purchased from Russia, it has one purpose and that is to kill American carriers. That means killing the 5,000 uniformed sailors who are on board an American carrier as well as the attending ships in the battle fleet formation. This was designed by the Russians with their surface-to-surface missiles, their N–22, their SSM, their 44 SAN–17's and their SAM's and their four point defense systems and their 130 millimeter guns and their helicopter. That has one job in mind and one purpose, and that is to destroy American surface ships.

The Chinese are able to buy these now from the Russians with hard dollars. They did not used to pay hard dollars. They would give IOUs and they did not get very much of that, because they were a dollar short. They were cash strapped. We have now given them all kinds of money from these doggone Tickle Me Elmo sales and dozens of other commodities that we now purchase from them. And they are buying weapons and they are aiming them, their nuclear weapons, nuclear missiles are aimed at the guys, the American people who gave them the money in the first place. They are aimed at American cities.

So as we enter into this debate over whether or not we should continue to have these Tickle Me Elmo transfers with China, I would suggest that they are in reality a Torture Me Elmo transaction, because in the end the same young Americans, the people that we are trying to give a good lifestyle to now, our children, may face American technology. And in the least they are going to face military technology that was purchased with American dollars from their own parents on the battlefield, coming back our way, the bullets will be coming back at us. So when we put together this China policy, I think we have to look at a couple of things.

One thing is, by maintaining this beneficial trade relationship with China, when I say that I mean beneficial especially for China, we are making China economically strong. China is becoming very economically powerful. As they become economically powerful, it is our hope, of course, that they will have a benign leadership, a leadership which appreciates human rights, appreciates the rights of other nations on the earth to exist and will not have, not focus in the future on military exploitation and on an aggressive national security stance. We hope that but we do not know.

So the point is, we are making China strong economically and militarily with our dollars and we do not know where China is going. Incidentally, that carries me to a second subpoint.

We passed an amendment in the Committee on National Security. I wish the gentleman from Mississippi [Mr. TAYLOR] was here from Mississippi who was very instrumental in that debate, along with the gentleman from California [Mr. BONO] and a number of other members of the Committee on National Security and the gentleman from Hawaii [Mr. ABERCROMBIE], and we passed an amendment that prevents an arm of the Chinese Government, it is called COSCO, COSCO is not where you go to buy your lawn chairs, COSCO is the Chinese Ocean Shipping Corporation. And they have done a pretty smart thing. They have corporatized different arms of their government on the basis that good old Americans, Republicans and Democrats, are a little bit wary of the Communist army and other agencies that are centralized agencies in part of the Beijing Government, but if you call something a corporation, that makes us feel very comfortable because we are a bunch of capitalists and we like corporations.

So they have corporatized a maritime arm of their government. And that maritime arm is buying the U.S. Naval Base at Long Beach or leasing the U.S. Naval Base at Long Beach. Of course, the port reuse facility or entity, that is the Reuse Commission at Long Beach, when the Long Beach Naval Station got closed, were looking around for a beneficial use. When we put that law into place that allowed for some closing of military bases, we envisioned that there would be industrial parks and other types of development that would take the place of military activities on these bases. We never envisioned in our wildest dreams that a foreign nation, especially one that has nuclear weapons aimed at our cities, would want to lease one of our U.S. naval bases. But that is what they are doing with the 135 acre terminal at Long Beach. I think that is bad for a number of reasons.

I am glad to see my friend, the gentleman from Pennsylvania [Mr. WELDON], the chairman of the Subcommittee on Military Research and Development of the Committee on National Security, joining me.

There are a number of problems with allowing a foreign government to have such a large facility at a fairly strategic location like that. First, you can do a lot more with a 135-acre facility in terms of intelligence gathering than you can if you are just trying to intercept signals coming off a ship with your own ship. You have a permanent location. You are able to have bigger physical facilities to intercept intelligence.

Also presumably you have a pretty large staff of people. We know as a matter of record that the Chinese Government attends its industrial facilities around the world with intelligence

agents. So unless they change course and do something that they have not done before, they will have intelligence agents at this base at Long Beach, and presumably they are going to use them to gather intelligence on U.S. military activity and presumably also on the high tech industry in California.

Anyway, it is clear that China is on the rise, on the ascension in terms of its military buildup, its military apparatus, and it would be very wise for us, I think, to do two things. First, to be very wary about funding the buildup. Why pay for their arms buildup by buying a bunch of doggone Tickle Me Elmos and other things that we purchase from them? And second, let us make sure that our own national security is not on the descent. I want to tell you where we are at with respect to our security because most Americans do not know this.

When we won Desert Storm, here is what we had. We had 18 Army divisions. We had 24 active fighter airwings, that was our air power. We had 546 Navy ships. Since Desert Storm, since we saw those great pictures on television of us taking care of Saddam Hussein in short order, we have gone to this buildup or this force structure because we have actually built down. We have gone from 18 Army divisions in 1991 to 10. We have cut the Army almost in half. We have gone from 24 fighter airwings to 13. So we have cut our air power almost in half. And we have gone from 546 Navy ships to 346 so we have cut the Navy by about 40 percent in terms of structure.

Interestingly, we are down to the level that is just about where we were when on June 25, 1950, the North Koreans invaded South Korea. We had 10 Army divisions in those days. Within 3 days, the North Koreans had taken all of Seoul; that was the capital of South Korea. They were driving southward on the Korean peninsula. The peninsula looks a little bit like Florida. They almost pushed the Americans entirely off the peninsula. Pusan is a little port at the southern tip of South Korea. We were right at the southern tip there. And we formed the perimeter. We flew part of the 25th Infantry Division from Tokyo to try to stop them. They got torn to pieces. We flew in the rest of the division. The division commander got captured. We lost 50,000 people killed in Korea. That is just about as many as the Vietnam War. But we did that because we drew down our military strength so sharply after World War II that we were so weak that a third rate military power pushed us down in the Korean peninsula just a few years later.

So we need to rebuild national security. And we are going to be having the defense bill on the floor here in just a matter of hours. I think tomorrow it will be coming up on the floor. And I want to yield to the gentleman from Pennsylvania [Mr. WELDON] who has done a tremendous job heading the Subcommittee on Military Research and Development.

Let me say, before yielding to him, that our chairman, the gentleman from South Carolina [Mr. SPENCE] has done a great job of taking a few scarce extra dollars that the Republican side of the aisle has put into the budget for defense, not enough of an increase in force structure to what I think it should be, but they have given a few extra dollars. The gentleman from South Carolina [Mr. SPENCE] has allocated that money with only one direction to us. Try to make our national security apparatus stronger, try to get the equipment that the men and women in uniform need and try to see to it that we have the best in terms of quality of life for those men and women.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding to me.

I cannot stay with him for the entire hour, but I appreciate his leadership, not just for this special order but for the leadership he provides on the committee and as chairman of our acquisition and procurement operations. He has done a fantastic job. I appreciate that. I know that the country does as well.

I want to follow up on his point about the perception of the American people that somehow we have dramatically increased defense spending over the past several years. Unfortunately, I think part of that perception has been created by the White House itself.

Let us go back. The gentleman talked about some of the things that have taken place in terms of cutbacks. Let me highlight a few other facts that our colleagues need to keep in mind tomorrow as we begin the defense bill.

During John Kennedy's era, that was at a time of relative peace, it was after Korea and before Vietnam, we were spending 9 percent of our gross national product as a Nation on the military. We were spending over 50 cents of every Federal tax dollar coming into Washington on the military, nine percent of our GNP over 50 cents of every tax dollar.

In this year's budget, we are spending less than 3 percent of our GNP on defense; 16 cents out of the Federal tax dollar will go toward the military in this next fiscal year, 16 cents and dropping. That does not take into consideration the fact that when John Kennedy was President, we drafted young kids out of high school. They were paid less than the minimum wage. They served the country for peanuts. They were not married. They did not have families.

Today we have an all-volunteer force. Our kids are better educated. Many of them are married. They have spouses. We have housing costs, health care costs, education costs. We pay them a decent wage. So out of that 16 cents that we are spending, a much higher percentage of that goes for quality of life. It does not go for exotic weapons systems. It goes to protect the morale and the well-being of the members of the military and their families and loved ones.

We take those factors and then add in that we have had an administration over the past 5 years who has increased the level of deploying our troops to the highest level in the last 50 years. This President has committed our troops to more locations and more operations than any President since World War II. So we have increased costs with deployments that we did not budget for.

In fact, as the administration has put our troops in Haiti, which was hotly debated in this Congress, the problem is not just the increased costs that we have to pay for our troops to be there, but as the gentleman full well knows, we are also paying for the cost for the housing and the food of the other countries.

The President talked about how he has a multinational effort. What he does not tell the American people is the reason why Bangladesh sent 1000 troops is we are paying their housing and food costs. It is a great deal for them.

What the President did not tell the American people in the Balkans, when he committed us to get involved in the Balkans over in Bosnia, and I would say that the majority of the Members of this body did not disagree with our being a part of the multinational force, our problem was, why were we committing 36,000 troops to that theater on the ground and in the area when Germany, right next door, was only putting 4000 troops in and when the Japanese were not paying their fair share?

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So the point is, as the defense dollar has gone down, as quality of life costs have gone up, we have seen a President who has overseen these cuts increase dramatically where we send these kids around the world, and also increase dramatically the amount of DOD money going for environmental cleanup. So the largest pot of money being used to clean up environmental sites in America is not the energy bill, it is not the commerce bill, it is not the bill to reauthorize EPA, it is the Department of Defense bill. And, as the gentleman full well knows, we are spending hundreds of millions and billions of dollars out of DOD's budget to clean up sites and to pay lawyers, which is the bulk of what we do.

The Commandant of the Marine Corps, General Krulak, told me one month ago he was required in this fiscal year to request one-half of the amount of money he is spending on his total buying for all the Marine Corps on environmental costs. So he is spending one-half of his total buy just on environmental costs.

Mr. HUNTER. If the gentleman will allow me to reclaim for a second, that means when our Marines get back from places like Bosnia, places like Somalia, they have very little money to refurbish their equipment and get ready for the war.

Mr. WELDON of Pennsylvania. Exactly.

Mr. HUNTER. Because if they do not do the environmental cleanups on places like Camp Pendleton, the commander goes to jail if he does not comply.

Mr. WELDON of Pennsylvania. Right. So all of these factors have caused us to be put into an environment where we cannot meet the needs of our military. That has resulted in a decline of morale. That has resulted in problems in terms of funding.

I have been with base commanders who have not paid their electric bill for 8 months because they have had to shift money over to help the administration pay for deployments that they never budgeted for. All of this we have to deal with.

Now, for the past 2 years, the Republicans, supported by a significant number of Democrats who are our friends, this is a bipartisan debate in the Congress, the battle here is not Republicans versus Democrats. The battle here is this Congress versus a White House that is totally insensitive, in my opinion, to the military needs. We increased funding for defense for the past 2 years.

What did the administration do? They soundly and roundly criticized us. They said this money was going for what they called pork barrel programs, even though 98 percent of what we funded were requests by the services.

But what really offended me was former Secretary Perry coming in before our committee and testifying that they had stopped the cuts in the acquisition accounts. In effect, what he was doing was taking credit for the plus-ups that they had criticized us for putting in the year before.

Even more outrageous, and the gentleman knows full well this issue because he and I cochaired this hearing, we told the administration that in each of the past 3 years they were grossly underfunding our requests for national missile defense. We put extra money in and we were criticized.

What did the administration do the beginning of this year? Secretary Cohen, being an honest broker, came before the Congress and said, ''Well, ladies and gentlemen, we made a mistake. We have underfunded national missile defense by $2.3 billion.''

So after the President submitted his budget, we were then given the task to go out and find the money that the President did not ask for, that we told him about for the past 3 years, to fund missile defense. So out of my subcommittee I had to eat a $474 million plus-up just for national missile defense, to fund the shortcomings and the mismanagement of this administration.

On top of that, because they underfunded the intelligence budget, they asked me to also put up $207 million of additional funding to fund the shortfall in intelligence.

On top of that, even though the President pounded his fist on the table and said to the AIPAC members across the country that he was for the Nautilus program, and that he would fight to protect the Israeli people, he never requested funding for that very program. And as the gentleman full well knows, we had to go and find out ourselves by plussing up our own estimate of what the money would be needed to give the Department of Defense enough money next year to actually implement the cooperative program with Israel called tactical high energy laser. Once again, the administration committed to it but never asked for the funding to make it happen. All of these things we have attempted to deal with in this bill.

I say to my friends and my colleagues who will listen to the debate tomorrow that they should be very careful because we are in a very difficult time. We are having to make decisions in an environment where the administration is not giving us the leadership. They are causing us to spend more money than we have, they are causing us to stretch programs out, driving up the costs of those programs, and they are not working with us in a way they should be working with us for the betterment of our people and for our troops.

I would add one more point. The administration talks a good game about jobs and so do the Members on the other side. I heard some of my colleagues down here wailing about the loss of jobs in this country. And as my good friend knows, we do not fund defense because it provides jobs, we fund defense because we want to support our troops and because there has never been a country that has been attacked because it was too strong. We never want to lose that edge.

But over the past 5 years, under this President, something we have never heard the other side talk about when they have railed about NAFTA, when they have railed about this side of the aisle, is the 1 million men and women who belong to unions who have lost their jobs because of this President's cuts in defense spending. He has decimated defense in aerospace.

So the gentleman has had a million workers who belong to the UAW, the IAN, the building trades, all the major metal trades, and all of them have felt the impact of the downsizing. Most of those people are out looking for positions paying not even one-half of what they were making when they worked in the defense industry. Another important point about the impact of the defense downsizing and the impact on our industrial base that has occurred over the past 5 years.

Mr. HUNTER. Mr. Speaker, I thank the gentleman, and I thank him for the dialogue that he has commenced with a lot of working people in this country to let them know how important defense is from an industrial base perspective.

I might mention that about 250,000 of those aerospace workers who lost their jobs, it is real, because 250,000 of them lost their jobs in California as a result of the downsizing.

But I want to take the gentleman back, because first he has been our leader in missile defense, and his subcommittee, the Subcommittee on Military Research and Development, is the place where we put our plans together for missile defense to defend this country and to defend our troops in theater, and we move out with those plans and try to build those systems over the years.

I want to start the gentleman at about 1986 or 1987, when the gentleman and myself put together a letter that we sent to the defense secretary or defense minister of Israel, and we told him that at some point in the near future Israel would be attacked with ballistic missiles, made in Russia, coming from a neighboring nation. In that case I think we suggested in our letter that that might be Syria. Turned out it was another nation, it was Iraq, but in fact that happened.

We urged Israel to commence a program, not of building fighter planes, because everybody builds fighter planes, to drop that Lavi fighter, but to make the centerpiece of the American-Israeli production agreement and cooperation to make that missile defense. Because nobody in the free world made missile defense, and at that time we did not do it.

Partly as a result of what we did, and I think also as a result of what our Secretary of Defense did at that time, and I think some good thinking on the part of Israel's leaders, they embarked on the ARROW program, which is one of their missile defense programs, and they have a certain sense of urgency, because they know life is real, missile attacks happen. They have moved out with some urgency and are having a pretty good program with ARROW.

I would like the gentleman, because he is the expert on missile defense, to walk us through our programs, our Navy programs and our Army programs, and let our folks know, the Members of Congress and the American people, where we stand on those programs. What is happening? And I yield to him.

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the gentleman and appreciate his lead on missile defense initiatives.

This Congress, again in a bipartisan manner, Democrats and Republicans, have come together for the past 3 years, and the single biggest difference between our position on security and the President's is we have said we have to move aggressively in protecting our troops, our allies and our citizens. Two years ago we plussed up by a billion dollars in this area, last year by a billion. This year our bill calls for about $800 million of additional spending.

Now, why do we do that? My friend and colleague knows the largest loss of life from a single incident that we have had, at least in the last 5 years, actually a little bit longer than 5 years,

was when we lost those troops that were killed by that incoming Scud missile in Saudi Arabia. It was horrible. These young kids never had a chance. What hit them? A low-class, very rudely constructed missile that Iraq fired into that barracks.

Mr. HUNTER. It was basically the Model T of missiles.

Mr. WELDON of Pennsylvania. That is right, the Model T.

We said as a Nation, never again will this happen to our troops. That is why the Congress gave the administration carte blanche. We said we would give them the money they needed, we would give them the resources, but they needed to give us a system that is highly effective, that will protect our kids wherever they are in the world.

What has been the administration's response? They now are projecting that they want to wait until 15 years after those kids were killed to deploy the first battery of that highly effective system that is now called THAAD, theater high altitude area defense system. We say that is unacceptable.

We provide the full funding for THAAD, but we go beyond that. We fund the Navy's lower tier program, because we believe, as the scientists have told us, that the best way to protect our troops and our allies and our people from the threat of missile proliferation, that the best way to do it is to have a layered approach.

The first layer is Navy lower tier, which provides protection against cruise missiles. Cruise missiles are now being built by over 20 nations. Over 75 nations in the world now have cruise missiles. Pakistan, India, Iraq, Iran, every country we can think of has cruise missiles that they can fire.

We are putting the funding in well above what the President asked for, but what the Navy requested to implement Navy lower tier as soon as possible. We have a promising capability, as my colleague and friends know, in Navy upper tier to give us a capability using the Aegis systems to allow us to protect our ships wherever they are and to provide a wider range of coverage against faster, hotter missiles.

We have funded that system to a higher level, again in line with what the Navy says they need to move aggressively, to see whether or not Navy upper tier offers us potential well beyond just protecting a fleet of ships, perhaps even becoming eventually a national missile defense system.

Now, while we have been doing that, funding Navy upper tier, Navy lower tier, THAAD, cruise missile defense, we have also funded a space-based sensing capability so that we can detect the moment that a rocket is launched so that we can activate a response.

Now, some on the liberal side would say we should not do that, that is destabilizing. The Russians have had the world's only operational ABM system in place since the ABM Treaty was signed back in 1972. It protects 80 percent of the Russian people around Moscow and they have modified it three times.

The Russians, as my colleague and friends knows, have some of the most sophisticated missile defense systems they are now selling on the marketplace. In fact, the gentleman and I have had conversations that perhaps we ought to buy that system, because under this President we are never going to be able to deploy a decent, effective system.

General Lyles is on the record, and Under Secretary Kaminski, in charge of technology for DOD, said that we will not have a highly effective system under their plan to protect our troops until 2006.

Now, why is that such a priority for us? As my colleague and friend knows, we were told by the intelligence community that we would not have to worry about a threat to our troops or our homeland. They said we would see evidence of an aggressive testing program by an adversary like North Korea. We were told the No Dong missile of North Korea, with a range of 1,300 kilometers, would never threaten our troops because we would see it developing, so we could take our time.

Up until 1 month ago, when the world community saw North Korea deploy the No Dong missile system now. So that today, June 16, we have all of our troops in Japan, South Korea, and Okinawa at risk from the threat of a No Dong missile being fired at them, for which we have no defensive system that can shoot that missile down.

That is outrageous, and that is what this whole debate is about, giving us a capability that we know is there. It is kind of ironic that the administration now comes back this year and says to the Congress, ''Well, we criticized you soundly last year and the year before on missile defense, but we guess you were right. We did underfund national missile defense by $2.3 billion, and would you please help us find that money?''

But it really irritates me that it has taken us 3 years to convince the administration that they had in fact not had the facts on their side. Only because of the efforts of a bipartisan group in this Congress with the leadership of my good friend and colleague, joined by Members of the other side, have we been able to keep these missile systems in place to protect us.

While we have done that, as the gentleman knows, we are increasing funding above the administration to protect us against the chemical or biological attack. That is the Congress taking the lead, not the White House.

☐ 1430

Three years ago we started funding money for chem-bio technology, for training our first responders. The administration followed us. We were the ones in the Congress that funded extra money for technology relative to information warfare above what the White House requested.

This Congress has been the guardian of the defense of this country for the past 6 years under this administration. Once again, we hope that our colleagues tomorrow will begin to understand why this has been so important and why we ask for them to join with us in a strong bipartisan vote.

Mr. HUNTER. Mr. Speaker, I want to thank my friend, the gentleman from Pennsylvania [Mr. WELDON]. He has made an excellent statement. He gives us great leadership on the committee, and I look forward to seeing him tomorrow and seeing a lot of other folks who presumably will give us a lot of support also. I thank the gentleman for his leadership on national defense.

One thing that the gentleman said, I think, should be very well taken by the people who have put together national security, and that is that we should have the Boy Scout motto, ''Be Prepared.'' Because we have a number of nations in the world that have nuclear systems right now and have missiles, and right now they may not have the political intent to do us harm, but political intent can change overnight. Political intent can change with one election, one coup, one dramatic change of direction by any of a number of countries, and we will then, right then, have to be prepared to defend ourselves.

The idea that this administration says that is not so, we do not have to start preparing until it is clear that somebody intends to do us harm, is an illustration of the fact that the folks in the administration have not read history books.

We were not prepared for Pearl Harbor. I asked a number of our intelligence agents, intelligence leaders to tell me the other day how many of them predicted the Falklands War between Britain and Argentina. None of them predicted that. Well, I went to something a little easier: How about the fall of the Russian empire, how many of them predicted that? None of them predicted the fall of the Russian empire. Lastly, I said, how many of them predicted the invasion of Kuwait? One said, before or after the tanks started rolling? I said, no, it has got to be after the tanks had started rolling. None of them predicted the invasion of Kuwait.

So we know this: We have had a lot of wars in this century; we lost a lot of Americans killed in action; we are going to have more wars. That is human nature. That is the nature of nations. It is the nature of some of the aggressors around the world that we will have wars.

The only question will be, will we be so prepared and so strong that other countries do not mess with us? We are not that strong at this point, and we need to turn it around.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Speaker, on the way out, the gentleman from California [Mr. HUNTER]

struck a note that I had to come back and respond, because he is raising very valid points here. When he talks about intelligence and how we decide how much money to spend on defense, it is supposed to be driven by the threat that we see emerging around the world.

Unfortunately, in many cases it has not been done in that manner. In fact, it has been basically a budget number given to us. But hopefully tomorrow, to my good friend and colleague, the Committee on Rules will allow me to offer one, and I have actually asked two amendments to be put in order, and the gentleman will know the importance of each of these amendments.

The reason why we have such a tough time convincing the American people on the issue, or the American people have been lulled into a sense of complacency, is that we have heard nothing from the bully pulpit except do not worry, everything is OK.

As my good friend, the gentleman from California [Mr. HUNTER] knows, this President on 135 occasions has made a speech that has the same phrase in it. He has done it 3 times at the podium in this room. He has done it on college campuses. He has done it before women's groups and national associations where he has looked this group squarely in the eye, squarely in the TV camera, and he said, ''You can sleep well tonight because, for the first time in 50 years, there are no long-range missiles with nuclear weapons pointed at America's children.''

Now, he has made that statement 135-some-times, and most of our constituents, since the President is the Commander in Chief, think that he probably knows what he is talking about. My amendment says one very simple thing: Mr. President, certify to the Congress the facts that bear out your statement. Certify to us that you can document that there are no long-range ICBM's pointed at our children. Certify to us how long it takes to re-target those missiles, which we have been told in hearings takes about 30 seconds, some have said 10 seconds. And certify to us that if a missile is taken off of targeting, that when that missile is activated it reverts back to the original targeting pinpoint, which would mean it would be aimed at an American city.

The President, as my good friend knows, cannot certify that. Because we have heard testimony over and over again that we do not know whether or not Russia has taken its missiles off of activation in terms of targeting our cities. We cannot verify that. But the point is that when the President says that over and over again, that drives the mood in this country that there is no longer a threat.

The second issue is one that is becoming increasingly important. As my good friend, the gentleman from California [Mr. HUNTER], knows, I work Russian issues aggressively and advocate engaging the Russians. But there has been a project in the Ural Mountains that Russia has been working on for 18 years. They built a city of 65,000 people right next to it. The site is called Beloretsk 15 and 16. And this site, we just do not know what it is for. They actually have mined out over 18 years a monstrous underground complex.

Mr. HUNTER. Mr. Speaker, if the gentleman would hold for a second, that complex is bigger, as I understand it, than the District of Columbia.

Mr. WELDON. That is right, it is exactly bigger.

Mr. HUNTER. All underground.

Mr. WELDON of Pennsylvania. All underground. There have been articles in the London Times and the New York Times and there have been over 30 articles in the Russian media about this project.

When I was in Russia, my 10th visit to that country, 3 weeks ago, I met with Minister of Atomic Energy Mikhaylov, I met with Minister of Natural Resources Orlov, I met with Boris Yeltsin's top assistant, Boris Nemtsov, I met with the Deputy Defense Minister Mikoshin and I met with the No. 2 guy in the general staff, General Manlov, and I asked each of them about this project and I said, we need to have some transparency.

The response was, each of them knew about the project but none of them would claim that it was their project. In fact, Mr. Mikoshin said to me in front of five Members of Congress, ''Mr. Chairman, Mr. Congressman, I know of that project, and I do not like that project. But to get further information, you have to go directly to Boris Yeltsin.''

Now I could tell my friend and colleague, I have had all the briefings that we can get as Members, classified at the highest levels. We do not understand what is going on there. If you read the Russian media, in 1991, General Zyuganov, who was in charge of this project, said that it was an ore mining project. In 1992, General Zyuganov said that it was a facility to store food and clothing. Since that point in time, the Russian security apparatus has identified this project as one that is of strategic importance, that is one of the highest security that exists in Russia today.

My point is, at the same time that we have a President and an administration trying to create a feeling that there is no longer a concern, we ignore the fact that there are things going on in the world, not just in Russia, the transfer of technology from China, the M–11 missiles, the ring magnets, the chemical-biological technology, the Iraqis taking accelerometers and gyroscopes from Russia for long-range missiles. All of these things are happening, and not in a vacuum, and yet we have a President that is telling the American people, do not worry, there is nothing to be concerned about.

In fact, he is even going so far as to basically ignore the enforcement of the arms control agreements that he maintains should be the cornerstone of our relationship. He has waived the sanctions under the MTCR with China. He has waived the sanctions under the MTCR with Russia time and again. So even though the administration claims arms control agreements are the critical component of our bilateral relationships, there is a pattern here of consistently waiving sanctions that should be imposed under them.

The reason why I mention all these things is because the administration is driving a feeling in this country that creates a false sense of security. As my friend knows, we are not advocating that we resort to the cold war again. In fact, we are doing more with Russia than any Congress has done in the last 50 years proactively. But we want an administration to work with us, to be candid, to be honest and forthright.

We get none of those things in this administration. In fact, we have gotten little or no cooperation on strategic programs that we feel are important, that our Joint Chiefs feel are important to our long-term security.

I thank my colleague, the gentleman from California [Mr. HUNTER] for yielding on those couple of points I wanted to also add.

Mr. HUNTER. I thank my friend, the gentleman from Pennsylvania [Mr. WELDON], so much for his words. I hope they will be well taken on the floor tomorrow.

Let me go back to what we actually have in terms of a defense apparatus that he spoke so eloquently about. As I have said, we have gone from 18 to 10 Army divisions, 24 to 13 fighter air wings, 546 Navy ships to 346, all since Desert Storm.

Now what does Congress and what does the President owe to the American people in terms of national security? According to the Constitution, the President is the Commander in Chief. The Congress is charged with raising the navies and the armies necessary to defend America. Well, what is that?

Well, over the years, we have come to the conclusion that we have to be prepared to fight two wars almost at the same time. The reason we have to be prepared for that is because if we get in a conflict in Korea or in the Middle East and we get our military tied down in that area, there is a chance that somebody else on the other side of the globe is going to look at that as an opportunity to do something, like invade South Korea, for example, or do something else along that line. So we have to be prepared to fight two wars at about the same time.

Now, we have folks in the Pentagon, great folks, great minds, civilian and military, doing war games all the time and trying to figure out what it is going to take, how many people do we need, Army, Navy, Marine Corps, Air Force, how many planes, tanks, ships do we need, what type, how much ammo do we need to fight that two-war scenario. They are supposed to put that all together and come up to us with a

bill for it and say, here is what it is going to cost, Mr. Congressman, Mr. Representative, Mr. Senator, Mr. President. Here is what it is going to cost to defend the American people, our number one obligation.

So we have said, well, it has got to be a two-war requirement. We have to have the ability to fight those two fights at the same time. Well, what are those two fights? It is interesting because two of the wars that we think are the most possible, the most probable, are wars we have already fought. We fought on the Korean peninsula starting June 25, 1950. We fought Desert Storm on the sands of Iraq after Saddam Hussein invaded Kuwait. We fought that war.

I want to tell my colleagues what it took to fight both those wars. First, in Korea we used seven Army divisions. That is seven. In Desert Storm, we used eight Army divisions. That is eight. Eight and seven is 15. The Clinton administration has cut our Army divisions from 18 to 10. So we have the prospect of fighting two wars that used a combined 15 Army divisions, and we only have two-thirds of that strength. We can go right down the list with respect to air power and with respect to U.S. Navy requirements and we are short. We are short of fighting the two-war scenario.

I looked at Louis Johnson's testimony. He was then the Secretary of Defense in 1950, just a couple months before North Korea invaded the South. And I see a lot of the same words that we see coming from this President's administration back then. Louis Johnson did not seen very alarmed. He had no idea that a bloody war would start in about 4 months. He said things like, ''We are turning fat into muscle. We are getting a lot of people from behind their desks and putting then in the field. We are creative. We are innovative.'' He had a very pleasant and, I think, a very optimistic view that he presented to the U.S. Congress.

We asked Omar Bradley, then General of the Army, five-star General Omar Bradley, to comment on the state of the defense budget. One thing Bradley was known for, even though he went along with what his President requested, he did give us one warning that we did not heed. He said, ''We cannot win a major war with the size of the military we have now.'' He said that he did go along with the budget because it provided a core around which we could build in times of an emergency, But Omar Bradley knew that we could not fight a major war. And, unfortunately, within a few months we were in a major war.

Now, a lot of folks back then had the same idea that the Clinton administration has today. They said, you know, we are never going to have to fight the Chinese or the Koreans or anybody else because we have, guess what, the atom bomb, and nobody wants to mess with a country that has the atom bomb.

But nonetheless, after the North Koreans pushed us down the peninsula, we finally got a foothold in the Pusan perimeter, we pushed them back up, we started to win. The Chinese sent in hundreds of thousands of troops, surprising us by getting involved in this war we never thought they would get involved in.

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The Secretary of Defense who is a fine gentleman, Secretary Cohen, a man I really like and respect, had somewhat of the same description about Desert Storm. I pointed out that we did not have as many Army divisions as we had then and we used up almost all of them, 8 of them, in Desert Storm. We only have 10 today. And he talked about Saddam Hussein being weaker now than he was in the old days. But remember, we were worried that other nations in that area would come to Saddam Hussein's assistance, would help him, and he was out shopping around trying to get his neighbors to support him against the United States. But every time he got to one of those countries, George Bush had been there in front of him and had lined that country up solidly on our side, countries like Egypt, that Saddam Hussein thought he might be able to bring over. So Saddam Hussein had to fight Desert Storm alone. That might not happen in the future. We cannot make all of our war plans based on Saddam Hussein acting alone the next time. We have to be prepared for him to act with some allies.

Similarly when the Chinese had no problem with getting involved in Korea when we had nuclear weapons and they did not, today they have nuclear weapons aimed at American cities, and they have that leverage and we have nuclear weapons also. They are much stronger in a relative sense than they were in 1950. They had no problem with sending their hordes of people south to kill Americans on the Korean Peninsula in 1951. They will not have any qualms about doing that today. So we are weak.

We have undertaken this drawdown that is a historic cycle in America. After we got involved in World War I, we lost a lot of people, our people came home and wanted to do other things, Americans had no taste for a large defense budget, we cut our budget dramatically. The justification for cutting it was we said, ''We have already fought the war to end all wars.'' For folks that are studying history, that was a well-known phrase in the 1920s because World War I was so bloody and so tough and so rugged on people that we did not contemplate there would ever be another war. Well, a war to end all wars was followed by what, another war to end all wars. That was World War II which once again caught us without the industrial base that we needed and without the defense forces that we needed to deter Japan, that means keep Japan from attacking the United States. So we had a bloody war. We lost a ton of good Americans. Once again we came home after the war, we had about 9 million people under arms in 1945, we came home after the war, we threw away our weapons, General Marshall was asked how is the demobilization going, he said, ''It's not a demobilization.'' He said, ''This is a rout. People are just throwing their weapons away.'' We need to stay strong but we did not stay strong and we only had 10 Army divisions when Korea started. That is the number of Army divisions we have today. We kidded ourselves about not having to have those people. In fact, in that year in 1950 just before Korea was invaded, the other body, the Senate, tried to pull the defense numbers down by $100 million. The House of Representatives stood up to them and would not let them make that reduction. We have now won the cold war. But the ambitions of Russia can be reconstituted just as fast as they were dissipated. Russia has turned and within just a few months' time actually changed their intentions with respect to the United States from being an extremely aggressive nation, an extremely ambitious nation that was working hard in Africa, they were working hard in our own hemisphere in running supplies into Central American nations, they had met us on battlefields around the world where they met us with Russian-made equipment in Vietnam, in Korea, and in Afghanistan we met them with American help for the Afghan freedom fighters. We had fought in proxy wars around the world during this cold war. Their intent toward the United States changed so quickly that none of our intelligence people, at least the ones I talked to, the presumably really smart ones, none of them predicted the falling of the Berlin Wall. People laughed at the idea that President Ronald Reagan went to the Berlin Wall and said, ''Mr. Gorbachev, bring this wall down,'' and yet within a few months it happened. Their intent can go from a benign intent toward the United States to an aggressive intent toward the United States just as quickly. They have the apparatus, they have the nuclear weapons still. As the gentleman from Pennsylvania [Mr. WELDON] said so eloquently, if they are not aimed at the United States it takes 30 seconds to retarget them. That means that a Soviet missile specialist sitting in a silo can re-aim those nuclear weapons at cities in the United States as quickly as the average rifle shot at the Olympic rifle marksmanship trials can lift his rifle up and aim it at a bull's-eye. That is how fast the Russians can retarget. We have China trying to step into the superpower shoes that were left by the Soviet Union and their military is on the ascendancy. They are adding things like this missile destroyer. This missile destroyer has only one enemy in the entire world. It is designed specifically to destroy American ships and kill American sailors. They are doing that incidentally with the toy money and the other money that we send to

the tune of $40 billion a year in surplus to Communist China.

Mr. Speaker, we live in a very dangerous world. The last thing that I think it is important for my colleagues to know is that while we are short on Marines, we are short on Army, we are short on Air Force, we are short on Navy in terms of force structure, we are also short on ammunition. The Army has certified to myself and to the gentleman from Missouri [Mr. SKELTON], who is the minority ranking member on the Subcommittee on Procurement, that they are $1.6 billion short of what it takes in ammo to fight those two wars that we talked about. The Marine Corps has said in their letter that they are $300 million short in ammo. They are 93 million M–16 bullets short of what it takes to fight those two wars we talked about. The point is we have entered a trough, a time of weakness, it is a historic cycle, a cycle down in this case for America in terms of defense spending. We need to boost it back up. I guess what I would ask all of my colleagues is to stick with us, stick with the few extra dollars that we put into this defense budget to give some modicum of support to the men and women who serve in our Armed Forces.

Mr. Speaker, I think it is clear that our motto with respect to national security should be, ''Be prepared.'' We are not prepared now if the intent of other nations around the world changes dramatically and suddenly. We owe it to the American people not to be ready to build a strong defense but to be ready with a strong defense already built in case we should have a war.

THE REPUBLICAN TAX CUT PLAN AND THE BUDGET BILL

The SPEAKER pro tempore (Mr. COBLE]. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I wanted to spend some time today, and know I have some of my colleagues, including the gentlewoman from Connecticut [Ms. DELAURO], who has been really outspoken on this issue of why the Republican tax cuts which are part of the balanced budget package really are not fair to working families in this country. Of course the Democrats have come up with an alternative primarily targeting the tax cuts to working families. Really for those of us who voted for the balanced budget resolution and who have supported that plan over the last couple of weeks, it has been very disappointing to see the Republican leadership, particularly on the Committee on Ways and Means, come up with a tax bill that essentially does not do the right thing for America's working families. Because we believe, those of us who supported the balanced budget resolution, that in achieving a balanced budget, we have to do what is fair. We have to make sure that whatever tax cuts are implemented, primarily are targeted to help America's working families.

I am really concerned that the Republican leadership is doing just the opposite. Their tax bill would essentially phase out the alternative minimum tax for corporations which will cost taxpayers $22 billion over the next 10 years. This is a tax on corporations that was passed in 1986 to stop many large, wealthy corporations from getting away with paying no taxes at all which is what we are going to go back to if the Republican leadership plan, their tax cut plan, goes through.

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And while doling out this corporate welfare essentially, the Republican leadership has also decided to deny tax breaks for working families and also deny, and I want to stress deny, the minimum wage and basic worker protections for men and women they said had to get off welfare and go to work.

I do not know how this got into the bill, but in addition to the problems with the Republican tax cuts not helping working families, they have also put a provision in the reconciliation bill as part of their budget plan that would say that for those who are on workfare, those coming off of welfare as a result of the welfare reform, that they do not get minimum wage, and I think that is totally wrong. The whole idea of the welfare reform was to encourage people to work, to bring these people who are on welfare up to the standards, if you will, of the rest of the working population, and if you simply deny them minimum wage in the context of this overall plan, I think what you are doing is basically saying they are second-class citizens, and making them create competition between those who are already working, who are getting the minimum wage, to essentially bring down their wages as well.

So, Mr. Speaker, the Republican priorities I think are clear, and they are actually very bad for working people because the tax cuts are not for working people; the minimum wage, the lack of a minimum wage for people coming off welfare, does not encourage them to work, and the tax breaks again go for the wealthiest and most powerful corporations and individuals rather than for the working families of America.

We are going to be talking a lot more about this, but at this point, if she likes, I would yield to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I thank my colleague from New Jersey, and am glad to join with him this afternoon just to say that I look forward to all the opportunities that we have in the next several weeks to talk about the tax cut plan, because I think you stated it absolutely correctly.

There are two tax cut plans. The Republican majority has a tax cut plan, and the Democrats have a tax cut plan. This is not a question of one or the other parties having a plan; we both concur like we did on a balanced budget agreement that in fact we ought to be able to provide tax relief, and the tax cut plan is a good opportunity for the public to take a look at who is on their side and who is on the side of working middle-class families in this country.

That is what the discussion is about because, again, there are two tax cut proposals that are on the table.

Just a footnote to what you were saying about the minimum wage, which is really quite extraordinary in that we pride ourselves in this country on rewarding people to work. We also passed a welfare reform bill in order to get people from welfare to work. That was the purpose of the legislation, and I think everyone concurs with that.

Now to say that if you are going to work, you cannot earn the minimum wage; that is astounding and outrageous, quite frankly, when you think about trying to reward people not for something they are not doing, which was the cry in the welfare situation and why we reformed welfare, but to get people from welfare to work, let us pay people the minimum wage, an honest day's pay for an honest day's work. I mean that is what we are all about in this country.

Let me go back to the tax proposal because, as my colleague from New Jersey has pointed out, the Republican tax proposal flat out, plain and simple hurts middle-class families. My colleagues from the other side of the aisle, they are going to stand in the well of this House, and they are going to talk otherwise. Let me just give you two or three facts about the Republican proposal and then two or three facts about the Democratic proposal.

One, the Republican bill hurts working women by slashing the child tax credit for 6 million families. The Republican bill hurts seniors by providing only $600 million for low-income seniors to pay for rising Medicare premiums. What is necessary, and these are low-income seniors who are assisted with paying their Medicare premiums, what is required in the bipartisan balanced budget agreement. Now understand, people must understand that in a bipartisan way we said we were going to have a balanced budget agreement, and we agreed in that bill, with lots of weeks of turmoil and tribulation and going back and forth, to come to a balanced budget agreement. Within there it is said that we need $1.5 billion in order to help seniors, low-income seniors.

This is nothing new. This was agreed to. The Republican majority has reneged on that agreement with regard to seniors.

The Republican bill hurts working families by denying the minimum wage to those struggling to make the transition from welfare to work.

The Republican bill hurts students. It provides, their bill provides, $15 billion; I repeat, $15 billion less for the

education initiatives that were once again agreed to in a bipartisan way by the President and by the House and the Senate. This was agreed to. Students are hurt by providing $15 billion less in financial assistance to assist working families in getting their kids to school.

Take a look at their proposal, and you take a look at who is being helped by the congressional majority's proposal: big business and the wealthy. There are two or three examples, and my colleague from New Jersey already mentioned one of them. The bill helps big business, the biggest, largest, most prosperous corporations in the country. By scaling back something called the alternative minimum tax, it scales back their tax obligation by $22 million. This tax was supposed to ensure that large corporations pay at least some income tax, but now the Republicans want to scale it back, and then they want to phase it out completely for some businesses.

I might add here that this was tried in the last session of the Congress as a part of the Contract With America, the repeal of the alternative minimum tax, causing such an outcry in the country that they shelved it for a while. They now brought it back. Again a week ago there was an outcry, but what they did was they called for the repeal. There were people who said this is outrageous. Even some of the members of the Republican conference said that it was outrageous. How can we go to the floor of the House, one Member said, and defend the largest corporations in the country not paying a single dime in taxes when working families are paying taxes?

So what they did was that they retreated somewhat from that, so what they are doing is they are giving them a gift, but they just scaled back somewhat on the gift that they are giving them. This is really outrageous. These are the most prosperous corporations in the country. In 1986 we said let us just put in a floor so that you will be paying taxes like everyone else, and now they want to begin to phase it out. At the same time they are telling parents, men and women who are in the workplace, that they are going to cut in half their opportunity to take a dependent child care tax credit. They are going to cut that back in half for working families today and provide the biggest corporations in this country with a windfall profit.

The Republican bill helps the rich by providing tax breaks for the wealthiest of Americans. Over half of the tax benefits from this bill go to the top 5 percent of Americans, those making more than $250,000 a year.

These are simply the facts. These can be looked at, and people do not have to take my word or your word or anyone else's word. They can take the documents, they can look at the commentary on the documents, and they will find that these are the simple facts about the Republican tax proposal.

Let me make an additional comment in response to my colleague on the other side of the aisle [Mr. KINGSTON]. This morning he referred to the families who receive the earned income tax credit as being, quote, on welfare, and I have a high regard for my colleague from Georgia [Mr. KINGSTON]. I just want to remind him that earned income tax credit means that people are earning an income before they are allowed any kind of tax credit. Earned income; this is a tax credit for working people.

My colleague from Texas [Mr. ARCHER] also said the other day that millions of working families call the earned income tax credit the EITC welfare program. The earned income tax credit is not welfare. It is a tax break for low-income families who work. Once again, it is a tax break for low-income families who are working. These folks are working hard, they are playing by the rules, only to be criticized as receiving welfare simply because they do not happen to make a lot of money; they are not the richest corporations in this country.

My colleagues' comments speak volumes about whose side they are on in this budget debate. The Republicans are not on the side of average Americans if they consider tax relief for working families' welfare. This is clear by their willingness to give huge tax breaks to the wealthy and to big business at the expense of average working families.

I just want to make one other point, and I will yield back to my colleague, because I said that there is a Democratic tax cut proposal that is on the table. It has been designed very, very carefully in order to provide working middle-class families with tax cuts and tax breaks. The Democratic tax bill provides the majority of its tax benefits to families making less than $100,000 a year. The tax bill, the tax cut package, includes $37 billion for tax credits to help students to pay for college, truly making it a reality in this country that we will have not just 12 years of universal education, but 14 years of universal education, and this is through a HOPE scholarship program.

The Democratic tax bill provides relief to small businesses through capital gains that is targeted specifically to small businesses, to family-owned businesses, homeowners, to farmers, in the form of targeted capital gains and estate tax cuts. The homeowners' capital gains tax cut is in the Democratic alternative.

Finally, what the Democratic bill does not do, it does not balloon the deficit in the later years. So after the first 5 years you will not see the deficit, which we have worked so hard to decrease, balloon out of sight once again, thereby defeating everything that we did since the 1993 budget that only Democrats supported in this body, which allowed for interest rates to come down and provided us with the opportunity today in order to have a balanced budget agreement and to be able to have a tax cut program.

The Democratic bill does not balloon the deficit. In fact, the Democratic bill is the only proposal on the table that in fact is a balanced budget which phases balance into the next century.

In this budget debate it is clear that what we have got to determine and the public has got to determine is who is on whose side. Republicans are on the side of big business and the wealthy, and it is the Democrats that can say to the average working middle-class American family that we are on your side. And quite honestly, that is where we ought to be. We ought to be with people who are trying desperately to pay their bills, scrambling every week to get those bills paid, to get their kids to school. They are worried about the cost of health care, and they are worried about their pension and their retirement security.

That is where our obligation is, and I am proud to say that that is, in fact, where the Democratic tax cut proposal is.

I thank my colleague for calling this special order today, and I am happy to participate with him.

Mr. PALLONE. I just want to thank the gentlewoman from Connecticut.

Again what the gentlewoman is saying and what all the Democrats are saying here is that in the context of this balanced budget resolution what we want to do is augment the middle class. The middle class, the working class, is really what defines America. It is why this country is so much greater and has been so much more successful than other countries, because we have this huge middle class. And so what we are saying is that with the limited resources that we have available pursuant to this balanced budget resolution we want to make sure that those tax cuts go to increase the middle class and to make the middle class and the working class a larger and larger group.

Now I think that the gentlewoman in particular by focusing on the struggling working people, you know those who are at the lower end we are trying to get off welfare, those are the ones in particular that we have to try to help. You know, that is the whole idea of the welfare reform, to get people off welfare. But they are only going to get off welfare and have an incentive to get off welfare if on the one hand they are paid a decent wage. I would maintain that a minimum wage is not even a decent wage, but at least it is a beginning, and that they have a place where they can provide child care for their kids while they work, and everything that is being done by the Republicans that addresses these struggling working-class people is essentially to their detriment. We have this earned income tax credit which has been a major incentive to get people off welfare and stay off welfare.

□ 1515

To the extent that people are penalized because they are getting that, it is

detrimental to the goal of getting more people into the middle class. To the extent that they are penalized because they are poor and they are trying to take advantage of a child tax credit and they cannot juxtapose that with the earned income tax credit, again, it is a disincentive for them to work and for them to get off welfare.

So I think that the gentlewoman is right on board there when she is talking about these things. Of course the biggest aspect is the minimum wage. If one says that people who are getting off welfare are not going to get the minimum wage, if we take that away, and we take away the advantages of a child tax credit and create disincentives for the earned income tax credit, we are basically making it more difficult for those struggling working class people, the very opposite of what we should be trying to do with this legislation.

At this point I would like to yield to the gentleman from Texas [Mr. GREEN].

Mr. GREEN. Mr. Speaker, I thank my colleague from New Jersey for this special order to talk about the tax cut bill. My colleague, the gentleman from New Jersey [Mr. PALLONE], and I serve on the Committee on Commerce, and last week we spent many hours in markup and voting on the Medicare portion and Medicaid and children's health care portion of the budget agreement.

My concern today is the medical savings account and the cost that it will have. A little brief history maybe. Last year under the Kassebaum-Kennedy bill, where we had portability and dealt with MSA, as a pilot program for medical savings accounts, MSA's were allowed for half a million people. MSA's, medical savings accounts, are allowed today even without that. If I wanted to go out right now and set up a high deductible health care plan, I could go buy it.

What the bill last year did is say OK, we are going to take 500,000 people and we are going to give them a tax deductibility, like an IRA, for their medical savings account. Now, the majority Republicans in the House want to do this for Medicare. But again, let me go back and do some comparisons between medical savings accounts and standard insurance.

Medical savings accounts, again, one could do it without any authorization from Congress, but the tax deductibility is the thing that makes it attractive, whereas last year the average wage-earner in our districts across the country that may pay $200 or $300 a month for their insurance, for their children's insurance, for example, they do not receive any deductibility for that. So if one has $5,000 to put away, we are giving a deduction. But if one has to pay for one's insurance, $200 or $300 or $400 at a time, one does not get that deduction. So all I think we ought to have is fairness.

It was wrong last year, but it is even more wrong with Medicare, because under Medicare it is actually costing us $2 billion of tax money to do a pilot program for half a million senior citizens who are on Medicare. Again, it is not like those seniors have $5,000 put away. It is the Government that is going to give them their money for their medical savings accounts, so that is why it is going to cost us for a pilot program $2 billion.

It is not those seniors' money, it is everybody's money to do it. Medical savings accounts were sold to us as a way that we could control our own health care. And maybe it works, but the only reason it will work is that, if we give a tax deductibility for people who are non-Medicare, and on Medicare, we are actually paying them to do that.

The way it works, the 500,000 pilot program under MSA's for Medicare is that Federal tax dollars will pay for $5,000, and they will buy that down, for whatever they do to go to the doctor. What they have left in a certain year, then they get to take that. There is very little control, as we heard in committee last week, that if I was 66 years old and wanted to do a medical savings account, I would apply and be accepted into the pilot program, I guess. And if I only used $1,000, then I could apply for the remainder of that. If I wanted to buy a boat with it, if I wanted to do whatever I wanted to with it, there are no restrictions in this bill.

The problem most of us have is that the average Medicare recipient today costs, on the average, both the people who need a lot of help from Medicare and the people who are healthy Medicare recipients, is about $1,600. So it is a bad deal for the taxpayers to pay $5,000 to somebody who may only be on the average using $1,600 during the year. That $2 billion is part of this balanced budget agreement, that is what bothers me.

Now, there are lots of things I may disagree with, and some of them I may support in the proposal we are going to consider. But the MSA's is a tax cost, and it is tax dollars that are being used to experiment that we can experiment and do options for a lot cheaper than $2 billion. We ran with amendments in committee, and I think my colleague and I both voted for a smaller pilot program, one that costs a lot less. We lost on basically a party line vote. That is the frustration.

Mr. Speaker, we all want choice in our health care, whether one is a Medicare recipient or whether one is just someone else out here buying on the open market for health care. We want choice. But the choice should be our choice, but the choice also should be our assets or our costs that one is dealing with.

Now, if we want to give a tax deductibility for people on health care, then I hope to, and maybe that ought to be one of the tax reform measures. Let us give a tax cut to people who are having to buy insurance. The gentleman and I know that there are great examples of employers all over the country because of the cost of health care for their employers, maybe at one time they gave both dependent care and their employees; but because of the high cost of insurance, they have cut back and they say well, we will pay for their employee's coverage, but their employee has to pay for this dependent care.

Why do we not give a tax deduction in this bill for that dependent care? We would see more children insured, more dependents insured, spouses who are at home who may not be eligible for health care through an employer; but that is not considered. We are going to spend $2 billion of tax dollars for an experiment on Medicare on MSA's, medical savings accounts, and it just does not make budget sense.

That is the frustration. It is not GENE GREEN or Democrats in Congress saying that it is costing $2 billion. The Congressional Budget Office estimates that these medical savings accounts would cost $2 billion over the 5-year budget period.

Only in Washington, and we heard this last week in our committee, only in Washington could a $2 billion cost say that is cost containment. To me, we ought to be able to save money on that and not spend $2 billion.

MSA's, or medical savings accounts, in a sense are a voucher for seniors' health care, and it is more expensive for the Government because not every senior uses that $5,000. Again, my seniors in Houston, just like my colleague's in New Jersey, are smart enough to know to say: Well, wait a minute, I am healthy, I do not need to go to the doctor every day or every month, I will apply to that, and if I do not use that $5,000, that is money in my pocket. So that is tax money, though. I want them to have the money in their pocket but not when we are having to take away from other programs to have to do it.

A good example of taking away: One part of the budget agreement that I thought was good that we again failed on in the committee process was to have a program on the Medigap, or the supplemental insurance for senior citizens. So often, Medicare costs them $43, $45 a month, Medicare part B. That will go up under the program, although it will go up a small amount every year. The high cost to seniors today, though, is what their supplemental insurance is costing them. So there are a lot of seniors who are poor seniors who do not have the money to pay $200 a month for their supplemental policy.

That is the problem in part of the budget agreement, was to save those seniors who are poor that would be paid their supplemental insurance, would be paid through Medicaid. But we lost again on that amendment last week that would say well, wait a minute. The budget agreement said that these costs are going to go up.

Let us take care of poor seniors who cannot afford the supplemental plan. What do we have? We lost on that. So

we have a lot of seniors who are going to, may see a substantial increase in their costs and cannot afford it. That is why a lot of us on both sides of the aisle, I know I do as a Democrat, want to see a balanced budget. But what is coming out of our committees, whether it be our Committee on Commerce, whether it be out of the Committee on Ways and Means, the Committee on Agriculture or Committee on Education and the Workforce, is something that I cannot support because the devil is in the details.

We support a balanced budget. But when we see the details that are coming out of some of our committees, that is when we are going to say wait a minute, that is not the agreement that was made 3 weeks ago or a month ago, that is not the criteria, that is not the framework that we talked about. When we are not taking care of seniors, who cannot afford the supplements, when we are experimenting with $2 billion of tax dollars for medical savings accounts, that is $2 billion.

I hear all the time from our conservative talk show folks that say, it is not your money to spend. This $2 billion is not my money, it is not our money, it is tax dollars that we should not be experimenting with, tax dollars for medical savings accounts. It is not a good program. And I would hope that, although we will not have a vote on the floor on that amendment, I would hope the conference committee and the Senate would look at this and say that $2 billion can be used for other purposes, or maybe send it back to the folks for more tax reduction, or maybe help balance the budget sooner than 2002, which also brings up a concern.

I worry about the tax agreement or the budget agreement, $85 billion in tax cuts that we have. We have lost our goal, to balance the budget. And I worry that we are going down that same road that happened in the early 1980's where the last major tax cut was 1981, and yet we saw the budget deficit balloon during the 1980's because of a lack of budget discipline. I hope that we are not making that mistake here in this Congress.

So I want to thank my colleague from New Jersey for having this special order but also for allowing me to participate in it today.

Mr. PALLONE. Mr. Speaker, I appreciate the statements that the gentleman from Texas made, and if I could just elaborate on these MSA's and what is happening with Medicare with the MSA's. I find it incredible.

The gentleman, of course, listened to the earlier debate that we had where we were discussing the fact that as part of that balanced budget resolution, we wanted to make sure that scarce resources, in this case the tax cuts, went to working class people, working families in this country, and not to corporations or the wealthy.

Well, here again, we are seeing the same thing on the other side. That was the tax cut side. This is of course the entitlement or the spending side, if you will, to some extent, and here we are seeing the same thing happen again. MSA's, medical savings accounts, were not part of the balanced budget resolution.

The idea was that we were going to have to cut back on the amount of money we spent on Medicare and Medicaid, because we knew that entitlements were ballooning and that, if we did not make some cuts in those entitlements, that the programs would not be there in the future, because we do not want Medicare and Medicaid to become insolvent. We want them to be there for future generations.

So we all reluctantly, I know the gentleman and I reluctantly agreed to some of these cuts in Medicare and Medicaid. But in the context of that, to come along with a totally new program now, medical savings accounts, which really do absolutely nothing but take more money away from Medicare, I think, is unconscionable. I really do, because what we are basically saying is that we are going to cut, if you will, another $2 billion that is going to be possibly taken out of the Medicare Program, when we already know that it is a problem taking some of the cuts that it is taking under this budget resolution; and we are going to give that money, in my opinion, primarily to wealthy people.

I say that because, as the gentleman said, who is going to take advantage of this program? Basically what we are telling this individual is this: If you take the money that it costs on an annual basis for Medicare, for the average person, and we give you that money and you go out and buy a catastrophic health care policy just to cover you in case you have a catastrophic illness, then you keep that other money, what is left, in the bank. Say it cost $1,500 for the catastrophic policy and you have another $2,500 to play with, you keep that in your bank; and as you get sick, you pay for that in cash, essentially.

□ 1530

The average senior citizen, the average person over 65 who is going to be worried about how they are going to pay for their health care if they get sick is not going to take that risk.

The only person who will take that risk is, first of all, someone who is very healthy, and not too many over 65 are very healthy, and they have to have enough extra money, they have to have a lot of other money and be wealthy to know if they have to pay into it, if they have to go over that 25, that the money is available. So the only people who are going to take advantage of this are healthy and wealthy people. The other thing is if they do get sick, then a year later they can go back into the traditional Medicare.

What are we doing? Once again we are creating a huge hole in Medicare to give money back essentially to pretty much wealthy people, and then at the same time, the Republicans have refused to pay for the premiums for the very poor people, we call them SLMBY's, who they promised in the budget agreement they were going to pay for.

So under this Republican proposal that came out of the Committee on Commerce, if I am somebody at the lower end, relatively poor, right now my Medicare Part B, my doctor bills, if you want, my doctors insurance, is paid for by Medicaid, OK? But the Republicans are saying, we are not going to do that because that is going to cost us $1.5 billion, so you are on your own.

So what happens is the poor person cannot get the money to cover the Medicare Part B; the wealthy, healthy person now gets money back that they basically get as income to themselves from the taxpayer. I hate to say it because I do not like to talk in these terms, but basically what the Republican leadership has done is to say that we are going to help the wealthy, and we are not going to help the relatively poor struggling working people; again, the same thing that is happening with the tax cuts.

I just find it incredible that they are proposing this with a straight face. This was not part of the budget agreement. This does not do anything to help Medicare. It does not do anything, and if anything, it aggravates the potential problem in terms of insolvency for Medicare.

Mr. GREEN. If the gentleman will continue to yield, Mr. Speaker, I guess my concern is we are losing the budget agreement in the effort with the details. Again, there are a lot of healthy senior citizens, and again, they are smart enough to know that they will not go get those tests if they feel good, if they know they can keep that money themselves.

But again, the average cost for a Medicare recipient in our country today, the average cost of everyone, is $1,600 a year. If you give the healthiest an opportunity to have a medical savings account that is paid for by the Government, paid for by the Government, that is deductible in their premium, then they are going to take it.

My concern is over a period of years, we heard last year the denials that Medicare would wither on the vine. This may be, now it may be baby steps to get Medicare to wither on the vine, because let us take money out of Medicare and put it in an experimental program for $2 billion. Next year it might be something else they want to do, or something else. So they are taking money out.

Again, we know Medicare has to be reformed. We know we want the trust fund, I want the trust fund to be solvent after 2010, because frankly, I am going to be 65 sometime after that time. I want Medicare to be there not only for my dad, but for me and also for my children.

But we do not do it by taking money out of the system and experimenting

with it, and maybe calling into question the whole senior citizen health care program that has been with us since 1965 and has been one of the greatest things our Government has ever done for seniors. It shows, because that is also the ever-increasing population. People are living longer, and it is also because both they are healthier and also they have Medicare to take care of people.

I want to thank the gentleman for taking his time for this special order, not just on the medical savings account, but also on the whole tax bill, because there are things in there that I would like to vote for, but things like MSA's make it to the point where I just cannot vote for it. If they are in there, with the lack of the SLMBY help for the senior citizens, then I would hope the President would also make that determination and veto it if it actually gets to his desk with those in there.

Mr. PALLONE. Mr. Speaker, I appreciate the gentleman's comments. I just want to talk a little bit more about the MSA's, because I think the gentleman made a very good point about how the MSA's actually, in the long run, may hurt or even kill the Medicare program. Many of our Republican colleagues, including the Speaker, who made the comment about how Medicare should wither on the vine, essentially have been indicating over the years their lack of support for the Medicare Program.

I think in many ways what is happening here with the MSA's, with the medical savings accounts, is an effort to try to ultimately destroy the Medicare Program. I am not going to say it is always intentional on the part of my colleagues on the other side of the aisle, but the effect is the same.

Let me just give a little bit of information in that regard. First of all, the whole idea of an insurance pool, and the whole idea of Medicare, because it essentially is an insurance pool, is that you have both healthy people as well as sick people, and everyone in the middle. In other words, you finance the system, if you will, by having as many people as possible who are healthy as well as sick, because the idea is that having a lot of healthy people in the overall insurance pool provides money that can be paid out to those who get sick.

If you break that system, if you separate the healthy from the sick and essentially put the healthy into medical savings accounts so Medicare, now the traditional Medicare, only has sick people, you are essentially breaking the insurance pool, and you are driving up the costs of the Medicare Program for those who are left in it, the people who are essentially sick.

What essentially MSA's do is the antithesis of what health insurance is meant to be, financial protection for the sick. You break the insurance pool and you make it much more difficult for Medicare to exist as a viable program.

Just to consider an example of how the MSA's would drain Medicare, 10 percent of the sickest costs Medicare, per beneficiary, $37,000. Ninety percent of the healthiest costs Medicare, per beneficiary, $1,400; and the cost of the average Medicare enrollee is $5,000.

So if 90 percent of the healthiest seniors, whose actual health care costs are far lower than the average cost Medicare pays per beneficiary enrolled in MSA's, then ultimately what would happen is the increased cost to Medicare for the coverage for the healthy beneficiary would be $3,600, more than double the present costs. Medicare MSA's would drain the funds meant to pay for the sick and would provide a windfall, essentially, to the healthy.

What we are going to see in the long run with MSA's is essentially what I call a death spiral for the Medicare Program. Payments to SMA enrollees will divert funds from traditional Medicare, leave behind higher costs for Medicare enrollees. To meet budget targets, this will lead to cuts in provider payments and possible benefit cuts. The next year the cycle will continue, and eventually the cycle will continue to drive relatively healthy seniors into MSA's, drive up traditional Medicare costs, cut provider payments in traditional Medicare, and drive doctors away from serving patients enrolled in traditional Medicare. This could ultimately lead to the demise of the Medicare Program. I am afraid that that is what we are going to see with the MSA's.

Mr. Speaker, I would like to go back, if I could, for a few minutes to the tax cut plan, and why the Democratic alternative is so much better than what the Republicans have put forward.

If I could just talk about two aspects of this, one is what the Republicans have done in their tax cut plan to essentially attack the struggling working families, people who are just getting out of welfare, that are trying to work. The second thing I would like to talk about is how the two plans, the Democrat versus the Republican plans, differ on capital gains and estate taxes, because I think that is where we see the difference in terms of Democrats trying to help working families and Republicans primarily trying to help the very, very wealthy.

As far as this Republican attack on struggling working families, again, going back to the earned income tax credit, to the minimum wage aspect, and to the children in day care, in a letter to President Clinton, the Committee on Ways and Means chairman said that he would not give his $500 child tax credit to millions of working families because they ''already receive Tax Code benefits through the earned income tax credit welfare program,'' referring to the earned income tax credit as a welfare program.

Again, I think that is totally inaccurate, because the earned income tax credit is for struggling working parents. People would be shocked to hear themselves described as on welfare when they are paying taxes. Essentially I think this is the Republican strategy. In order to give as many tax breaks as possible to the wealthy, they have to keep putting down low- and middle-income families, and they make them seem undeserving of tax credits.

The other thing is that the GOP bill punishes working parents for placing children in day care. We talked about this a little bit. Families eligible for this same earned income tax credit are not the only ones that the Republican tax bill shortchanges. The House Republicans refuse to give their child tax credit to parents who deduct child care expenses from their taxes, effectively punishing working moms and dads for putting their kids in day care.

Then, of course, the last piece of this is the effort, this sneak attack, if you would, on the minimum wage is saying people who are in workfare, who are coming off welfare, would not be paid a minimum wage.

What I am saying, again, is if we look at the Republican plan it does the opposite of what is necessary to get people off welfare and to help the struggling working class people at the lower end of the spectrum, but who are still working, because it makes it more difficult, more difficult for them to get day care, more difficult to keep money they would get through the earned income tax credit, and more difficult for them to earn a decent wage because they are no longer necessarily going to be paid the minimum wage.

I just wanted to talk a little bit, though, also about the two tax cuts that I think in many ways are at the heart of this Republican effort to try to benefit the wealthy at the expense of the middle class. That is the capital gains tax cut and the estate tax.

In the Senate Finance Committee plan put forward by Senator ROTH with regard to capital gains, the top rate on capital gains from the sale of stocks, bonds, or other assets would drop to 20 percent from 28 percent, so again, the Republicans are looking at capital gains cuts across-the-board, stocks, bonds, or whatever assets, and they are dropping the rate from 28 percent to 20 percent.

Up to $500,000 of the gains from the sale of a home would be exempt for married couples. Currently the tax can be deferred if the gain is rolled over into purchasing of another home. What the Democrats, or I should say the President's response is, President Clinton's response to the Senate Republican plan, was to basically say that capital gains breaks should be narrowly targeted to homeowners and middle-income families.

That is not to say that we would not like to give a tax break to people who have large portfolios of stocks and bonds, but we have a very limited amount of resources here. If we are going to have tax cuts that are going to help working families, they should be narrowly targeted to homeowners.

That is essentially what the President has been saying and what the Democrats have been saying.

What the Democrats have proposed in their alternative with regard to capital gains for homeowners is it permits homeowners to sell their homes at a loss, and to deduct those losses, up to $250,000, from their taxes. The Democratic tax alternative permits homeowners to not be taxed on the first $500,000 of gain from the sale of a House, again, as in the President's budget.

With regard to small businesses and farms, the Democrats provide a targeted tax cut for capital gains income. The Democratic alternative cuts the rate from 28 percent to 18 percent for certain capital gains income, and it is targeted only to those who sell real estate, farms, and small businesses after 3 years.

Let us go to the estate tax, because again this is where we see the big discrepancy between the Republicans and the Democrats. On the estate tax, the Roth plan, the Republican plan, says the amount an estate can pass on without paying tax would gradually be increased up to $1 million of small business, and family farms would be exempt from estate tax.

What the President says in response to that is that estate tax relief should be offered only to small businesses and family farms, not to the well-to-do.

What does the Democratic alternative propose? It is narrowly targeted, focusing on family-opened businesses that make our country thrive. For a couple, the Democratic bill increases the amount that a family can pass down at death from $1.2 to $2.0 million, and targets it only on family-owned businesses.

So again, the question here again is where are we going to give the tax relief? Where are we going to make the changes and provide tax relief? The answer, the Democrats say for working families, not for the wealthy. Please, let us not again phase out the alternative minimum tax for corporations, because again, the Republicans there once again show that they prefer large corporations and the wealthy for their tax cuts.

Mr. Speaker, I yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

ACTIVITIES SURROUNDING DISCRIMINATION AGAINST MINORITY FARMERS WITHIN THE DEPARTMENT OF AGRICULTURE

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I want to bring to my colleagues' attention a high priority matter for rural and minority communities, the recent important activities surrounding the longstanding problem of discrimination against minority farmers within the U.S. Department of Agriculture. Indeed, widespread unfair, unequal treatment of socially disadvantaged and minority farmers have been well documented for more than three decades.

□ 1545

A GAO report, an inspector general's report, and an exhaustive Civil Rights Action Team report called CRAT are just the latest in a series of government initiatives examining this problem. This issue was first raised in 1965 when the U.S. Commission on Civil Rights established that the USDA discriminated both in internal employee actions and external program delivery activities.

An ensuing USDA employee focus group in 1970 reported that USDA was callous in their institutional attitude and demeanor regarding civil rights and equal opportunity.

In 1982, the U.S. Commission on Civil Rights examined this issue a second time and published a report entitled ''The Decline of Black Farming in America.'' The commission concluded that there was widespread prejudicial practices in loan approvals, loan servicing and farm management assistance as administered by the Farmers Home Administration.

However, as no improvement was forthcoming, this matter was investigated again in 1990, by the House Governmental Operations Committee, chaired by our colleague, the gentleman from Michigan [Mr. CONYERS]. Ironically, the same conclusion was reached in 1990 as had been reached in 1982, that the Farmers Home Administration had been a catalyst in the decline of minority farming. That conclusion is found in the Conyers report entitled The ''Minority Farmer, A Disappearing Resource; Has The Farmers Home Administration Been The Primary Catalyst?''

Then in January 1997, the General Accounting Office published a report entitled ''Farm Programs: Efforts to Achieve Equitable Treatment of Minority Farmers.'' While much of the report was inconclusive due to its limited scope, GAO did find instances of discrimination. GAO also found that the disapproval rate for loans was 6 percent higher, 6 percent higher for minority farmers than the rate for nonminority farmers.

The very next month, two related reports were released. The Office of Inspector General Evaluation Report for the Secretary on Civil Rights Issues and the Civil Rights Action Team Report. The authors of these hard-hitting reports came to the identical conclusion as those that had looked at this issue some 32 years previously. There are significant problems with discrimination within the Department of Agriculture.

The CRAT report by the USDA identified discrimination among various minorities, including women farmers, Hispanics, Asian and American Indian farmers.

In addition, in November of last year, FSA Administrator Grant Buntrock stated in a public speech: ''We recognize there has been instances of discrimination in responding to requests for our services in the past, and we deplore it.''

Throughout his tenure, Secretary Glickman has continued to display a firm intent to promote changes at the USDA. However, change, the kind of change which is needed in this situation, is very difficult and very demanding. It is my hope and it is the hope of many of my colleagues in Congress, as well as the hope of minorities across the United States, that Congress will provide Secretary Glickman with the kind of support he will need if indeed true change within the USDA is realized.

To this end, we must enact legislation making some public commitment about this matter, particularly as we are in discussion about race and better race relations.

In that way we will demonstrate that rooting out discrimination at USDA is a national priority, not just words to be in a report. And we will give the current effort the kind of boost that is required to begin to bring closure to a chapter in our national history that should have been closed long ago.

Mr. Speaker, I hope we will correct this discrimination pattern that has gone on far too long and make sure all Americans, all farmers, regardless of their gender, regardless of their race, regardless of locality, will have equal access both to the grant resources as well as the program resources.

THE DEATH TAX

The SPEAKER pro tempore (Mr. COBLE). Under the Speaker's announced policy of January 7, 1997, the gentleman from Mississippi [Mr. PARKER] is recognized for 60 minutes.

Mr. PARKER. Mr. Speaker, I have listened with interest to all of the different speakers today in the special orders. Many of them have been talking about the different tax breaks and tax cuts that we are discussing now. I find it very encouraging that after a long period of time we are finally getting around to talking about giving a break to the American people, something that they have needed for a long time.

Every once in a while there comes a point when an issue comes to the fore and its time has truly come. I think that issue for many Americans is going to center around what I consider the death tax. Some people call it inheritance tax. Some people call it an estate tax. But it is truly in every sense of the word a death tax.

At a point in a person's life when they do not need another emotional blow or financial blow, they have been touched by a circumstance where someone dies. All of a sudden the Government comes in and says, by the way, we are going to add to your misery. What we want to do is disrupt your entire life, and that is especially true for hard-working men and women all over this country.

Mr. Speaker, I want to read a little story. It is about a lady, Idaho rancher named Lee Ann Ferris, who experienced the most devastating event in

her life after her father's death, which was terrible, in 1993. But it was followed by this. Her accountant told her that there would be no way to keep the ranch when her mother passed away. She was quoted as saying, I was like a dazed deer looking in the headlights. How could this be? We owned this land. We paid this land off.

Ferris related her story in testimony before the other body, and she was testifying on the death taxes. Proponents of tax reform say that it is needed to help family farms and businesses survive and promote traditional values. Ferris told the other body's committee that the accountant explained to her that, upon her mother's death, the heirs would be liable for $3.3 million in taxes on an operation that was only taking in $350,000 a year.

She then talked about costly estate planning, part of which involved buying a life insurance policy for her elderly mother solely for the purpose of paying off a third of the estate tax. That would still leave the family with a $2 million-plus tax bill. Millions of Americans, farmers, ranchers, small business people, private property owners face a similar grim situation. If the estate assets are worth more than $600,000, the Federal Government, in classic ambulance chaser style, will come calling for what it claims is its share as soon as the funeral is over.

Farmers and ranchers work long, hard hours over a lifetime to build their businesses, says Charles Kruse, a member of the American Farm Bureau Federation board of directors and president of the Missouri Farm Bureau Federation. Quote, often farm heirs must sell business assets to pay estate taxes. When taxes drain capital from a farm business, the profit-making ability of the farm is destroyed and the farm business dies. Farmers and ranchers should be able to save for the future without having to worry about sharing the outcome of their efforts with the Federal Government, especially after already paying a lifetime of income taxes. Along the way they paid income taxes on their earnings. It is wrong to tax those earnings again at death.

Mr. Speaker, I must tell my colleagues, as I look at this death tax and what we do as a Federal Government to the American people, it is truly what I consider immoral. How did we get to this point? I think that it has been a gradual process through the years. Historically, prior to 1916, we would have inheritance taxes from time to time. They normally occurred at times of war when our export market was basically hurt and we were not getting the revenue that we needed. So from a national security standpoint, we would enact as a Congress an inheritance tax to bring in more money to the Federal Treasury in order to maintain our national security. That made a tremendous amount of sense.

That occurred over 100 years, our first 100 years as a nation. But in 1916, we put into place a death tax that has pretty much remained constant throughout the years. The death tax was established in 1916 basically to redistribute wealth to prevent certain families from amassing the majority of the Nation's riches. However, as is the case in most tax schemes aimed at the rich, the extremely wealthy find a way to stay extremely wealthy in spite of the tax. And the middle class, the small business entrepreneurs, are the ones who struggle. They are the ones that are hurt. They are the ones that have to bear the brunt of this tax policy.

If we look at the death tax, as far as what it does to the Federal budget, roughly, we take in about 1 percent of our total revenue, our total annual revenue that comes in from estate taxes. My personal view is that the death tax is not worth the devastation it causes to family farms and family businesses and to the entrepreneurship that is at the very heart of our Nation.

Furthermore, less than one-seventh of 1 percent of total revenue comes from death taxes on closely held businesses and farms. Farmers expect that repealing death taxes would induce them to invest in their businesses in ways that would enable revenue to grow 5 percent faster.

We see the results of the death tax being a burden on the growth in business. More money is spent within our national economy to prevent family businesses from being destroyed by death tax obligations than is being collected by the Federal Government in the form of tax revenues.

We hear that over and over again. There are individuals in this country, lawyers and accountants, who make their living trying to figure out ways in order to save family farms and family businesses. It is heard over and over again. These individuals make a very good living at their profession. They spend all of their time trying their best to create an environment so this business can just be maintained.

A 1996 study by the Heritage Foundation found that repealing death and gift taxes would produce dramatically positive effects in the American economy over the next 9 years. The Nation's economy would average as much as $11 billion per year in additional output and an average of 145,000 additional jobs would be created. Personal income would rise by an average of $8 billion per year above current projections. And finally, the deficit would actually decline due to the growth generated by the abolishment of the death tax.

This tax, and there are individuals, by the way, in our society who do not realize, some of them own businesses, some of them are starting businesses, they do not realize what is going to happen to them when they die, what is going to happen to this business that they have sweated for and hurt for and they have sacrificed their families for.

□ 1600

They are doing this for their families and for their future.

This tax, and we have to understand how much it is, is 37 to 55 percent of the present value of the business. It makes the death of the owner and the death of the small business one and the same. Nearly 80 percent of failed family businesses that enter bankruptcy go bankrupt after the unexpected death of the founder. And high death tax rates force some heirs to sell businesses, break up that business or liquidate most of their assets or all of their assets.

Any of these options is devastating to a community. It is devastating to the employees of that business and to their surviving owners. And let me point out one thing. When we talk about being devastated, we are talking about, for example, a family farm, where an individual buys land, he has a cost basis in that land, and the land has been in the family for 40 years. He has a cost basis in that land of a small amount. Let us say it is $100 an acre. But because of inflation and different factors, that land has increased in value.

Now, understand that owner did not make it increase in value from the standpoint of inflation. We, as a government, created certain monetary policies, we did certain things that made the value of that land increase. So all of a sudden that land that began 40 years ago, that cost $100, all of a sudden is now worth $1,500 or $2,000.

When that individual dies, we are talking about the Government coming in and saying, we created a problem by having inflation, and we increased the cost of this asset that is held by this individual. Now we are going to put this individual in a situation where they are going to have to pay us for the problem that we created. That is not fair.

Now, I have heard people today talk about they do not like the Republican tax bill. They have talked about the estate taxes, and people from the other side of the aisle have been complaining about the estate taxes. I have news for my colleagues. I do not like the Republican plan either, and the reason I do not like the Republican estate tax plan is because it still leaves it in the law. It decreases the amount, but it is still law that we have a death tax.

Mr. Speaker, I want to finish this one statement and then I am going to yield to the gentleman from Georgia [Mr. KINGSTON].

What I want is the total elimination of the death tax. It has no business in our Tax Code. I believe it is un-American. I believe it is the most cruel tax that has ever been put on the American people.

And with that, I will yield to the gentleman.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman, and knowing the interest of the gentleman from Mississippi in this death tax and the repeal of it, and I certainly appreciate his leadership, as do most taxpaying Americans, I wanted to bring an article sent

to me by Dr. Bert Loftman of Atlanta, that was in the Human Events magazine on April 18 of this year, written by Terence Jeffrey, and in that he goes into the history of the death tax.

The article points out that Lincoln imposed an emergency inheritance tax during the Civil War but that it was repealed in 1870, and the reason he did it was because of the national emergency of the Civil War. Also this article points out that in 1894 we had a temporary income tax, as well, but that was also repealed.

I guess the crowning blow that made this permanent was under President Wilson in 1913 when he ratified the 16th amendment that, of course, started the income tax law, but it also gave Congress the power to lay and collect taxes on income. Wilson followed that by cutting U.S. tariffs in half; to pay for or offset the revenue lost by imposing progressive taxes on the incomes of rich Americans.

So here we have historically how this tax came about, to give foreign traders a tax break, and how we increased the taxes on Americans.

What I hear over and over again, and I do not get calls from, say, the Rockefellers and the Morgans or the Ted Turners and the Bill Gates, I do not get those calls, but I do get calls from people who do not have big corporations and big titles. They say they have worked their rear end off for the last 50, 60, 70 years, and they have built up this family farm that has 1,800 acres right now. It has a house on it, and it is now worth $1.5 million.

Now, these people paid for that farm through sweat equity and they paid taxes every single year this farm has been in existence, and now their son or daughter wants to start out being a family farmer but they cannot pass it on to them. So they have to go out and get a fancy lawyer or an accountant or an estate planner to come up with some way around the tax law so that they can pass what is already theirs, what they have already paid taxes on, to their own children so that they can be independent and continue being taxpayers themselves.

This is the fundamental American dream. For liberal colleagues of ours to sit over here with the President of the United States and say no to middle class America, to say ''We want your taxes when you are born, when you are living, when you are working and when you are dying,'' that is ridiculous. The middle class in America deserve better.

While we are all mourning at the funeral, Uncle Sam is there counting his pennies. It is absolutely ridiculous. Let people die with dignity. Let them die knowing that their life and their labors have not been in vain but that they can pass it on to the next generation.

Mr. PARKER. Mr. Speaker, reclaiming my time, I want to tell the gentleman a story. I do not want to mention any names because I do not want to hurt anybody's feelings. On the other side of the aisle everybody always stands up and says, hey, this is for the wealthy, this is not for middle class America.

I want to tell my colleague what the wealthy do. The wealthy will take care of themselves, they always have and they always will. They hire high-priced lawyers and high-priced accountants and they get by and get around anything that Congress puts out.

Mr. KINGSTON. Let us point out, too, there are more millionaires in the Clinton cabinet than there were in other cabinets. If we want to talk rich and we want to talk class warfare, let us start with the Clinton cabinet.

Mr. PARKER. Well, I want the gentleman to understand that I do not have anything against people being rich. I do not mind it at all.

Let me tell the gentleman one of the problems we have. I will tell my colleague this story about a family. There is a family in this country, one of the wealthiest families we have. Everybody knows their name. They own some land, and they bought it dirt cheap.

Now, I had a farmer tell me one time, ''There are a lot of things in the world that are dirt cheap, dirt ain't one of them,'' but I have news for my colleague: This particular family bought some land and they bought it cheap.

Now, on this land they put some hotels. Now, they did not pay much for this land, but what they did, they kept it through the years and they had these hotels on this land, and this was a pristine area. What they decided they would do is, they would turn around and they would give away the part that was not making money.

And they did, they gave literally thousands of acres to the Federal Government. Their lawyers and their accountants out of New York sat down and, smart people, they sat down and they devised this system where they were going to give the Government this land at that day's value but they were going to keep the moneymaking part. They were going to keep the hotels. They did.

Now, in this agreement they said, now, we are going to give the Government this land, and it is a national park now, but they said, we will give the Government this land, but they are going to maintain the roads to our hotels, they are also going to maintain the water, they are also going to maintain the sewer. They are going to take care of everything that costs us money, and they are going to maintain all the land around. All the land we give the Government, they are going to maintain it. It is a gift, but that is part of this transaction.

This family keeps all this lands, all these hotels, and they make a lot of money. A few years ago they decided they had depreciated all they could, made all they wanted to out of it, and they sold it to a big national corporation who now owns it.

Now, the point I am making is this: We cannot imagine the amount of taxes this very wealthy family did not pay because of the way they handled this. They did not have to give this away to children or grandchildren. What they did is, they gave it to the Federal Government and they got a tremendous tax incentive by giving it away. Now, if they had given this same land to their children, they would have been penalized.

The point is that the wealthy in this country can get around the issue. They always have. The problem is the middle-class people who, all of a sudden, they do not know what they are worth. They may think their farm, because they are only making $40,000 or $30,000 a year off this farm, they think, well, this farm is not worth that much.

But whenever the IRS comes in, and they appraise that land and they appraise that equipment and they appraise that farm at a value which is at current standards, all of a sudden they realize they do not have enough money to pay this off. They are going to wind up selling this farm and being put out of business, not being able to continue, and their family devastated.

If their child wants to be a farmer, I am sorry, they have to start over again. The Federal Government is going to confiscate what they have spent their life working for. Now, that is unfair.

Mr. KINGSTON. Essentially, Abraham Lincoln made this statement, ''that God must have loved the common man because he made so many of them.'' Unfortunately, Uncle Sam loves the common man, too, because that is who pays the taxes. It is not the poor, it is not the super rich. They get around it through foundations, through tax shelters, through whatever their lawyers and accountants can scheme up, but over and over again the common man pays the taxes and carries the whole load here.

I hear the same thing the gentleman hears. An individual's mama and daddy died, left an estate over $600,000, and Uncle Sam came to the funeral first and got his share. Big dog sat down and he ate, and after he ate, what was left, these folks had to sell off whatever it was their parents had worked all their life for. Then they cannot operate that farm or family business any more because they had to sell a portion of it to pay the taxes.

So Uncle Sam, in his greed, cuts out a revenue generating enterprise. Just one more example of short-term greed and, I think, a horrible punitive tax policy.

We were all raised hearing that we should learn our lessons in school; go to school every day, do what is right and work, get that job, show up on time and do what our employer tell us to do, and one day we will be lucky enough to own something, own a house, own a farm, maybe own our own business. But now, because we do that, we get an organized group of say 150 liberals with the President of the United States saying that is bad, that is evil, these people are rich.

Well, we know these people are not Rockefeller rich, but they still have enough money that they are not dependent on the Government. Therefore, they are going to be punished when they are living and when they are dying. I think people in America have had enough.

Mr. PARKER. You know, this is what I find fascinating. If people sit and do absolutely nothing, refuse to move and are as lazy as they can be, the government will do anything they can to help them. The fascinating thing is that that individual who turns around and they work, as the President says, they play by the rules, they save, they reinvest, they do everything they can to be good taxpaying citizens, at the end of their time, when they have done all of this work and accumulated something, and let me just say they did not just accumulate it because it fell out of the trees, they accumulated it because they had a plan and they worked that plan and they applied themselves to save, and after they do this, the Federal Government says they have done a great job, and what the Government is going to do is they are going to now penalize them.

Now, personally, I think that is unfair. It is unfair to them, it is unfair to their children, and I think it sends the wrong message to the young people of this country who do not even realize what they are coming up against now. A lot of them, only 58 percent of the owners of small businesses even realize what their tax liability is going to be. Many of them do not.

One of the reasons is not because they do not want to know, but that they are busy running their businesses and building their businesses. They do not have enough money to turn around and pay accountants and pay lawyers to come in and give them an expensive way in order to get around the taxes that they are going to be faced with. They have no idea of what is coming.

Mr. KINGSTON. They do not.

Mr. PARKER. Mr. Speaker, I yield to my friend, the gentleman from Kansas, [Mr. TIAHRT].

□ 1615

I think my colleagues are carrying on a very interesting debate, and I would like to add a little bit of a personal story that came out of my life that adds to why I think we ought to change our tax structure here in America. I know we are talking about death taxes. But you know, we are taxed on the very first cup of coffee we drink in the morning. We are taxed on every gallon of gas we use to drive to work. We are taxed on the telephone when we use it to earn some money. We are taxed on the income we earn. We pay sales tax on the way home if we stop to buy something, pay property tax on our home. And then when we die, we have to pay death taxes. And I think it is wrong, and it is wrong for a couple reasons.

My colleagues talked earlier about the redistribution of wealth. I think we ought to reward success in America. We want more success, and more success means that we will have people that will have money available that will invest and create more jobs. And this is a good thing. We want more jobs and more opportunity. But also, death taxes prevent parents from passing on their success to the next generation.

My grandpa was John W. Steele. He was born on a farm, and he spent his whole life on a farm. He had some good times and some bad times. In the 1920's they were very successful, and in the 1930's they lost it all, and in the 1940's they were struggling. And my grandpa, at the age of 67, I believe, borrowed enough money to buy the farm I grew up on, and he paid it off before he died in 1979 at the age of 94.

At the time when he died, land prices were a little bit elevated. And when the tax men looked at the property, they found 40 acres, a small plot that was near my home, and it had sold for about $1,500 per acre. And so, they assessed $1,500 per acre for this 1,200 acre farm, or two-section farm.

What happened is that my parents, Wilbur and Marcine Tiahrt, and my aunt and uncle, John and Mary Ruth Armstrong, had to borrow the equivalent of about $750 per acre to pay off the death taxes so that they could have the enjoyment of the success that my grandfather and his brother had in their farm.

Well, today that land is worth somewhere between $900 and $1,000 per acre. So not only did my grandfather and his brother borrow money and pay for this farm once, but my parents and my aunt and uncle have had to borrow and pay for that farm twice at an inflated value just to maintain the success that our forefathers enjoyed.

I can understand that we have to generate revenue for this Government. There are many wonderful things that we do in this Government. But we should not penalize success. We ought to encourage success. This is one way that people pass from one generation to the next the fruit of their labor.

So I would join with the gentleman and say that we ought to eliminate death tax in America.

Mr. PARKER. If the gentleman would yield, he brings up a great point. Let me just say something to that.

My land back home at my house, I have got 125 acres. Now, land is what it is worth on the market, it is worth what somebody is willing to pay for it. I have got a neighbor who bought some land close to me, and the point I am making is how these values are established. Now this guy has been successful. And I think the world of him. He is a good man. He established a Fortune 500 company. He has done well. But he has got enough money to burn, you know, to cremate a dead mule with hundred dollar bills. This guy has got a lot of money.

When he bought this land, he paid $3,000 an acre for it, which is fine because he had the money to do it. The problem is that if I had dropped dead right after this sale, the IRS would have come in and looked at the sale that occurred down the road and said, by the way, Parker, they would have told my wife, this 125 acres is worth $3,000.

Now, I got news for my colleagues. Somebody who wants to pay $3,000 for that land, they can have it. I will be more than happy to sell it. That is not the point. It is not worth that on the market. But the IRS would have looked at that, made a determination that was the value, and that is what my wife would have had to evaluate that land for. Now, that is wrong.

And let me point out, it is not only the Government that creates inflated prices. There are times when market forces create inflated prices. There is no reason for anybody to be caught in that situation. It can destroy you. I appreciate the comments of the gentleman.

I yield to the gentleman from New York [Mr. PAXON].

Mr. PAXON. I appreciate the gentleman from Mississippi [Mr. PARKER] having me here today to join with him and the gentleman from Georgia [Mr. KINGSTON] and the gentleman from Kansas [Mr. TIAHRT] in talking about what I believe was referred to as the death tax, is the death on jobs and opportunity tax.

Where I come from in western New York, the Buffalo and Rochester, NY, areas, our economy is built on small business and on family business. I come from a little village, Akron, NY, where the major employers in our community were all multigenerational family businesses that had been there since the turn of the century and before. And time and again, my little home town of Akron, NY, and Erie County and western New York, people tell me again and again that the biggest burden they face is trying to figure out a way to keep that business together so that the next generation can have an opportunity and the community can have an opportunity.

I flew back from Buffalo down here a while ago with a business person from Buffalo who was selling, in the process of disposing of a multigeneration family business that been in the family for I think five generations, and unfortunately, because of death taxes, found it necessary to do that, to dispose of the business, selling it to a company from outside of our country.

Eventually, I know what is going to happen, those jobs are going to move to another State, we are going to lose jobs in our community; and that is going to be terrible hardship to families. So all this effort, all this cost is going for what purpose? The death to jobs, opportunities for families. It just seems to me unconscionable.

I know, whether it is in Georgia or Mississippi or in New York State, the statistics are shocking. Seventy percent of family businesses do not survive through the second generation,

and 87 percent do not make it to the third generation. And again and again, I know my colleagues hear the same thing when they both go home, most of our Members do, the key reason for that is the burdens of death taxes and of trying to figure out a way to keep those businesses together; and it is much easier to dispose of them, to bring about the loss of jobs and opportunity in the community, than it is to try to get that down to the next generation.

We should be celebrating. I am the father of a little 1-year-old. And I think to myself, nobody in this country would take a 1-year-old child, walk him out to the corner of the street, and say, ''Go find your way down to Aunt Mary's house,'' and walk back in the house and leave that child out there.

But that is what we do to that small business. We say to that small business, we really celebrate you, we love you; but find your way down the street. And in the meanwhile, the Government puts up every barrier to the growth of that small business, just as we would do to that child. We should celebrate those little kids and celebrate business starts. We should not penalize them from the day they start by saying, we are going to tax you to death; and when you die, we are going to take it back from you. It is just wrong.

Mr. KINGSTON. If the gentleman would yield, this is a very old story but it is a very good story, I guess that is why it has lasted so long, about the guy who is driving down the road and sees a farmer who has a pig. The pig has two wooden legs where the ham should be and he stops and says to the farmer, ''I have got to ask you about that pig. I have never seen a pig with two wooden legs. What is going on here?''

He said, ''Oh, let me tell you about that pig. That is a very special pig. About 2 years ago, my little boy was out on the pond when it was frozen and the ice cracked and he fell in and that pig dived right in and grabbed the boy by the collar, pulled him out and saved his life.'' And the man said, ''That is impressive.'' And the farmer said, ''Well, that is not all. A couple years ago, a guy was breaking into our house at night. We were sleeping. The guy had a gun in his hand. The pig leaped on him and knocked him over. And the guy ran out the door and ran and the police caught him. That is a special pig.''

Then he said, ''Well, why does he have two wooden legs?'' And the farmer said, ''I am not quite through. I have got to tell you another story. Then our house caught on fire about 6 months ago. The pig ran in, pulled us out of bed, woke us up and saved the entire family. That is one special pig.''

And the guy says to the farmer, ''Well, I still do not understand. Why does it have two wooden legs?'' And the farmer said, ''Well, it is very simple. You don't slaughter a pig like that all at once. That is a special pig.''

And that is what is happening to the middle class, day in day out. We pay for Bosnia. I said, ''we.'' I am middle class. Middle class pays for Bosnia. Middle class pays for Desert Storm. Middle class pays for Medicare. Middle class pays for the Park Service. Middle class pays for Medicaid. I am saying good programs here, but it is paid for on the backs of the middle class. And yet year after year, the taxes are just creeping up and up and up.

Today, a two-income family with a household income of $55,000 is paying $22,000 in taxes on an average. Which means, the second income, that spouse is working strictly for the Government. They may be working for a dry cleaners, may be working for an insurance company or bank, but the reality is when you are paying $22,000 in taxes on a $55,000 income, the second income goes straight to Uncle Sam, you are working for the Government.

Mr. PARKER. If the gentleman would yield, let us go beyond that. Because we talk about family farms. We talk about businesses. But from a national perspective, let us look on this thing from the standpoint of just exactly how does it affect a lot of people.

A lot of people do not realize the difficulty they are going to have. There are different values in this country for a lot of different things. It is regional in nature for many things. We can take a house in Mississippi that we pay $100,000 for and it would be a nice home. If we put it in New York, we put it in Washington, DC, that house is going to be half a million dollars.

Now people back home in Mississippi cannot fathom that. Conversely, people from Washington, DC, and New York that come down to Mississippi and see a house, they cannot fathom that it is only $100,000. The point is this: Down in Mississippi, people may have a little land with that house. But in New York or in Washington, DC, or San Francisco or Chicago, they may not have that land. But that house is valued so greatly that what happens is that person who owns a home who may have paid $40,000 for it 35, 40, 45 years ago, when they come to their time of death and their spouse is left with the bill on this thing, all of a sudden they find out, I did not know that I was going to have this terrible bill. I had no idea. What am I going to do? You are going to take the money that I was going to live the remainder of my life on. What am I going to do?

The IRS says, do not worry, we will take care of you. We are going to let you have a payment plan over the next 10 years, and you are going to pay the IRS every month. IRS are kind people. They are sweet as they can be. But what they will do is keep food out of your mouth, make you sell that house, move you someplace where you do not want to move, change your plans where are you going to spend the last years of your life in a place you do not want to be, simply because you did not know that the increase of cost on your home would put you in that situation.

Mr. PAXON. That is what I think the gentleman from Georgia [Mr. KINGSTON] and the gentleman from Mississippi [Mr. PARKER] just highlighted. It is absolutely fundamental to what we are trying to do in the Congress.

Our goal is to balance our Nation's budget. Like every family back at home has to do, like every small business has to do, this Government should do it. But we are going beyond that. We are finding other ways to save money so we can allow families back at home to keep more of theirs.

As the gentleman from Georgia [Mr. KINGSTON] points out, that dollars go to the government because of taxes. Study after study has indicated that about 50 percent of household income in this country ends up in the pocket of the government at some level, about 38 percent in Federal and State local taxes.

I come from New York where that number is even higher. And then you add in the indirect cost of everybody and the goods and services we buy. That means, as the gentleman points out, one income earner in every family has got to be working to provide the government with the dollars. That is just fundamentally wrong. It removes the choice from the families, maybe parents stay home with the child or the vacation they want to take or something else they want to do to enhance the quality of life with their children.

No. 2, we just keep putting these burdens on and putting them on without any rational reason because of the money we are wasting here in Washington. We undermine the people's faith in government. I think it is time, whether it is in the form of that $500-per-child tax credit, whether it is rolling back the tax on investment and saving, some people call it capital gains. That is a tax on investment and savings, and also the death taxes.

Mr. PARKER. If the gentleman would yield, this is an interesting thing, because I always hear the liberals talk about the capital gains as being a tax break for the wealthy, and I have always been fascinated by that.

I turn around and look at somebody and they have worked hard all their life, they consider themselves middle class, and they bought a house in the 1950's and they are coming up close to retirement and they bought a house for $25,000, and they turn around and that house has increased in value over the last 40 years a considerable amount. And let us say that house is now $100,000, they have an increase of $75,000.

The question is this: When you get that check for $100,000, which that took care of the $25,000 original investment and the $75,000 increase, do you think the Federal Government is owed basically one-third of that amount? Do they need to get a check for between $20,000 and $25,000? Do they deserve that? Is it their money?

My position is, it is not the Federal Government's money; it never was

their money; it should not be their money; and this tax should be changed. Whether it is on capital gains or estate tax, it is all the same principle. We are talking about private property rights here.

Mr. KINGSTON. If both the gentlemen would yield, let me just ask both of my colleagues, quiz time: What do these countries have in common? Australia, Canada, Egypt, Ghana, India, Indonesia, Israel, Kuwait, New Zealand, Switzerland, Uruguay? What do they have in common?

Mr. PARKER. I would hope they have no capital gains.

Mr. KINGSTON. No death taxes.

Mr. PAXON. Well, they are way ahead of us.

Mr. KINGSTON. The gentleman from Erie County [Mr. PAXON], where my dad is from, knows well that there are a whole lot of his friends who are probably now working and living in Canada, a lot of people he went to high school with.

□ 1630

I went to school at Michigan State. A whole bunch of folks, brothers ended up over there for other reasons. But the reality is for people to move from border States in America to avoid taxes is a great one.

Mr. PAXON. Let me just say to the gentleman, I live in a community that has been devastated economically over the years by the flight of jobs outside the country, moving outside of New York State and one reason, we for 20 years in New York until Governor Pataki came along had a policy in New York, tax everything the highest in the country. In addition to the Federal death taxes, the State death taxes are such that today when you pass away in New York State, you can almost be assured of the fact that your business is going to be dissipated. What that has meant is those jobs are gone. We go right back to what we started with. Families are harmed. It is the family that ends up getting hurt. I am tired of the politicians in Washington talking about class warfare, helping the rich, hurting the poor and all this about the rich. Who ends up getting hurt the most? It ends up being Joe and Mary 6–Pack out on Main Street trying to earn a living, working in a small business and when that business is dissipated, their jobs are gone. When they try to sell their house and the Government takes their money, that means their kids may not have an education or they may not be able to retire someday, or some politicians in Washington say, ''We don't want to give them that $500 per child tax credit because it doesn't mean anything,'' they forget that to Joe and Mary back home it may mean the difference in that kid getting a better education or putting food on the table.

It is time we remember it is our constituents' money, it is not ours, it is not the IRS's or the Government's.

Mr. PARKER. Let me point out something. We are talking about a private property issue. Private property rights is I think the cornerstone of our Nation. It is fundamental.

I like liberals. I always have. I think liberals are very important, because they have done some important things for our Nation. They have brought to light certain things that we needed brought to light. But a lot of times their solutions, I do not care for. I think that liberals have a right to believe the way they want to believe. This is America. But one problem that I have, and we disagree strongly with this, there are a lot of liberals in this country who believe that all property belongs to the people collectively. There is no such thing as private property rights. When we look at things like capital gains but more importantly when we look at things like death taxes, it really brings it to the fore. People have to understand that the Federal Government does not own this property. They act as though they do. We as individual citizens have paid for this property. We have paid for this business out of the blood and sweat of our own bodies. The Government has done nothing except try to inhibit us. Because of that, the Government has no right to come in and say, ''We want part of that.'' I believe there should be absolutely no death tax. One of the purposes of this special order today, and there are going to be many more of these, is because this point is coming home to people finally. People are finally understanding that we must be in a position where we change the direction of this country. We do that by changing the fundamental tax structure. We are going to be talking about different items concerning the death tax and how it affects people and the changes that need to occur so that the American people will understand exactly what is going to happen to them. Many of them are not aware.

Mr. KINGSTON. If the gentleman will yield, I want to make a point. I am sorry the gentleman from New York [Mr. PAXON] left because he has this 1-year-old baby. I am sure that he and the gentlewoman from New York [Ms. MOLINARI] will be fortunate enough to have other children and before they know it, they are going to be doing what we do in the Kingston household nearly every weekend, and, that is, we go down to the sports complex and watch one of our four children playing baseball, tee ball, or soccer. My wife Libby is the soccer mom. That is what we do. We drive station wagons, we have got two girls and two boys, and they are playing sports. Out there on the soccer field are tons and tons of other soccer moms. These are people who work real hard and they kind of cram all their recreation into a 48-hour period called the weekend. But during the week they are working hard, paying taxes, trying to raise their children right, working two jobs, doing homework, doing laundry, organizing school, PTA-type activities, volunteering at the hospital or the United Way and so forth. These are the people that this tax system is kicking in the face.

Money Magazine this month has a great article on the profile of the millionaire. It says, if you think millionaires are the people who are living in these huge houses with brand new cars and beach or mountain houses or whatever, you are wrong. Most of those folks are simply in debt and in debt in a very, very big way. The typical millionaire, according to the Money Magazine survey, and it was a national survey, are the people who have worked in the same job 20 to 30 years, many school teachers, for example, they are people who own their own business, but not big, expensive businesses, dry cleaners, scrap metal, whatever, just what you would assume is maybe a modest business, if you will. They are folks who live under their means. They do not buy the house that they can afford, according to their real estate agent, they buy the house they feel comfortable with so they can pay it off. They work 60 hours a week, they work 50 hours a week, they save 15 percent of their income, they tend to stay married, they tend to not go on fancy vacations. They really have what we would call in psychology a dull, normal lifestyle. They are just regular folks. Yet those are the people who are paying for the whole $4.5 trillion budget that we have in Washington.

Mr. PARKER. We have got a lot of people around this country when I am talking to them about death taxes, they sit back and go, ''That doesn't affect me.'' But whenever I start asking them, I say, ''Didn't you inherit a little bit of land from your daddy and mama?''

''Well, yeah, I've got 150 acres.''

''Do you know what the current value is?''

They think in terms of what the value was when they inherited it. But inflation has changed that over a period of time. It shocks a lot of people out there to realize that the IRS comes in and values their property much more than they think their property is worth. They are looking at it from a realistic standpoint. The IRS looks at it from a fair market value and what other property has sold in the region. They have all these criteria.

What happens is all of a sudden these people who turn around and say, ''Hey, I'm not rich, I don't have that much,'' they find out whenever the time comes that they had more than they thought. All of a sudden the Federal Government is going to come in and say, ''By the way, we're going to take part of that.'' That is when it hits home. That is when all of a sudden people are in a situation that they say, ''Hey, I had no idea that I was going to be affected.''

Let me point out, we spend in this body all kind of time talking about investment and savings. We need more investment and savings. I must tell the gentleman, if we reward investment and savings, we are going to get more of it. If we penalize it, we are going to get less of it.

It is no wonder that we have a lot of people in this country who do not worry about investment and savings because some of them realize that whenever their time comes, after they have spent a lifetime working, that the Federal Government is going to come in and confiscate it. If that occurs, all of a sudden all they have worked for all of these years is null and void.

We as a Nation have got to change that. We as a Congress have got to realize that the people in this country are pretty much fed up, they are sick and tired of being sick and tired and they are ready to make some changes.

Mr. KINGSTON. Going back again to the middle class soccer moms and dads, one of the taxes that we Republicans are pushing is a $500 per child tax credit. In sophisticated boardrooms, folks do not want that. That is the least popular. However, that is the one that is going to benefit the most people. I support it for that reason.

Number two, because it is the biggest cut in the size of the Federal Government. The less money middle class folks send to Washington, the less influence Uncle Sam is going to have on their lives and the less the bureaucracy in Washington is going to be able to grow.

What is ironic is that the President of the United States now, instead of giving a $500 per child tax credit to working, let me repeat that, working middle-class taxpayers, he wants to make it a welfare payment to people who are not working enough to pay taxes. In other words, we have got the Jones family over here who is busting their tails working 50 or 60 hours a week, mom, 50, 60 hours a week, dad, and they are in line for a $500 per child tax credit, and we have got some other folks who are working through public assistance type programs but they are not paying taxes. The President wants to give them both a $500 per child tax credit, but the difference is this group right here, they are paying taxes, and the other group is not paying taxes, so it is just a gift to them. It is an expansion of welfare even though the welfare rolls are decreasing.

I know we are talking death taxes, but again it goes back to the overtaxation of working, middle-class Americans. The harder you have to work, the less time you have at home. The less time you have at home, the less time you have to impart information and values to your children.

One thing I have learned about children, I guess two things. Number one, it is the hardest thing in the world to try to get them on the right path. I do not know what I am doing wrong. If anybody has suggestions, let me know. I try my best. Anybody who has been a parent knows the feeling.

Number two, you have got to spend lots of time with kids trying to teach them right from wrong, trying to teach them the work ethic. It is not any fun doing homework, it is not any fun memorizing multiplication tables, it is not any fun waking up 7 days a week and making your bed and picking up laundry, but I know this, that it is all tied into the big picture. As a father and Libby as their mother, if we do our part, then they will grow up one day to be independent, independent of government programs and government dependency. They will be taxpayers.

Mr. PARKER. That independence that the gentleman is talking about basically is getting the government out of somebody's pocketbook and out of their lives.

I must tell the gentleman, some of this stuff is pretty simple to me. One of the reasons I support the death penalty is because I know for a fact that whenever that murderer is put to death, he will commit no more crimes. No more crimes will be committed by that individual. I support that.

I also support certain things that other people look at a little odd, I think. I listened around here to Democrats, and Republicans, talk about shutting down the Federal Government. Democrats were tickled to death that the Republicans were blamed with the shutdown. The Republicans were all worried that they were getting blamed with the shutdown. My personal view is a little bit differently. I do not think the American people were that upset with the government shutting down. I think they were more upset that we opened it back up.

My personal view is they would have liked to have seen the government shut down, and I wanted to see it shut down for longer than it was, simply because the American people after a few months would realize they do not need a lot of the things that the Federal Government says that we have to have in order to survive.

I think that makes a tremendous amount of sense. Why do we have all these programs? Why do we have programs that are not working? Why do we add new programs without getting rid of the old programs? Why do we have over 700 programs in the Department of Education? When the President says that a lot of those programs are not working, instead of getting rid of a lot of the programs that are there, he just adds more on to it.

I think it is fascinating, and the American people are getting fed up with this. They are finally seeing that things need to be changed. One thing I like about the family tax credit is it gets the government, maybe just $500-per-child, but it gets that $500 away from the government and gives it back to the family.

Mr. KINGSTON. Per family, that is not going to make or break you necessarily. You are going to be able to buy some more stuff with it and it is going to be good, but it is going to help 11 million kids.

Let me give the gentleman some fun facts on taxes. The Tax Code itself is 5.6 million words. It is 7 times longer than the Bible, according to the Heritage Foundation. Americans spent last year about $225 billion to comply with the Tax Code, and they devoted 5.4 billion hours to comply with it.

□ 1645

And the Tax Foundation estimates that the median two-earner family paid 39.4 percent of its income in taxes last year, which had increased from 38.1 percent in 1995. And in 1955 the median two-income family just paid 27. 7 percent of income taxes. That is 10.7 percent less than what that same family paid in 1996.

Those are real numbers, and I will be happy to share those with anybody who wants.

Mr. PARKER. I thank the gentleman.

I yield now to the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Well, I like to thank my colleague for yielding and certainly want to congratulate the gentleman from Mississippi [Mr. PARKER] and the gentleman from Georgia [Mr. KINGSTON] and others who have been to the floor this afternoon talking about the issue of taxes.

As the gentleman from Georgia just pointed out, the American people are paying more in taxes to all levels of government than at any time in the history of our country, and when we look at the middle class and the fact that wages are not growing as fast as we like, all we have to do is to begin to look at why this crunch is occurring to American families, and it is as a result of taxes, higher taxes at the Federal level, State level, local level that are continuing to take more of their hard earned paychecks.

I am proud of the fact that for the first time in 16 years this Congress is going to pass a plan that will cut taxes for middle-income Americans.

We are hearing an awful lot of demagoguery and noise coming from the White House and others that this plan only helps the rich, and it is just not true. Nine-three percent of the taxes that will be reduced in this plan are for people who make under $100,000 a year. Nine-three percent of the tax package goes to those people. As a matter of fact, 72 percent of the tax package goes to families that make between $20,000 a year and $70,000 a year.

So if you look at this package in terms of the focus and where the savings are going, they are going to American families who pay the bulk of our taxes.

Yes, the wealthy pay their share of taxes in America. But when you look at the numbers of people in America, most people find themselves in the middle class, and they are the ones that pay the big bulk of the taxes to this Government.

And I just want to come down to say I congratulate Mr. PARKER and Mr. KINGSTON and those that have been here before for standing here on the floor today and outlining to the American people just how important this tax package is.

Mr. PARKER. I thank the gentleman from Ohio [Mr. BOEHNER]. We do not

have but just a few minutes left, and I want to personally thank everyone that has been involved in the special order.

We are going to have special orders on this issue over the next few months, weeks and months, to familiarize the people of this country with what is going on. Now I realize that it is very true that you can save a lot of money to pay the taxes, or you can have insurance, or you can do different types of financial planning. But I want people to consider this one thing:

When you are preparing for death taxes, the average family business or farm spends nearly $20,000 in legal fees, $11,900 for accounting fees and $11,200 for other advisers. The typical small business owner normally makes around $40,000 a year.

Now I have got one question. Who among us who makes $40,000 a year can afford to meet the staggering burden of a death tax?

Now to me the clear solution is this: We should eliminate the death tax. It is an unfair tax. It is a tax that puts burdens on people when they do not need any more burden. It also creates an environment where people no longer want to save, they no longer want to work, there is no reason for them to, and we are not giving them an incentive. And we create an environment that hurts our economy, and hurts our small businesses and small farms all around this Nation.

People need to realize the effect it is going to have, and I am looking forward to the liberals in this body coming to the floor, justifying the death tax. I want to see them stand and tell the American people and our colleagues why we should confiscate property, why we should confiscate money from individuals when they die, and spread it around and hurt people for doing what we ask people to do every day, and that is to work hard, to save, to take care of their families, to create jobs, to build their business, to make life better for their fellow man and their community. I want to see people come and defend that, the whole idea of death taxes.

Mr. Speaker, I think when that occurs, we will see the American people understand what position and what side they should be on, and I am looking forward to this debate over and over again until we get total repeal of the death tax.

THE CLEAN AIR ACT AND THE CLEAN AIR ACT AMENDMENTS HAVE BEEN A GREAT SUCCESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Pennsylvania [Mr. KLINK] is recognized for 60 minutes.

Mr. KLINK. Mr. Speaker, as with the previous gentleman speaking, when the Government takes action or the Government takes inaction, it has an impact on all of our lives. Sometimes that impact that the Government has on our lives can be positive, and other times it can be negative.

I would agree with many Republicans and Democrats, with many liberals and conservatives, with many in industry and in labor and in the environmental movement that one of the positive things that the government has done is to provide us with clean air. The Clean Air Act and Clean Air Act amendments have been a great success.

Coming from my region of western Pennsylvania where we had unbelievably dirty air because of the heavy industry and the steel mills, and you go back 30, 40, 50 years ago, our region was once described as hell with the lid off. In midday the sun would be blackened out by the soot that would be coming out of smokestacks that would not allow the sunshine to get down to the people on the earth, and people had tremendous problems breathing. In Donora, PA, people were actually dropping dead in the street many decades ago as they were the victims of a temperature inversion and all of the poisons that were spewed into the air.

We have gotten beyond that, and in fact, I would invite, Mr. Speaker, you or any of my colleagues to come to Pittsburgh, PA, today. It is a beautiful city, it is a clean city. The air is clean, the water is clean, and in all of our three rivers, which we are so famous for, you can now catch fish. But where there were once mill sites there is now level land. Where there were once tens of thousands of manufacturing jobs, there is now in many instances desperation and poverty. We are coming back in many areas; many areas, we are still going down.

That is why I am here today, because I fear that my Federal Government, that Federal Government that I am a part of as an elected Representative of Congress, is about to make a very severe error. I am afraid that we are about to reverse what has been a steady increase toward cleaner air, and in what is a veiled attempt, I think, to try to tighten clean air regulations, my fear is that the EPA and anyone else who goes along with them will, in fact, allow the air to remain dirty longer.

You see, we have definitive dates in place now whereby that soot; it is called particulate matter in scientific language, but all of that smoke stack soot that is going through the air, we are supposed to be reaching certain goals, and have that air cleaned, and we have been doing that. And that ozone, which is technical talk for smog, we have areas including here in Washington, DC, and Baltimore, specific periods in time at which we are to reach the goals and specific goals have been set.

Well, here comes a lawsuit by the American Lung Association, and they are rightfully, I think, pointed out to the EPA that since we last took a look at particulate matter or smog back in 1987, many more than 5 years has passed, and according to the statute every 5 years the EPA is supposed to take a look at these issues.

And so it was that they went to court and they said to EPA you have to go back and you have to reexamine what you are doing with particulate matter. It does not mean they have to tighten the standards, it does not mean that they have to change the standards. It simply means they have to go back and review those standards.

And so, Mr. Speaker, they have, and they formed a scientific advisory group that has made some recommendations, and we, in the Committee on Commerce, two of our subcommittees, the oversight and investigation subcommittee of which I am the ranking Democrat and the health and environment subcommittee, held a series of hearings, and we heard from some of the scientists, and we heard from other interested people, and we heard from Carol Browner, the administrator of EPA. Over an 8-hour hearing we heard from Miss Browner. My concern is that it appears EPA is moving forward not to just review particulate matter, as they have been told to do, but they have also coupled this with changing the ozone standards. They were not supposed to do that. They were not told to do that. So when dealing with soot, with that particulate matter that we ingest into our lungs which could cause physical problems, that is complex enough. Why are we deciding to tackle two very difficult issues at the same time?

Well, I would say, Mr. Speaker, that after all of the hearings that we have had and after all of the questions that have been asked we still do not know. We have never gotten a straight answer. My fear is it is because that EPA understands that while there may be a stronger case for dealing with that soot that is in the air, there is a much weaker case for dealing with ozone. So they couple the two. They can head in the direction that they feel we need to head.

But what would be the ramifications of that? You might say, well, if we tighten the standards, we are all going to breathe healthier air. But the fact of the matter is that simply is not true, and that is why I have taken to the floor today. That is why many of my colleagues on both the Republican side and the Democratic side have been talking about this issue. That is why mayors and Governors and State legislators and local government officials and labor unions have begun to talk about this, because we fear that by changing the finish line in the middle of the race the race will never be finished. No matter what happens, and Carol Browner, the Administrator of the EPA, told us in the hearings, she has told others, environmentalists agree, I agree, my Republican colleagues agree that if we do nothing, we are still going to continue to clean the air. The air will get cleaner. We all want cleaner air.

But when we tighten those standards, the States that have not implemented their air cleaning plans are going to stop and say wait a minute, you cannot give us a different target. That target that we were working toward right now has been moved.

And so now Federal Government, we have to go back to our industries. We in the States who must reach attainment for our air quality have to go back to our industries, we have to go back to our local government leaders, and we have to figure out how do we get back into attainment for a new standard while we were just beginning to clean the air and make it healthier for children, for elderly, for all of our citizens.

This will cause confusion among industries, industries that have spent tens upon tens of millions of dollars to install scrubbers to install the latest technology so that they have cleaned that air in Pittsburgh, and in Detroit, and in Cleveland, OH, and in New York City, and in Philadelphia, PA, and in my area in Beaver County, and Westmoreland County, in Lawrence County, PA. They have spent all of that money to clean the air, we have seen the dramatic results, and now the EPA is about ready to say, no; we had you driving toward the wrong standard. It is time that we tighten that standard.

Well, needless to say many of these industries are going to certainly say we are finished investing. Until we know what the rules of the game are, until the Federal Government can ensure us that we are working toward something that we know is going to be good science, that we know is going to be a final destination where we will in fact, have agreement, we are not going to do anything. And I have had industries that have told me they are not going to expand any more. I have had other industries that said we are not going to move into western Pennsylvania because we are afraid to make that investment.

Mr. Speaker, why in the world are we going to spend tens of millions of dollars or hundreds of millions of dollars building a manufacturing facility and then have the Federal Government say the rules have changed? With NAFTA we can now build that facility in Mexico, and we can ship all those products right into the United States, have access to the market with no tariffs, or we can build that facility in Canada, and we do not have to deal with a Jekyll and Hyde EPA that changes their mind as to what the specific rules of the game are going to be.

□ 1700

This is important to me, because as we cleaned the air during the 1960's and 1970's and 1980's, and I admit, we needed to clean the air, people were dying. We had people with severe respiratory problems. But as we cleaned the air there was a price to pay, not only for installing the scrubbers in the smokestacks, there was a price to pay for jobs.

Take a look at the employment in areas like southwestern Pennsylvania prior to the Clean Air Act. Take a look at how many steel mills were operating, and as we spent money to clean up the air, that was money that we did not spend on capital improvements in those manufacturing facilities.

Now, there are many people on the other side of this argument who will argue to me, oh, the EPA has done studies, and their studies have shown that in fact not a single job was lost due to clean air. Well, that is like me asking the fox if the rooster and the hen both died of natural causes. The fox is going to say, oh, yes, they both had heart attacks, and I ate them because, well, they just happened to be dead.

We cannot trust the EPA in this matter. They have a bad credibility problem when it comes to southwestern Pennsylvania. Because you see, they leaned on the State of Pennsylvania just a few years ago to tell us that what we really needed to do to meet our clean air standards, and that is not the new standards that we feel they are going to propose, this is the old standards, the ones that we are moving toward, and they told us that in order to hit that, we had to have a centralized emissions testing program for our automobiles and our trucks.

Well, the State of Pennsylvania, under Governor Casey, decided at that time to go out and sign a contract with a company from Arizona called EnviroTest. So we built 86, they were called E test systems where people in many counties across Pennsylvania, we have 67 counties, and many of our counties were going to have to go to the centralized testing facility. There were only a handful of them in each county, maybe one or two or at most four in each county, so it was going to create a problem. They could no longer go to their neighborhood mechanic who could buy a piece of equipment to test the automobiles; they had to go to a specialized central test.

Now, if there was a line, people may have to sit in that line for hours. That means lost work, lost time, and obviously the people of Pennsylvania were not real thrilled about this. So we went to war with the EPA and they said, you really do not have to do this. The problem was, by the time they give us this ''whoops, you really do not have to do what the Federal Government was forcing you to do,'' we already had a contract signed with EnviroTest. We had built 86 E test systems.

EnviroTest was planning on making as much as $100 million a year in profits out of Pennsylvania. So obviously, they were not going to take this lying down; they were going to file a suit against the State of Pennsylvania because Pennsylvania had done what they felt EPA was forcing them to do.

In the meantime, we got a new governor, Tom Ridge, who was our colleague here in the House. Governor Ridge saw this as a real problem, and so he sat down with EnviroTest and said, we will reach an out-of-court settlement with you. That out-of-court settlement was $145 million because EPA gave us that big ''whoops.''

Now, that is $145 million, Mr. Speaker, that we are not spending in Pennsylvania to build new highways. It is $145 million that we are not spending for Medicaid, or to educate our children, or for any of the many other things that the taxpayers that I represent in Pennsylvania would like us to spend that money for. It went to pay off an agreement that we had with an out-of-State firm to do centralized testing because we thought the Environmental Protection Agency was forcing us into that position.

Not one penny of that $145 million, Mr. Speaker, cleaned up the air. The air did not get any cleaner at all. In fact, I would think the air got dirtier because all of the hot air that we heard from the Federal Government demanding that the State of Pennsylvania do this. Other States have been in a similar position.

The question is, why in the world would we now, while we are cleaning the air, change the target? Why would we force industry that has made investments in cleaning the air, that is moving toward providing more employment, all of a sudden force them to step back and say, I am not sure I want to make an investment in an area like southwestern Pennsylvania.

Mr. Speaker, in our region while we were cleaning up the air we lost 155,000 manufacturing jobs. That is just one section of the State of Pennsylvania. Those are not my numbers, Mr. Speaker. Those numbers come from a white paper done by Carnegie-Mellon University who years later went back and took a look at the impact of the industrial downsizing in the Pittsburgh region.

So when we had a chance several months ago to have a new automobile plant move into western Pennsylvania, we were excited. It was a 1,000-acre site, 2,500 jobs, very good-paying jobs in auto manufacturing, but when the company took a look at the fact that Pennsylvania is located in something called the Northeast Ozone Transport Region, meaning that all of the smog from the West moves toward Pennsylvania and the States from Maine down through Pennsylvania to Northern Virginia are in this ozone transport region, and the rules are different for us because we are in that region, they said, well, we are not going to deal there.

We are not going to build a facility there, because first of all, it would cost us a minimum of $3 million to buy pollution credits. So, Mr. Speaker, it is not just the fact that one cannot pollute, it is the fact that if one is wealthy enough and if one is prone to want to invest, one can actually buy pollution credits. So one can still pollute if one wants to, if one can find those credits.

Now, here is what happens with the pollution credits. Generally a larger firm would have the money to purchase those credits from a smaller firm. The smaller firm then would go out and find some greenfield site located somewhere else, they would build their facility and they would begin polluting there. So we do need to take a look at what kind of particulate matter, what kind of soot, is causing adverse health affects. We have done many studies on smog, so I think that the science on smog is in.

The problem with what they are doing on smog or ozone is that they want to go from .12 parts per million studied over a 1-hour period to .08 parts per million over an 8-hour period. Now, this group of scientists that was studying this, I do not want to get too complex, but I want to explain to people that this group of scientists said, look, you can do anything from .508 to .08 to .09. They chose the number in the middle. Here is the important point about that.

Had they chosen the higher range the scientists recommended, 400 additional counties across this Nation would not be in noncompliance.

Now, what does that mean, 400 counties in noncompliance? That means if you are located in those counties, immediately when EPA files these new standards, you have to buy the most sophisticated technology for anything that you do. It means that your building permit process becomes much stricter and much tougher, and quite frankly, in those counties you are probably not going to see much industrial expansion and you are going to see almost no new construction, because why would an industry want to move into a county that is already in noncompliance? So there is a stigma that occurs with noncompliance.

Now, in a rush to get Members on both sides of the aisle to not believe that this was the case, EPA Administrator Browner, we believe, has been making some assurances to Members of Congress and to officials at the State, county and local level, that they are really going to kind of look the other way as far as enforcement goes.

Now, the fact of the matter is, whether they look the other way or not, the day those regulations are in the books, things change, because as Ms. Browner testified before our committee, it is up to the States and the local government to come into compliance with the standards set by the Federal Government. If they do not do it, then the Federal Government comes in and can then insist that they do it one way or another. If they have been out of compliance, they have not taken steps, the Federal Government would at that point step in.

We understand one Member of Congress from northeastern Ohio was assured that an automobile manufacturing plant and an automobile casting plant in his district would not have to put on additional controls, even if those plants were located in counties that were found to be in noncompliance based on the new standards.

My question to EPA is how do you do that? How do you say, these are the regulations, but a wink and a nod, you do not have to listen to them? And if that is the case, well, Ms. Browner is the administrator, what happens if she is no longer the administrator? Does EPA do something different? Is this an assurance only for this Member of Congress that is receiving that assurance?

So the gentleman from Michigan [Mr. DINGELL] and myself have written to Administrator Browner, and we have asked how they can make these assurances. We also would applaud what appears to be recognition by EPA that there are problems these proposals will create for industry and for local governments, and for State governments. So we also would like them to talk to us about how those problems are going to be dealt with.

The assertions that the administrator seems to be making to these Members of Congress and to other elected officials have raised really three fundamental questions. Number one, who is receiving these assurances? Are only certain Members of Congress being told that their industries will get a bye on this, or will all of our districts get a bye on obeying these new regulations? And what were those assurances? Exactly, specifically, what are you assuring us that EPA will do or will not do?

Number three, how much value would those assurances have, given the fact in the face of contradictory statutory provisions and the expansion of citizens' rights found in the Clean Air Act? Because any citizen has the ability, under the Clean Air Act, to bring a suit and say, you are not adhering to this act. So once the EPA said, forget about these standards that were working, forget about these standards that we were reaching, that the States were developing State implementation plans to achieve that were causing the air to get cleaner, forget about those, we now have new standards.

The citizen says, wait a second, you are not doing what you should be doing in these areas. That citizen can bring a suit, and we need to know what impact a possible citizen suit would have. I do not think that the assurances that the administrator is giving is worth the breath with which they are uttered, and if they are written on paper, I would like to see the paper, and I do not think that they are worth the paper that they are being written on.

I think, Mr. Speaker, you are aware and most of my colleagues are aware that title I of the Clean Air Act amendments sets out the steps that the EPA and the States have to take once we have a new ambient air quality standard that is established pursuant to section 107. The EPA is then to promulgate area designations based on the new standards, and they are supposed to do it directly from the act. The quote is, ''as expeditiously as practicable, but in no case later than two years from the date of promulgation of the new or revised national ambient air quality standards.''

So how can they say to my friend from Ohio, or any other Member of Congress or to anyone else, do not worry about the new standards, you are all right, trust us. We are the Federal Government. We are here to help you.

I also have questions. Within three years after the promulgation of the national air ambient standards, the States have to submit an implementation plan which has to include numerous planning and control requirements, as well as an enforceable schedule, the timetable that the sources within that region that is out of compliance that is going to comply, and we want to know, given all of this, how can we give assurances to anyone that these timetables will not be adhered to?

Now, let me go from the general discussion for a moment just to talk about smog, or ozone, as it is known. Here in the Washington, D.C. area, and in Baltimore, I mentioned a little bit earlier that by 1999, I think it is, they have to reach their standards. Here is where this actually ends up, I believe, making the air dirtier longer. As soon as we have new standards going from the .12 for 1 hour to .08 for 8 hours, these regions can say, wait a minute, time out.

□ 1715

You have just changed the end zone. As a result of that, here is what I am going to do. I need my 10 or 12 years additional time to meet the new timetables. So they can stop all the things they are doing to implement clean air standards.

If you have a child who is 8 or 9 years old who has asthma and you are concerned, and you say, boy, this is a good thing, we are only 2 years, this is 1997, in 2 years in the Washington, D.C.-Baltimore area they are going to take action. They are going to have the air cleaned as regards to smog to this standard.

All of a sudden, EPA comes in, changes the standard, and the local people and the State people and the District people say, wait a second, we want our 10 or 12 years. So now that child will be 20 years old, will in fact be in college and perhaps move out of the area or be employed before the new standard has to be reached. So you are not protecting that child, who is now 8 or 9 or 10 years old. We are putting it off for another decade or more.

I do not believe we should be doing that. We have worked so hard to clean up the air. We have given up so much for the sake of clean air. To now change the final stopping place in the middle of the race, as we are so close to reaching those standards, does not make any sense.

The other problem with this is that there is a problem with transport. We have this in Pennsylvania. Our friends

to the west of us, States like Ohio and Michigan and Indiana and Illinois and Minnesota and on and on, send us their dirty air. We in turn send our dirty air to Delaware and New York and New Jersey. It is called transport. It is a problem we all have.

There is a group now that is called OTAG, a group which is a task force that is supposed to study this problem of transport of smog, how do we deal with it. They are, as we are speaking now, supposed to file their final report.

These new regulations do not make it—there are no new tools to deal with the problem of the air that is transported into our regions. Yet, it is going to stop this OTAG process, their ability to issue final recommendations, which in fact could cause the air to get cleaner because we would deal with the transport of pollution from one State to another.

There is a reluctance of States to take action against each other. As I mentioned, my State of Pennsylvania would be reluctant to seek action against States to our west because we do not want the States to our east to come after us, so there is kind of a Mexican standoff that is taking place. We are all looking forward to the day when we can sit down through this OTAG report and say, this is how we are going to deal with the transport problem.

I am particularly interested because my district happens to be right on the border with West Virginia and Ohio. So a business could locate in those States and not have the same stringent ozone requirements they would have in my district, because we are in that area designated the northeast ozone regional transport region. So we are getting that dirty air in from our west, we have the Allegheny mountains that act as a backstop, and we are done.

In fact, if we were to evacuate southwestern Pennsylvania, take out all of the industry, take all of the people out of their homes, take all of the vehicles out of southwestern Pennsylvania, shut it down, give it back to the birds and the wildlife, under the new proposed standards there would be several days a year that we would still be in excess of the standard allowed for smog.

We cannot meet the new standard. It is impossible until we deal with the transport issue of that dirty air that our friends and neighbors to the west are sending us. I think that Pennsylvania is not the only region that is having this problem. There are many other areas across the country that are having a problem with transport.

Let me just mention that I am not asking Members to believe me just because I happen to be a Member of Congress, or because I happen to sit in on some of these hearings. I think that the scientists and the scientific evidence would point out that what I am saying is correct.

The CASAC group that gave the recommendations to EPA is chaired currently by Dr. Joe Mauderly. He has been the Chair this year and on into the future, we hope. When talking about the issue of the ozone or smog, he said: ''While I support the proposed change as logical from a scientific viewpoint, I would point out that it should also be considered that an equal or greater overall health benefit might be derived by using the Nation's resources to achieve compliance with the present standard in presently non-compliant regions, than by enforcing nationwide compliance with a more restrictive standard.''

What is he saying? The same thing I have been saying for the last half an hour. That is, we are better to try to meet the current standard, a standard that is allowing us to clean up the air, a standard that local government has been working toward, State government has been working toward, industry has been investing money to work toward, rather than changing the target. If we use our resources in that manner, to bring the areas that are still out of compliance into compliance, we will have more healthier kids, we will have a healthier industry.

He also says, and my friends out in the west, Mr. Speaker, I would hope would listen to this, this is Joe Mauderly, this is not the gentleman from Pennsylvania [Mr. RON KLINK], this is someone who has knowledge of these matters because he has studied it and looked at it, and he is designated as the chairman of this group that is supposed to be advising EPA.

He says: ''I am concerned that New Mexico and other arid regions with alkaline soils, the substantial portion of soil-derived PM that can exist as PM2.5,'' and we call it soot but it also could be agricultural dust, so you understand, if you have alkaline type soils, that that loose soil blowing in the wind from agricultural activities could cause the new PM2.5, 2.5 microns, to be out there in the air.

Now we have a problem. What is this? What we are talking about with particulate matter, or as I said, it is that soot, we refer to it in the northeast as coming out of an industrial site, but obviously it can come out of an airplane exhaust, it can come out of a power plant smoke stack. Particulate matters are the dusts and soils that are blowing in the air, so it can come from different things. What they are talking about doing is going from PM10, 10 microns, to PM2.5. It is smaller. They are saying it is smaller, so when it is ingested into the lungs it is more dangerous, harder to get out.

The question is, is all 2.5 microns the same? Meaning if it is of a certain size, is there not a different toxicity to it? Are some things not more toxic than others? Are they more dense than others? How about when you use different kinds of particulate matter in conjunction with each other? We do not know all the answers to this, because in this whole Nation there are only 50 monitors that measure particulate matter in the 2.5 micron range. We do not have the data. We do not know.

How long will it take to get the data? Mr. Speaker, it is going to take at least 2 years to manufacture and deploy enough particulate matter sensors so we can get that information. Then, according to the law, and we are here about the law, you have to monitor that data for at least 3 years. That is 2 years to manufacture and get them deployed, 3 years to study, on a minimum.

At the end of that, that is 5 years, it is time for the EPA to reanalyze particulate matter. So why are we going to spend billions of dollars going to a new, more stringent standard that industry will not be able to comply with, that State and local facilities and governments will not be able to comply with, only to know that by the time we actually have that data 5 years down the road there will be another lawsuit forcing EPA to look at it again?

It does not make any sense, Mr. Speaker. It absolutely does not make any sense. We need to do the studies first. On this issue, Democrats and Republicans alike agree. We are willing in this House to fund the studies. It is better for us to spend tens of millions of dollars making sure that we are headed toward good science and a good health impact for our citizens, rather than spending billions of dollars, only to find out that again, EPA has gone ''whoops,'' 5 years from now, and told us that back in 1997 we made a bad decision.

Remember, they did that in Pennsylvania with centralized emissions testing. Do not make the same mistake in all 50 States, shutting down industries, stopping industrial growth, cutting down on the number of jobs, meaning the number of people who have paychecks and the number of people who have medical benefits at their jobs. There is an adverse health effect to not moving forward and having industry grow in this country.

Why am I here on the floor today? It is because when we had the loss of 155,000 manufacturing jobs, and I was at that time a journalist who was documenting it, I am not willing to stand here in the halls of Congress and watch the Federal Government make the same mistake that will cost people their jobs, cost them the quality of their lives, and then have the EPA and someone else years from now say, whoops, it was a mistake.

Show me that it is good science. Justify to me and the rest of this Congress that this is a good decision. Make sure that we are headed in the right direction, and you cannot do it with only 50 monitors in this country. You cannot force every industry to go to a new standard when they are already cleaning up the air, when State implementation plans are still being implemented, and you are putting the air quality of this country at risk.

About 40-some Members of Congress from our side of the aisle have tried for many weeks, Mr. Speaker, and I think many of our colleagues on the Republican side know this, we have tried to

sit down with the President. We want to talk to the administration about this before his EPA administrator makes what we think is going to be, we think she is going to do it, a bad decision to change the finish line in the middle of this race.

We have sent a letter. We have not even received back a note that said, we got your mail, we are thinking about it. That is bothersome. I want the President to sit down with us. Let us try to figure out how we can resolve this. Let us figure out how we, and those of us in Congress on both sides of the aisle, we want clean air. We want it to be a good decision. We want it to be a decision that is based on science that we are all comfortable with.

With the Clean Air Act, the Clean Air Act amendments, every major step that we have made toward cleaning up the environment, we have done it with a broad, bipartisan consensus. There is no broad, bipartisan consensus for implementing these new standards.

There is no reason why the EPA is doing smog at the same time they are doing soot, or particulate matter and ozone, if you want to be scientific. There is no reason they are doing both of those things together. I would hope, Mr. Speaker, that other Members who may be watching me talk back in their offices would step forward and would help us to get the attention of the administration, to try to stop what I think really would be bad policy, bad policy for this country.

Just in case the administration does not heed us, just in case we are too late, tomorrow, I would hope, we are prepared to introduce a piece of legislation, myself, the gentleman from Virginia [Mr. BOUCHER], the gentleman from Michigan [Mr. UPTON], so it is a bipartisan bill. We hope many of our colleagues will join us.

The purpose of this bill is not to open the Clean Air Act. I want to make that straight to my friends. We think that is a Pandora's box. The Clean Air Act is working. We are happy with the progress we have made. That is why we are here. We like the progress. We like the progress we are still going to make.

We agree with Carol Browning, no matter what happens, the air is going to get cleaner. We do not want to stop that. But we do want to put a 5-year moratorium on the establishment of these new standards. Let us continue with industry, with the labor unions, with the support of local government and State governments, to move toward bringing those areas that are still out of compliance into compliance. Let us deal with the issue of transport, of pollution across State lines.

So we are going to ask for a 5-year moratorium on the establishment of new ozone and fine particulate matter standards under the Clean Air Act. We really think that this is the direction that we want to go. We believe that most of the programs under the Clean Air Act and the amendments of 1990 are continuing or have yet to be implemented. We want to see them implemented. We want to see the results.

We believe that this country has made tremendous progress on reducing atmospheric levels of ozone and particulate matter since the passage of the amendments back in 1990. We think that that progress is going to continue.

□ 1730

And by changing the current national ambient air quality standards for ozone, which we just do not think makes a great deal of sense, we also think that really both the Environmental Protection Agency and this CASAC group, the scientists that I talked about, it stands for Clean Air Scientific Advisory Committee, both of them have recommended that additional research should be conducted to determine the additional health effects of these finer particles and that this should include taking a look at biological mechanisms, how bad and to what extent combining different kinds of particles has an adverse health effect.

Here is the EPA and here are these scientists, this Clean Air Scientific Advisory Committee, all saying we need further research but we think we are going to go to the new standards anyway. It does not make any sense.

So given that fact and the fact that there really is a lack of atmospheric data because we only have about 50 of these 2.5 monitors in this country, it makes sense to do the studies first. It makes sense to go out and measure across this Nation what kind of 2.5 particles do we have, at what level, at what density, what are the health impacts, and are we sure that if we clean them up to this level that there is going to be a health benefit from that.

You say, why would you say that? Would there not be a health benefit? We do not know.

Let me tell my colleagues what happened in London, England back in the 1950s, and it is happening in southwestern Pennsylvania and it is happening across this country now. In London back in 1950s, they had all this black soot in the air. They had problems with respiratory illnesses, bronchial infections. They cleaned the air up. The incidences of asthma increased. Why? They do not know. They still do not know.

That has happened in southwestern Pennsylvania and it is happening across this country. There are all kind of ideas, but the whole point is, why, when we clean up the air, is asthma increasing, not only in the number of cases, the percentage of people that are getting it, but also the violent aspect of it is also getting worse. What is going on here?

There are different ideas. We need time to find out what are the answers to those questions. Setting the new standard right now does not change anything except it stops the progress that we have been making. It stops the benefits that we have been seeing for quite some time.

We have watched the air slowly, slowly getting better, getting more clean. I can remember, and I will make an admission, Mr. Speaker, back in my early days in the television business, I was a television weather forecaster and in the Pittsburgh region, as a matter of fact. And we had to, back in the 1970s, every day, along with the temperature and the barometric pressure, the direction the winds were going, tell the people what days they could go outside and exercise and when they could not and when you kept your children in and when you keep the elderly people in. And we had to tell them what aspect of the air was bad, if it was particulate matter, if it was ozone, if it was whatever.

Still, when I get home, I watch my friends who are still doing the weather forecasting. They do not do that anymore. The air has gotten that much cleaner. But the other aspect of that is the air has gotten cleaner. As I drive into Pittsburgh on the parkway east, where once there was a giant steel mill, there is now a high tech center. We are happy to have those jobs, but the steel industry is not there anymore. When you go to the town of Aliquippa, where once there was a 7-mile-long steel mill, there is now a big flat spot along the Ohio River. So we have paid not only with our tax dollars, we have paid with corporate investments. We have paid with jobs.

Do not make us pay for something that we are unsure of what the benefit will be. Do not make us pay for something that may in fact be more detrimental to our health and at the same time cause this Nation's wealth to go into a downward spiral where companies will not be investing in these regions, where jobs will not be created in these regions. That is what I fear is going to happen.

We have heard from governors across this Nation who are in favor of the wait and see position that I have espoused here today. We have heard from many State legislatures, both houses of representatives of the States and the senates. We have heard from local governments. I have a list here of many pages, I will not read through them, Mr. Speaker, but we have heard from industry. We have heard from labor unions that are in favor.

I would say to my friends who work with the labor unions, the IBEW opposes these standards. The IUOE opposes these standards. The boilermakers union opposes these standards. The bakery, tobacco and confectionery union opposes these standards. The labor unions oppose these standards. United Mine Workers union opposes these standards. All of those have sent letters to the White House or to the EPA.

Other internationals who oppose but have not yet written letters, we hope that they will, include the Teamsters, the Oil, Chemical and Atomic Energy Organization, carpenters, pipe fitters, we understand many other labor unions are getting on board.

The only labor union that we know that is in favor of these standards, and I cannot figure out for the life of me, the steel workers. I met with the steel workers this week in an effort to try to understand this, because my local steel workers back in Pittsburgh are not for this. The regional directors, who have watched the steel industry move offshore, are not for this.

The Washington lobbyists for the steel workers are for this. I do not know if someday they want to be Secretary of Labor under somebody's administration. I do not know that. It is only conjecture by a cynical television reporter who now is standing here in Congress. I do not know what the reason is.

But the point of it is this, I have been almost all of my adult life a union member, still carry my AFL–CIO card. In acting on behalf of the working people of my region, which is what I was sent here to do, I cannot go along with these proposed new standards. They make no sense. It is bad news environmentally. It is bad news from a health perspective. It is bad news certainly from a wealth perspective from the continuing prosperity of this country moving forward.

We have loved it during the past 5 years as we have watched the stock market go up and industrial investments going up. It is coming into our area; we are starting to see growth and development. I am afraid that the brakes are going to go on.

Mr. Speaker, I ask my friends in this Congress, I would ask that we have as many Members as can sign onto the bill that the gentleman from Virginia [Mr. BOUCHER], the gentleman from Michigan [Mr. UPTON] and I will be dropping tomorrow, because we think there should be a 5-year moratorium on any action by the EPA.

We think there should be a moratorium until these monitors can be put in place, the study can be done, the material from that study can be fully analyzed and that we will know 5 years from now what we are doing. What is the cost of doing that? We are going to have to fund each year the study. We are going to have to fund the building of those monitors. That will cost far less than what it will cost if the EPA implements these new standards and they are wrong.

We are willing in a bipartisan fashion to fund that study. We have talked about it. We think it is the right thing to do. I would urge my friends to join me.

THE VA'S BEST KEPT SECRET: VETERAN'S ON-THE-JOB TRAINING

The SPEAKER pro tempore [Mr. CHRISTENSEN]. Under a previous order of the House, the gentleman from New York [Mr. QUINN] is recognized for 5 minutes.

Mr. QUINN. Mr. Speaker, I rise today for a short period of time here, 4 or 5 minutes, to inform my colleagues in the House about a veterans' congressional jobs program that has come to my attention and we have initiated in my district office.

This is information for our colleagues here in Congress and for their staff members, and the chairman of the Subcommittee on Benefits of the Committee on Veterans' Affairs here in the House.

Back in January and February, Mr. Speaker, I had an opportunity to meet with staff over at the VA and talk about the existing programs. We talked about financing and the budget that is coming up. I also know that most of us as Federal Representatives here in the Congress are committed to improving veterans' employment opportunities, and I think that the Members here will be very interested that the VA is offering a jobs program for service-connected disabled veterans.

This is an existing program that I believe is a win-win-win situation, Mr. Speaker. I think it is one of the VA's best kept secrets, not purposefully; but I think that, if Members know about it and if they are informed about it, they are going to be very excited about it for the district offices and serving our constituents and helping the employment picture for veterans back home in their districts.

That is why it was important for me to come to the floor today and to speak to our colleagues and our Members. This program is referred to as the Chapter 31 Program. The purpose of the VA's vocational rehabilitation program is to assist service-disabled veterans find and maintain suitable employment. The trainee receives a stipend from the VA. In other words, there is no additional cost to us in our district offices.

I mentioned before that I think it is a win-win-win situation because it has helped the effectiveness of my office. It has helped us with our constituent service. It is also a win then for the individual veteran who has an opportunity to experience this on-the-job training, and I believe it is a win for the community at large.

The VA has done an excellent job in finding a candidate to work in my congressional office back in our district. We selected a trainee, Mr. Mark Dunford, who has a bachelor's degree in history, and he is completing his prelaw work at Canisius College in Buffalo. He has agreed to take on all our constituent work relating to veterans.

When we have constituents call our offices that want some help with either hospital veterans benefits or problems with some benefits they are receiving for a previously expired husband or wife, this is the kind of individual that will take that constituent work and get it done.

He is doing an outstanding job, Mr. Dunford is. His experience and skills acquired in the military are an asset to our office. But when he is assisting in constituent work, when he is monitoring the needs that people in my district and all of our districts have with regard to veterans affairs, he is one of those take-charge people who gets it done.

This on-the-job training program is an excellent way for disabled veterans to gain the work experience that they need.

I think, finally, that it is an opportunity for those of us who are Members of Congress here to lead by example. It is an opportunity to take this congressional job training experience another step and allow our veterans to have that experience so they can get meaningful employment either in our offices or in other places around the community.

In a time of limited resources, Mr. Speaker, it is also an opportunity for us to provide this job at no additional costs to our congressional payrolls. I think it is a win-win-win situation, as I said, for everybody involved.

I came to the floor today to make our Members aware of this program. As I mentioned, it is called the Chapter 31 Program. Later this week I will be sending a dear colleague letter to all of our Members here in the House suggesting that they look into the program. They can very easily give my staff a call in my office so we can put them in touch with the right people in the VA who, to tell you the truth, handle everything for us.

It is a great program. It is one that our constituents should know about. It is one that will help us run our offices more effectively and more efficiently. Finally, it is the right thing to do for some veterans back in our districts.

I would suggest that with the dear colleague letter that goes out from our office later this week, if anybody needs any attention from us or any help, we stand ready to do that, as does the VA.

Mr. Speaker, I appreciate the time this afternoon to make my office available.

RECESS

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

Accordingly (at 5 o'clock and 43 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0045

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 12 o'clock and 45 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1119, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998 AND 1999

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report

(Rept. No. 105–137) on the resolution (H. Res. 169) providing for consideration of the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HALL of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. HALL of Ohio, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. GEJDENSON, for 5 minutes, today.

Mr. LEVIN, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. ROTHMAN, for 5 minutes, today.

Ms. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. CANADY of Florida) to revise and extend their remarks and include extraneous material:)

Mr. QUINN, for 5 minutes, today.

Mr. NEUMANN, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. KNOLLENBERG, for 5 minutes, today.

Mr. ENSIGN, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. TIAHRT, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

(The following Member (at his own request) to revise and extend their remarks and include extraneous material:)

Mr. WAXMAN, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. NORTHUP, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. CANADY of Florida) and to include extraneous matter:)

Mr. GINGRICH.

Mr. HOBSON.

Mr. QUINN.

Mr. CAMPBELL.

Mr. GILMAN.

Mr. MORAN of Kansas.

Mr. PACKARD.

(The following Members (at the request of Mr. HALL of Ohio) and to include extraneous matter:)

Mr. HAMILTON.

Mr. FRANK of Massachusetts.

Mr. SANDERS.

Mrs. MALONEY of New York.

Mr. UNDERWOOD.

(The following Members (at the request of Mr. QUINN) and to include extraneous matter:)

Mr. VENTO.

Mr. GILMAN.

Mr. MCCARTHY of Missouri.

Mr. MORAN of Virginia.

Mr. CLAY.

Mr. STOKES.

Mr. STUPAK.

Mr. WELLER.

Mr. LEWIS of California.

Mr. HALL of Ohio.

Mr. FORBES.

Mr. FRANKS of New Jersey.

Mr. KUCINICH.

Mr. POSHARD.

Mr. SOLOMON.

Mr. THOMPSON.

Mr. OLVER.

(The following Members (at the request of Mr. SOLOMON) and to include extraneous matter:)

Mr. EWING.

Mr. VELÁZQUEZ.

Mr. BROWN of California.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 32. Joint resolution to consent to certain amendments enacted by the Legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 342. An act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices.

JOINT RESOLUTION 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 joint resolution of the House of the following title:

H.J. Res. 32. Joint resolution to consent to certain amendments enacted by the Legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 47 minutes a.m.), the House adjourned until today, Thursday, June 19, 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:

3845. A letter from the Director, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Revitalizing Base Closure Communities and Community Assistance—Community Redevelopment and Homeless Assistance (RIN: 0790–AG18) received June 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

3846. A letter from the Director, Defense Procurement, Office of the Under Secretary of Defense, transmitting the Office's final rule—Defense Federal Acquisition Regulation Supplement; Miscellaneous Amendments [Defense Acquisition Circular 91–12] received June 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

3847. A letter from the Acting Executive Director, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Thrift Depositor Protection Oversight Board on the Resolution Funding Corporation for the calendar year 1996, pursuant to Public Law 101—73, section 511(a) (103 Stat. 404); to the Committee on Banking and Financial Services.

3848. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Controls and Displays (National Highway Traffic Safety Administration) [Docket No. 96–52; Notice 2] (RIN: 2127–AF86) received June 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3849. A letter from the Chair, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Nuclear Plant Decommissioning Trust Fund Guidelines [Docket No. RM94–14–001; Order No. 580–A] received June 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3850. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Chile (Transmittal No. 19–97), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3851. A letter from the Chairman, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting the Authority's report entitled ''District of Columbia Financial Plan and Budget, Fiscal Years 1998 and 1999–2001,'' pursuant to Public Law 104–8, section 202(c)(6) (109 Stat. 113); to the Committee on Government Reform and Oversight.

3852. A letter from the CFO and Plan Administrator, PCA Retirement Committee, First South Production Credit Association, transmitting the fiscal year 1996 annual pension plan report of the First South Production Credit Association, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

3853. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the study report on the El Camino Real de Tierra Adentro to determine if it is feasible and desireable to designate it as a component of the National Trails System, pursuant to 16 U.S.C. 1244(b); to the Committee on Resources.

3854. A letter from the Secretary of the Interior, transmitting the annual report entitled ''Outer Continental Shelf Lease Sales: Evaluation of Bidding Results and Competition'' for fiscal year 1996, pursuant to 43 U.S.C. 1337(a)(9); to the Committee on Resources.

3855. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Low-Stress

Hazardous Liquid Pipelines Serving Plants and Terminals (Research and Special Programs Administration) [Docket No. PS–117; Amdt. 195–57] (RIN: 2137–AC87) received June 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3856. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Motor Carrier Routing Regulations; Disposition of Loss and Damage Claims and Processing Salvage; Preservation of RECORDS (Federal Highway Administration) (RIN: 2125–AE12) received June 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3857. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Government Securities: Call for Large Position Reports [17 CFR Part 420] received June 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3858. A letter from the United States Trade Representative, transmitting a draft of proposed legislation to amend the Trade Act of 1974 to extend the Generalized System of Preferences; to the Committee on Ways and Means.

3859. A letter from the Secretary of Defense, transmitting the Department's report on the utilization of Uniformed Services University of Health Sciences (USUHS) graduates, pursuant to Public Law 104–201 section 741(e) (110 Stat. 2600); jointly to the Committees on National Security and Commerce.

3860. A letter from the Secretary of Housing and Urban Development, transmitting the Department's report on the Portfolio Reengineering Demonstration Program for Fiscal Years 1996 and 1997, pursuant to Public Law 104–134, section 210(g) (110 Stat. 1321–287); jointly to the Committees on Banking and Financial Services and Appropriations.

3861. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report on deliveries under Section 540 of P.L. 104–107 to the Government of Bosnia-Herzegovina, pursuant to Public Law 104–107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

3862. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to improve pension and benefit security, to provide equitable railroad retirement benefits; jointly to the Committees on Education and the Workforce, Ways and Means, Government Reform and Oversight, and Transportation and Infrastructure.

3863. A letter from the Director, Office of Management and Budget, transmitting a draft of proposed legislation to provide uniform safeguards for the confidentiality of information acquired for exclusively statistical purposes, and to improve the efficiency of Federal statistical programs and the quality of federal statistics by permitting limited sharing of records for statistical purposes under strong safeguards; jointly to the Committees on Government Reform and Oversight, Commerce, the Judiciary, Science, and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURTON: Committee on Government Reform and Oversight. H.R. 1316. A bill to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits; with an amendment (Rept. 105–134). Referred to the Committee of the Whole Hose on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 858. A bill to direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities; with an amendment (Rept. 105–136, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 19 (Legislative day of June 18), 1997]

Mr. SOLOMON: Committee on Rules. House Resolution 169. Resolution providing for consideration of the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes (Rept. 105–137), Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Agriculture discharged from further consideration. H.R. 858 referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. GOSS: Permanent Select Committee on Intelligence. H.R. 1775. A bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the U.S. Government, the community management account, and the Central Intelligence Agency retirement and disability system, and for other purposes; with an amendment; referred to the Committee on National Security for a period ending not later than July 1, 1997, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X. (Rept. 105–135, Pt. 1).

BILLS PLACED ON THE CORRECTIONS CALENDAR

Under clause 4 of rule XIII, the Speaker filed with the Clerk a notice requesting that the following bills be placed upon the Corrections Calendar:

H.R. 1316. A bill to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 858. Referral to the Committee on Agriculture extended for a period ending not later than June 18, 1997.

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 Ms. ROYBAL-ALLARD (for herself and Mrs. MYRICK):

H.R. 1950. A bill to clarify the family violence option under the temporary assistance to needy families program; to the Committee on Ways and Means.

By Mr. TORRES (for himself, Mr. RANGEL, Mr. CAMPBELL, Mr. LEACH, Mr. PAUL, Mrs. MORELLA, Mr. SERRANO, Mr. MCDERMOTT, Ms. VALÁZQUEZ, Mr. MOAKLEY, Mr. NADLER, Mr. MCGOVERN, Mr. SHAYS, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. BOUCHER, Ms. WOOLSEY, Mr. FAZIO of California, Mr. HALL of Ohio, and Ms. LOFGREN):

H.R. 1951. A bill to make an exception to the United States embargo on trade with Cuba for the export of food, medicines, medical supplies, medical instruments, or medical equipment, and for other purposes; to the Committee on International Relations, 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 of fall within the jurisdiction of the committee concerned.

By Mr. CANNON:

H.R. 1952. A bill to designate certain Bureau of Land Management lands in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Mr. GEKAS:

H.R. 1953. A bill to clarify State authority to tax compensation paid to certain employees; to the Committee on the Judiciary.

By Mr. JENKINS:

H.R. 1954. A bill to suspend temporarily the duty on certain high tenacity single yarn of viscose rayon; to the Committee on Ways and Means.

By Mr. KNOLLENBERG (for himself, Mr. BATEMAN, Mr. GIBBONS, Mr. HAYWORTH, and Mr. UPTON):

H.R. 1955. A bill to amend title 38, United States Code, to provide that a person who is sentenced to life in prison or death pursuant to Federal law forfeits all veterans' gratuitous benefits; to the Committee on Veterans' Affairs.

By Mr. SABO:

H.R. 1956. A bill to amend sections 226 and 226A of the Social Security Act to provide for entitlement to Medicare benefits of any divorced individual who otherwise would be so entitled on the basis of the entitlement to wife's, husband's, widow's, or widower's insurance benefits but for the failure to meet the 10-year marriage requirement, if such individual has been married to any 2 fully insured individuals for a total period of 10 years; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself and Ms. PRYCE of Ohio):

H.R. 1957. A bill to amend the Indian Child Welfare Act of 1978 to exempt voluntary child custody proceedings from coverage under that act, and for other purposes; to the Committee on Resources.

By Mr. WHITFIELD:

H.R. 1958. A bill to amend the Federal Food, Drug, and Cosmetic Act, the act of March 16, 1950, and the Federal Trade Commission Act to end the regulation of margarine; to the Committee on Commerce.

By Mr. DEUTSCH (for himself and Mr. CHABOT):

H. Con. Res. 100. Concurrent resolution relating to the future status of Taiwan after Hong Kong's transfer to the People's Republic of China on July 1, 1997; to the Committee on International Relations.

By Mr. LIVINGSTON (for himself and Mr. CARDIN):

H. Res. 168. Resolution to implement the recommendations of the bipartisan House Ethics Reform Task Force; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

134. The SPEAKER presented a memorial of the Legislature of the State of Nevada, relative to Senate Joint Resolution No. 11 urging Congress to protect the rights of users of roads over public lands; to the Committee on Resources.

135. Also, a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 53 memorializing the U.S. Congress to appropriate funds for the replacement of the Chickamauga Lock; to the Committee on Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. WHITFIELD introduced a bill (H.R. 1959) for the relief of Dr. David Robert Zetter, Dr. Sabina Emily Seitz, and Daniel Robert Zetter; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 51: Mr. HAYWORTH.

H.R. 58: Mr. BURTON of Indiana, Mr. COOKSEY, and Mr. WELLER.

H.R. 123: Mr. WICKER and Mr. ROGERS.

H.R. 165: Mr. KILDEE and Mr. HAYWORTH.

H.R. 195: Mr. CLYBURN.

H.R. 218: Mr. TAYLOR of North Carolina, Mr. LEWIS of California, and Mr. DAN SCHAEFER of Colorado.

H.R. 234: Mr. BORSKI, Mr. UNDERWOOD, Mr. FROST, and Mr. YATES.

H.R. 235: Mr. WEXLER.

H.R. 336: Mr. MCKEON.

H.R. 339: Mr. CRAMER and Mr. CANADY of Florida.

H.R. 418: Mr. ALLEN and Mr. JACKSON.

H.R. 457: Mr. CAPPS.

H.R. 475: Mr. MURTHA, Mr. SESSIONS, and Mr. FRANKS of New Jersey.

H.R. 519: Mr. BARCIA of Michigan.

H.R. 586: Mr. SESSIONS.

H.R. 617: Mr. ANDREWS, Mr. ALLEN, Mr. JACKSON, and Mrs. MALONEY of New York.

H.R. 705: Mr. CANADY of Florida.

H.R. 712: Mr. PAYNE.

H.R. 754: Mr. MCINTYRE and Mr. CLYBURN.

H.R. 793: Mr. MCGOVERN and Mr. MARTINEZ.

H.R. 872: Mr. BALLENGER and Mr. COBLE.

H.R. 955: Mr. GOODLING, Mr. SOUDER, and Mrs. NORTHUP.

H.R. 978: Mr. LATOURETTE.

H.R. 1013: Mr. BAKER, Mrs. LOWEY, Mr. NORWOOD, Mr. GOODE, Mr. PICKETT, Mr. CRAPO, Mr. KLECZKA, Mr. EDWARDS, Mr. TAYLOR of North Carolina, Mr. PALLONE, and Mr. MCINNIS.

H.R. 1068: Mr. CANNON and Mr. SMITH of Michigan.

H.R. 1072: Mr. OLVER, Mr. WAXMAN, and Mrs. TAUSCHER.

H.R. 1077: Mr. SERRANO and Mr. GOODLING.

H.R. 1108: Mr. GOODE.

H.R. 1114: Mr. SANDERS.

H.R. 1120: Mr. HINCHEY, Mrs. MEEK of Florida, Mr. MILLER of California, and Mr. SERRANO.

H.R. 1126: Mr. DOOLITTLE, Ms. CARSON, Mr. BARRETT of Nebraska, and Mr. RODRIGUEZ.

H.R. 1127: Mr. DUNCAN, Mr. BOB SCHAFFER, Mrs. EMERSON, and Mr. SMITH of Oregon.

H.R. 1134: Mr. BARTLETT of Maryland, Ms. DELAURO, Mr. SMITH of Michigan, Ms. MOLINARI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WELDON of Pennsylvania, and Mrs. CLAYTON.

H.R. 1142: Mr. STUPAK, Ms. JACKSON-LEE, and Mr. ACKERMAN.

H.R. 1147: Mr. COOKSEY.

H.R. 1153: Mr. GOODLING and Ms. GRANGER.

H.R. 1159: Mr. VENTO and Mr. PRICE of North Carolina.

H.R. 1165: Mr. HILLIARD.

H.R. 1186: Mr. ABERCROMBIE.

H.R. 1202: Mr. FAWELL, Mr. WEXLER, and Mr. ROTHMAN.

H.R. 1232: Mr. FAZIO of California, Mr. DELLUMS, Mr. KILDEE, and Ms. BROWN of Florida.

H.R. 1263: Mr. LANTOS.

H.R. 1270: Mr. EHRLICH, Mr. THOMPSON, Mr. PARKER, Mr. MCCRERY, Mr. GOODE, Mrs. MEEK of Florida, and Mr. DOOLITTLE.

H.R. 1279: Mr. SHAW.

H.R. 1311: Mr. DELLUMS and Mr. BROWN of California.

H.R. 1329: Mr. HALL of Ohio.

H.R. 1335: Mr. BACHUS and Mr. BENTSEN.

H.R. 1346: Mr. DELLUMS and Mr. BARRETT of Wisconsin.

H.R. 1350: Mr. ENGEL, Mr. BUNNING of Kentucky, Mr. PORTER, Mr. STUMP, Mr. KIM, and Mr. CHABOT.

H.R. 1369: Mr. WELDON of Pennsylvania.

H.R. 1391: Mr. FOLEY, Mr. BLUNT, Ms. DANNER, Mr. MCCOLLUM, Mr. WEXLER, Mr. WELLER, Mr. BARCIA of Michigan, Mr. BURTON of Indiana, Mr. SHERMAN, Mr. PORTER, Mr. POMBO, Mrs. THURMAN, Mr. GREENWOOD, Mrs. LOWEY, Mr. CAPPS, and Mr. CALVERT.

H.R. 1398: Mr. HYDE and Mr. SALMON.

H.R. 1438: Mr. BLAGOJEVICH, Mrs. LOWEY, Mr. EVANS, Mr. MCGOVERN, and Mr. FRELINGHUYSEN.

H.R. 1440: Mrs. THURMAN and Mr. FALEOMAVAEGA.

H.R. 1458: Mr. NORWOOD.

H.R. 1478: Mr. ENGEL, Mr. KILDEE, Mr. PETERSON of Pennsylvania, Mr. EVANS, Mr. JOHNSON of Wisconsin, and Mr. MCINTYRE.

H.R. 1505: Ms. NORTON.

H.R. 1542: Mr. RIGGS.

H.R. 1567: Mr. PACKARD, Mr. RADANOVICH, Mr. STUMP, Mr. SHADEGG, Mr. BOB SCHAFFER, Mr. GIBBONS, and Mr. DAN SCHAEFER of Colorado.

H.R. 1627: Mrs. MORELLA.

H.R. 1660: Mr. SMITH of Michigan.

H.R. 1679: Mr. CALLAHAN.

H.R. 1702: Mr. NETHERCUTT, Mr. EHLERS, Mr. WELDON of Florida, Mr. CANNON, Mr. SESSIONS, Mr. SALMON, Mr. HALL of Texas, and Mr. FOLEY.

H.R. 1727: Mr. PAYNE, Ms. MOLINARI, and Mr. BALDACCI.

H.R. 1754: Ms. RIVERS and Mr. NETHERCUTT.

H.R. 1763: Mr. NEY.

H.R. 1765: Mr. SANDERS.

H.R. 1810: Mrs. NORTHUP, Ms. JACKSON-LEE, Mr. NETHERCUTT, Mr. GIBBONS, Mr. EHRLICH, and Mr. HAYWORTH.

H.R. 1816: Mr. MCINTOSH.

H.R. 1818: Mr. BONIOR.

H.R. 1839: Mr. SHAYS.

H.R. 1842: Mr. GUTKNECHT.

H.R. 1877: Mr. HAYWORTH.

H.R. 1883: Mrs. MEEK of Florida, Mr. HALL of Ohio, and Mr. SCHUMER.

H.R. 1908: Mr. CALLAHAN.

H.J. Res. 76: Mr. NEY.

H.J. Res. 79: Mr. DEFAZIO.

H. Con. Res. 10: Mr. MCGOVERN and Ms. KILPATRICK.

H. Con. Res. 52: Mr. MOLLOHAN, Ms. DEGETTE, Mr. MCINTYRE, and Mr. PASCRELL.

H. Con. Res. 75: Mr. COLLINS.

H. Con. Res. 80: Mr. DEFAZIO and Mr. SCHUMER.

H. Con. Res. 81: Mr. FORBES, Mr. SOLOMON, Mrs. KELLY, Mr. PAYNE, Mr. KLINK, Mr. MENENDEZ, Mr. CAPPS, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. VISCLOSKY, Mr. CRANE, Mr. COYNE, Mr. MANTON, Ms. HARMAN, Mr. FROST, Mr. OLVER, and Ms. PRYCE of Ohio.

H. Res. 26: Mr. YATES, Mrs. MALONEY of New York, Ms. KAPTUR, Mr. BLAGOJEVICH, Mr. UNDERWOOD, Mr. BLUMENAUER, Mr. STARK, and Mr. DEUTSCH.

H. Res. 103: Mr. BATEMAN and Mr. CALVERT.

H. Res. 135: Mr. HASTINGS of Florida, Mr. ACKERMAN, Ms. LOFGREN, Ms. WOOLSEY, Mr. BARRETT of Wisconsin, Mr. EVANS, Mr. SNYDER, Mr. SKAGGS, Mr. WISE, and Mr. DOYLE.

H. Res. 138: Mr. ETHERIDGE.

H. Res. 151: Mr. POMEROY and Mr. DEFAZIO.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

18. The SPEAKER presented a petition of the Council of the County of Hawaii, Hilo, Hawaii, relative to Resolution No. 79–97 urging strong support for the passage of H.R. 627 and S. 290, establishing a three-year visa waiver pilot program for Korean nationals visiting the United States in tour groups; to the Committee on the Judiciary.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, WEDNESDAY, JUNE 18, 1997 No. 85

Senate

(Legislative day of Tuesday, June 17, 1997)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

The Lord bless you and keep you; the Lord make His face to shine upon you, and be gracious to you; the Lord lift up His countenance upon you, and give you peace.—Numbers 6:24–26.

Father, we begin this day by claiming this magnificent fivefold assurance. We ask You to make this a delightful day filled with Your blessings. May we live today with the esteem of knowing You have chosen us and called us to receive Your love and to serve You. Give us the helmet of salvation to protect our thinking from any intrusion of temptation to pride, resistance to Your guidance, or negative attitudes. Smile on us as Your face, Your presence, lifts us from fear or frustration.

Thank You for Your grace to overcome the grimness that sometimes pervades our countenances. Instead, we want to reflect Your countenance of joy. May Your peace flow into us, calming our spirits, conditioning our dispositions, and controlling all that we say and do.

Help us to experience the peace of a forgiven, forgiving heart, the peace of a heart completely open to You, and the peace of a pure heart filled with Your spirit. You are the sole source of perfect peace. So help us to say to others, ''Have a blessed day,'' and to expect nothing less for ourselves. In the name of our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator SESSIONS of Alabama, is recognized.

Mr. SESSIONS. Thank you, Mr. President.

SCHEDULE

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I announce that the Senate will be in a period of morning business today until the hour of 12 noon. Following morning business, it is the majority leader's intention to begin consideration of the Department of Defense authorization bill. If an agreement cannot be reached to proceed to the DOD authorization bill, the Senate will, hopefully, begin consideration of the intelligence authorization bill. Therefore, Senators can expect rollcall votes throughout today's session on these matters. As always, Senators will be notified accordingly when any rollcall votes are scheduled. I thank my colleagues for their attention.

Mr. FORD addressed the Chair.

RECOGNITION OF THE ACTING DEMOCRATIC LEADER

The PRESIDING OFFICER (Mr. ROBERTS). The assistant Democratic leader is recognized.

DOING THE BEST WE CAN WITH GOD'S GUIDANCE

Mr. FORD. Mr. President, I want to take just one moment, if I may. Yesterday, the Chaplain very eloquently asked for God's blessing on our Democratic leader in the loss of his father. It indicates that all of us are human, and we are here just attempting to do the best we can with God's guidance.

Today, the Democratic leader's father will be laid to rest in his home of South Dakota. I hope that all of us will give some thought to the leader and his family as they gather to mourn the loss of his father.

I do thank the Chair for allowing me to express my concern for our leader, and I know all of us feel basically the same way. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12 noon, with Senators permitted to speak therein for up to 5 minutes each. The Senator from Alabama is recognized to speak for up to 60 minutes.

Mr. SESSIONS. Thank you, Mr. President.

WE SHARE IN THE PAIN

Mr. SESSIONS. Mr. President, I appreciate the remarks of the Senator from Kentucky about the death of the minority leader's father. We all share in that pain. There is a sense of sadness in this body, and as we contemplate that, maybe it helps us all reflect on the fact that we are all human beings who share the same goals for the betterment of this country. I think that is a good thing for us to contemplate.

JUVENILE CRIMINAL JUSTICE

Mr. SESSIONS. Mr. President, S. 10, the juvenile justice bill that will shortly be before this Senate, is one of the best pieces of legislation for law enforcement that I have seen in a number of years. I am absolutely convinced that it is the finest reform of criminal justice in at least 20 years.

This bill was crafted last term by Senator HATCH, who is a prime sponsor

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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of it and who is chairman of the Judiciary Committee. I have had the dual honors of serving as the chairman of the Juvenile Violence Subcommittee of the Judiciary Committee and also of working with him on this legislation. We are very proud of the bill that has been produced. We think it will do tremendous things for law enforcement. It is the kind of bill that does what it ought to do. It is not designed to get headlines; it is designed to improve the system of criminal justice in America.

Mr. President, I served for 17 years, the better part of my professional career, as a prosecutor. It has been a particular honor for me to be able to have the opportunity to participate in reforming juvenile justice in America, because I know from my firsthand personal experience, gained as a U.S. attorney and as attorney general of Alabama, that this system is not working well.

I am pleased at this time to be able to recognize Senator JOHN ASHCROFT of Missouri to speak on this issue. He is a former attorney general of Missouri, and spent two terms, 8 years, as Governor of that great State. He is a student of juvenile crime and the crime issue in general. He has spoken eloquently on it in our committee. He will be having hearings later this week in Missouri on this issue, and I will be pleased to join with him at that time.

He has some remarks that he would like to share about this bill. At this time, I am honored to recognize the Senator from Missouri, Mr. JOHN ASHCROFT.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Thank you, Mr. President, and I thank the Senator from Alabama.

I, too, am eager to express my appreciation for the reminder and the sobering thoughts expressed by the Senator from Kentucky. Each of us has a sense of loss whenever any of us suffers in our families the kind of challenge that comes when a father is deceased.

I remember very well my father coming to this Chamber to witness my swearing in as a Senator some 2½ years ago. My father was on his ''last legs,'' and he died before he made it home. But he had the sense of knowing that I had come here to do and to support things in which both he and I believed. I think that meant a lot to my father.

I know that at this time, the minority leader, Senator DASCHLE, is very proud of his father and grateful for his father. I think he can have some sense of assurance that his father was grateful for him and appreciated a son who would devote himself in the national interest to doing what was, in his judgment, best for his country.

It is in that sense that each of us has the profound privilege of shaping public policy. Perhaps that is as great a privilege as any of us enjoys from the Creator, that He allows us literally to participate in creating the world in which we will live. We are all destined to live in some tomorrows, and our children are destined to live in some tomorrows, and we have a chance to shape those tomorrows. I believe that is what the process of developing plans involves; it is the process of developing legislation to try to build a framework in which our community respects the ability of individuals to reach the potential that God has placed within each of us.

So it is with that in mind that I think we are compelled to address a significant problem, which is a challenge to America and a threat to our future: The growing problem of violent juvenile crime.

It is not that we say that although there is a problem, there is nothing we can do about it. We believe that we can remediate this situation. We believe that we can address this challenge, and we believe that we can be successful. We believe, however, that to do so we are going to have to change some things, because the things that we have been doing in the past were designed to address a different category of circumstances, a different character of culture. What we have done in the past is not working today.

As a matter of fact, what we do will be instructive to the next generation. The way in which we view violent juvenile crime signals to the next generation how we respect life, what we intend in terms of order and responsibility. If we take crime lightly, they will take order lightly, because an infraction of order by way of criminal activity is something we don't care much about. If we take crime seriously and we impose serious consequences and we demand responsibility, the next generation will say order is something to be valued, because when it is interrupted, that order is restored as a matter of serious concern.

The truth of the matter is, perhaps more important than anything we do in any singular sense is the way in which we transmit values from one generation to the next. More important than any other responsibility of a culture is the transmission of values from one generation to the next. I think that as we have assembled our policy relating to juvenile crime, we have been transmitting the wrong values, we have been saying the wrong things, we have been doing the wrong things, unfortunately, because we tended to say juvenile crime is the equivalent of acts of mischief, that it is to be disregarded like shooting paper wads or spitballs in the hall.

You remember the Charlie Brown rock-and-roll song of the fifties, always doing those kinds of mischief things. We are not talking about mischief in juvenile crime; we are talking about assault and murder, armed robbery and rape. These are the parts of the criminal composite that are escalating; they are not declining.

At the same time that we have been effective in helping to curb a growth rate in violent adult crime, we are equally alarmed by the evidence that we are not succeeding in reducing juvenile crime. One of the reasons is that our approach to juveniles hasn't been an approach to them as criminals. It has been an approach based on some less-than-accurate understanding of what has really happened. We have thought of it as delinquency; we have thought of it as something less than crime.

If your wife is raped or if you are assaulted or if your child is murdered, you get a sense that this is not delinquency, it is not mischief. It is crime. I think as we try to send the right signal, as we try to make a commitment for the right kind of posture for our culture in the next generation, we need to say that violent crime committed by juveniles will be taken seriously.

That is one of the very important things that Senator SESSIONS has been able to make sure persists as a unifying thread of character through this S. 10 legislation—that violent crime is serious crime and it is not to be taken lightly because someone is less than 16 or less than 17 or less than 18 years of age. A murder is a murder. It involves a death. It involves a tragedy. A rape is the same. And this thread of seriousness is important.

So when we learn that violent crime arrests among juveniles in 1995 were 12 percent higher than they were in 1991, we know that we have not won the battle. And when we learn that they were 67 percent higher than they were in 1986, we know that the challenge remains for us to do something.

When you see the raw data, when you see the statistics and the carnage that happens to real families stacking up, you know that you cannot sit idly by. Although the most recent data may reflect some improvement, the problem is really destined only to get worse given the demographics. Those who tell us about the future say, given that the children who were born during the baby boom of the eighties will start to reach the potential ages for the commission of crimes, that we are in for real problems if we don't adjust the way we approach this problem.

One of the areas that I think needs our attention most radically is the area of juvenile crime records. Because we have thought of juvenile criminal activity as being mischief or inconsequential, we have decided to keep any records of juvenile activities very, very closely guarded. And we have an anomalous situation where we have juveniles who are not treated as criminals even though they have committed crimes like murder, rape, armed robbery, armed assault.

They are sent into our classrooms, and yet the teacher in the classroom has no capacity of knowing what the student has done. As a matter of fact, frequently, with the mobility that exists in the American culture now, people move from one State to another and they take their children with them, or the children move from one

State to another, and their record exists only in one State.

They go into a school room, they go into a community, and the law enforcement community does not know about the heritage of criminal activity, the history of the individual, the threatening nature, the violent proclivities of an individual. They do not have such information because the juvenile records have not been available. Juvenile records have been sealed, and law enforcement officials and school officials simply have not had access.

In the few States where they have had some access, that access is limited to students who committed the criminal activity within the State. We all know about the interstate mobility of people in our culture. As a matter of fact, those individuals who get in trouble frequently are the same individuals who are most active in crossing State lines. Our law enforcement officials need better access to juvenile records.

Our school officials need access. I talked to a teacher who said that individuals were assigned to her classroom who were wearing electronic shackles. You know, that is the new technology where you put a bracelet around someone's foot. It is very durable plastic and cannot be cut off easily. It has a transmitter so law enforcement officials can know the whereabouts of the person wearing the electronic shackle.

The teacher says that the students are capable of coming into the room and the teacher cannot know what they have done. I would be very, very reluctant as a teacher to see a student with an electronic shackle on his or her ankle reflecting the likelihood that some kind of very serious offense had taken place and still not have any ability to know what that student had done.

The student comes from another State and has been assigned to a juvenile facility in your State but the record is sealed. You are supposed to turn your back on such a student and write on the board, not knowing whether the student is a rapist or a murderer. I find that to be a very serious challenge to the kind of atmosphere we need in the classrooms. At least I think school officials have a special need.

I talked to a judge one time who was sentencing an individual for a very, very serious crime and did not have access to the records of this individual, who had lived in another State previous to the crime, and later learned that the individual had been involved in previous homicides.

I think judges, when they are issuing penalties, need to know what the history of an individual is, what kind of criminal activity has filled the past of that individual—not just the things that have happened since the person turned 18—because some of these individuals, given the violent criminal nature that pervades some components of the juvenile community, have a rap sheet that would extend from here to Cincinnati in terms of detailing violent activity that ought to be before the sentencing authority.

Juvenile records simply do not survive the juvenile's 18th birthday, and in many situations people start out with a clean slate. I think it is great to allow people to start over again in life. I think that is the marvelous part of what America has meant through the years. We let people get new starts in this country. But I think we have to protect ourselves. We should not say to anybody, ''You can do anything you want up to the time you are 18, and then you get to wipe it all clean and you'll be considered to be an Eagle Scout until your first offense, and then, even then, the judge won't be able to find what's happened to you.''

I really believe that inadequate records hamper law enforcement authorities. According to Police Chief David G. Walchak, who is the immediate past president of the International Association of Chiefs of Police, law enforcement is in desperate need of access to juvenile criminal records. The police chief said:

> Current juvenile records (both arrest and adjudication) are inconsistent across [State lines], and are usually unavailable to the various programs' staff who work with youthful offenders.

It seems to me that if we are going to try to work with young people to have them change what they have done, allowing the juvenile justice system to hide what they have done is not really a way for us to confront the past and to change it. We cannot be clouding it and concealing it if we want to change it. I think to make real change you have to confront what has happened and move forward.

Chief Walchak also notes:

> If we in [law enforcement] don't know who the youthful offenders are, we can't appropriately intervene.

Part of our ability to prevent criminal behavior by the individuals is to have the ability to identify people who have had problems in the past. He has put it very clearly. Here is a police chief who wants to do what is right. That is not just to punish crime, but to prevent it, to try to intervene to make sure we do not have these challenges over and over again. We have his hands tied because we have an outdated approach to juvenile records.

Well, Senate bill 10, which the Senator from Alabama has so appropriately noticed as a bill of monumental change and reconstruction in terms of our capacity to address these challenges, makes some serious reforms that will help us solve these problems.

The bill would provide incentive grants for States to fingerprint and photograph juveniles who are arrested for or charged with violent crimes and to send those fingerprints and photographs to the FBI and to create and maintain records of juvenile convictions and to share those with criminal courts, law enforcement agencies, and school officials.

If we really want our schools to do well, we cannot have them operating in the dark as to who is populating the classroom.

For States to qualify for these funds, States would have to maintain juvenile records that are equivalent to adult records and to make those records available to the FBI, to law enforcement officers of any jurisdiction, to school officials, and to courts for use in sentencing.

It is the kind of thing that I suppose the average American says, ''That's common sense. I wonder why we haven't been doing that.'' We ought to do it for people who are committing acts which are felonious in nature and which, if committed by an adult, would result in long-term incarceration. At a minimum, we ought to allow schoolteachers to know if individuals in their classrooms have been involved in that kind of activity.

The bill will also make records available across State lines. Given the mobility of the American population, it does not make sense to think we can compartmentalize our approach to individuals who are not going to be compartmentalized and should not be.

Senate bill 10 mandates that States send records to the FBI. It will enable State and Federal authorities to make assessments based on the juvenile's entire record. That is not only in the best interest of the culture and the best interest of the society, but, frankly, it is in the best interest of an accused juvenile. It does not serve anyone's interest to have a judgment rendered on the basis of inadequate data.

We do not make good decisions when we do not have the facts. And courts cannot make good decisions when they do not have the facts. And schools cannot make good decisions when they do not have the facts. The truth is, all we are asking is that the records be made available to individuals so that they make better decisions, and we can do a better job of curtailing a problem that threatens us sorely. This bill would help get that done.

A Federal solution is critical. Only if all States participate can we ensure that critical law enforcement and judicial decisions are based on the entire record. This is a concept which has been agreed to for centuries in America. In law enforcement, crime records have been shared because of the responsibility for public safety. They are clearly matters that are of interest to every State, and they are indeed matters which have long and traditionally been understood as matters in which the States need to cooperate and coordinate.

The bill ensures that juvenile records do not disappear when juveniles turn 18. The truth of the matter is, law enforcement and other officials need to make sure that that information is still available. The bill ensures that juvenile records are made available to those who need them. Courts will be able to sentence criminals based on

their entire record, not just what has happened since their 18th birthday.

Law enforcement officials will be able to monitor the behavior of individuals in their community who are known to be violent and to have criminal predilections. Teachers and other school officials will know who they have in their classrooms.

To think that we have to do that to address this problem is a little bit of a shock to me. I would be much more at ease to say to schoolteachers, ''We're going to let you find out and know about the individuals that populate your classrooms.'' I cannot imagine that they would not want that.

Records sharing. This whole concept of helping us have an orderly culture where we send a clear message about the nature of criminal activity and the fact that it is unacceptable and we will not tolerate it. It is not something that is a partisan issue. This is something that compels all of us to unite, to send the right message to the young people of America that we take crime seriously because we view their personal integrity and safety as a serious matter and that we will not treat them lightly if they are involved in rape, murder, armed robbery, armed assault, major drug trafficking, or other felonious activity, because we care about their future and care about the future of the country in which they live.

I look forward to the debate on this measure, to continuing with this measure in committee to make sure that we shape the bill properly as it comes to the floor of the U.S. Senate. I look forward to a time when the President of the United States will sign into law this kind of bill, which would help us send a message about the kind of tomorrow that we have the privilege and prerogative of shaping by developing public policy that respects not only the future of juveniles but also the present of individuals who have been victimized as a result of juvenile crime and violence, which is far too prevalent in our society.

I commend the Senator from Alabama for his excellent work in this respect. I look forward to working with him and welcoming him to the State of Missouri this weekend where we will be conducting hearings regarding the serious challenges with youth violence which we all face.

Mr. President, I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. I want to express my appreciation for the exceptional remarks made by the Senator from Missouri, Senator ASHCROFT. He has talked to us as one who has authority. He has spoken from his heart. He has spoken the truth. He has identified a problem in criminal justice, and he is absolutely correct. If you had 5,000 law enforcement officers and prosecutors in here and they were listening to that, they would say, ''Yes, that is correct. He is telling the truth.''

We do not do a favor to young offenders or to the justice system or to judges or to probation officers or to mothers and fathers, if we do not allow the full truth of people's criminal backgrounds to be known. All over America, police officers—many may not know this—are denied the right to maintain fingerprints and photographs of young offenders. This information cannot be held anywhere outside of the juvenile court because of the secrecy laws.

This bill does not mandate the elimination of secrecy laws. This bill does not eliminate that great tradition that we adhere to of trying to give young offenders a chance to get their lives back in order and to live life without a criminal record held over their heads. But it does say that records ought to be made available to the criminal justice system. When a young offender at age 17 commits armed robbery, and is later arrested in another State at age 19, that police chief, that prosecutor, or the judge who sentences him for his acts in the second State, needs to know what kind of prior criminal history he has.

The National Crime Information Center houses confidential criminal records solely for law enforcement purposes. I think it is a needed tool and a tremendous step forward.

The Director of the FBI appeared before the Judiciary Committee just 2 weeks ago. I asked him this very question. He said: ''Yes, law enforcement needs that information. Yes, the FBI will receive it if it's sent to us from the States. We need it, and we do not need any additional money to process it.''

Now, some have said it will cost huge sums of money for the States to implement this. That is, in my opinion, clearly incorrect. We have had this claim studied by a professional group. Their results show that $50 million is more than enough to handle implementation, and this bill has $50 million in it for this purpose.

I doubt it will cost that much. In many areas of our Nation, it costs very little for a local juvenile court to simply report an arrest or conviction and send it off to the FBI. There is almost no cost whatsoever. Some of the cities may want to have computer terminals and dedicated personnel. The money this bill provides will be more than adequate.

Previous funding for juvenile justice in America was $170 million. Under this bill, it would go to $700 million, a more than threefold increase in expenditures because we want to do something about the crime problem.

Adult crime has been dropping for the last half-dozen years. We have made some real progress in that regard. One of the main reasons for that decrease is that we have doubled and tripled prison space for repeat adult offenders. Prison does work to reduce crime, but we have not done anything in the realm of juvenile crime to compensate for the dramatic increases that are occurring.

According to the Department of Justice's own study, juvenile crime will double by the year 2010. We need to begin to deal with that. It has already doubled in the last 10 years. Juveniles are committing serious crimes, as the Senator from Missouri said, including robbery, murders, rapes. Those are the kind of crimes we must crack down on.

One thing that is important for us, as U.S. Senators to understand, is that juvenile justice has historically been and will remain a province of the States. Mr. President, 99.99 percent of juvenile crime cases are tried in State courts. We need to improve the ability of Federal courts to prosecute certain selected juvenile crime cases. This bill will do that. Still, juvenile crime cases will remain the province of the States. So if we want to improve juvenile justice, Mr. President, we need to help these States improve their system. That is what this bill does.

Now, what is the problem with the Federal system? As a U.S. attorney for 12 years, I know the problem. If you wanted to prosecute a young offender in Federal court, an offender who appropriately should be prosecuted in Federal court, a number of things have to occur for this to happen. First, you have to get approval from the U.S. Department of Justice. Second, you have to seek certification of that young offender as an adult to be tried in the Federal system. Before you can do that, the offender has the right to appeal. Often when that appeal takes place it goes to the circuit courts of the United States and a year or more may go by before the case ever comes up for trial. As a practical matter, it is virtually impossible to effectively prosecute routine or even significant juvenile cases in Federal court. We have shut the door to Federal court.

I do not believe that the Federal courts should take over juvenile prosecutions throughout America, but they ought to be able to prosecute certain cases that are appropriate to be prosecuted in Federal court. We need to reform that system. This bill does it. It removes the appeal process. It would allow a U.S. attorney, in many circumstances, to make the decision on his own as to whether or not to prosecute and bring that case to trial, just like any other criminal case. So we are going to have some very good improvements in that regard in the Federal system.

In addition, Senator HATCH and Senator FEINSTEIN have worked hard on a proposal to crack down on the violent gang activity that is disturbing so many areas of this country. In fact, gang activity occurs in every State in America. This bill includes very good, very tough, Federal antigang legislation that will help us break up these organized activities and will help us put an end to that kind of dangerous gang activity. We are pleased this bill will do that.

The Senator from Missouri mentioned a very important thing and that

is the question of intervention. Professionals in counseling talk about it frequently. By intervention they mean that a person who is on a bad road, who is heading down the road to destruction, who is making serious mistakes either in term of drugs, alcohol, or criminality, needs something to happen to intervene in that process or that person will end up being destroyed by that problem.

That is what this bill attempts to do, both by recordkeeping, so we can identify whether or not this is a repeat offender so that the judge and the prosecutor will know that when they deal with sentencing, and also through drug testing. We know that in the District of Columbia, where drug testing of every arrestee is done today, 66 percent of the persons tested test positive for some sort of drug in their system. That is a significant statistic. Do not think, Mr. President, that this is only true of Washington. There are cities all over America that have been involved in testing programs like this, typically to determine the connection between drugs and crime, and their results consistently show that from 60 percent to 70 percent of their arrestees for criminal activity test positive for drugs in their system.

When a young offender appears before a juvenile judge, that judge needs to know, if he wants to help that child—by crafting a penalty or a sanction that will help change his lifestyle—whether or not that person is drug free or whether he is using drugs.

This bill will mandate that the States test every offender upon arrest, and it provides more than enough money to pay for that mandate. We are not doing an unfunded mandate. The bill provides more than enough money to pay for that provision. To me, drug testing is an essential aspect of any criminal justice system. When a young person is arrested, the judge needs to know, his probation officer needs to know, his parents need to know, whether or not drugs are a contributing factor to that young person's criminal activity.

Eric Holder, who just appeared before the Judiciary Committee as the nominee for Deputy Attorney General of the United States, a position which is second in command at the U.S. Department of Justice, was a former Federal judge in the District of Columbia and is the current U.S. Attorney for the District of Columbia. I asked him about drug testing, specifically whether he thought it was a good idea. He said, ''Absolutely. We did it regularly in Washington, DC. As a judge, that is the kind of information I had to have to make the right kind of decisions about whether offenders should be released, how they should be treated, and what kind of punishment they should have.''

Mr. President, drug testing is not designed to set up a situation where juvenile offenders would be prosecuted again for another crime. That is not the purpose. It does not sustain a prosecution for a crime. But what it does do is provide the judge, the probation officer, the prosecutor, and the family, with the knowledge that the young person has a problem with drugs. To me, any effective juvenile justice system that does not have regular drug testing as a part of it is an ineffective system. It fails to meet the basic requirements of what a legitimate criminal justice system is. We are trying to reach out all over America by supplying funds to help the States and the localities have the kind of resources they need to do drug testing and improve the current system.

Some have raised the question that this is a violation of civil rights; that you cannot make an arrestee be tested. Well, they are being tested all over America already upon arrest. They have been tested in the District of Columbia every day for over 20 years. Jay Carver, who just resigned from that program, had led it for 20 years. He knows how that program works and he supports it. It is not a civil rights violation. When a person is arrested for a crime, a judge has the discretion to determine whether or not to release that individual from custody. If the judge has the power to keep a person's very liberty, to deny him his right to walk out of court and be a free person, he certainly has the right to say you can be released from custody on probation or on bail but you have to maintain certain curfew hours and you have to submit to drug testing. That is a far less intrusive intervention in that person's life. Also, we find the cost of those tests are $5 to $6 for initial drug screening. We believe that is a very inexpensive way to deal with this.

Again, as I view the drug testing program, it is a diagnostic tool. It is a tool to help identify the real problem that a child might be facing and to help the justice system and the parents develop a strategy to deal with that.

There are a number of other parts of this bill that we think are extremely important and will help to actually reduce juvenile crime in America. Those things include removing unnecessary and burdensome mandates that law enforcement tells me cause young offenders to be released routinely for offenses they should never be released for. They tell me over and over that the young offenders are laughing at them because of their inability to carry out sanctions.

Mr. President, I am delighted to take this opportunity to recognize the distinguished Senator from New Mexico, Senator DOMENICI. He has had a very strong interest in juvenile justice. He has submitted legislation on that that has been made a part of this legislation. I am delighted he is here.

I am prepared to yield any time he desires to share his thoughts on this important subject.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Senator, how much time do you have?

Mr. SESSIONS. We have until the end of the hour.

The PRESIDING OFFICER. The Chair observes that the Senator has 23 minutes and 30 seconds remaining.

Mr. DOMENICI. Mr. President, I will try to use less than 10 minutes.

First of all, Mr. President, let me commend the Judiciary Committee, and in particular, the subcommittee chaired by the distinguished Senator from Alabama, Senator SESSIONS.

Frankly, I am of the opinion that it takes us too long to address issues that are obviously important to the American people. That is why I urge we not let this year pass without passing a major Federal reform of our Nation's juvenile justice system.

The Federal juvenile justice system is a very small part of the overall justice system, but it does have a very big impact on how things are going out in the States, and in many instances needs reform so it does not stand in the way of the difficult job that our cities and States have in this new evolving era of juvenile crime. I am sure some of the talks on the floor of the Senate today have indicated some of the areas we must reform. I will leave that to those who are on the committee. Those are patent. They are clear. But they will be highly controversial.

Nonetheless, we should do something to make sure that our laws are not in the way of cities, counties, and States—reasonable, rational efforts to control this major, major criminal epidemic.

Having said that, I believe we also ought to take a lead role in suggesting to our States that if they want some Federal help, then they must modernize their juvenile justice systems.

It is very strange in America, that we have had for many, many years an adult system of justice, a penal system, probation, and the like. What is new to America is that more and more of the crime is being committed by young people from 13 to 18 years of age. The proportions are exponential in terms of growth of juvenile crime of a serious nature.

I am not talking about when we were growing up, maybe shoplifting or truancy, which is probably 90 percent of what the police were concerned about with kids. Now it is murder, it is gangs, it is thievery, it is drive-by shootings, it is all kinds of violent criminal acts that are scaring the adult population for two reasons. They are fearful for their own lives, and they also wonder what will happen to this generation of teenagers if that group committing these crimes grows and grows. Where will we end up incarcerating them?

Mr. President and fellow Senators, there is no question the system is not working. Go to your States and ask how many times must a teenager commit a serious, serious crime before they are taken from society and put into some kind of penal system to try to keep them from committing more

crimes and try to help them. It is startling. In many jurisdictions they commit as many as 10 to 15 serious crimes before anything is done to them. It is amazing how ancient, archaic, and broken down the juvenile justice system is. It didn't come into being and take a long, long time to perfect itself. It was put together in little pieces and patchwork, where it actually, in many instances, just doesn't work.

Now, what we have tried to do—Senator JOHN ASHCROFT and I have introduced a bill that does a lot of things. But after participating in a series of hearings in New Mexico and talking to victims, it was absolutely something that, as long as you are a Senator, you won't hear anything worse than hearing from the victim of teenage violence. I heard from a beautiful young girl who is a dancer, who for no reason was just stabbed in the throat. She was doing nothing, not causing any commotion at all. We heard about the trauma that beset that young woman and her family and the way the juvenile justice system treated her and the family. It is as if the only thing that counted was the accommodation of the criminal, not the victim.

But what we would like to do is to set up a $500 million program that is essentially an incentive grant program. Part of it will go to the States just to help them with juvenile justice, and the other part will go to States who choose certain options to modernize their system and make it work better. What we heard over and over again is that we wait too long before we do anything to correct the situation among teenagers.

Now, anybody that has been a parent—and I have, and I note the occupant of the chair has, my dear friend, because I hear about them often. If you let them get away with little things and more little things and more little things, and you do nothing, when they do something a little worse, it is too late. If you wait long enough, without some corrective measures, you will find yourself engulfed in serious misbehavior. Kids learn by receiving some kind of punishment for every misdeed and wrong act they do. Even if it is a tiny punishment, to know that they are not getting away with it and they must shape up is obvious to everyone who has raised children. The justice system must do that also. No misdeed must go unattended, regardless of how small, even though the punishment would be small. We call this graduated sanctions, and it is an important part of our bill.

We have set out in our bill, which we hope will be incorporated, a number of things like that. And many, many other important reforms that we found out there in our hearings would have to be adopted by our States if they desire to receive additional money to help them in this, what must be a war on teenage crime.

If we wait too much longer, we are going to, once again, be a joke as the Federal Government. We are going to come along and society is hit with this pending disaster. They are will wonder where the Federal Government was. Some Senators are going to come to the floor—I hope not many—and say it is none of our business. The States ought to take care of crime.

I will tell you, I have learned that there is no easy way to draw a line about what is our business as a Nation and what is a State's business as a State. But we can all say that the one thing that is not getting any better in America is juvenile crime. It is getting worse. As statistics show, some of the adult crimes are coming down a bit. The Senator has been part of these hearings. But, juvenile crime continues to go up and up.

So I am very hopeful, and I challenge our leadership—I already know what our distinguished leader TRENT LOTT thinks about this. But I think at the first opportunity we have we ought to get this bill reported out and get it to the floor. The public would be very excited about a debate on this issue. We debate many things they aren't interested in. But they would be interested in this and in the philosophy, and perhaps the difference in philosophy between the two parties on this, too.

I thank the Senator for yielding time and for arranging this morning's discussion on this very, very important issue.

I yield the floor.

Mr. SESSIONS. Mr. President, I appreciate very much the comments of the Senator from New Mexico. People are angry. We need to do better. There was a case in Alabama 2 years ago where three juveniles murdered a man. Those 3 offenders had 7, 8 and 15 prior arrests each and yet they were out on the streets murdering somebody. He is exactly correct. We need a system of increased sanctions, and this bill calls for graduated sanctions. That means increasing the punishment for each offense to send a message that juvenile offenders are not going to walk free.

Mr. President, I am delighted to have Senator DEWINE from Ohio here. He is a former prosecutor, former Lieutenant Governor of the State of Ohio, who has great knowledge in these law enforcement matters. He is a leader on the Judiciary Committee, a leader on our committee to reform juvenile justice. I am pleased to yield to him at this time.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. DEWINE. Mr. President, I thank my colleague from Alabama for the great work he has done as the subcommittee chairman. Let me also compliment my colleague from New Mexico, as well as my colleague from Missouri, for the great work that they have done to call the attention of the Senate to an issue that is certainly on the minds of the American people, and that is the issue of juvenile crime.

We always have the question, as my colleague from New Mexico has pointed out, of what is the proper role of the Federal Government in what has historically been a matter that has been dealt with by the States. I think there is a role. I think what is important, as we look at Senate bill 10, which is currently in the Judiciary Committee, awaiting markup—as we look at that draft, it's important for us, with the finite amount of money that we do have to spend, that we spend that money wisely, and that we spend it with an understanding that the criminal justice system, particularly the juvenile justice system, is inherently a local system. So what we need to do in Congress is to do those things that matter, to do those things that maybe only the Federal Government can do to try to give assistance to the local communities. So we need to sit back, I think, and think about what that is, what can be our unique contribution.

I want to talk this morning about one particular area that we have been able to get in the draft of the bill, which the chairman of the subcommittee, Senator SESSIONS, has been very much supportive of. It is an area that I have worked on for a number of years, going back to the time when I was a county prosecutor, and that is the sorry state—if I can use that term—of our criminal records system in this country. I have worked long and hard to try to improve that system. It is an area where the Federal Government can be of assistance because the reality is that what happens in Ohio affects what happens in New Mexico and what happens in Alabama, as far as the keeping of criminal records. If Ohio doesn't put our records in the system and someone from Ohio goes to New Mexico and commits a crime, then New Mexico is the loser because the local law enforcement does not have that information. So this is an area where we have a national system, administered by the FBI—a criminal records system for adults, administered by the FBI. But if we don't get the local input and information, then it doesn't do any good.

That same principle applies to juveniles. The only difference is, historically, we have not shared records of juvenile offenders. We have proceeded under the assumption that a person who commits a crime in Ohio before the age of 18 is a juvenile. Their records are sealed. They are not available to anyone. In fact, they may not even be available outside the county in which the individual committed the crime, or with the individual in Ohio, where that person resides. That is where the records are kept.

I think we now understand that, with violent crime increasing among 15-year-olds, 16-year-olds, 17-year-olds, even 13- and 14-year-olds, it makes absolutely no sense and is very counterproductive and dangerous for us to continue that old mindset that says we are going to protect the record of this juvenile, even if this juvenile has committed murder, even if this juvenile has committed rape, or a whole series of

what would be felonies if committed by an adult.

What this bill does is it says enough is enough. We have to change the policy in this country that says we protect these records, and we have to make these records available to law enforcement for legitimate law enforcement purposes—which means prosecutors, police, sheriff departments—so that when a 16-year-old commits a crime in Greene County, OH, and they show up a year later in New Mexico and commit another crime, there is a national database, and that there has been information put in that database so the officials in New Mexico know that this is not a first-time offender, that this person has a bad track record, and they have committed whatever they have committed in the State of Ohio.

We live in a very mobile society. We live in a society where families are broken down, which means, tragically, young children move from community to community. For our own self-protection, it is vitally important that this information follow that individual. This is what this bill addresses. We will have the opportunity on the floor later to talk in much greater detail about what this does.

I want to use a real life example, if I could, which I think illustrates the need for this type of tracking and for the money that this bill provides for the local communities to have this kind of tracking.

Let me tell the story about ''Jack.'' That is not his real name. What he did was very, very real. When Jack was 12 years old, he was arrested for vandalizing a neighbor's house, wrecking the furniture and drowning the neighbor's pet bird in the bathtub. When Jack was 14, he was burglarizing another apartment. The elderly man who owned the apartment came home and found Jack there and confronted him. Jack and the elderly man struggled, as a result of which the elderly man broke his hip, and, tragically, this man then died a few days later of pneumonia. Jack was convicted of involuntary manslaughter.

Let's go forward, Mr. President, 5 more years. Jack is now 19. He breaks into a house and severely beats a 45-year-old woman who lives there. Jack is arrested for this. It is his first adult crime because now he is 19. A Cleveland judge has to sentence Jack, and because all his juvenile offenses aren't available to the court, the judge is dealing with a person who he thinks is a first-time offender. Jack got probation. This is a true story. Two months later, he burglarized another home and killed the 81-year-old man who lived there. The judge had to make a crucial decision in this particular case where we are talking about Jack, a decision vitally affecting the public safety of the judge's community. But he had to make that decision, which turned out to be a decision which cost someone their life; he had to make it in a state of legally enforced mandatory ignorance. It wasn't the judge's fault, it was the system's fault.

What we intend to do by this legislation is to help change that culture, change that system, so that a judge who is faced with making a life-or-death decision will know whether or not this person is a first offender or whether, as in the case of Jack, he had a long record of not just scrapes with the law but a long record of violence. If a judge knew that, the judge's decision would be very different than if he did not know that fact.

I see that my time is about up. Again, I thank the Chair. I thank my colleague from Alabama for the great work he has done on this piece of legislation. I have taken a few minutes to talk about just one of the aspects of the legislation. There are many other parts that have been discussed. I look forward to working with him and the other Members of the Senate as we bring this bill to the floor this year, as we pass it, as we send it on to the President.

Mr. SESSIONS. If the Senator will yield a moment, I think it would be instructive if he would share, from his personal experience as Lieutenant Governor and working in this area, the importance of records. He, more than any Member of this body, has firsthand experience in that area.

Mr. DEWINE. I will do this very briefly in the time we have. When I was Lieutenant Governor of Ohio, I was in charge of the seven different agencies in our administration that had anything to do with law enforcement. One of the things that we tried to do is to improve our criminal records. This was, as I said, a longstanding interest of mine that went back to the time when I was a county prosecutor. When I first started looking at this as Lieutenant Governor, I was shocked by what I found. What I found is that the accuracy of the adult criminal records system in Ohio left a lot to be desired, and that is a nice way of saying it.

I was even further shocked when I found that Ohio was pretty typical. It is pretty much the same as we find in most other States.

When I first started looking at it, I asked the question to our State employees: How accurate are criminal records? I got something back like, ''Well, we think they are about 40 percent accurate.'' Six months later, after they really look into this, they found they were about 12 percent totally accurate.

What happens is, as people are arrested it goes into the system but you don't get the final disposition going in. You don't get the information, if the person is convicted, or, in some cases, if the person is acquitted. So you try to determine how totally accurate the records are.

What we find in most States is that clearly less than 50 percent of the criminal records are accurate. That is the adult system. But what we are dealing with here is the juvenile system. And in most States we are just barely beginning to establish the juvenile recordkeeping system.

The money in this bill will help the States establish that system, help put it online, and help make it accurate.

Mr. SESSIONS. I thank the Senator from Ohio very much.

Mr. President, I believe our time has about expired. I ask unanimous consent for 2 minutes to wrap up.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Chair observes that the Senator from Alabama still has approximately 4 minutes remaining.

Mr. SESSIONS. Very good.

Mr. President, first I would again like to thank the Senator from Ohio for his support and for his insight, certainly shared by the Director of the FBI, on the importance of having a national crime information center for the criminal history of violent young offenders.

Mr. President, Senator HATCH, the chairman of the Judiciary Committee, is today in the Finance Committee markup—a very, very important meeting. He could not be with us. But we are both proud of this bill. The Hatch-Sessions bill has the potential to really reduce crime.

One of the things that has been talked about and that we have heard a lot about is prevention money. I will assert with absolute confidence that the certainty of swift punishment is a necessary tool in the prevention of crime.

As other Senators have said, our juvenile justice system in this Nation is broken. Ask your local police officer anywhere in this Nation, and they will tell you that it is not working effectively. We cannot allow that to continue.

This legislation will mandate certain reforms. It will help fund other reforms. And it will do one thing that we have to do, and that is to increase bed space and detention space for violent juvenile offenders. We have not spent that kind of money in the past. We have increased adult detention space three and fourfold, but we have not acted accordingly for young offenders.

This bill will provide matching money, which acts as the biggest source of our money in this bill. And we will have a lot of money in the bill that will help go towards prevention in a lot of different ways.

But I want to make this point for all of America to understand. Clearly this Congress and this Nation is involved already in prevention. This bill is designed to fix a broken juvenile justice system. We have to do that. And we cannot allow people to have 7, 8, 15 different arrests and not be held accountable for that.

Let me show you this chart. The title of it is across the top: ''Federal Programs for At-Risk or Delinquent Youth.''

These are juvenile prevention programs. There are 131 of these programs

that have been funded by this Government. We spend $170 million on juvenile crime. We already spend $4 billion on prevention programs through virtually every agency and department of Government.

Look at these things. The Department of Interior: Indian child welfare groups; Department of Housing and Urban Development: The 4–H groups, youth apprenticeships, youth sports programs: Department of Labor: Job training for homeless demonstration projects, summer youth employment training, school to work opportunities, Youth Fair Chance; Department of Transportation: Youth-impaired driving techniques projects; gang resistant education and training in the Department of the Treasury.

So it is just on and on. One of the things Senator THOMPSON talks about a lot is his belief that we have no idea about what works in terms of prevention. He is very frustrated by all of these programs with no real belief in whether or not we know that they work.

So, in consultation with him—and Senator HATCH has agreed—we have added to this bill a substantial sum of money for research to analyze these programs to see which ones work.

We want to prevent crime, and we care about young offenders. But the most crucial thing we are facing today is a situation like that of the young lady who Senator DOMENICI mentioned who was stabbed in the throat by a young violent offender, in which the juvenile justice system did not work. Those offenders are not being properly processed, and when apprehended are not properly punished.

This bill will mandate a series of graduated sanctions. We want to make sure that the first brush of a young offender with the law is his last. I believe we can do that. This bill is a major step forward in that regard.

I appreciate the opportunity, Mr. President, to share these thoughts and ideas with my colleagues.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, what is the regular order?

The PRESIDING OFFICER. The Senator from Massachusetts has an order to speak for up to 15 minutes.

Mr. KERRY. Mr. President, I thank the Chair.

Mr. President, I will not use that full amount of time because other colleagues are waiting.

(The remarks of Mr. KERRY pertaining to the introduction of S. 929 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KERRY. Mr. President, I yield whatever time remains, and I thank my colleague.

Mr. ALLARD addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. I ask unanimous consent to address the Senate for 7 minutes under morning business, and following that, extend 10 minutes to my colleague from Arizona, Senator KYL, under morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTATE TAX REFORM

Mr. ALLARD. Mr. President, I rise to make a few comments concerning estate tax reform.

There are a number of things I support in the House tax bill. I am pleased to see cuts in the capital gains tax, and I am pleased to see tax relief for families with children. However, I am very concerned with the proposed adjustment of the estate tax. The estate tax has seen a significant change since 1981, and the current $600,000 exemption has never been adjusted for inflation. If it had been adjusted, it would be worth $840,000 today. The recommended adjustment in the House bill would not even keep pace with inflation and would not ease the substantial economic burden placed on family businesses and farms.

The proposed Senate version is better but still needs improvement. It raises the exemption to $1 million to all estates by 2008 and would exempt an additional $1 million on family farm and business assets.

At the time of a person's death, their farm or business has already been subjected to Federal, State, and local tax. The estate tax is a double tax. The estate tax not only places a burden on assets that have already been taxed but it does not discriminate between cash funds and the nonliquid assets and property that make daily activities possible for a family business or farm. These asset-rich, cash-poor businesses can have their livelihood eliminated in order to pay a tax of up to 55 percent—up to 55 percent—of market value of the property left to them. Ironically, the estate tax raises only 1 percent of the Federal Government's revenue but helps to prevent up to 75 percent of family businesses from being passed to a second generation. This practice threatens the stability of our families and communities while inhibiting growth and economic development.

I strongly support estate tax relief. The current estate and gift tax system poses a great threat to family-owned businesses and farms. I am a cosponsor of legislation to increase unified credit and to index it for inflation. I am also a cosponsor of legislation to eliminate the estate tax entirely.

Repeal of the estate tax would benefit the economy. George Mason University Professor Richard Wagner has stated that the elimination of the estate tax would enhance the output of the country by $79.2 billion—I repeat, by $79.2 billion—and would create up to 228,000 jobs. Unfortunately, under the current system, the energy that could go into greater productivity is expended by selling off businesses, dividing resources and preparing for the absorption of an estate by the Government.

The current system leads to the views of an Arizona citrus farmer who said of his family business, ''Instead of an inheritance, it's an albatross.''

We must insist that no more American families lose their businesses because of the estate tax. We must assure that when a family is coping with all the inevitable transition costs of passing a business from one generation to the next, the Federal Government is not there as an added burden. The working people of the United States deserve better.

Until we accomplish total repeal, I will be working to reduce the burden of this tax. I believe the exemption should be dramatically increased and that the current 17 rates should be reduced to one low, flat rate. The estate tax should then be effectively abolished for family businesses and farms for as long as the assets remain in the family. No family business or farm should ever have to be liquidated just to pay the estate tax.

I look forward to working with the Senate Finance Committee to reform this outdated and punitive tax system.

Mr. President, I yield back the remainder of my time.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. I thank the Chair.

INTELLIGENCE AUTHORIZATION

Mr. KYL. Mr. President, I wish to follow up on some comments that my colleague from Colorado made. First, however, I should like to address a subject briefly which has relevance to one of the bills we will be taking up, if not today, then later this week, and that is the intelligence authorization bill.

This is a bill which should not have a great deal of controversy surrounding it. It provides for the funding of the intelligence agencies of the United States and the substantive policy that governs our intelligence activities, but it is especially relevant and propitious, I think, that we take up that bill this week following the news accounts of the arrest and incarceration of a man whose name is Kanzi, ostensibly from Pakistan, who is the alleged perpetrator of a violent crime against employees of the CIA a few years ago here in the Washington, DC, area.

The reason I bring this up now is to make two points. One, we frequently hear the stories when things go wrong in law enforcement and in particular in operations involving our intelligence agencies. We try to learn from those lessons, but there have been bitter experiences with which we have had to deal. What we do not hear so much about are the many, many successes that go unreported, frequently because they involve law enforcement or intelligence activities that simply cannot

be disclosed publicly. They involve classified material, sources, and methods of collection of information which we simply cannot discuss or we would be compromising those sources and methods.

So these stories are not told, and it is too bad because I think the American people, in order to support our law enforcement and intelligence agencies, need to appreciate the work that they do and the danger that they frequently face and the many times in which by their actions American lives are saved and yet we do not even know about it.

In this case, the details will have to come out later. We have been briefed, and certainly there is a very fine story to be told here. But the details will have to come out later. What we can say at this point is that this will be found to be yet another example of where American law enforcement officials played a key role in bringing to justice a terrorist, a person who at least allegedly has committed a heinous crime and hopefully, as a result of that information coming out, we will be supportive of agencies such as the FBI, such as the CIA, the DIA, and the other agencies, some of which we will be discussing in the intelligence authorization bill a little bit later.

The second point is that we will find, track down, take into our jurisdiction, and prosecute terrorists. They can run, but they cannot hide. And they should note that we do not rest until we bring these people to justice. If you look at the number of terrorist incidents over the last several years, in many, many cases we have found and we have gained jurisdiction over and in some cases already prosecuted the people who have perpetrated heinous crimes against society in general and frequently against Americans. We will continue to be successful in doing that and in protecting American people if we are able to adequately fund and provide proper policies to guide our law enforcement agencies.

So when we take that bill up later, I hope that my colleagues will be supportive and the American people will appreciate the continued necessity of providing that kind of support. In the end it is what will preserve our democracy as well as peace around the world.

TAX RELIEF FOR AMERICAN WORKING FAMILIES

Mr. KYL. Mr. President, I wish to briefly address the same subject my colleague from Colorado addressed, and that is the proposition that Americans are finally going to get some tax relief. The biggest tax relief, as a matter of fact, in 16 years is about to be brought to the Senate floor for debate. It is uncertain yet precisely what some of the details are, but the Ways and Means Committee of the House of Representatives has put a plan on the table, the Finance Committee in the Senate has put a plan on the table, and the members of that committee are working through the details of that bill.

We do know the general outline so far, and I think we can talk about that and begin to lay the groundwork for debate in this Chamber on that historic tax cut for American working families. I think that is the first lesson to be learned here. I really deeply regret that some people at the White House are already beginning to take political pot shots at this very worthwhile, bipartisan tax relief to be provided to American families. It is the same old political rhetoric that it is a tax cut for the rich. That just does not fit this proposed tax cut. Most of the tax cuts are for average working families, and all of the tax cuts are good for the economy of this country. As a matter of fact, under the proposal that the Senate Finance Committee began considering yesterday, three-fourths of all of the tax relief goes to families making less than $75,000 a year and that is not an atypical, two-parent working family in America today. So with three-fourths of the benefits going to that income level, it is hardly to be characterized as a tax cut for the rich.

As a matter of fact, 83 percent of this proposed tax relief is in the form of relief to families with children, the $500 per child tax credit and the educational tax credit and other relief for families struggling to send their kids to school; 83 percent of the relief is of those two components.

So let us not begin this important debate with some political demagoguery about tax cuts for the rich, especially, Mr. President, since the relief here, though historic, is quite modest in total amount—less than 1 percent of the budget—because the negotiators, under pressure from the White House to keep the tax cut small, agreed to a net of only $85 billion in tax cuts over a 5-year period.

Now, the Republican plan that was introduced at the beginning of this year provided for $188 billion in relief and, frankly, that was not enough for many of us who felt it should have gone further, but at least it was enough to provide meaningful relief in terms of the $500 per child tax credit, meaningful IRA relief, some capital gains relief, estate tax relief, and education relief. These are critical to the American economy and to American families.

The $85 billion that is available to accommodate these five areas is not going to provide adequate relief in any of them but at least it will provide a start. I am a little disappointed in those who are already attacking it as if it is too much for us to afford. It was negotiated and agreed to by the White House. Therefore, I hope that we will get some support because here in this body there is already bipartisan support for it. It involves, as I said, a phased-in $500-per-child tax credit for families with kids. It involves two different kinds of IRA tax relief. There is the $2,000 homemaker IRA relief for families which do not have a pension for the homemaker. My wife always wondered why she could not fund an IRA the same way that I could fund an IRA. She worked just as hard as I did, even though she did not have a wage-paying job. And we also have a backloaded IRA relief provided in this package, so even in families where there is a pension, that doesn't preclude them from the spouse having an IRA and being able to save for future years.

We also provide capital gains tax relief, not as much as we would like, but it ought to be enough to at least stimulate key parts of our economy so we can continue to grow and provide jobs for all Americans families. And, as I mentioned before, the educational component of this as well rounds out the relief.

The one area where we did not get very much relief is in the death tax that my colleague from Colorado talked about. I think the answer there is simply this is not enough. Phasing in an exemption up to $1 million over an 11-year period is totally inadequate. But I think what this will do is simply sharpen our interest in continuing to engage in that debate and ensure that there will be greater relief from the death tax in future years. Obviously, it simply cannot all be accommodated within the $85 billion that was agreed to.

So I think as we begin this debate we should do so on a positive note, on a constructive note, determining how we can work together to provide meaningful tax relief to American families. If we do that, we will succeed in helping the very people who need help in our society by ensuring continued economic growth and by making good on our promise to the American people for historic tax relief, the first in 16 years.

I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from West Virginia.

SENATOR ROCKEFELLER'S BIRTHDAY

Mr. BYRD. Mr. President, in 1964, a tall, bright-eyed, 27-year-old Harvard graduate arrived in West Virginia as a VISTA volunteer, eager to take on the ills of poverty, eager to change the world, starting with the small, rural town of Emmons, WV.

But things did not quite turn out for the young man exactly the way that he expected them to. As JOHN D. ''JAY'' ROCKEFELLER, IV, quickly discovered, just as untold others have, there is something about West Virginia that gets into the blood and stirs the utmost depths of the soul. One West Virginia newspaper in February of last year quoted him speaking about those early days in Emmons. In that speech JAY ROCKEFELLER reflected ''In the end, I was the one who was transformed by the experience—completely transformed.'' Subsequently, ROCKEFELLER decided to move to West Virginia to live, rear a family, and build an impressive career of public service that

continues to benefit West Virginians today.

Mr. President, today marks the 60th birthday of my colleague, Senator JAY ROCKEFELLER, and I take this opportunity to recognize this milestone for my friend and ally, an outstanding Senator, and a distinguished West Virginian.

You can, perhaps, imagine the eyebrows that were raised initially by West Virginians, or some of them, when the young, energetic, wealthy ROCKEFELLER moved from New York to the foothills of their State.

He took a lot of ribbing early on—and I can tell you that it was not all good natured. Many did not see the match as one of perfect bliss. At best it might have been described as the near equivalent of a James Carville-Mary Matalin union. But JAY ROCKEFELLER endured with determination.

After serving a 2-year term in the West Virginia House of Delegates, ROCKEFELLER served 4 years as Secretary of State. Then, after a 3-year sabbatical from politics during which he served as the President of West Virginia Wesleyan College in Buckhannon, he ran for and won the West Virginia Governor's seat—not the kind of comfortable, overstuffed chair one might expect a Rockefeller to occupy in West Virginia.

Some in West Virginia have said that the sure way to end a political career in our State is to become Governor. I have referred to it, from time to time, as a good jumping off place—not a place from which I would particularly like to jump. It may well be our State's most unforgiving job. But JAY ROCKEFELLER weathered the rough shoals of gubernatorial service in West Virginia and, in 1984, went on to win a U.S. Senate seat. That says a lot about his resolve, his vision and his determination.

Since his arrival in the Senate, I have watched JAY emerge as a strong leader focusing on the needs and concerns that affect West Virginia and the Nation. He looks beyond the borders of West Virginia. Through his work to improve the quality of life in West Virginia, JAY has also won over many of those who were at first skeptical at the idea of a Rockefeller moving into mountaineer country.

JAY won his people over with hard work. He has focused his efforts on aiding veterans and championed health care issues. Like so many others who throughout the years have been cured by the healing waters of West Virginia's mountain springs, JAY ROCKEFELLER has become an enthusiastic salesman for West Virginia, boasting of its admirable, unequaled attributes to any potential convert and even drawing them in from far-flung locations around the globe. The long arms of JAY ROCKEFELLER have reached even across the Pacific to Japan to help draw business interests to the mountains and valleys of Appalachia. He can speak Japanese. He can write Japanese. He has studied the Japanese language.

I am glad that JAY made that life-changing decision to go to Emmons three decades ago. Since that time he has made great strides toward improving the quality of life for my people in my State, which he has proudly made his adopted home, as I have adopted West Virginia, my home, having been born in North Carolina almost 80 years ago. Today, on his 60th birthday, Senator ROCKEFELLER's efforts to encourage development and prosperity all across West Virginia are well known. I salute his efforts. And Erma and I wish JAY and his wife, Sharon, continued success and happiness for many years to come.

A poet whose name I do not recall said it perhaps best, and I shall use the lines of that poet in saying happy birthday to JAY ROCKEFELLER:

Count your garden by the flowers,
Never by the leaves that fall;
Count your days by the sunny hours,
Not remembering clouds at all.
Count your nights by stars, not shadows,
Count your life by smiles, not tears;
And on this beautiful June morning, Jay,
Count your age by friends, not years.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, June 17, 1997, the Federal debt stood at $5,329,352,124,923.40. (Five trillion, three hundred twenty-nine billion, three hundred fifty-two million, one hundred twenty-four thousand, nine hundred twenty-three dollars and forty cents).

One year ago, June 17, 1996, the Federal debt stood at $5,137,826,000,000. (Five trillion, one hundred thirty-seven billion, eight hundred twenty-six million).

Five years ago, June 17, 1992, the Federal debt stood at $3,946,500,000,000. (Three trillion, nine hundred forty-six billion, five hundred million).

Ten years ago, June 17, 1987, the Federal debt stood at $2,293,495,000,000. (Two trillion, two hundred ninety-three billion, four hundred ninety-five million).

Fifteen years ago, June 17, 1982, the Federal debt stood at $1,069,969,000,000 (One trillion, sixty-nine billion, nine hundred sixty-nine million) which reflects a debt increase of more than $4 trillion—$4,259,383,124,923.40 (Four trillion, two hundred fifty-nine billion, three hundred eighty-three million, one hundred twenty-four thousand, nine hundred twenty-three dollars and forty cents) during the past 15 years.

TRIBUTE TO SENATOR DALE BUMPERS OF ARKANSAS

Ms. MIKULSKI. Mr. President, with sadness, I rise today to pay tribute to a remarkable member of the U.S. Senate, the senior Senator from Arkansas, DALE BUMPERS. Senator BUMPERS has announced his retirement after more than 25 years in public service, including the last 22 years in the U.S. Senate. When DALE BUMPERS leaves the Senate at the end of next year to return to his family and his beloved Arkansas, I will miss his leadership and his friendship tremendously.

There has rarely been a Senator in this body with the courage of his convictions like DALE BUMPERS. During his time here, he has stood up valiantly for the causes he believes in. He has been an advocate for his home State and has fought against a number of Government projects that he felt were wasteful or inefficient. His object has always been to protect the people of Arkansas and the American taxpayer. We have not always agreed with each other on the merits of every project. But I have always been able to count on Senator BUMPERS' integrity, his honesty, and his good humor.

When Senator BUMPERS retires, I think my colleagues will agree that the back of the Senate Chamber will never be the same. In an institution known for its orators, Senator BUMPERS is among the most accomplished of them. His passion for public debate, and his commitment to justice have been obvious to all Senators when DALE BUMPERS takes the floor of the Senate. He speaks with eloquence and with feeling, whether the issue is protecting our environment or cutting corporate welfare.

Throughout his career in public service, Senator BUMPERS has remained true to his constituents by being a strong advocate for his home State of Arkansas. He knows that a Senator's ultimate responsibility is to the people of his State. As a result of his advocacy and his honesty, Arkansas voters have returned him to Washington three times with landslide re-election victories. I have no doubt that the voters of Arkansas would have made it a fourth re-election landslide if he wished.

Senator BUMPERS' insights into the issues and problems we address in the Senate, and in his Environment and Public Works Committee have made him a valuable and trusted Member of this body. Our leadership, the Senate, and most of all the State of Arkansas have greatly benefited from his service.

I believe that I speak for all of my colleagues when I say that the departure of Senator BUMPERS will leave a void in this institution. As he approaches retirement, I want to thank DALE BUMPERS for his service to his country and congratulate him for his extraordinary career. I wish him excellent health and happiness in retirement, and I will truly miss him.

U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING JUNE 13

Mr. HELMS. Mr. President, the American Petroleum Institute reports that for the week ending June 13, the U.S. imported 9,391,000 barrels of oil each day, 989,000 barrels more than the 8,402,000 imported each day during the same week a year ago.

Americans relied on foreign oil for 59.6 percent of their needs last week,

and there are no signs that the upward spiral will abate. Before the Persian Gulf war, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970's, foreign oil accounted for only 35 percent of America's oil supply.

Anybody else interested in restoring domestic production of oil by U.S. producers using American workers?

Politicians had better ponder the economic calamity sure to occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the United States—now 9,391,000 barrels a day.

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. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, I will have a unanimous-consent request momentarily with regard to calling up Calendar No. 84, S. 924, the Department of Defense authorization bill. We have been in communication with the Democratic leadership and Senators on both sides about our desire to call up this legislation. We do have some concerns on both sides about some provisions that are in or not in it. But I want to withhold on making that request just for one moment.

I had, also, as a second consideration, hoped that we could get up the intelligence authorization bill this afternoon. We are asking the Armed Services Committee to continue to work on that and consider that as something we would like to try to do this week if at all possible. But we are still working to get that cleared.

We will ask consent later on this afternoon to go to S. 923, which would deny veterans benefits to persons convicted of Federal capital offenses. I believe we can get that done this afternoon. Senator SPECTER has been working on that. I understand there are Senators on the other side of the aisle having some input. I believe we can get something worked out on that this afternoon. It is something certainly we should do.

UNANIMOUS-CONSENT REQUEST—S. 924

Mr. LOTT. With that, Mr. President, I do ask unanimous consent that the Senate now turn to the consideration of Calendar No. 84, S. 924, the DOD authorization bill.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I regret we have had this objection to proceeding on this very important legislation, the Defense authorization bill.

The Armed Services Committee in the Senate has worked very hard on this legislation. It is urgently needed to this extent: Until we can get the authorization bill through the complete process, it makes it difficult for the defense appropriations subcommittee to do its work. So timing is important.

We would like to get this authorization bill done at the earliest possible opportunity so it can get on into conference and so that the defense appropriators will know what the authorization numbers are. It is important for our country.

It is my understanding that a major issue of contention is still being discussed with respect to the depots and bases that could be affected by it or will be affected by it in Texas, in Oklahoma, in California, in Utah, and Georgia. There are a lot of Senators on both sides of the aisle and on both sides of this issue that are very concerned about how it was handled in the committee.

So I have urged those on both sides of the aisle to work together and see if we cannot come up with something that is acceptable to both sides. It will not be easy. This is not a new issue. We went through this in a way in the base closure rounds.

We had debate and amendments on it last year. So everybody knows the arguments on both sides. I still believe that there is a way that we can come to some compromise language that would allow us to go forward.

The Senators are exercising their right to object to waiving the 2-day rule or calling up the bill to go straight to debate and amendments. But I hope that they will not do this for very long, because we have our work to do.

So I understand there is a meeting that will meet again, perhaps today, this afternoon at 5:30, on this issue. We had a preliminary meeting on it in my office yesterday. I will be glad to work with both sides. I want a resolution to be found. But I am not inclined, as I discussed with the distinguished Senator from Kentucky, the acting minority leader, here—I want Senators to be able to exercise their rights, and I want to be helpful with that, but I also think at some point, if you cannot work out something, if you do not work out something, then we will have to use the rules of the Senate to move this very important legislation forward. But I would like everybody to get an opportunity first to work together, and you know we are losing some time here. Every day that goes by that we do not take it up, it means that it already looks like it could be the week of July 7, 8, before we could actually get this legislation completed. I just wanted to make those points.

I understand Senators on the floor now would like to be heard on this issue. I would like to yield the floor so that they could make their statements.

I yield the floor.

Mr. FORD. Mr. President, will the majority leader yield just for a question?

The PRESIDING OFFICER. The acting minority leader.

Mr. FORD. Once the statements are made by those who have objected to bringing up the Department of Defense authorization bill, how long will they go, and what kind of schedule would we have? How soon will we get to the so-called veterans bill?

Mr. LOTT. As soon as we can get the agreement worked out. I believe they are working on it right now. We hope by the middle of the afternoon we will have something ready to go on that.

Mr. FORD. Put us in morning business?

Mr. LOTT. We will probably have morning business, but I do know also there are Senators, a number of Senators, who probably want to speak on this issue at hand. Maybe we will let them talk a little bit and they will feel better and we will find a way to move this bill forward.

Mr. FORD. The leader knows and we all know at some point it will.

Mr. LOTT. Right.

Mr. FORD. It is the will that will move it.

Mr. LOTT. Yes.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, my colleague from Connecticut asked if he could take 3 minutes. I am happy to give him 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair. I particularly thank my friend and colleague from Texas for her graciousness, and her graciousness will allow this Senator to find his way to his daughter's school to watch the moving-up ceremony. I appreciate my good friend, the Senator from Texas.

Mrs. HUTCHISON. Mr. President, I am very pleased to hear that the daughter of the Senator from Connecticut is having her moving-up ceremony, because she is a special friend of mine and I think she is a potential future Senator from Connecticut. So I am glad that he is going to be able to make that important ceremony. He will give her my regards, I hope.

THE CITY OF JERUSALEM

Mr. LIEBERMAN. Mr. President, yesterday we passed the State Department Authorization Act by a vote of 90 to 5. Today there is comment on the bill that we passed yesterday in the Washington Post regarding particularly the sections of that legislation that deal

with the city of Jerusalem and the recognition of Jerusalem as the undivided capital of Israel.

In this article, the State Department spokesman Nicholas Burns is quoted as saying:

> Our view is that Jerusalem is the most emotional and complex issue that Israel and the Palestinians will have to deal with in the permanent status negotiations. We do not believe it is wise for the United States or any other outside country to make an initiative on Jerusalem that in effect prejudges that issue.

Then later on in the article, the writer of the article says:

> The State Department regards Jerusalem as ''disputed territory'' with its permanent status to be settled in negotiations and has kept the U.S. embassy in Tel Aviv.

Mr. President, I want to respond very briefly to that and say that the suggestions made by the State Department spokesman in my opinion are wrong. The commentary by the reporter does not recognize the fact that in the Jerusalem Embassy Act of 1995—both Houses of Congress passed and it became law—is a provision that not only directed that our Embassy be placed in Jerusalem instead of Tel Aviv thereby doing what we have done in every other country but one in the world, which is to have our Embassy in the city in which the host country had designated as its capital. But, Mr. President, in that bill—that bill now law—this Congress made very clear its intention that it is American policy to recognize Jerusalem as the undivided capital of Israel. We, in fact by strong bipartisan majority, adopted a resolution a short time ago on the 30th anniversary of the reunification of Jerusalem restating that position.

So, Mr. President, this may be controversial. But trust is built up among parties, including those who are involved in the Middle East process, including Israel, the Palestinians, and other countries. Trust is built on honesty. And honest reflection of not just American policy but American law as adopted by this Congress in 1995 is that Jerusalem is the undivided capital of Israel.

It is time, therefore I would say, to bring our policies in line with our law; that time for the statements such as those made by the State Department spokesman in my opinion respectfully has passed.

I appreciate very much again the graciousness of my friend from Texas for allowing me to say this.

I thank the Chair.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998—PUBLIC-PRIVATE COMPETITION OF DEPOT MAINTENANCE

Mrs. HUTCHISON. Mr. President, I thank the majority leader for stating his concerns here. I notice the distinguished committee chairman is also here.

I think it is very important that the rights of Members be upheld here because there is a significant issue that is very important to the Department of Defense for the readiness of this country that is at issue in this bill. Heretofore, our side has not really had any ability to have an accommodation or to make sure that what the Department of Defense wants to do, what BRAC allowed them to do, in fact they will be able to do. Because in the bill that would be brought before us, it vitiates any public-private competition for depot maintenance work by the Air Force. That is the effect of this bill.

To think that someone, for parochial interests, would put language in a bill that would do away with what BRAC said to the Department of Defense was their option, which is to go out and spread the workload to other depots from the bases that are closed, or privatize in place, the Department of Defense should be able to make the decision based on the efficiency of taxpayer dollars and where we need the defense dollars to go. The Department of Defense should be able to make that decision. That is what BRAC said.

The Department of Defense made the decision. They said it would be more efficient and save more money to privatize in place. They are doing public-private competition to make sure that the price is better. Yet the bill that would come before us says they cannot do any of that work, privatize in place, until the depots get the work and are up to 75 percent of their capacity. Well, that is impossible, because some of those depots may not ever get to 75 percent capacity, nor does that have anything to do with efficiency.

So, Mr. President, yes, we are standing on principle. We are standing on the principle that the Department of Defense should be able to have a public-private competition, to save taxpayer dollars and to put those defense dollars into readiness. We can save millions of dollars for the taxpayers and for the Department of Defense. And those millions of dollars, rather than being wasted, can be put into equipment that will keep our troops safe and secure.

We are standing for the integrity of the BRAC process. We are standing for the integrity of the Department of Defense and for their ability to make their decisions without congressional mandates that cause the waste of millions of dollars for the taxpayers and for the young men and women who are putting their lives on the line to protect our freedom. That is what this issue is.

So, yes, Mr. President, we are objecting. We hope to find an accommodation. I will say that the distinguished chairman of the committee wants to find an accommodation that will give the Department of Defense the flexibility they need, that will do right by the taxpayers of this country, that will do right by the people who are in our Armed Services, and that will do right by the depots that are still left in Oklahoma, Utah, and Georgia.

We want something that will be fair to everyone. And when we come to that fair conclusion, then we will be happy to debate this bill and hopefully authorize a good defense bill. But, Mr. President, make no mistake, if there is not a defense authorization bill that can be worked out that can be fair, I hope that we will not go forward putting shackles on the Department of Defense and wasting taxpayer dollars.

I hope we will have the strength to resist that.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to associate myself with the remarks of my colleague from Texas, Senator HUTCHISON, who I thought really homed in on why this issue is so important. I am very pleased the distinguished chairman of the committee is here because it gives us an opportunity to speak with him about why we are so frustrated about this bill as it now stands.

Mr. President, it would be a historic moment if this bill were to pass because it would, for the first time ever, overturn a BRAC decision. Now, we all know that when the four base closure rounds went through Washington, DC, many of us were not happy with the process. Many of us felt the savings were overstated. Many of us felt this was not the right way to go. But not one of us, until today, moved to undermine a BRAC decision.

By objecting to this bill, we are taking a stand, it seems to me, for the integrity of the process. After all, this is the law of the land. This is just the kind of unraveling we do not want to see happen, because if this effort succeeds to overturn BRAC, to stifle competition between the private sector and the public sector with respect to depot maintenance, where will it end? Tomorrow, someone else will try another unraveling, and the day after, someone else will, and we will have chaos.

I want to say, Mr. President, there are two other reasons why this bill as drafted is so harmful. Not only does it unravel the Base Closure Commission's decisions of the past but it undermines a promise made to the people in the Sacramento area and the people in Texas who will be so adversely affected. There was an explicit promise by the President of the United States that privatization in place could take place at McClellan Air Force Base. There was also a promise made by Congress that such privatization in place could move forward at McClellan. After all, Congress passed the BRAC, so, therefore, we would be breaking a deal, a sacred deal, really, made with these people who were told that privatization in place could, in fact, occur.

Lastly, Mr. President, I thought we were all really concerned here about

taxpayer dollars. We are doing everything we can to bring down this deficit. I am so proud to be a part of the team that brought down the deficit from $290 billion in 1993 to less than $70 billion now. We have agreed on a balanced budget deal to finish the job. This is great for taxpayers. This is good for our country. It is good for our economy. So why would we now reverse course and to say that the private sector's ability to compete with the public sector will be cut short?

It will be a bad deal for the taxpayers if we do not reach some kind of agreement here. I hope we do because if the bill as drafted becomes the law of the land, it will force the Pentagon to waste money. This bill will essentially direct the Pentagon to waste money by preventing the fair and open competition that is underway to win contracts for depot maintenance work at Kelly and McClellan Air Force Bases.

So every way you look at it—from standing behind the law of the land, the BRAC process, to keeping our word to workers who trusted us when we said privatization in place can take place, to taxpayers who know that it makes no sense to eliminate competition—if you look at all of these factors, Mr. President, I think what the Senators from Texas and the Senators from California are doing here is in the best interests of the U.S. Senate, of the U.S. Congress, and, frankly, in the best interests of the United States of America.

I am working with the senior Senator from California, Senator FEINSTEIN, who you will hear from shortly, my colleagues from Texas, and hopefully all others who want to see this bill move forward. We have no interest in preventing this bill from moving forward. We want to reach an accommodation here. I think there are ways we can do it.

We are so sure that competition is a good thing, we are so positive that privatization in place will reap rewards for taxpayers, that we are willing—we are very willing—to agree to language that would ensure that this could only occur if the taxpayers save money.

I am very hopeful that we can reach an agreement. Until then, we will fight for our rights as Senators to protect a promise made to the people of our communities and a promise made to the taxpayers.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from California.

Mrs. FEINSTEIN. I thank the Chair. Mr. President, I thank the Senator from California and the two Senators from Texas for joining me in this coalition.

I certainly do object to the motion to proceed to the bill. I want to explain why in some detail. These provisions that the Depot Caucus put in not only halts the public-private competitions for depot workload currently underway at both McClellan and Kelly Air Force Bases, but it essentially undermines any effort to do this work in the private sector in a more cost-effective way.

The option to privatize certain depot workloads was explicitly made available by the BRAC Commission and was a part of the base closure decision. Yes, let their be no doubt, these bases will be closed. We know that. But an effort was guaranteed to be put underway to see if an amount of this workload could, in fact, be privatized. In its report to the President, the BRAC 95 Commission specifically recommended that the department ''consolidate the remaining workloads to other DOD depots or to private-sector commercial activities as determined by the Defense Depot Maintenance Council.''

The President strongly supported the Commission's decision, specifically reinforcing the option of privatization. In his letter to the chairman of the BRAC 95 Commission, the President stated, ''I was pleased to learn that * * * you confirmed that the Commission's recommendations permit the Department of Defense to privatize the work loads of the McClellan and Kelly facilities in place or elsewhere in their respective communities. * * * In my communication with Congress, I have made clear that the Commission's agreement that the Secretary enjoys full authority and discretion to transfer workload from these two installations to the private sector, in place, locally or otherwise, is an integral part of the overall BRAC 95 package it will be considering.'' The President goes on to say, without ambiguity, ''Moreover, should the Congress approve this package but then subsequently take action in other legislation to restrict privatization options at McClellan or Kelly, I will regard this as a breach of Public Law 101–510 (the base closure law) in the same manner as if the Congress were to attempt to reverse by legislation any other material direction of this or any other BRAC.''

I think that's pretty clear.

Let me say that I firmly believe if this bill goes forward with the depot language in it, the President of the United States should veto the bill. Not to veto the bill is to say that the BRAC decisions and the decisions made surrounding the 1995 base closure decision are no longer valid. Their integrity is clearly punctuated by this kind of special interest drive.

Let me go on to say that some have alleged that this privatization process is an attempt to keep McClellan and Kelly open. Let me disabuse my colleagues of that. I want to be very clear. McClellan and Kelly will both be closed in the year 2001. That decision has been made. The property and buildings at McClellan will be transferred by the Air Force to recipients in the local community according to the base reuse plan.

Two private companies, Boeing and a group led by AAI Corp. and one Air Force depot, Hill Air Force Depot in Utah, have each been awarded $750,000 in Air Force contracts to formulate their bids for the workload package at McClellan. Final bids from these competitors for this workload are due in September of this year. The contract is scheduled to be awarded in January 1998. This aspect of privatization is now underway, Mr. President, and essentially what we have in this bill is a special provision which would halt the contracts currently proceeding. It is to this that we strongly object.

The workload package, currently under development by the Air Force, will be worth approximately $220 million and will affect only 2,300 McClellan Air Force Base employees. McClellan ALC, Air Logistics Center, employed over 8,000 people before the BRAC 1995 round, and currently employs less than 7,800 people. So you can see the workload package we are talking about affects about one-third of the employees that used to work at McClellan Air Logistics Center.

The Air Force's planned workload package at McClellan will include maintenance and repair of the KC–135 refueler aircraft and A–10 close-air support aircraft. It will also include repair work and maintenance on hydraulics systems, instruments and electronic components and electronic accessories for numerous aircraft systems. Finally, the workload package will include software support activities, parts repair and assembly for the KC–135 and A–10, and the packaging and movement of parts to military customers.

The public/private competition for this work can save taxpayer dollars. If the competition for this work is won by the private sector, hundreds of millions of dollars in savings could be realized by avoiding the costs of new military construction, movement of the workload, and retraining workers at Hill Air Force Base. Additional savings can come from taking advantage of any potential efficiencies in private industry.

Let me make another point. Past Federal investments at McClellan should not be ignored. Since 1987, the Department has spent $150 million on military construction projects at McClellan. Outright closure of these facilities before the year 2001 means the U.S. taxpayer not only forfeits this expenditure but also must pay for new military construction at another Air Force base so this workload can be moved. The Defense Department will have to spend hundreds of millions of dollars to duplicate the facilities now in operation at McClellan.

As the Defense Department phases out its operations at McClellan and Kelly Air Force Bases, privatization provides a means to reduce overhead costs by bringing defense and commercial work together. If private industry wins the competition for this workload

package, they will be able to add commercial products along with their Defense Department workload. This innovative approach will expand employment opportunities at these closing facilities and increase savings to the Department through decreased overhead costs and enhanced efficiency.

The Depot Caucus' language takes none of these potential savings into account and violates every proven principle that competition reduces costs. The Depot Caucus provision would sole-source billions of dollars of depot maintenance work to government facilities regardless of the cost or the impact this noncompetitive practice would have on DOD's management plans and strategies. In addition, the Depot Caucus' unqualified opposition to privatization goes against a clear national trend. The language ignores not only the lessons learned by industry, but also the guidance of DOD's most respected advisory reports.

This spring's Quadrennial Defense Review stated that DOD should, ''Conduct public-private competitions for depot maintenance work that does not contribute to core capability when other appropriate outsourcing criteria are met. In addition, [DOD] will partner in-house facilities with industry to preserve depot-level skills and utilize excess capacity. Savings will be achieved as a result of these competitions and the reductions in excess capacity.''

The May 1995 Commission on Roles and Missions [CORM] of the Armed Forces strongly urged increasing privatization. CORM recommended ''that the Department make the transition to a depot maintenance system relying mostly on the private sector.''

In fact, the 1995 Base Realignment and Closure [BRAC] Commission Report strongly supported depot privatization, writing, ''The Commission believes reducing infrastructure by expanding privatization to * * * DOD industrial and commercial activities will reduce the cost of maintaining and operating a ready military force.''

The vast majority of private firms are also moving toward increased reliance on outsourcing to become more efficient and remain competitive. The DOD can learn and benefit from the private sector's experience.

We have an opportunity to save money by allowing the competitions for workload at McClellan AFB to go forward. If the bids made by private industry are not financially feasible, then the contract will be awarded to the public bidder, Hill AFB. But, if a private bidder does win, then we will have our first opportunity to reduce the cost of depot maintenance activities through careful use of private enterprise.

The General Accounting Office's study of depot workload privatization never considered the question of how much could be saved if this workload was privatized. It only considered the costs of maintaining that workload at Kelly and McClellan as compared to consolidating it into the remaining air logistics centers. The privatization of this workload will not be business as usual.

Finally, many of my colleagues are concerned that readiness will suffer at the hands of greater outsourcing and privatization. DOD, however, has entrusted our military's readiness to private contractors for years. Currently, several weapons systems, including the KC–10 refueling aircraft, the F–117 stealth fighter, the B–1B bomber, and the software maintenance for the B–2 bomber are completed by private contractors.

I believe that the leadership of our armed services will continue to ensure that any DOD depot maintenance workload that is outsourced will be maintained appropriately, to DOD's own high standard. Allowing noncore depot workload to privatize simply permits DOD to award work to the most qualified, most reliable contractor, whether that contractor is a public facility or a private company.

In supporting the defense industrial base, DOD's policy calls for greater reliance on the private sector for appropriate depot maintenance workload. Outsourcing helps preserve private sector capabilities and enhances DOD's ability to capture new technologies that are constantly being developed in the private sector. By introducing greater competition into the mix, outsourcing lowers the cost of depot-level maintenance activities.

I firmly believe that the Nation will always require a public sector depot capability for certain mission-essential workloads and skills. Unfortunately, the depot language included in the DOD authorization bill will squander essential readiness and modernization funds. The Defense Department has defined public depot maintenance policy for the 21st century. It is time that we move beyond the arbitrary laws defining the policy of the past, and allow public/private competition to move us forward.

These are the points that I wanted to make today. But, let me emphasize, the Depot Caucus' amendment will eventually cost the taxpayers much more money by duplicating existing facilities. In addition, the contractual process, including the request for proposals has already begun and, at McClellan, two companies—Boeing, AAI Corp., and one Air Force depot, Hill Air Force Depot—have already been awarded $750,000 in Air Force contracts to formulate their bids for this workload. Now the Congress is trying to step in and say, ''We are going to stop these competitions midstream.'' I think that makes no sense for the taxpayers and it makes no sense for the credibility of the BRAC process.

I, for one, am delighted to join with my colleagues both in my own State and in Texas to work to see if we cannot come up with some compromise. Absent that compromise, I firmly believe the President should veto this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, it is indeed unfortunate that such a critical piece of legislation for the authorization of the Department of Defense has been encumbered by a disagreement over the last Base Closure Commission findings.

If I might, Mr. President, give a broad overview as one of the Senators who was deeply involved in the last round of the BRAC, Base Realignment and Closure Commission. BRAC was designed because it is so terribly difficult for the issues of base closures and shutdowns to be handled in this political environment. So a highly disciplined system was envisioned—a commission that would independently review these core and critical issues and would come back to the legislature, and the legislature would have to vote it up or down. No amendments could be made.

In other words, the traditional legislative actions and prerogatives were removed. You could only be for it or against it. In this particular case, the Air Force had five bases throughout the country, and many experts thought there were too many and some had to be closed. Originally, the Air Force wanted to keep all five of them open as the process began. But BRAC did not agree with them. BRAC thought that would make five Air Force bases inefficient and, therefore, some had to be closed and the work moved to the remaining Air Force bases to produce an efficiency ratio.

After extensive discussions by BRAC and their commission, they came to the legislature and recommended the closure of Kelly Air Force Base in Texas, which is tough. If you ever lived in a community where one of those closures occurred, it is tough. I understand and empathize with the Senators from California and Texas. That is tough medicine. But they called for the closure of Kelly in Texas and McClellan in California, leaving three Air Force logistics centers open—one in Georgia, one in Oklahoma, one in Utah. The work would be moved to the remaining three, making those three efficient operations.

Mr. President, the administration and the President sullied BRAC, because they overrode the commission. In other words, the people had to live by it, Congress had to live by it, but the administration didn't. We were in an election year. Texas and California are very big and very important. So they instituted this concept of privatization. They theoretically closed Kelly and McClellan, as has been alluded to by the Senator, but they left everything else there under the guise of privatization. For example, the total number of employees at Kelly and McClellan before the Base Closure Commission called for their closing was 33,000 people. Today, the number of

employees at these two installations is 31,000 employees. That is according to the General Accounting Office. The General Accounting Office has told us that this override has resulted in the failure to save $400 million to $600 million.

The point that I want to make is that when the administration decided to intervene in the findings of the Base Realignment and Closure Commission, they reintroduced the very activity that we are engaged in on the Senate floor today. They put it back into the political process. I can say this, Mr. President. There will never be another BRAC, as we knew it, because you can't have a discipline where the people had to stand up and fight for their installations, the people that work there. The Congress had none of its authority. All of its prerogatives were removed except to vote for or against it, and then the administration may unilaterally alter it. That voids the discipline. So that process will never occur again. It can't. If you are going to have something that highly disciplined, it has to apply to the people of our country, the citizens that are affected, to the members of the legislative body, and to the President of the United States. It can't just apply to two parts of the puzzle. With this exercise, you track it directly to the White House. When they decided to take the Base Realignment and Closure Commission and politicize it, that, if effect, eliminated BRAC as a discipline or policy that can ever be used by this Government again to deal with these contentious questions. If it ever comes again, it will have to be completely redone and redesigned so that it applies to the President and the administration as well as to the people in the Congress.

I understand the Senator from Texas. Once that policy was breached, she has no choice but to defend the people of Texas and the workers in Texas. It is the same with the Senators from California. This was what BRAC was to have avoided—and it did, for all practical purposes, until the last round.

Mr. President, it is unfortunate. It means that that system will never be used again, from my point of view, until the administration and Department of Defense can certify that the recommendations of the last round of BRAC have been carried out, that the three remaining logistic bases have been shifted to work that was purported to go there to make them efficient. There is just not going to be another Base Closure Commission. The Department of Defense is going to have to demonstrate that they got the job done from the last ones before they come back and ask for new ones, and the Department of Defense and the administration are going to have to rewrite the rules so that it applies to them as well as to the people in Congress.

I yield the floor.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I think we all know certain things are true and incontrovertible. One is that a base closing is a very difficult thing to do politically and a very difficult thing to endure as a Member of the U.S. Senate or a Member of the other body, because people look to us and they look to us and say, ''You are responsible for saving what we have here.''

I am not eloquent enough to describe the anguish that people go through, that cities go through, that counties and the States go through during a BRAC process. They go out and they hire consultant after consultant and they spend hundreds of thousands of dollars. They go through all of this and, finally, the recommendations come down. We have gone through that in 1991, 1993 and 1995, and it was necessary. It was, I guess, the Army that came up with the initial idea that we try to eliminate excess capacity and infrastructure. But we haven't been able to do it because politically it can't be done. There is no better evidence of that than what is happening today.

They established a process that was to be totally free from political interference. Seemingly, it worked for a while. I don't have the exact number of installations that have been closed down, but we all understand that we are going through a difficult time with our defense. We all understand that we have a President of the United States who is not strong on defense. He would like to have us think there is no threat out there, that the cold war is over, so we can start reducing down to the point where we cannot begin to defend America on two regional fronts. We all know that is true today.

The bottom line is that we had too much infrastructure. It was up here. So we brought it down, in 1991, 1993 and 1995, to a level that is down now and still a little bit above our force strength. As far as future BRACs are concerned, I contend that I don't want to get this infrastructure down so artificially low so that when we rebuild, we will not have the infrastructure to accommodate that. I agree with the Senator from Georgia, who says that we have to position ourselves so that we know if we go through all of this anguish again, we will not have political interference.

Anyway, I am going to tell you a story, Mr. President, and you may not believe me. I think you know me well enough to know that I do tell the truth. I was in a very tough election when I was in the other body, and I ran for the Senate in 1994. I ran against a guy who is young, articulate, and a very smart young man. He was a Member of the House of Representatives, a member of the other party. He was on the House defense committee at that time, which was called the House Armed Services Committee, now called the House National Security Committee. He said, ''Elect me and I will use political influence to make sure that none of the bases are damaged in the BRAC processes.'' We have five installations in the State of Oklahoma.

I made a public statement in the newspaper. I said, ''I will not use political influence because I know we have to do something about this infrastructure. What I will do is I will stay out of it until the recommendations are made, and when they are made, I will walk through fire to defend the recommendations of the BRAC committee, because the system has to work. We can't allow this to become a politicized system.''

So we did that pretty well. I have a list here of various States and Senators that cooperated when they came through in 1991, 1993, and 1995 and said they wanted to close certain bases. They said, well, it is going to hurt at home, hurt me politically, but we are going to have to do it. They bit the bullet.

Now we are asked to make two exceptions. I agree with the Senator from Georgia when, certainly, the Senator from Texas is put in a very awkward situation by our President because, in August of 1996, right before the election, when President Clinton was campaigning out in California with a huge number of electoral votes, he said this to them and made a commitment that ''I will see to it that no jobs are lost in California and no jobs are lost in Texas, and we will privatize.'' He grabbed that out of the air. So that commitment had to be—I don't think there is anybody in America today that doesn't know that that was a highly politically charged commitment and statement he made. He made that statement. Then that puts everybody in the position that, wait a minute, if you have the President agreeing that we are not going to close those installations, McClellan and Kelly, in California and Texas, what about you Senators, aren't you going to stand behind the President? You have that leverage.

That is where we are today. So we went through this process. I find myself in the situation now that the recommendations have been made that we are going to have to stand behind the recommendations.

I want to suggest to you, Mr. President, we have made some compromises. Senator MCCAIN from Arizona had some objections and concerns in our committee. I am chairman of the Readiness Subcommittee of the Senate Armed Services Committee. We went through this and debated these issues for hours and hours on how to protect the integrity of the BRAC system because it became a dollar decision. We were going through the marking up of an authorization bill where we are trying to rebuild our defenses and sustain a level that will adequately protect America. We have considerations on modernization programs that cost money. We have barracks out there needing replacement. There are quality-of-life issues and modernization issues. These things are maybe $100,000

or maybe $1 million a lick. We have had to turn them down.

Now we have an opportunity to follow the recommendations of the BRAC committee and save the defense system approximately $468 million a year. Now, if you carry that out to 5 years, you are talking about $2.34 billion. If you don't do that, where is the money going to come from? If they are successfully able to compete and end up with the jobs in Texas or California, or privatize in place, it is the same thing. We don't want to confuse people. Those people advocating competition realize that they want competition because they want to protect the jobs there. I understand this. Just because it is dealing in semantics, privatization in place, or competition, where they will be able to leave the jobs there, it doesn't make a difference. The bottom line, as the Senator from Georgia said, is that we will still have five air logistic centers. So it came out with the recommendations. GAO said that if we don't do it, it is going to cost $2.34 billion over a 5-year period. That is money that has to, realistically, come out of the defense system. I don't know where it is going to come from.

Mr. President, we had several hearings where we had the chiefs of services. So I asked each of the four chiefs of services, ''Where are you going to come up with this money?'' If we end up having to violate the BRAC and it ends up costing us $2 billion, where are you going to come up with the money? It can only come from four areas: Modernization, quality of life, force strength, and readiness. So I asked each one. They said, ''We can't take it out of any of those because we are underfunded if all four areas.'' They said at one time that it was going to cost another $2 billion in 1 year to bring us up to meeting the minimum of the expectations of the American people to protect America on two regional fronts.

So we have the recommendations. They said, ''All right. If you have five ALC's located in Georgia, Oklahoma, Utah, Texas, and California, we will select two of those to close.'' And they used the criteria to operate more efficiently. And we could get into 2 or 3 hours of discussion on how this process works, and how they used the criteria in evaluating the effectiveness of various installations. They came up with the conclusion that we are going to have to close two, and those two should be McClellan and Kelly in California and in Texas.

When you do that, you redistribute that so that workload goes on to the remaining ALC's. Of course, that will increase the number of jobs in other States. I understand that. But, if you do not do that, you will still be operating five ALC's at 50 percent capacity. The only difference is they will be owned—two of them—by the private sector. You still have the same problem that existed.

So, if you look at what the alternatives are and look at what we have gone through in the committee process, you will see that we have really given in a lot. I suggested to the Senator from Texas that it was the QDR—Quadrennial Review Defense—review that we went through, and the Secretary of Defense came in, and said, ''We think that we should change 60–40 to 50–50.'' He made some other recommendations. He said, ''We also need to have two more BRAC.'' It so happens that the Senator from Arizona, Senator MCCAIN, said, ''I think we ought to change it to 50–50.''

So we sat down, and worked it out. And we agreed to do that. So there have been compromises during this process. We debated this. We went through the whole committee system. We came out, and finally said that even though as individuals it is going to be politically very difficult as it is, and every time you shut down a military installation—we have done over 100 of them so far—it is always difficult to do. It is difficult for the local House and Senate Members. But it has to be done. So the committee voted unanimously to do that.

Some people have suggested that the GAO report is not accurate. We actually had the committee meeting where we had the GAO people there.

We said, ''We want you to be sure that we understand you correctly. You are saying this is going to cost $468 million. Do you still stand by that today?''

They said, ''The data, as near as we can determine, indicates that that is what the cost will be.''

I said, ''Have you considered everything; privatization in place?''

They said, ''Yes, we have considered that. That is part of the report.''

So we have an extensive report right here by the GAO that comes up with these conclusions. Some people have suggested that perhaps it was not a part of that report. I will quote something from the report. According to GAO, ''The cost to operate the other depots at 50-percent capacity will far exceed any projected savings through public-private competition, $468 million. This fact begs the question: What is the real objective of public-private competition? The only feasible answer is to save jobs, and Texas and California are to appease the private sector appetite for new business. Neither is an acceptable answer.''

So we did this. We went through this thing. We looked at what the GAO was recommending, and decided that we were going to have to do that.

This hearing that we had lasted about 3 hours. They said there is no question about the fact that we are going to have to do something to build the others up to a reasonable respectable capacity.

So that gets into the next issue. ''What is the respectable capacity of the remaining ALC's in order to have this logistics system function in a prudent manner in the United States?'' GAO said somewhere between 75 and 85 percent.

You might ask. Why not get them up to 95 or 100 percent? The reason is very clear. If something should happen that we should have to go to war, we are going to have to have that excess capacity to take care of the needs to meet the new threat that is out there.

That sounds very reasonable. So we have left it there. It is not exactly the same in the House bill as the Senate bill. In the House bill it was 80 percent, and in the Senate bill it was 75 percent—75 percent because Senator MCCAIN thought that 75 percent would be a better number.

So again, we caved in a little bit on that. So we are now talking about what to do with this and whether or not we should allow this process to be violated for the first time.

I would just suggest to you that almost every State has had to undergo the closure of some type of installation. It would be very difficult.

I saw Senator SESSIONS walking through here just a minute ago. For him to go back to the State of Alabama and say that we now are going to go ahead and make an exception, and they would say, ''Wait a minute. Why wasn't the exception made in Alabama, in fact, where we really wanted to keep our bases open?''

So it is difficult when you lose jobs. We have had to bite the bullet and go through this. A majority of the Members of this U.S. Senate have had to go through with that.

Mr. President, there has also been some discussion that perhaps they left an option open. I know several people who for political reasons would like to believe that there is another option that is out there, and they clearly said they had been closed out.

Let me read a couple of the things that I think are necessary for us to understand. If it had been the intent of the BRAC Commission to leave an option to privatize in place, they would have said there is an option to privatize in place. In the case of 1993 BRAC round in Newark, the Newark Air Force Base, they said, ''The workload can either be contracted out to one or more of several existing manufacturers, or privatize in place.''

They said in the 1995 Naval Service Warfare Center in Louisville, ''Transfer workload equipment and facilities to the private sector for local jurisdiction, as appropriate, if the private sector can accommodate the workload onsite.'' That is privatization in place onsite. But what they clearly intended in this case was not to have privatization in place—not to leave the jobs on site because they want to consolidate them.

Last, I want to mention that this should not be a jobs issue. This is a national security issue. The whole reason, Mr. President, that we came up initially on this 60–40, which was a ratio—it was arbitrary, and I am the first one to say that it is arbitrary and needs to be changed at a date when we can correct the national security ramifications of this issue. But until then

we are trying to keep some type of a ratio in place that would allow the public sector to be able to know that in case of war we are not going to be held hostage by one supplier.

That is the big issue. Should that be 60 percent? I was willing to go 50 percent. But I think a better solution is to do what we did in this bill. We have a good bill. In this bill for the first time we have defined what core is. Core is for those functions that are performed that are necessary for us to defend America. That is a fairly simple definition. But that is it.

So, if we define core, then we say that we are going to have to do the core work on site. That would solve the problem. We wouldn't be talking about 60–40 or 50–50.

So I made a commitment to Senator MCCAIN that, if we can go ahead and drop the 50–50, let's give it a couple of years. Let's allow them to see how this works with our new definition of core, and see if we can't solve it that way and get away from this somewhat arbitrary type of a formula.

So the real issue here is twofold, I would say. One is we have involved a lot of money, and, if we do not do this, we are going to have to come up with it somewhere. It is going to be a very costly process if we agree that we are going to violate the intent and the letter of the BRAC.

No. 2, this is even more important than just the money; that is, we are talking about defending America. We are talking about having a capability in the public sector to be able to have air logistics centers. That will keep our airplanes in the air, and will keep our soldiers fighting in the event that war comes up.

People would like to say there is not that threat out there. I am not going to go into my normal speech that I make when we talk about this. I have to tell you. I look wistfully back to the days of the cold war when we had one other superpower, and our intelligence knew pretty well where they were. We knew what threat was out there, and we defined that threat. We could predict how the Soviets were going to act. That is not true anymore. We have some 25 nations that have weapons of mass destruction. We have a country that was just written about in yesterday's newspaper in the Washington Times that the Chinese now are selling more and more technology in systems to deliver those weapons of mass destruction to countries like Iran.

So we are faced not with just one single predictable superpower who poses a threat to us but also to many, many powers out there.

So as a member of the Armed Services Committee, as chairman of the Readiness Committee, I can say that the big issue here is we have a country to defend and as difficult as the process is, as difficult as it is to go through, as upset as I am with the President for politicizing this in August 1996, nonetheless, we are going to have to try to stay as close to the recommendations as possible. Because, if we violate it just one time, I can tell you right now it is not only going to be the Senator from Georgia who said, ''If we do not go ahead and carry out the recommendations of the 1995 round, I am going to oppose any future BRAC recommendations.'' I can assure you that I will do the same thing. I imagine the majority of the Members of this Senate are going to come up with the position that if we do not carry out the recommendations that were clearly identified in the 1995 round that we are not going to have any more base closure rounds.

So for the time being, I yield the floor, and will stay engaged here.

Mrs. HUTCHISON. Mr. President, I want to talk about some of the issues that have been raised by my colleagues, because it seems that there are some very important issues that need to be clarified. A lot has been said about the integrity of the Base Closure Commission process. In fact, it is so important that everyone understand we are protecting the integrity of the base closing process.

I want to read the language that comes straight out of the commission recommendation:

> The Commission finds the Secretary of Defense deviated substantially from the force-structure plan and final criteria 1, 4, and 5. Therefore, the Commission recommends the following: realign Kelly Air Force Base including the Air Logistics Center. Disestablish the Defense Distribution Depot, San Antonio.

This is the important language:

> Consolidate the workloads to other DoD depots or to private sector commercial activities as determined by the Defense Depot Maintenance Council.

Mr. INHOFE. Will the Senator yield on that point.

Mrs. HUTCHISON. That is the BRAC recommendation.

Mr. INHOFE. Will the Senator yield on that point.

Mrs. HUTCHISON. I would be happy to yield.

Mr. INHOFE. I would ask the Senator from Texas to read the next sentence in that report. If she does not have it, I have it. If she does, I would appreciate it.

Mrs. HUTCHISON. Mr. President, I think it is important we look at this language. I have it right here:

> Consolidate the workloads to other DoD depots or to private sector commercial activities as determined by the Defense Depot Maintenance Council.

The rest of it:

> Move the required equipment and any required personnel to the receiving locations. The airfield and all associated support activities and facilities will be attached to Lackland Air Force Base.

Mr. INHOFE. I thank the Senator.

Mrs. HUTCHISON. It is right there. The important part of this recommendation from the BRAC Commission report is that the option is given to the Department of Defense through the Defense Depot Maintenace Council to move the workload to other depots, yes, or to privatize. The option is given because the Base Closure Commission understood that it was important for the Defense Department to have the flexibility.

In fact, to augment that argument, I want to read a letter from the Chairman of the Base Closure Commission. The letter says:

> The Commission believes reducing infrastructure by expanding privatization to other DoD industrial and commercial activities will reduce the cost of maintaining and operating a ready military force. Privatization of these functions would reduce operating costs, eliminate excess infrastructure and allow uniformed personnel to focus on skills and activities directly related to their military missions.

He goes on further to say:

> It is my view and the view of the Commission's general counsel that the commission's recommendation in the case of both McClellan Air Force Base and Kelly Air Force Base authorizes the transfer of any workload other than the common use ground communication electronic workload to any other DOD depot or to any private sector commercial activity, local or otherwise, including privatization in place.

Signed Alan Dixon, Chairman, Base Closure Commission.

A letter signed by four other members of the Base Closure Commission, which would make a majority with the Chairman:

> It was our clear intention to provide the Department of Defense with sufficient flexibility to maintain readiness, make optimum use of scarce resources and to exploit the strength of the United States commercial sector where possible, where doing so would provide the best economic value to the Government. The department has access to all of the relevant information and is in the best position to decide which option best fits its needs.

They are saying clearly they do not expect the U.S. Congress to make that decision. They think the Department of Defense is in the best position to decide which option fits best. They go on to say:

> The Commission felt that privatization was a key tool the Department of Defense could employ to achieve significant savings. As members of the 1995 Base Realignment and Closure Commission, we support the department's efforts to remove legislative restrictions which are arbitrary and undermine effective depot maintenance management.

Signed Rebecca Cox, Benjamin Montoya, J.B. Davis, and Josue Robles. That is in addition to the Chairman, Alan Dixon. It is very clear the intent of the Base Closure Commission, along with the actual wording, that privatization must be an option for the Department of Defense to be able to use the precious defense dollars for readiness of our country rather than wasting taxpayer dollars by artificially having mandates that 60 percent of all maintenance must be done in a public depot. That is what we are arguing about today.

Now, the Senators have said that we have gone down to 50 percent from 60 percent, and they say that is an accommodation. At 50 percent, you are still

mandating that there not be competition, that the Department of Defense not have the flexibility to do the job it needs to do in the most efficient and best way, and to save those defense dollars for readiness.

In fact, I will quote to you from the people who are responsible for our readiness and their view of this issue. Admiral William S. Owens, the Vice Chairman of the Joint Chiefs of Staff, retired, is talking about the importance of the fixed-costs versus the variable costs:

> The world's largest business—

The defense business, the Defense Department—

> is 65 percent fixed costs and 35 percent variable costs.

The variable costs, the 35 percent, translate to the war-fighting capability, but the money is in fixed costs.

So what they are trying to do, according to Admiral Owens, is reduce those fixed costs.

So he says, in order to reduce fixed costs, he believes they must have privatization. He says he would eliminate a particular percentage split and let the core work be decided by the services according to their needs.

Dr. John White, Deputy Secretary of Defense:

> Privatization provides substantial savings. As we go forward, we have a situation where we have to emphasize modernization.

Dr. White is saying we need flexibility to run this Department so that we can fight wars, and we need to save it where we can, and privatization provides savings.

General Shalikashvili, our sitting Chief of the Joint Chiefs:

> I believe we must get on with privatization outsourcing.

This is from March 6, 1996, testimony to the Defense Appropriations Committee:

> We need your support to make the hard choices and the changes to make these initiatives work. I particularly ask for your support where changes in law are required.

The changes in law he is asking for is to do away with 60–40 or 50–50 so that they can have the full ability to decide what is core workload, what can be done in the private sector and how they can save money so that our money will go to, be able to go into the equipment that protects those young men and women who are out in the field who have given their lives to protect our freedom.

In response to a question, General Fogleman, on March 14, 1996, said in answer to the question, how can the services close the $20 billion procurement gap that they face in trying to cut costs, one word: ''Privatization.''

General Viccellio, who was in charge of the depots, testified May 7, 1997, he needs the flexibility to privatize. DOD, he says, doesn't want to privatize everything, but they want the flexibility where they know they can do better.

So, Mr. President, not only are we keeping the integrity of BRAC, which states in their recommendations they are leaving the option to the Department of Defense to move the workload to depots or to privatize, not only is it in the writing of BRAC, but it is augmented by letters signed by a majority of the members of the Base Closure Commission, who very specifically say to restrict privatization options would be wrong.

That is further augmented by the Vice Chief of the Joint Chiefs, by the Chairman of the Joint Chiefs, and by the Deputy Secretary of Defense. I did not read to you the testimony from the Secretary of Defense, both William Perry and Bill Cohen. They all say if we are going to do the job you are giving us to do, which is cut costs yet remain ready and do the best for our troops, we need the flexibility to privatize. And yet the authorization bill that is tried to be brought up, which we are objecting to being brought up, continues to keep Kelly and McClellan from being able to bid in a public-private competition, to have the most efficient use of taxpayer dollars. They would prevent the ability to have the competition, and instead say it does not matter if we waste taxpayer dollars; it does not matter if the Department of Defense has testified they do not want to do it; we are going to force them to do this work in one of the depots.

Mr. President, it does not make sense. It does not make common sense. It does not make money sense. And we are going to try to come to an accommodation so that the depots feel that they will not be threatened. I do not want them to be threatened. But I do want what is best for the taxpayers. I do want the Department of Defense to make this decision based on the facts and based on what is best for the Department of Defense, and I think they are in the best position to make this decision. And that is what I am fighting for today.

It has been stated that the GAO report says you cannot have savings by doing the privatization in place, and I think it is most important that we say for the record that the GAO has never taken into account bids in competition. They have told me that, and we must have the ability for the Department of Defense to take the bids so that we will know if we are going to be able to have the savings.

So, Mr. President, I am trying to stand today for the integrity of the BRAC process. BRAC recommended privatization as an option. That has been thoroughly augmented by the majority of the members of the BRAC in letters since the closing of the BRAC. It has been augmented by every important military leader who has testified before the Armed Services Committee or the Defense Appropriations Committee. There is unanimity in the Department of Defense that they need this flexibility in order to use the millions of dollars that they can save by doing this work privately and put it in the readiness area.

I have to say I am somewhat amused to hear privatization used as if this is un-American. Who makes the aircraft? Who makes the engines? I believe private companies make those. Why would we be against the same private companies that manufacture the engines, that manufacture the aircraft, repairing them? I really do not understand that argument very well.

I think the Department of Defense is in the best position to know if they are, in fact, the best people to repair the engines that they built or repair the aircraft that they built, and I think we should let the experts make that decision. That is what we are fighting for today. We are fighting for public-private competition, we are fighting for integrity of the BRAC process. We are fighting for the experts to be able to make the decision of where those precious defense dollars would go.

We are on the side of the right, and I hope we can work with those who are trying to protect three depots—which I want to be protected as well. But they don't have to be protected against competition. They don't have to be protected in the name of artificial constraints on the Department of Defense to be able to make decisions. They should be protected because the Department of Defense wants them to be there. I am ready to pass a law saying protect them. But I am not willing to pass a law saying you cannot have public-private competition by the Department of Defense even if that is the decision that the Department of Defense makes, because they know best, they are the experts that we have trusted to make these decisions, and we are trying to uphold the integrity of that process.

Mr. INHOFE addressed the chair.

The PRESIDING OFFICER (Mr. COATS). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have some comments to make in response to the very eloquent comments of the Senator from Texas, but first I ask if she would answer one question that I have. I think it is probably the most important question that could be asked, in these terms. We all understand. Although the Senator is not on the Armed Services Committee now as she was last year, she knows the significance of an authorization bill. I think we all agree that this, the defense authorization bill, which the Senator presiding right now was a very important part of, is a very significant bill.

While she gives a compelling case—and I know it comes from the heart—on privatization, on changing what our interpretation of what the BRAC recommendations are, would she be willing, in order to protect the authorization bill, to go ahead, let's take the bill up in the form that it is and offer an amendment to strike that provision that she finds objectionable so we can then isolate that one problem and still have an authorization bill, not hold the

entire authorization bill hostage, which I am sure she would agree would not be in the best interests of the country? Would the Senator be willing to do that?

Mrs. HUTCHISON. Mr. President, let me say this is the first time in this entire process that anyone has tried to get a fair solution to this issue. We were not able to do that last year in the armed services authorization bill, and we certainly do not have a bill that would allow for good public policy before us today. It is not as if the Department of Defense would go without appropriation if there was not an authorization bill because, in fact, many departments of Government go forward if there is no authorization as long as there is an appropriation. So there is no ongoing issue of the Department of Defense not having the ability to do its job and the money being there for them to do it.

We are talking about a budget that starts on October 1 of this year, so we have time, and I think we need to take the time. I think we need to solve this problem in the best interests of the people of America, our armed services, our Department of Defense and all of the depots that we would like to protect. I think we have time to do that and do it right. I do not think it is in the best interests of our country to go forward with a bill that has such a flawed policy that will have such far-reaching implications and one in which I am not sure, because of parochial interests, we will be able to amend unless we are able to make an agreement before we take the bill up for consideration.

What I am hoping is that before October 1 of this year, the members of the depot caucus will work with us in sincerity for something that they think is fair, that we think is fair, that is fair to the taxpayers, that is fair to the Department of Defense, and that we can go and negotiate and stand for together. Because, if we can stand together on something that is right, we will win and it will be better for America.

So, we have time. Let's do it right. I thank the Senator for the question.

Mr. INHOFE. I thank the Senator from Texas for that answer, but it is really a shorter answer I was looking for. That is, would the Senator be willing to take up her issue, that which she finds objectionable about the defense authorization bill, and debate that thoroughly on the floor—and if she is more persuasive or has a better case, then, of course, she would prevail on that—instead of blocking the entire authorization bill? This is my concern. The Senate is different than the other body that I served in for 8 years. Over there, you cannot do that. But in the Senate I guess one person can just block a bill from being passed. I hope the Senator from Texas would consider offering her position as an amendment to strike the language that was put in by the committee.

I will not ask for a response now, but I hope she would consider doing that.

Mrs. HUTCHISON. Mr. President, I would like to respond, if the Senator from Oklahoma would allow me to?

Mr. INHOFE. Of course.

Mrs. HUTCHISON. This bill goes into effect on October 1, 1997. I would like to see sincerity on the part of the Senator from Oklahoma to work on this. Let's get a fair agreement so all of us can be together on this floor fighting for what is right for America, what is right for the Department of Defense, what is right for our young men and women who are defending this country. We have time to do it right. Let us do it right. Because he is correct, in the Senate we do not treat people the way they treat people in the House sometimes. In the House, they run over people. Normally, we have not done that in the Senate. That is why the rights of the minority in the Senate are protected.

I think it is very important that we work together on this issue. I think we have an incentive to do it. We have plenty of time, and when we can come to a fair accommodation, I hope we can all work together on a bill that is good policy for America and allows us to use the precious defense dollars that we have for the readiness of our country and for the quality of life for our troops.

Mr. INHOFE. I thank the Senator from Texas. She brings up a very good point, and that is we are in the middle of a process now that is very complicated. First of all, we have our defense authorization bill. It is very, very significant that we get this passed because we have pay raises for those people who are serving right now in Bosnia and other places. We have military construction projects that, if we do not pass this authorization bill, can be in jeopardy. This goes far beyond depot maintenance. I just hope, instead of holding up the entire authorization bill, that we could address this in a way where an amendment could be crafted by the Senator from Texas that would take out the offensive language and then debate it openly, for hours and hours. Because these are critical decisions.

I have to respond to a few things that were said. First of all, the idea of privatization in place—no one is going to exceed my efforts for the past 30 years for privatization in place. I can remember when I was mayor of the city of Tulsa, I was privatizing everything that would not move. I remember our trash system—we privatized it in place. Of course, people do not like change. I can remember they ended up dumping in my front yard. However, now it is the greatest system we could have had—privatization in place.

There is a big difference between privatizing a trash system and privatizing a core responsibility of the military. So here we are trying to defend America and putting ourselves in a posture where, if we follow all the way through with the privatization argument and privatize everything in the military, then we would not have a core capability within the public sector to defend America. That is clearly what this issue is all about.

I would also like to talk a little bit about the committee process that we have gone through. The Senator from Texas talks about the committee perhaps not coming out with the right conclusions. We have been going through this every year. Certainly I, when I was in the other body, sat through this process. Am I happy with it? No. I would like to have a better process. The committee process is a very difficult one and it is one of compromise. We have compromised.

In this process our committee—first of all, in the Subcommittee on Readiness we discussed this issue, we aired it. It was not partisan. It was not Republicans versus Democrats. It was how can we address the issue of having enough of the critical workload, core workload in the public sector so we know if a war comes up we will not be in a hostage situation by one supplier or one contractor who might be in a position to undercut the public sector a little bit at the present time. That is really what it is about.

So we discussed this and we aired this in committee. I see now that Senator THURMOND, the chairman of the committee, is here in the Chamber. I am just reminded that, back when it was very difficult for the Senator from South Carolina to comply with it, they came along and closed, in the 1993 BRAC round, the Charleston naval shipyard. He does not have to answer this question, but I can tell you right now he was not very happy about that. But he bit the bullet and said we have to eliminate excess capacity.

I can say the Senator who is presiding right now, Senator COATS—Mr. President, you can remember when you had to close Fort Benjamin Harrison in Indiana. Was that fun? No, it was not fun. But you were very strong at that point and said we have to protect the integrity of this nonpoliticized process and close excess capacity. There is hardly a Senator in here who did not have to bite the bullet. All of a sudden, we are saying the system is not good and we are going to have to ignore the BRAC process for facilities in two States. There are 50 States. There are still 50 States. This is just two States we are talking about. So we went from the subcommittee into the committee, and Senator THURMOND will remember that we debated this hour after hour. We had amendments that were offered that would strike the language that we put in, saying in order to protect the integrity of the BRAC system, we have to close two of the ALC's and move that workload so others are going to have at least 75 percent capacity. The House said 80 percent, the Senate said 75 percent, and we debated that. We had some votes that were really close votes.

If you remember, Mr. President, we debated these and had the votes, and then there were amendments that were offered, and in the final analysis, we came out and said this bill is a good bill. This bill does things we have been trying to do for a long time. We have been trying to define what is core. Always before we have had a very loose definition that the DOD has used, and that has been acceptable, and we took their definition and put it into this bill so we will have a definition of what is core, what is necessary to be performed by the public sector in order to protect us in times of war so we do not become dependent upon some outside contractor.

So we have that definition in there. We also have another compromise that I made, and that is, one of the reasons—in a minute I am going to talk about the bidding process—we can't have any kind of bidding on this thing that is fair to the public sector is because they cannot do the same things the private sector can do. So we put in a teaming provision. That is to say that the public sector can do what the private sector can do. Let's take Tinker Air Force base in Oklahoma City. If Tinker Air Force base wants to compete for some of the workload that private contractors in Texas are currently trying to hold, they cannot subcontract out or have teaming arrangements with other subcontractors on work that they would like. In this bill, when we pass this authorization bill, we put a provision in here that says, yes, they can go ahead and contract out. So, if they find the private sector can do one particular function or one product more efficiently than the public sector can, then they can go ahead and do that and that work will be counted as public work in any formula.

That is a great concession, and it is one I don't mind making, because in that situation, the private sector could do the work, but we could not be held hostage because the public sector would control the contracting out of that work. They want to do it. There is not an ALC in America that doesn't want to have the capability of contracting out small parcels that might be better done while they can still protect the core condition or concern that is there.

We have things such as bundling in a package. I can tell you right now that if they continue the way they are doing it right now in trying to induce competition for these core responsibilities, that they are going to win. You cannot compete when you are operating on a playing field that isn't level.

Right now they can bundle it, and they have bundled these projects, for example, in Texas, so that only those in Texas could come out realistically and win this thing.

In our statutes, we have depreciation schedules, where the private sector can use a different schedule than the public sector. We have another provision, which I don't disapprove of, which is one that I, as mayor of Tulsa, actually had the opportunity at one time to participate in, and that is when they decided that Air Force Plant No. 3 in Tulsa, OK, was no longer inventory that the Air Force wanted and wanted to have to keep up, we went through this process, the process of divesting ourselves of inventory we do not want: First, we let the Federal agencies look at it to see if they want it. If they want it, it is taken up there. If not, it goes to the State, and if not there, it goes to the local communities and counties.

In the case of Air Force Plant No. 3, the city of Tulsa ended up with it. What can we do now? We can take that and, at no cost, offer it to a contractor to go out there and compete. This is, I suggest, exactly what can happen and will happen if they are successful in what they call competition down at Kelly for some of the ALC work. They would be able to pick up that base that is closed, that resource worth many, many, many millions of dollars, give it, for all practical purposes, to a contractor. That contractor can submit a bid and bid against any of the remaining ALCs at no cost for overhead.

So here we are in Utah or Georgia or in Oklahoma saying we are going to have to pay for all of this overhead in our bid, we have to account for that some way, and they get something free. No, we can't bid. I don't care if we gave them a 20-percent advantage, there is no way we could do that, and we shouldn't be talking about that anyway because the issue here is national defense. Are we going to be capable, Mr. President, of defending America, of handling those core issues and concerns within the public sector?

I have to share something, because the very eloquent Senator from Texas quoted a number of people, and I would like to suggest to you, Mr. President, that of the eight members of the BRAC committee, only one who came out for privatization in place as something that is reasonable. I would like to read to you what some of the other Commissioners said. This comes from Commissioner Steele. She said:

> The Commission was, in general, supportive of privatization of DOD industrial activities where appropriate. However, privatization as a concept and forced privatization in place of what is clearly excess depot capacity are two very different issues.
>
> In the specific case of Sacramento and San Antonio ALCs, the Commission was very aware that we were recommending the closure of two very large industrial activities. The Commission's recommendation to consolidate these workloads, other than common-use ground-communication and electronics work, ''to other DOD depots or to private sector commercial activities as determined by the Defense Depot Maintenance Council. Move the required equipment * * * to the receiving locations''—
>
> ''To the receiving locations,'' that means a location other than Kelly Air Force Base and other than McClellan out in California, because you still don't resolve the problem, if you merely privatize in place and end up with five, so to say, ALCs all operating at 50-percent capacity.
>
> Forced privatization in place of all of the workload is contrary to the intent of Report language.

She says, further reading toward the end of the letter:

> The Commission clearly did not intend to privatize in place all of the workload from the 2 ALCs we voted to close, as noted in our Findings, ''closure * * * permits significantly improved utilization of the remaining depots and reduces DOD operating costs.'' Where the Commission encourages privatization in place, our Report addresses it directly * * *

And she cites the page numbers.

> Such was not the case with the ALCs.

Finally:

> If any Commissioner had offered a motion—

Listen, Mr. President—

> If any Commissioner had offered a motion to privatize in place, as the President proposes, I am 100-percent certain that such a motion would have been defeated handily.

This is Wendi Steele, a Commissioner who went through all the processes. I won't go through the whole letter from Commissioner Lee Kling, but I will read the last paragraph of his letter. Now keep in mind, these are two of the eight Commissioners. We have letters from all but former Senator Dixon.

He says:

> The Commission's review clearly documented significant excess capacity in the five Air Force Air Logistic Centers. Privatization in place of all of the workload of Sacramento and San Antonio Air Logistic Centers could result in little or no savings to the Air Force by the closures. Further, it might result in privatizing excess capacity rather than eliminating it and could also miss the opportunity to improve the efficiency of other DOD depots by increasing their utilization.

Mr. President, I ask unanimous consent to have these letters from Commissioner Wendi Steele and Commissioner Kling printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION,
Arlington, VA, September 21, 1995.

Hon. J.C. WATTS, Jr.
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE WATTS: Thank you for your letter of September 15 and questions regarding the issue of privatization in place for the workload of the Sacramento and San Antonio Air Logistics Centers.

The Commission was, in general, supportive of privatization of DoD industrial activities where appropriate. However, privatization as a concept and forced privatization in place of what is clearly excess depot capacity are two very different issues.

In the specific cases of the Sacramento and San Antonio ALCs, the Commission was very aware that we were recommending the closure of two very large industrial activities. The Commission's recommendation to consolidate these workloads, other than common-use ground-communication and electronics work, ''to other DoD depots or to private sector commercial activities as determined by the Defense Depot Maintenance Council. Move the required equipment . . . to the receiving locations'' was intended to move that workload to the most cost-effective and operationally sound location after

closure of the ALCs and elimination of that capacity.

We felt that the Depot Maintenance Council, rather than the Air Force. Would be in the best position to proceed in good faith to maximize efficiencies by determining what portions of that workload should be interserviced, moved to another ALC or transferred to the private sector (not necessarily ''in place''). Forced privatization in place of all of the workload is contrary to the intent of our Report language.

The only instance I am aware of the Commission specifically discussing the possibility of significant ALC privatization in place, or a government owned/contractor operated facility (GO/CO), was the C–5 work at Kellly (excluding engines). That would assume it could be accomplished by a private contractor at that location for less than the savings and efficiencies which would be realized by moving it. By all of our measures, it appeared that the long-term savings to DoD would be substantial by moving that workload to another ALC, but we did not want to pre-determine the outcome of a complete and fair analysis by the Depot Maintenance Council, which the President's proposal disallows.

Though the Commission did not direct the engine work to move to another ALC, our Findings state, ''The Commission urges the Air Force to consolidate engine maintenance activity at Tinker to reduce excess capacity. The Commission firmly believes that consolidation of engine activities will result in lower costs and increased efficiencies.''

Privatization in place of all the workload of the 2 closing ALCs would enhance our national security posture only when: Moving the work to another DoD depot or to a private activity would have unmanageable operational/readiness risk; the costs to move the work would outweigh the long-term efficiencies and savings which would be realized (capacity utilization, reduction in overhead, etc.); or a truly unique capability or strategically important redundancy would be lost or unable to be cost-effectively replicated elsewhere in the public or private sector.

It's important to remember that both DoD and the Commission's review clearly documented significant excess capacity in the 5 ALCs. Privatization in place of all of the workload of Sacramento and San Antonio would result in shifting excess capacity to what appears would be a competitively protected segment of the private sector rather than eliminating it, and further, would miss the opportunity to improve the efficiency of the other DoD depots.

The Commission clearly did not intend to privatize in place all of the workload from the 2 ALCs we voted to close, as noted in our Findings, ''closure * * * permits significantly improved utilization of the remaining depots and reduces DoD operating costs.'' Where the Commission encouraged privatization in place, our Report addresses it directly (see pgs. 1–58 to 1–61). Such was not the case with the ALCs.

Moreover, not allowing the remaining ALCs—all of which ranked higher in military value—to compete for the additional workload, will cause them to become increasingly less cost-competitive in the future. Even beyond common sense issues of most effectively utilizing our limited defense resources, I am at a loss to understand why it would be in the Air Force's best interest to protect its lowest ranking depots at the expense of its 3 superior installations.

As difficult as it was to vote for the closure of 2 facilities of this size and quality, the Commission voted 6–2 to do so because we felt that it was in the best interest of the Air Force, DoD, and the American taxpayers. If any Commissioner had offered a motion to privatize in place, as the President proposes, I am 100% certain that such a motion would have been defeated handily.

Representative Watts, I hope I have answered your questions. Please feel free to contact me if I might be of further service on this or any other matter.

Highest regards,

WENDI L. STEELE,
Commissioner.

S. LEE KLING,
St. Louis, MO, September 29, 1995.

Hon. J.C. WATTS, Jr.
Congress of the United States, House of Representatives, Washington, DC.

DEAR CONGRESSMAN WATTS: Thank you for your recent letter concerning the issue of privatization in place for the workload of the Sacramento and San Antonio Air Logistics Centers. I certainly understand your interest in this question.

As Chairman Dixon noted in his July 8 letter to Deputy Secretary of Defense John White, the Commission was generally very supportive of the concept of privatization of DoD industrial and commercial activities. This is consistent with the May, 1995 Report of the Commission on Roles and Missions of the Armed Forces, which concluded that ''with proper oversight, private contractors could provide essentially all of the depot-level maintenance services now conducted in government facilities within the United States.'' Privatization is very beneficial in certain situations but not all.

In specific cases of Sacramento and San Antonio Air Logistics Centers, the Commission was very aware that we were recommending the closure of two very large industrial activities. The Commission's recommendation to consolidate the workloads of these two Air Logistics Centers ''to other DoD depots or to private sector commercial activities as determined by the Defense Depot Maintenance Council'' was intended to give the Air Force and the Secretary of Defense the maximum flexibility to implement the closure of these two Air Logistics Centers in a way that would eliminate excess capacity without harming ongoing Air Force operations and provide the greatest savings. With the exception of the direction to move the common-use ground-communication electronics workload currently performed at Sacramento Air Logistics Center to Tobyhanna Army Depot, the Commission did not direct any of the workload of McClellan or San Antonio Air Force Bases to any specific DoD depot or to the private sector. We felt that the Defense Department was in the best position to make these judgments.

The Commission's review clearly documented significant excess capacity in the five Air Force Air Logistics Centers. Privatization in place of all of the workload of Sacramento and San Antonio Logistics Centers could result in little or no savings to the Air Force by the closures. Further, it might result in privatizing excess capacity rather than eliminating it and could also miss the opportunity to improve the efficiency of other DoD depots by increasing their utilization.

Thank you for your continuing interest in the base closure process.

Kindest regards,

S. LEE KLING.

Mr. INHOFE. Mr. President, this is taken directly out of the BRAC language. It is critical that we find ourselves in a situation where we are going to be able to actively interpret the intent of the BRAC Commissioners. Eight Commissioners, and they used the same criteria everywhere they went. They visited all the installations. They were in Oklahoma. It was very tense. We have five installations in Oklahoma. They went to all of them. These people worked for years to try to come up with conclusions, so I am going to read some of the conclusions they have, and then I would like to yield to the Senator from Georgia, if it is his desire to be heard on this subject.

Mrs. HUTCHISON. Mr. President, will the Senator yield for one question?

Mr. INHOFE. Yes, I will yield for a question, and then I do want to hold the floor so I can conclude my remarks.

Mrs. HUTCHISON. Yes, I understand, and since I was willing to answer any questions you had, I think that is fair.

Mr. President, I understand that the Senator has read a letter from one of the Base Closing Commissioners, Wendi Steele. And I just ask if the Senator from Oklahoma will tell us where Wendi Steele worked just before she went on the Base Closing Commission?

Mr. INHOFE. Where did she work?

Mrs. HUTCHISON. Yes.

Mr. INHOFE. Maybe you can tell me. I know she lived in Texas.

Mrs. HUTCHISON. Yes, Wendi Steele was actually the defense legislative assistant for DON NICKLES. She is from Oklahoma. I don't know if she lived in Oklahoma.

Mr. INHOFE. I think she is from Houston.

Mrs. HUTCHISON. But she worked for DON NICKLES before becoming a member of the Base Closing Commission.

Mr. INHOFE. Can I ask a question of the Senator from Texas? During the time that we approved the appointments by the President of the eight Commissioners, we went through long hearings. You, at the time, were a member of the Senate Armed Services Committee, I believe, and I was there, too. I ask, did you have any objection to the appointment of Wendi Steele as one of the Commissioners during those hearings?

Mrs. HUTCHISON. As a matter of fact, I was very concerned about the appointment of a former staff member of a Senator from a State that was going to be in competition with our State on several bases. I was concerned about it. I asked Ms. Steele at the time if she would be willing to recuse herself, since she was on Senator NICKLES' staff, from any of the decisions that would bear on a base that was in competition with Oklahoma, and she said no. I thought of objecting to her at the time. I decided that I would not object because I hoped that she would be fair and open and honest.

I was concerned when, as a member of the Commission, she was doing the routine tour that Commissioners do of Kelly Air Force Base and she, at the time, said to the commander of the base, ''This is a really nice facility. I wonder what we will be able to do here when all of this is moved to Tinker?''

Now, this was when she was just in the research phase taking the routine

trips that everyone takes, and she had made up her mind that this was going to be moved to Tinker.

So I just think when I read the letters from the five members of the Base Closing Commission that stated clearly that privatization is an option that they meant to leave open in these base decisions, I just wanted the Senator to know what the background was on the letter from Wendi Steele.

Mr. INHOFE. Let me reclaim my time. Thank you very much, I say to Senator HUTCHISON.

Mrs. HUTCHISON. Thank you, Mr. President.

Mr. INHOFE. I appreciate you calling that to our attention. I also, Mr. President, call to your attention the Commissioner in question is a resident—was a resident, I assume is still a resident—of Houston, TX, and she had not been on the staff of Senator NICKLES for some time.

I think when we went through this process of determining whether or not anyone was prejudiced on that Commission, I asked every Commissioner questions. I asked them: ''Are you going to use the criteria in an unprejudiced manner?'' And they all responded yes. There is not one person who objected to Wendi Steele.

I will also say, I also quoted extensively Lee Kling. I don't believe Lee Kling was ever on Senator NICKLES' staff.

I want to yield to the Senator from Georgia, but since it is so critical we know what the intent was, not just by reading the reports from the Commissioners, let me just go ahead and read a few things that actually came from the BRAC commission report. These are quotes, Mr. President, if you will bear with me for just a moment.

> . . . significant excess capacity and infrastructure in the Air Force depot system requires closure of the San Antonio ALC.

They addressed separately the question in California. But the point here is, I keep hearing, don't worry about it, they are already closed. No one is going to be naive enough to say by closing it, they didn't fully intend to stop the excess capacity from taking place in Texas and in California. It was assumed that that would take place.

Second:

> . . . closure of the San Antonio ALC and related activities in Kelly AFB, including the defense distribution depot and information processing megacenter, permits significantly improved utilization of the remaining depots and reduces DOD operating costs.

Third, another direct quote from the BRAC committee:

> The Commission found the cost to realign Kelly AFB to be less than that estimated by the DOD and the annual savings to be significantly greater than DOD's estimate.

I heard someone, I believe it was the Senator from California, just a short while ago make a statement—maybe I am not attributing that to the right person—saying that the GAO study did not take into consideration relocation. The GAO study clearly did take into consideration relocation.

Quoting further:

> The Commission assumed that a depot closure and consolidation of work would permit a personnel reduction—

Listen, Mr. President—

> of 15 percent of selected ALC personnel and a 50 percent reduction in management overhead personnel.

Further quoting:

> The decision to close the San Antonio ALC is a difficult one, but given the significant amount of excess depot capacity and limited defense resources, closure is a necessity . . . The San Antonio ALC closure will permit improved utilization of the remaining ALCs and substantially reduce DOD operating costs.

I could go on all day with these things. There is a lot of redundancy here. But it clearly expresses to us what their decision was and what they meant.

The Commission staff presented data indicating large annual savings could be realized by consolidating engine maintenance activities at Tinker Air Force Base, OK. Both Kelly and Tinker are operating at less than 50 percent of their engine maintenance capacity. * * * The Commission urges the Air Force to consolidate engine maintenance activity at Tinker to reduce excess capacity. The Commission firmly believes that consolidation of engine activities will result in lower costs and increased efficiencies.

Again, Mr. President, there can be no doubt that even if you tried to isolate certain things that were said or maybe a rumor that was heard down in Kelly Air Force Base, I do not think we should be talking about statements that cannot be documented and rumors that someone said this or someone said something else.

If you just stop and realize, if you have five ALC's operating at 50-percent capacity, and you close two, and, as the bill calls for, you do not privatize anything in place there until the remaining, more efficient—according to the BRAC process—certification of ALC's located in Oklahoma and Utah and in Georgia are operating at a minimum of 75-percent capacity, I do not care if it is 65 percent, but the bottom line is anyone who has any business background knows that you cannot operate at 50-percent capacity and do so efficiently.

I do not think we need to attack the integrity of the independent commissioners. I feel that people like Wendie Steele and Lee Kling and the rest of them have spent time, their valuable time—sure there is compensation, but there are very few people who would be willing to take 2 years out of their lives to do nothing but evaluate the operation of literally hundreds of military installations.

Now, I have a lot more things to talk about. I would like to yield to the Senator from Georgia. You know, I commented several times, as he sat in there with us in the Senate Armed Services Committee, that this not a partisan thing. This is about defending America.

So I yield the floor.

Mr. CLELAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CLELAND. Will the Senator from Oklahoma yield?

The PRESIDING OFFICER. The Senator from Oklahoma yielded the floor.

Mr. CLELAND. Mr. President, I missed some of the discussion of the Senator from Oklahoma. I would like to just highlight some points that I will mention about this discussion.

I say to the Senator, I am a newcomer to this basic issue here, but you have been involved from the beginning of the BRAC process, all the way through.

Was it your understanding when this process was set up to close bases, that that was exactly the intent of the entire process, to indeed close bases, and that this issue of privatization in place came along some time afterward as possibly something that was new to the process and has actually thrown that process off track? Is that your understanding?

Mr. INHOFE. That is my understanding.

Before the Senator from Georgia got in here, I commented on several of the States. For example, Indiana, where the presiding office is from, he lost, and did so with grace, as much grace as he could, a major installation in Indiana.

Our own chairman, Senator THURMOND, I mean, no one, no one can have more political influence to stop the closing of a base in his home State than the chairman of the Armed Services Committee. And Senator THURMOND was willing to say, all right we have to bite the bullet.

The big issue here is, we need to use the money that is used on excess capacity to be spent on such things as modernization, quality of life, on readiness, on force strength. These are the things that we need to be talking about.

So, yes, the whole thing on privatization in place, it was anticipated someone might bring it up. So the GAO in their report, when they came to the conclusion that if you privatize that excess capacity in place in Sacramento and in San Antonio, it is going to cost the taxpayers, and I say cost the defense system, because that is what it is going to come out of—$468 million a year. Over the 5 years, they said that is $2.34 billion.

In further responding to the Senator's question, I would say, you sat there in those committee meetings when we had the service chiefs in there and said, ''Where are we going to come up with the money if we don't carry out the recommendations of the BRAC system?'' We have to come up with several hundred million dollars. Is it going to kill the force stream and quality of life and come out of modernization. ''Where is it going to come from?'' What did they say? They said, ''We don't have anything for it to come out of.''

Mr. CLELAND. I ask the Senator, is it your understanding, if this privatization in place policy stands—of course, the bill reported out of the Senate Armed Services Committee does not prohibit privatization. It just prohibits this policy which has thrown the BRAC process off track in terms of their logistics centers.

Mr. INHOFE. That is a very good point.

In fact, several people, who would like to have us believe that—referring to the privatization in place—very conveniently leave out one sentence when they talk about realigning Kelly Air Force Base, including the air logistics center. The last sentence says, ''Move the required equipment * * * [and any required personnel] to the receiving locations * * *.''

That means not there. Do not privatize excess capacity where you maintain the problem of having five locations, each operating at 50-percent capacity. It is very, very clear.

Mr. CLELAND. I ask the Senator, isn't it true that if the action follows, that is, the privatization-in-place policy, that we have heard testimony—you and I were in the subcommittee listening to the testimony from the Air Force—that if you followed the privatization-in-place policy, rather than just sheer privatization, it begins to thwart not only the BRAC decision, but it begins to obscure the whole concept of privatizing to begin with, and that when the Air Force talks about competition, say, competing for the C–5–A workload, they put qualifications on it in order to adjust to the privatization-in-place requirement and require that work to be done for the C–5–A workload at Kelly, and that absolutely compromises, I think, the whole sense of competition between an air base, say, like in Warner Robins—it is going after that workload—and a private contractor?

Isn't it your opinion that if we do not get rid of this privatization-in-place policy, we will end up with five air logistics centers, which is not the desire of the BRAC Commission, but three will be publicly run by the Air Force and two will be private, costing the taxpayers hundreds of millions of dollars? Is that not right?

Mr. INHOFE. You know, that is one of the three bottom lines here. It is just so logical that if you have five operating at 50-percent capacity—as they said in this overdraft quoted out of their report; they said it over and over again—you have to close two and transfer the workload.

Now, the whole idea of privatization came up—and I hate to say it, but it was highly political. We all get political right before an election. This is what happened right before the election. And it happened out in California. There are a lot of electoral votes in California. The administration said: ''We want to privatize in place.''

But clearly you are right. The Senator from Georgia is exactly right. That does not resolve the problems.

A minute ago I said there are three bottom lines. That is one bottom line. Another bottom line is the fact that this is a national defense issue. How can we be sure that if there is a war, if Iran decides they are going to use some of that technology and the systems they are getting out of China or Russia and go to war with us, that we are going to be in a position to fight that war? It is a national security issue so that if we do get in a war, we will not become dependent, for those core activities, on a private contractor.

You know, I am all for privatization in place. But that is the other issue.

The third, of course, is cost. Those who say that GAO did not consider privatization in place, they did. The GAO was before our committee. You were there with me. We sat there for several hours. We cross-examined this gentleman. He said, and repeated over and over again, ''Yes, the costs. It is going to be to the taxpayers or to the defense system. We proximate $468 million a year.'' Then I said, ''Is that old information? Is that new?'' ''No; we brought it up to date.''

So that is their current position. That is their past position. The GAO was set up to be an independent agency to evaluate these things free of political interference. They came out with this, that third-cost thing. The Senator from Georgia knows the problems that we are suffering from right now in our defense system. He knows that we cannot come up with $2 or $3 billion and take it out of something that is existing. So the Senator from Georgia is exactly right.

Mr. CLELAND. I say to the Senator, you and I both sit on the subcommittee. That point is well-taken, that regardless of some of the aspects of this issue, which can be kind of arcane, when you start talking about air logistics centers, the bottom line is, are we going to fulfill the goal of the BRAC Commission, and that is have three air logistics centers, lean and mean and working at full capacity and ready to go in terms of the readiness of our forces? That is the bottom line. If we compromise the BRAC decision, then we will not have three air logistics centers lean and mean operating at full capacity really ready to do their job in a time of conflict and combat. That is one of the things that really concerns me about this whole issue.

Mr. INHOFE. I respond to the suggestion of the Senator from Georgia that in capacity, there is potentially enough capacity so there will be a public depot in the event of war and have some capacity to grow into it. That is the reason that, again, it is somewhat arbitrary as to whether it is 75, 80, or 85 percent. The GAO again said that you should operate the three remaining air logistics centers somewhere between 75 and 85 percent capacity to leave enough capacity so that, as the Senator suggests, in time of war we would have that capacity and then we would be at full capacity. Clearly this is a national defense issue.

Mr. CLELAND. I appreciate the Senator from Oklahoma and his leadership on this point and his concern for readiness of our forces, readiness of our air logistics centers to do the job, the ability of those centers to do the job economically and effectively, which in my reading of the BRAC process was part of the reason for the process even occurring, and that he marshaled great facts and arguments for the committee bill here, which I support, which does not eliminate privatization, it just eliminates an absurd policy that is costing the taxpayers of this country hundreds of millions of dollars and is inefficient, ineffective, and ultimately weighs down and compromises three outstanding air logistics centers.

I just want to thank the Senator for his leadership and his scholarship on this issue. I will be supporting him on a vote.

Thank you, Mr. President.

Mr. INHOFE. Before the Senator yields the floor, I would like to respond, in a way. We are talking about this as being a major national defense issue. That is what it is really all about.

I am deeply concerned because I understand, certainly not as well as some of the others around here, that the Senate rules do provide that any one Senator can stop the train, can stop and can kill a bill.

I see Senator THURMOND down there, the chairman of our committee, the hours that we put into this thing. I just hope that those who disagree with one small part—this is a tiny part of this bill. We have pay raises for our guys in Bosnia. We have modernization programs in there. We have barracks that are starting construction right now that we have to continue. We have literally hundreds of things that are totally out of this realm, not associated with the depot maintenance, that are in this bill.

So I just hope that those who are opposed to this part or any part of the bill would not use the Senate prerogative that each Senator has to stop the bill altogether so that we will not have the defense authorization bill, but merely offer amendments to take out those parts that they find offensive. I am prepared to debate against such amendments that might cause this to come out.

So, I just respond by saying, I hope that you share my concern that we do not want to hold up the defense authorization bill. Let us go ahead, as Senator THURMOND had suggested in a meeting yesterday and said we have a good bill here. A lot of good things are in it. If somebody does not like some provision, they have every right to stand here on the floor and argue that case and be as persuasive as they can to take that out. I think that is the process, for the sake of America's defense, that should be used.

I assume the Senator from Georgia would agree with that.

Mr. CLELAND. The Senator from Oklahoma is absolutely correct. I support him 100 percent on that point. And the great chairman of our committee is absolutely correct; if there is anyone who disagrees with portions of this authorization bill, offer an amendment to delete it. But to hold up the whole bill is wrong.

Second, I am the ranking Democrat on the committee that deals with personnel in the military, particularly with quality-of-life issues. There are many things in this piece of legislation that we are about to discuss, like the 2.8 percent pay rate increase in barracks housing and housing for families on many bases and an increase in aviator pay, to recruit and retain the best pilots and service men and women.

There are many things in this bill that our soldiers and sailors, airmen, marines, coastguardsmen out there really need. I hate to see this bill run aground on this particular point that we have been debating.

So the Senator is absolutely correct. I support him 100 percent on that point.

Mr. INHOFE. Of course, the Senator from Georgia being the ranking member of the Personnel Subcommittee, and Senator KEMPTHORNE, being the chairman, as I go around and make the base visits, it is very distressing. You mentioned flight pay.

We are losing our quality pilots to the private sector because there is a great demand out there. How can we compete, when these guys are willing to do it? They want to fly the F–16's, the F–14's and the F–18's, and the equipment we have, the heavy equipment, the B–1's and B–2's, and so forth, but they also have families and they have children and we have to provide them with the pay that is somewhat competitive. We are way below that. However, you are able to get in some provisions that will, I think, retain some of these pilots.

Right now we are in the middle of an incredible housing shortage and we have troops on food stamps, we have housing that they would not let prisoners live in.

We have a lot of improvements here due to your hard work and that of Senator KEMPTHORNE. To jeopardize all of that work just because of one small provision—I suggest there are some things I do not like in this bill. If I do not like them I will offer an amendment to take it out. That is the process. I just hope we can follow that process.

Mr. BENNETT. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. BENNETT. I will not prolong this particular debate about depots, but I was passing through and heard it going on and could not resist the opportunity to make some comments about it. The issue clearly will be debated at greater length and I will have more statistics and information at that time.

The point I want to make in this context has to do with the issues raised by the Senator from Georgia and the Senator from Oklahoma regarding readiness and capability in the depots. It is the corrosive effect of a depot operating at less than full capacity or even approaching full capacity.

If I may, I will share with the Senate my experience at Hill Air Force Base where we have the air logistics depot that was rated No. 1 during the last BRAC process. Let it be understood there were five depots that BRAC looked at, and according to the ratings that were given these depots, Hill Air Force Base was rated No. 1, McClellan Air Force Base which BRAC said should be closed was rated No. 5, and Kelly Air Force Base, which BRAC said should be closed was rated No. 4.

However, the expected shift of workload from Kelly and McClellan to the surviving three has not taken place. At the Hill Air Force Base they are now down to about 52 percent of capacity. There has been a lot of conversation here about how inefficient and expensive that is. I agree with all that conversation. It is ineffecient and expensive. But it is more corrosive than that in terms of what it is doing to the personnel on whom we will depend at some point for support if there is a war.

The work force at Hill is aging. As people leave, they are not replaced. Why should they be—the capacity of the base is not being used, so as attrition comes along and people leave, they are not replaced. The people who are looking toward retirement in the next 5 to 10 years recognize they will not be replaced if this capacity problem is not solved. Their morale is down. When they speak to the people in the surrounding community who might want to apply for jobs, be trained and acquire the expertise that we will need, the present folk tell them, quite understandably and logically, ''Don't bother. Don't come to work here. The Air Force has no loyalty to its personnel. The Air Force has no loyalty to this depot. They have done everything they can to close the depot by keeping work spread out at other depots around the country.''

The time will come, and it will come relatively soon in terms of international defense issues, that is, within the next 5 to 10 years, when we will not have a work force at all. These people will have retired, they will have left, no one will have come in to be trained, and the Air Force will suddenly sit there and say, who can we get to do this work at virtually any price, at any place? Depots do not manage themselves. It takes people. Problems do not get solved by facilities, it takes people.

The process the Air Force is following in this privatization in place procedure is corrosive and destructive of not only the morale but the skills of the people at each one of these depots. We would not have this problem at Hill Air Force Base if Hill Air Force Base were operating at 75, 80 or 85 percent of capacity. People would be busy doing productive, worthwhile things.

Now they are painting rocks—not literally, but figuratively. I have been in the Army. I know what happens when the drill sergeant has you for the afternoon and has nothing for you to do. He requires that you go out in front of the barracks and pick up all the rocks and paint them and then put them back. That is not a really good morale experience to go through. I have gone through that. I think just about anybody who has gone through training in the American military has had that kind of experience from time to time. You want to spend your time in worthwhile activities, in real training, but they have you for the afternoon, they do not have anything for you to do, and military life being what it is, they will not let you go, so the top sergeant has you out there painting rocks. Well, figuratively, many of the people at Hill Air Force Base are drawing their full salary, charging the taxpayer the full cost, but they are painting rocks. Why? Because the work they should be doing is still being done on the bases that the BRAC ordered to be closed.

We can talk about the price, we can talk about the money that is being wasted, we can talk about the inefficiency, but we should not lose sight of the corrosive impact on the morale, the expertise and the ultimate future of the work force that will be necessary to keep this country alive and strong in the defense in the future.

I hope the members of the Armed Services Committee who address this issue keep this in mind, along with all of the other issues. We are arguing about jobs and where they will be. We are arguing about dollars and where they will be spent. However, we are in an exercise created by the Air Force's refusal to abide by the requirements of BRAC, that is terribly corrosive of the work force, and ultimately the readiness capacity of this Nation.

It is very difficult to measure but that does not mean it is not real. It is very difficult to pin down in specifics, but that does not mean it is not serious. It is real. It is serious. It is going on, and the BRAC process must be implemented as quickly as possible in order to stop it.

Mr. THURMOND. Mr. President, the Senate has a very able majority leader. It is his business to take matters up after the committees have acted and to get action one way or the other. The Senate Armed Services Committee has brought forth a bill here. It is ready to be acted on. Why is this delayed? Some Senators are not pleased with what it contains.

Now, any Senator who is not pleased with any portion of this bill and wishes to amend it or repeal it has an opportunity to offer an amendment to do that. But to say to the Senate, we are going to object to even taking up the bill, even considering the bill, and holding up the work of the Senate—isn't it reasonable to go forward with

this bill, let amendments be offered, let them be acted on? That is the democratic way.

Now, the Senate Armed Services Committee passed this bill out unanimously. Every member of the Senate Armed Services Committee voted for it. Every Republican and every Democrat voted for it. It cannot be too bad a bill in view of the unanimous support it has received.

Again, I repeat, any Member who is dissatisfied with any portion of this bill has an opportunity to offer an amendment to the bill to their liking. I hope the objections to going forward with the bill and considering it will be discontinued and we can proceed with the welfare of the Senate which is to take up this bill and act on it.

I yield 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. GRAMM. 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. GRAMM. Mr. President, I came down at noon with my colleague from Texas, Senator HUTCHISON, and objected to bringing the Defense authorization bill to the floor of the Senate under unanimous consent. I then rushed back to the Finance Committee where we were finishing our markup on Medicare, Medicaid, and welfare reform. I did not have an opportunity when I raised the objection to explain exactly what all of this is about. I wanted to come over very briefly and do that now.

Let me say I once had the great privilege of serving on the Armed Services Committee. I have always been a strong supporter of national defense. My dad was a career soldier, a sergeant in the Army. I was born at Fort Benning and I have always had a special place in my heart for people who wear the uniform of the country. So it produces no great happiness in my heart being in a position of holding up this bill.

Let me also say that I never like to do anything that brings distress to the chairman of this committee, Strom THURMOND, who is the greatest man that I have ever served with in public life.

However, let me explain to my colleagues why this issue is so important, although I do not want to get into a debate today about the issue. I am hoping we can work something out. I am hoping that reason and fairness will prevail, and like everything else in life, if you look at something from a different perspective, you see it differently. I do not have any doubt that our dear colleague from Oklahoma in his heart sees this thing differently than I do. I think one of the things that has helped me in public life is what an old Virginian, Thomas Jefferson, once said, ''Good men with the same facts are going to often disagree.'' So I never try to get personalities involved with issues.

This is about what we want to achieve, in some cases for our States, in some cases for the country. Let me tell you how I see the issue. This is an old issue, in the sense that it has been building for several years. It started in the House with a group called the Depot Caucus. This is a group of Members of Congress who have depots in their district. For those who know more about trains than they do about military maintenance, a depot is a Government-owned facility where Government employees do work for the Defense Department—primarily work in maintaining defense systems.

Now, we have had a longstanding debate about whether maintenance work ought to be done in depots, or whether it should be done by the private sector. You will hear people argue on both sides of the issue. Some people will say only these depots can be relied upon to maintain weapons systems that were built by the private sector, not the private sector. We have gone through three base closings, and we have now closed five bases in Texas.

I was an original cosponsor of the base closing commission. I voted for the commission reports that closed all of those bases. I hated it. It seemed to me that we were penalizing the very people who won the cold war, but I understood it had to be done. Let me say to my colleagues that I am for another round of base closings. We have cut defense by a third; we have reduced the number of military bases by 18 percent. We have more Army nurses in Europe than we have combat infantry officers in Europe. Tell me that makes sense. We have a huge bureaucracy that was built in another era, for another time, for another conflict. And we all love parts of that bureaucracy. Part of it is in our State. But it is profoundly wrong for the country, and we have to have a bureaucracy that fits the military we have now.

So I am not here trying to defend a base in Texas, Kelly Air Force Base. That is closed. It is closed. The case is over. I voted to set up the commission that closed it and voted for the report that closed it, even though I wish we had closed a base in someone's State who doesn't support defense as much as I do. So the issue we are debating here is not trying to keep a base open. It is going to be closed. I don't want to reverse the decision. It is done. I wish it had been decided differently, but it wasn't.

Now, the issue before us is a very simple issue. The Defense Department, the Secretary of Defense, the Secretary of the Air Force, and those involved in procurement believe that we can save tremendous amounts of money through price competition. Surely, in America, that is not a revolutionary concept. What the Defense Department wants to do is to have competitive bidding between the three depots in the Air Force that are doing maintenance work and private contractors. I should also point out to my colleagues that my State, when Kelly is closed, will lose a minimum of 7,000 jobs that will go to the other three depots—7,000 jobs.

Now, what Senator HUTCHISON and I want is simply to allow private contractors in our State or anywhere else to have the right to compete for this work and, if they can do it better, if they can do it cheaper, they would have an opportunity to do it. Quite frankly, the Air Force believes that we could have savings in the range of 20 to 25 to 30 percent by having price competition and by choosing the depots through Government employees to do the work when they are cheaper and choosing private companies to do the work when they are cheaper.

I remind my colleagues, given that defense has been cut by a third since 1985, it ought to be welcome news that we can save that kind of money. We currently have a proposal out to privatize the maintenance of the C–5, the great big transport plane that is operated by the Air Force. We have all seen it or seen pictures of it; it is big. Now, that was a function at Kelly. So what the Air Force wants to do is to put it out for bids, and if one of the depots can do it cheaper, to move it there, or if a private contractor can do it cheaper, take the facility that has been turned over to the City of San Antonio and lease it to a private contractor, or even let a private contractor in any other city in the country do it, if they can do it cheaper.

Now, the bill before us says that that contract would have to be stopped, that you could not have competitive bidding until the depots were operating at 75 percent of capacity, which would be most of all the work that exists in the Air Force today, so in effect there would never be another competitive bid. And it says, even if you had a competitive bid, nobody using facilities that used to be Kelly Air Force Base, or used to be McClellan Air Force base in California, could compete.

Now, I understand give and take. I understand compromise. But I don't understand knocking people down and stepping in their faces. That is basically what we are talking about here. Now, if we were simply talking about Texas' interest, I am for Texas' interest. I get paid to represent it, and I try to do a good job at it. But the reason that I am adamant about this subject is this is not just Texas, this is America. Why should we not have price competition?

I would like to remind my colleagues, when I was on the Senate Armed Services Committee—and two of my colleagues here sat with me every day I was on that committee—I always supported competition, I always supported privatization, and I always supported it, even though my State might have benefited if we had stopped competition, because it is something I believe

in. It is fundamentally important to America. I know we have people who stand up and say, well, we can't contract out maintenance for the F-l6. You could not trust somebody who didn't work for the Federal Government to maintain the F-l6. Our freedom depends on it. Well, who built the F-l6? Private contractors. The plain truth is, if Government defense without the involvement of the private sector really worked, we would have lost the cold war.

My point is this: We ought to have it as a matter of policy, and since I am standing on our side of the aisle, let me speak as a Republican. If Republicans believe in anything, it is competition. If Republicans stand for anything, it is that when we are spending the taxpayers' money, we ought to do it as efficiently as possible. We ought not to be concerned about where somebody lives that can do the work cheaper. We ought not to be concerned about what their gender is or their ethnicity. We ought to be concerned about the work they can do, the quality they can provide, and what they are willing to charge.

I have tried to break this impasse. Let me explain what I have proposed and why I think it is more than reasonable, bending over backward, and then I will yield the floor. Obviously, if you wanted to be reasonable on this issue, you would simply say to the Defense Department, look, here are a set of criteria for looking at a fair competition with a level playing surface. Let me say, with all due respect, to the depot caucus in the House, the only fair competition to them is no competition. The last thing on Earth they want is competition. But we could set out simple criteria for a level playing surface to have competition between the public sector and the private sector to do this work. What we ought to do is to do that scrupulously and choose the low bidder for the highest quality and get the most defense we can for the money we have. That is logic.

To try to break this impasse, I have made the following proposal. Have competitive bidding after you first set out the criteria for competitive bidding. If you want to look at the cost of the facilities they are using, to make adjustments for it, then look at everything—look at retirement costs, look at every single cost, come up with a way of measuring it, and have a competition. And then, even if the depots lose the competition by less than 10 percent, give it to them anyway. In other words, let's say that we can maintain the C–5 through a Government depot for $109 million, and let's say that a private contractor can do it for $100 million. What I have said is, to try to break this impasse, cheat the taxpayer out of $9 million. Give it to the depot. But if the private sector can do it for more than 10 percent less, give it to them.

Now, what that is saying is that the depots will win any close competition. If they are no more than 9.99 percent higher, they win. But if the private sector can do it for 10 percent or more less, can it be prudent public policy, can it make any sense to deny them the right to do that work? I think the answer is no. That has been a proposal that I have made.

Some people have answered, well, you won't have a fair competition. The Air Force will cheat us. I am willing to try to set out criteria. I personally don't believe any of us are so important that the Air Force is out to cheat us. I have never believed in conspiracies. But the point is, all I am trying to do here is not keep a Texas base open. It is going to be closed. But what I want the workers there to have a chance to do is to go to work for private companies that might have a chance to compete for work. So I am not asking for anybody to give anything to San Antonio, TX. But I am demanding that we have an opportunity to compete. A problem we have here is we have a bill that bans that competition. And then we are going to conference with the House, which basically has the approach that whatever money there is belongs to us and we are not worried about how efficiently it is spent, and this is really defense welfare anyway.

So what I am trying to do, and what I would very much like to do to move ahead, is to try to work out an agreement on the principle of competition, something we believe in, something that clearly works, and I am willing to give an edge to the Government. But I think a 10-percent edge is more than generous. I don't think most Americans would agree with that, especially when many of the people competing are small, independent businesses. But, again, I mention this not because I think it is what we ought to do, but what I am willing to do to try to break this logjam. So I thought it was important, having run over here from the Finance Committee and objected and then run back without having a chance to say anything, to get an opportunity to explain why this is important.

This is a critically important issue. I feel like Senator HUTCHISON and I have not been treated fairly on this issue. I believe there is a fundamental national objective here, and I see it as the competition between special interests and the public interest and, in this case, the public interest is also the Texas interest. When you combine the two, I am getting paid twice to do the same work. So I want to be sure that I do it well. That is what this whole thing is about.

Again, I want to apologize to my colleagues for inconveniencing the process. I know they want to move ahead with their bill. But I know that each of them, from time to time, have found themselves in a similar position.

Thank God the Founding Fathers set up the Senate where one Member does have power; where one person can stand in the face of large numbers of others and say, ''no.'' Ultimately, they can be run over, but they can't be run over for a long time. I think we all benefit from that.

So I am simply taking advantage of the rights I have as an individual Member, as any Member here would, I believe, under the circumstances.

I thank my colleagues for listening. I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, are we at the moment in morning business?

The PRESIDING OFFICER. We are on S. 4.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that S. 4 be set aside and that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE WAYNE, NJ INTERIM STORAGE SITE

Mr. LAUTENBERG. Mr. President, I rise to express my objection to a provision in the defense authorization bill that is expected to shortly come before the full Senate.

The reason that I take this time now to bring this to the Senate is that it is a matter of great urgency. This is the kind of thing that I think citizens throughout the country will automatically rebel against. This is kind of a shock treatment that every now and then happens here that ought to come to the attention of the American public because it is such a flagrant example of the abuse of power, and the power belonging to a corporation with a good friend inside this body.

The provision I am objecting to is one of the most flagrant examples of special interest corporate subsidy that I have ever witnessed in my roughly 15 years in the U.S. Senate. This provision is section 3138 of the defense bill, will have the effect of exempting a company called W.R. Grace—a company that has contributed to a hazardous wastesite in my State of New Jersey—from any further liability at this site.

Mr. President, this provision was written to get W.R. Grace off the hook—out of any responsibility for pollution that they created, out of the obligation to pay for it, thus passing the buck to the American public. This company contributed to this hazardous wastesite in the State of New Jersey, and now the bill includes this reference that excuses them from any further liability for pollution that they created at this site.

The provision effectively grants a special exemption for this company from a law known as the Superfund law, the law which embodies the concepts that the polluter should pay for the pollution and contamination that they created. It is fundamental. The

Superfund law, which I am proud to have helped write, provides the Government with the tools to go after the polluters who are found to be responsible for the waste.

Mr. President, this provision was inserted in the dark of night without any consultation with this Senator who has worked for so many years to get this site cleaned up; and who has been chairman of the subcommittee on Superfund in the Environment and Public Works Committee and is now the ranking member. Though I am not involved directly with the Armed Services Committee, the fact of the matter is that everyone who is here knows that I have been very much involved in helping to create the Superfund law and making sure that we clean up contamination in our country. But here, even the professional staff, the Democratic staff of the committee, was unaware of this section's insertion and were not given any opportunity to review the provision.

This provision is a sneak attack on the environment, on the taxpayers, and on the legal process. This provision says to the taxpayer, ''Too bad for you, taxpayer. We will let a corporate polluter off the hook because this polluter has some special friends in the U.S. Senate. Oh, and by the way, taxpayer, this dump has to be cleaned up. Somebody has to pay for it. So I guess it is going to be you. The most it can cost you, taxpayers, is $120 million. But it saves Grace that money.

So that should make us all feel good, I guess.

I want to explain a little bit about the Wayne Superfund site.

From 1948 to 1971, thorium, a highly radioactive material, and other materials, were extracted at the site that was later owned by W.R. Grace & Co. in Wayne, NJ. The process of mining thorium resulted in contamination with radioactivity of numerous buildings. When the contamination was discovered these buildings were torn down. The resulting waste material was placed in an enormous dump site in Wayne Township, NJ. The Environmental Protection Agency placed this dump site on the Superfund National Priority List in 1984. They said it was one of the worst contaminated sites in the country because this site would potentially threaten the drinking water supply for 51,000 New Jersey residents. The Department of Energy, which oversees the cleanup of this fund under a program that they call FUSRAP, the Formerly Utilized Sites Remedial Action Program, has spent over $50 million so far cleaning up this site. The Department of Energy says that the ultimate cleanup may cost as much as $120 million.

In 1984, W.R. Grace turned over the property and $800,000 to the Federal Government. That year, W.R. Grace signed a legally binding agreement with the Federal Government which provided explicit assurances that the Government could still pursue the company under any law, including the Superfund law. So when the Federal Government put down the $800,000 deposit, that didn't permit them to escape any further liability. W.R. Grace signed the agreement to confirm that.

As the Department of Energy began to clean up the site and to further study the extent of contamination, it soon realized that the cleanup costs were far beyond what they originally believed. In 1996, the Justice Department, acting on behalf of the Department of Energy, began serious discussions with W.R. Grace to determine the extent to which the company might be willing to contribute additional costs to pay for this massive cleanup.

I was assured that these discussions were proceeding in good faith and that progress was being made. But then I found out about this outrageous breach of the legal process to which I believe the company would be seriously committed either by negotiations or tested in the courts of our country.

Mr. President, the residents of Wayne Township are outraged. They feel betrayed by the democratic process, and I share their outrage and disappointment. I am going to be introducing an amendment to remove this provision from the bill and to defend the concept embodied in our law that says that you create the mess, you clean it up; you can't walk away, or, in this case, sneak away from your responsibilities.

Mr. President, I ask unanimous consent to have printed in the RECORD copies of letters from the Department of Energy written in 1995 which show DOE's efforts to get W.R. Grace to come to the table.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF ENERGY,
Washington, DC, November 20, 1995.

Mr. JEFFREY M. POSNER
Corporate Risk Management Department, W.R. Grace and Company, Boca Raton, Florida.

DEAR MR. POSNER: I am writing to determine the willingness of W.R. Grace and Company to contribute to the continued cleanup of the former Grace property located at 858 Black Oak Ridge Road, in Wayne, New Jersey. From 1957 to 1971, the facility was operated by the Davison Chemical Division of W.R. Grace. Grace continued to own the site until September 1984, when the U.S. Department of Energy acquired the property to facilitate a decontamination research and development project. Congress directed the Department's involvement in this project through the Conference Report accompanying the Energy and Water Development Appropriation Act for Fiscal Year 1984.

The Office of Environmental Management of the U.S. Department of Energy is currently conducting the cleanup of the site, also known as the Wayne Interim Storage Site, under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The total cost of the cleanup may exceed $100 million, depending on the final remedy ultimately approved by the Environmental Protection Agency

As you know, the owner of a site at the time of disposal of hazardous substances at the site is responsible under CERCLA for remedial action costs. Thus, Grace, a former owner of the Wayne property, has a legal duty to pay for the site's cleanup. In addition, there has been continuing congressional and local interest in pursuing CERCLA cost-recovery actions against potentially responsible parties. Recently, the Department has received specific requests from elected officials, including Senator Lautenberg, Congressman Martini, and Wayne Township's Mayor Waks, that the Department review possible legal actions seeking appropriate cost recovery. We expect congressional and public interest in this issue to continue.

We believe that it is in the best interest of the local stakeholders and American taxpayers to discuss with your company appropriate ways to avoid litigation and ensure that resources are applied directly to the prompt cleanup of the site rather than to courtroom activities.

I will be calling you in the near future to discuss this matter further. If you have any questions, feel free to contact me at 202–586–6331 or have a member of your staff contact Mr. Steven Miller, of the Department's Office of General Counsel, at 202–586–6947.

Sincerely,

James M. Owendoff,
Deputy Assistant Secretary for Environmental Restoration.

DEPARTMENT OF ENERGY,
Washington, DC, November 24, 1995.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: In my September 29, 1995, letter, I advised you that the Department of Energy would look into the matter of seeking cost recovery against potentially responsible parties for cleanup of the Wayne, New Jersey, site.

After consulting with the Office of the General Counsel, my office has initiated discussion with W.R. Grace and Company to assess their willingness to contribute to the cleanup of the Wayne site. If these discussions are successful, W.R. Grace's cooperation could enable the Department to expedite the overall cleanup schedule for the site.

If possible, we would prefer to avoid time-consuming and costly litigation so that available resources are focused on cleaning up the site. If discussions with W.R. Grace are unsuccessful, we will consider other options including requesting the Department of Justice to initiate formal cost-recovery actions.

We share your goal of pursuing opportunities to expedite the cleanup activities at Wayne. As one example, the Department began removal of the contaminated material in the Wayne pile through an innovative total service contract with Envirocare of Utah. We want to thank you for the enormous support that you have provided over the years to bring this project to fruition.

If you have further questions, please contact me, or have a member of your staff contact Anita Gonzales, Office of Congressional and Intergovernmental Affairs, at (202) 586–7946.

Sincerely,

THOMAS P. GRUMBLY,
Assistant Secretary for Environmental Management.

Mr. LAUTENBERG. Mr. President, it is a strange anomaly that the name of this company, W.R. Grace, is the name of—I am not sure whether it was the founder—but the name of someone who helped build this big company. It is also the name of someone who wrote a report that was officially called ''The Report of the Grace Commission'' in which they talked about how you reduce Government inefficiency, reduce

costs, and cut down the size of Government and get those bureaucrats off our backs—all of those words. But now this company said there is one way to resolve problems, and that is to hide behind a good friend's efforts, whoever that friend may be, and get it off the hook for possibly—$120 million.

We can't find enough money around here at times to take care of essential programs. We are cutting back Government as much as we can. We are trying to arrive at a balanced budget in the year 2002. And we struggled here not too long ago to try to get disaster relief money into the hands of people whose homes were torn apart, whose families' histories wiped out, with many left penniless and nowhere to turn. We had a heck of a time getting those funds to those people.

Here we have $120 million that this Government is liable to have to spend to clean up this site. And what do we do? We let the company duck its responsibilities.

Well, Mr. President, I don't intend to threaten at all. But I will say this: If this section stays in the bill and lets W.R. Grace off the hook, and maybe some other companies, we will have to study it a little more thoroughly. I will stand here, and I will talk. I will read, I will lecture, and I will do anything I can to keep this from becoming law because it is an outright misuse of taxpayers' funds. I am not going to let that happen, Mr. President—not this Senator. And I am sure other Senators will agree with me.

With that, I yield the floor. I thank you. I note the absence of a quorum.

The PRESIDING OFFICER (Mr. INHOFE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WARNER). Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I also ask unanimous consent that I be shown as an original cosponsor of S. 923.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPOT MAINTENANCE

Mr. INHOFE. Mr. President, I would like to just take a couple of minutes to respond to the best of my memory to some of the things that were stated by the senior Senator from Texas [Mr. GRAMM].

First of all, he mentioned that personality should not enter into this. I certainly hope that will be the case. Unfortunately, Mr. President, all too often in both bodies if we get wrapped up in things we honestly believe in, it becomes personal. I do not think this will be the case, certainly in the case of Senator GRAMM. He is a man I have respected for many, many years even before I served in the other body or this body. In fact, I was one of the individuals who strongly supported him in his bid for President of the United States because I thought he was the best choice. And it was not an easy thing for me to do because, unfortunately, our majority leader in the Senate was running.

However, I think some things need to be brought out and some things I have access to because of the fact that I serve on the Senate Armed Services Committee and chair the readiness subcommittee of the Senate Armed Services Committee.

First of all, on this issue of the depot caucus we hear so much about in the other body, I hear some statements attributed to them that sound a little bit extreme from time to time, but I have to say also that that is a group of people with a genuine concern over how depot business should be handled.

All too often we start thinking of parochial concerns, about what is the effect of a certain action going to be on the population of my State, and forget about the fact that there is a reason for a depot and there is a reason for core functions to be performed in a depot. All too long we have gone without a definition of core, and core, Mr. President, as you well know, is those functions that have to be performed to enable us to defend the lives of Americans.

That is what it is all about. When you talk about the depot caucus over on the other side, I did some things in this bill, and, of course, the Chair is fully aware of it because he was there at the time, made some compromises that the so-called depot caucus found very offensive. I agreed to change the 60–40 formula to 50–50. Also, I did something else that not many people really are aware of because it gets a little bit technical but provided for allowing teaming to be done by a public depot. This is extremely significant and it shows that I of all people am not against private sector competition.

The Senator from Texas [Mr GRAMM] talked about this as one of the backbones of the philosophy of the Republican Party and the conservative movement. Certainly no one can do more than I have done in the effort for privatization. The difference that has to be distinguished in this case is you can't privatize business, you can't privatize functions that are necessary for the survival of this country.

Let us just say, for example, that in the F–100 engines which are used in some of our combat machines that are necessary to defend America and we saw performing so well in the Persian Gulf war, that has to be done, we have decided, as a policy for America in public depots. And the reason is even if it costs more money—I do not think it does. I think I can come up with an argument that will say that we can do things more efficiently in some of those functions in the public depots; we are set up to do that. But even if we were not able to do that, there is another reason why they have to be done in the public sector, and that is the strategic interests of the United States, the defense issues.

We have all agreed as the policy of this country that core activities, core functions, must be done by the public sector. And so we established this somewhat arbitrary, which it is arbitrary, 60–40, and I was willing to accommodate one of the very prominent Senators from Arizona on the committee, Senator MCCAIN, and Senator MCCAIN did appreciate that very much. So we changed that, and not only are we going to give the ability to the public depots to team, and that is to go outside and subcontract some work, I am willing to count that in any formula as public sector work, even though it is done by the private sector.

Now, that is a great, I think, compromise that we made in order to accommodate some of the Senators who had concerns, and consequently that Senator is in support of the language that is found in this bill.

So I think that if we could present the argument, there is no way you could give even a 20-percent advantage to the public sector in depot maintenance and still have a level playing field. We are fully aware of the process that is written into our system that allows the disposition of Federal properties to be first offered to the Federal Government, then the State government, then ultimately to local subdivisions such as Tulsa, OK, or San Antonio, TX. And so in the event they at no cost in the case of a San Antonio, TX, are able to acquire Kelly Air Force Base and have that multi, multi-million-dollar facility at no cost, they in turn then can give that to a contractor who will bid with no overhead whatsoever.

Now, that is something with which we cannot compete in Tinker Air Force Base or they could not compete with in any other military installation. And there are many other—I have already talked about this and talked about those things that are in the bidding process which make it so that we cannot do it.

I was a little bit surprised when the junior Senator from Texas was talking about John White. During the committee meetings that we had, John White was not able to answer questions about how to level the playing field and provide for real competition if it is desirable.

Keep in mind, Mr. President, it is not desirable because we have established as a policy that those core functions that are necessary to protect the lives of Americans should be done in public depots. If you do not do that, you are going to have a situation where we can be held hostage in times of war, and we know what that could mean for us.

Given the manner in which competition is structured, everyone already knows that private sector bids will come in well below depots, and there are two reasons why. The private bidders can use marginal pricing. We know what marginal pricing is in Government work. Private bidders, unlike the public sector, are allowed to use

marginal pricing to underprice something to get their foot in the door, and once the foot is in the door we become reliant upon them and then they run off. I am not saying the people who are the private sector are unscrupulous or in any way demeaning what they do. They are out in the competitive world, and they are willing to use their assets to bid below cost just to get in there so that the public sector would no longer have the ability to provide that work. I think the Senator from Utah made a very good point. We are losing that ability today. As the skilled workers, whether they are located in Oklahoma or Utah or Georgia, are leaving, getting into other professions, so we would have—every week that goes by we would have a more difficult time in having this as public sector work that would defend America.

So I conclude, Mr. President—and I do not want to be redundant—by saying that another bottom line is right here. This is a GAO report. The GAO report agrees with what the Air Force initially said on how much money would be saved by closing the two bases and transfer that workload to other ALC's. Then they later on, when this administration took a position against it right before the election, they rescinded that report, but the GAO, which is independent of that political influence, came out and said very clearly if you do it, it is going to cost the defense system an additional $468 million a year. And certainly the man who is presiding right now, the honorable Senator from Virginia, who is one of the highest ranking members of the Senate Armed Services Committee, is fully aware that if we have to somehow come up with $2 billion over a 5-year period to take out of the defense budget in order to accommodate an exception to the BRAC recommendations, where is it going to come from? He will remember very well we had the chiefs of the services there, and we gave them the alternatives. It has to come from quality of life, modernization, force strength or readiness. There are only four places it can come from. We cannot predict the contingencies this administration will get us into that are very expensive. We can predict these, and there is no place we can come up with this money. So this is an extremely important fiscal issue, and I wanted to have the opportunity to respond to the senior Senator from Texas.

Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Mr. INHOFE assumed the chair.)

Mr. SPECTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

ELIMINATION OF VETERAN BENEFITS FOR CAPITAL OFFENSE CONVICTION

Mr. SPECTER. Madam President, it is my hope that yet this afternoon we will be able to take action on legislation cosponsored by Senator TORRICELLI, Senator NICKLES, and Senator INHOFE which would deal with the issue of eliminating veterans benefits for anyone who has been convicted of a capital offense. This legislation was introduced yesterday and is designed to deal with the situation of Mr. Timothy McVeigh, who last week was convicted of murder in the first degree on 168 murders arising out of the destruction of the Murrah Federal Building in Oklahoma City back on April 19, 1995.

I was surprised to learn from my staff on the Veterans Affairs Committee that someone in Mr. McVeigh's situation would be able to receive veterans benefits. There are a wide variety of possible benefits. Exactly which ones apply to Mr. McVeigh would have to be determined, but they are benefits which would include employment training—obviously he cannot do that at the present time—education, other compensation, burial benefits. There was a gap in the law where someone who has been convicted of a number of crimes cannot receive veterans benefits—crimes like treason, sabotage, or espionage—but oddly enough, curiously enough, a conviction for murder in the first degree is not covered.

Senator TORRICELLI had introduced legislation yesterday and so had I. I did not know this when I introduced my legislation and spoke briefly on the Senate floor yesterday afternoon about Senator TORRICELLI's legislation, but I found out about it later in the day and talked to him this morning, and we are coordinating our efforts to produce a joint bill.

I discussed the matter yesterday with the majority leader, Senator LOTT, who said he would work with us to have a prompt determination for the Senate, and we have put it on the hotline, and we are almost complete, with one Senator yet to respond, and there has been a checking now with the administration, with the White House, with the Executive Office of the President, and also with the Veterans' Administration to see if there is any objection. I do not believe that there will be any.

It is my hope we would be able to take action fairly soon this afternoon, or, if we cannot, we may have to put it over until tomorrow. There has been considerable public interest and people expressing surprise that someone in Timothy McVeigh's situation could have veterans benefits and could, illustratively, be buried with heroes from the veterans wars of World War II, Vietnam, Korea, or the gulf war.

So we are proceeding at this time. I wanted to alert my colleagues we are hopeful that bill will come up this afternoon and try to expedite the advice from both the White House and the Veterans' Administration as to their positions. It is my firm expectation that they will not have an objection but would rather welcome this legislation, but I wanted to inform my colleagues of the status at this time.

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. FAIRCLOTH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATIONS TO CIA AND FBI

Mr. FAIRCLOTH. Madam President, I take the floor today to congratulate the Central Intelligence Agency and the FBI for their efforts in capturing the terrorist who killed two CIA officers in 1993.

Many thought when Aimal Kansi disappeared into Pakistan in 1993 that he would never be caught. I believe that our men and women who played a role in his capture deserve our thanks for the brave effort they went through to catch him.

Another critical question that I do not think has been answered is why was Mr. Kansi ever allowed in this country in the first place? Why was he here to begin with? He came here in 1991, apparently well educated, as a Pakistani immigrant. He came here on a business visa. Supposedly, he came here for 1 month. He used false names and passports, and then the INS gave him a 1-year work visa. Of course, the plan was that he wanted to stay here forever. There was never any doubt about what he wanted. He wanted to be here permanently. A year later, he applied for political asylum. The political asylum issue has been abused to a greater degree than anything I can think of. The Clinton administration has made an absolute mockery of the words ''political asylum.'' There are almost 100,000 applications for political asylum each year.

Now, here is the scandal. When someone has applied for political asylum, they cannot be deported. When you apply for political asylum, you cannot be deported. This application is a complete ruse for people to stay in this country illegally. These people can stay here for years. Now, one of the reasons this man sought asylum—if you can get this—and talk about stupidity on the part of this country—is that he is part of a militant group in Pakistan that opposes United States policies. That is the reason he needed asylum, so he could stay in this country.

Mr. Kansi apparently moved about frequently. He worked at gas stations and as a courier in Virginia. Madam President, why do we need people coming into this country to work at a gasoline station and as a courier? Is this

something we really need to grant a work visa for?

Our immigration policies are simply out of control. We have hit a record number of immigrants coming into the country. In fact, so many are coming in that people with criminal records are getting by like they were moving through a sieve. We are filling the country with anybody with any excuse or reason who wants to come. People like Mr. Kansi are getting in by lying, false records, or whatever they want to present. They wind up here one way or another and we simply refuse to send them out.

Our immigration policies are out of control and people are coming without being examined, without being checked. They are here. The World Trade Center bombing is an example. The shooting at the Empire State Building is another. The CIA killing in 1993 is another. All of these acts were committed by people that were willingly let into this country. How many instances does it take like this before we have the common sense to change the immigration laws that we are letting wreck this country?

I think we need to take a hard look at the laws and determine if we are letting people into this country that are prone to commit terrorist acts against the Nation once they get here.

One of the basic problems, of course, with immigration is that we have a more-than-generous welfare system—more than generous. People are coming into this country not to work, but to sit down. They are coming here to become part of our welfare system, not to become part of our work force. When we attempted to change our welfare laws and cut off cash assistance to noncitizens, the Congress got frightened, and we decided it was being too harsh not to give cash money to noncitizens. How cruel could we be not to hand out cash to an illegal noncitizen? We have perpetrated an immigration system that is out of control.

Madam President, we know that there are many people who want to be Americans. Many people want to come here and make a contribution to the United States. We have a long history of immigration. We are all descendents of immigrants from somewhere at one time, except Native Americans. But somewhere we have gone wrong. At one point, people came to this country to work and to labor and be a part of it. But now they come to be a part of charity. I think we began to go wrong when we lost common sense in our immigration policies.

Madam President, I think the problem began when we lost common sense altogether in the Government, and particularly with the welfare programs supporting the things that these people were coming for. Why should we give noncitizens welfare? Why should the Federal Government punish a county or town if they don't print documents in languages other than English? Madam President, we do that.

Why do we have pages and pages of legislative language just to define the word ''work.'' I think anybody that has done a day's work would not need 14 pages of legalese language to describe it. Madam President, again, I want to thank the agents with the CIA and the FBI that played a role in bringing this man back to the United States. They represent what is best about the country. But the immigration laws that allowed Mr. Kansi to get into this country and to stay here represent the worst.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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 [Mr. FAIRCLOTH]. Without objection, it is so ordered.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 934 and S. 935 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SPECTER. I thank the Chair. I yield the floor.

In the absence of any other Senator present, 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 (Mr. SANTORUM). Without objection, it is so ordered.

DENYING VETERANS BENEFITS IN CAPITAL CASES

Mr. SPECTER. First, Mr. President, I would like to update my colleagues on our efforts to have an amendment on veterans benefits occasioned by the conviction of Timothy McVeigh who does have veterans benefits. We have been working to put the legislation in final form, and I think we are now very close to it. If we can accomplish that, we still have time today to introduce the bill and, I think, to get a rollcall vote on it. That will be the final call, obviously, of our majority leader, Senator LOTT, but I do think we have a chance to do that.

(The remarks of Mr. SPECTER pertaining to the submission of Senate Resolution 102 are located in today's RECORD under ''Submissions of Concurrent and Senate Resolutions.'')

Mr. SPECTER. Mr. President, I yield the floor in the absence of any other Senator seeking recognition and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

DENYING VETERANS BENEFITS IN FEDERAL CAPITAL OFFENSES

Mr. SPECTER. Mr. President, on behalf of our distinguished majority leader, Senator LOTT, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of S. 923, and I ask unanimous consent that the Senate proceed to the immediate consideration of S. 923.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

A bill (S. 923) to deny veterans benefits to persons convicted of Federal capital offenses.

The Senate proceeded to consider the bill.

AMENDMENT NO. 414

Mr. SPECTER. Mr. President, there is an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 414.

Mr. SPECTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 1, lines 4 and 5, strike ''or star''.

Mr. SPECTER. During the pendency of this bill, Mr. President, I ask unanimous consent that 5 minutes be allotted to Senator NICKLES for debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, at this time 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 yeas and nays are ordered on final passage of the bill.

Mr. SPECTER. Mr. President, this bill would amend existing law to deny benefits to veterans who have been convicted of a Federal capital offense. Current law denies such benefits to veterans convicted of Federal crimes, such as sabotage, treason, and sedition, but not murder.

I offer this bill on behalf of myself and my distinguished colleague from New Jersey, Senator TORRICELLI, and also Senator BYRD, Senator NICKLES, Senator INHOFE, Senator FEINSTEIN, Senator CAMPBELL, and the distinguished Presiding Officer, Senator SANTORUM.

Mr. President, yesterday I was informed by staff in the Veterans' Affairs Committee, which I chair, that there is a gap in the law which allows Mr. Timothy McVeigh to be entitled to veterans benefits notwithstanding his murder of 168 persons, and his conviction

for murder in the first degree in connection with his terrorist attack on the Murrah Building in Oklahoma City on April 19, 1995.

Frankly, I was surprised to learn of the current gap in the law which would allow him to claim veterans benefits. Those guilty of offenses such as sedition, treason, and espionage forfeit veterans benefits, but those who are guilty of murder in the first degree do not.

The terrorist attack in Oklahoma City was the most heinous criminal act in the history of the United States of America, to my knowledge. It resulted in the murder of 168 persons, including many children. It also resulted in the wounding and maiming of hundreds of others who were in that building.

Yesterday, Senator TORRICELLI introduced legislation similar to mine. We talked this morning, and we decided to join our efforts. Senator LOTT consented to have the matter placed on the calendar for quick action. And we have had it now cleared by all Senators.

I think this is a piece of legislation which ought to be adopted promptly. It would set a mark, saying that capital murderers, like those who commit espionage and similar offenses, forfeit a variety of veterans benefits. I cannot say exactly what benefits Mr. McVeigh might be eligible for—there could be a variety of possibilities, including education, employment or housing benefits. Certainly he would be entitled to burial benefits, under current law. It surely would be unseemly to have Timothy McVeigh buried in a veterans cemetery with heroes who served the United States of America.

So I believe this is a fair piece of legislation. We ought to act on it promptly.

I am pleased now to yield to my distinguished cosponsor, the Senator from New Jersey.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I am very pleased today to join my colleague from Pennsylvania, Senator SPECTER, in offering this legislation, and very proud, as a Member of this institution, that Senator SPECTER has taken the leadership in correcting what would clearly be an inexplicable action upon the execution of Timothy McVeigh.

Mr. President, in the United States today there are 114 national cemeteries. They contain the bodies of 2.5 million brave Americans who have fought for over 200 years to protect this country, its people, and its ideals. Fifty-seven of those cemeteries remain open. And many Americans living in the last years of their lives who fought bravely for this country intend one day to be interred into that soil.

I do not know how the Members of this Senate, how this Government could ever explain to those brave souls or their families who will visit those national cemeteries through the years, generation after succeeding generation, if by chance some of that soil, one of those graves, next to someone they love and they admire and respect, were to contain the body in a Federal grave of someone who committed a capital offense against the U.S. Government.

Timothy McVeigh is responsible for the greatest loss of life in a terrorist act of anyone in the long and proud history of these United States. When he committed that act and took the lives of these brave Americans, including officers and employees of the U.S. Government, he forfeited, according to a jury of his peers, his life.

Today, by the actions of the U.S. Senate, he can also have forfeited his right to be buried and have the honor of being in the sacred ground of a national cemetery of the United States.

Mr. President, a person cannot both commit a capital offense and then receive the high honor of the U.S. Government for having served this country. They are in conflict. They cannot both occur.

I am very proud today once again to be joining with Senator SPECTER in offering this legislation. I am very pleased to have received the support of Senator ROCKEFELLER and so many of our colleagues. I am very proud today to be offering this legislation.

By our action today, we let every family of every brave American who remains at rest in these national cemeteries to know these soils will remain sacred, these cemeteries will remain only the home for the brave. That is the exclusion we vote upon today.

Mr. President, I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. We are awaiting Senator NICKLES.

We invite other Senators to make a statement, but in the interim I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NICKLES. 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. NICKLES. Mr. President, first, I wish to thank Senator SPECTER, Senator TORRICELLI, and Senator INHOFE for bringing this bill to the floor, and also Senator LOTT for bringing it to the floor this quickly.

I think it is somewhat of a tragedy. I read in today's paper that an official of the Department of Veterans Affairs said that Tim McVeigh would be eligible to be buried in a national cemetery. I think that would be a desecration of our national cemeteries. I think it would be an affront to all the veterans who are buried in a national cemetery and to their families. And so I want to compliment my colleagues for bringing this to the floor so quickly.

In looking at the statutes, there is a forfeiture of veterans benefits for a lot of crimes: mutiny, sedition, harboring and concealing persons who have committed espionage crimes, gathering classified information for a foreign government, treason, rebellion, insurrection, and advocating the overthrow of the Government. But there is not for a Federal capital offense.

Mr. McVeigh was found guilty by a jury, with a unanimous verdict of murdering—actually, I think the verdict was murdering eight Federal agents, Federal officers. He is responsible for the murdering or the deaths of 168 individuals, including 19 children. He planned this terrorist attack. It was not done at the spur of the moment. He planned it for months, maybe for years. He was found guilty. The jury has made, in my opinion, the appropriate sentence, a sentence that is appropriate for a crime of this magnitude—the death sentence.

Certainly it would be a dishonor to our national cemeteries and the veterans if he was accorded veterans benefits, both financial benefits as well as burial rights in our national cemetery. I think it would desecrate the cemetery. I think that is certainly sacred ground, hallowed ground, honoring our national veterans, individuals that gave their lives in service to their country, individuals who served our country and were willing to give their lives.

To have Mr. McVeigh buried alongside our national heroes I think would be a serious, serious mistake and a real denigration to our national heroes.

So, Mr. President, I am happy to cosponsor this legislation. I am happy with the leadership of the Senate and the leadership of the Veterans' Affairs Committee, Senator SPECTER, and Mr. TORRICELLI, for bringing this to the floor of the Senate. And I am hopeful that it will receive a unanimous vote in this Senate and also be adopted by our colleagues in the House.

I yield the floor.

Mr. CAMPBELL. Mr. President, today I support a bill to correct a serious problem made apparent by the recent conviction of Timothy McVeigh for his cowardly act of terrorism. I was in the process of drafting a bill on this issue, but in light of the scope of the bill proposed by the Veteran's Committee chairman, I am pleased to join as a cosponsor of this legislation to accomplish my goals.

Our Nation remains outraged at that terrorist act and the individual who was convicted of committing it. We now are further outraged at the thought of that person being eligible for burial in a military cemetery beside our fallen brothers and sisters.

As you well know, Mr. President, these military burials function to honor the brave men and women who have placed themselves in harm's way in order to defend our freedom and the system of government that has protected us for more than 200 years. As a

Korean war veteran and a member of the Veterans' Affairs Committee, I am personally aware of the sacrifices made by our men and women in uniform to serve and protect these freedoms.

When anyone seeks to destroy our system of government by acts of terrorism, it is certainly a slap in the face to those who have served to protect freedom. Allowing that individual to be buried alongside truly honorable veterans is not only an injustice, it is disrespectful of the memory of those buried in our military cemeteries and to their families who sacrificed as well.

This bill, introduced by Senator SPECTER, expands the criteria by which a veteran should be denied benefits and although I had planned to introduce such a bill, I am pleased to cosponsor S. 923 to be absolutely certain that any individual convicted of a crime as heinous as the Oklahoma City bombing will never be buried among our Nation's heroes.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Without objection, the amendment is agreed to.

The amendment (No. 414) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. NICKLES. 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. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I believe we are already for a vote on this bill.

The PRESIDING OFFICER. Is there further debate on the measure? If not, the question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from South Dakota [Mr. DASCHLE] and the Senator from South Dakota [Mr. JOHNSON] are necessarily absent.

I further announce that the Senator from South Dakota [Mr. JOHNSON] is absent attending a funeral.

I further announce that the Senator from South Dakota [Mr. DASCHLE] is absent due to a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—98

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Ford	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Breaux	Gregg	Reed
Brownback	Hagel	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Roberts
Burns	Helms	Rockefeller
Byrd	Hollings	Roth
Campbell	Hutchinson	Santorum
Chafee	Hutchison	Sarbanes
Cleland	Inhofe	Sessions
Coats	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Kempthorne	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
D'Amato	Kohl	Thomas
DeWine	Kyl	Thompson
Dodd	Landrieu	Thurmond
Domenici	Lautenberg	Torricelli
Dorgan	Leahy	Warner
Durbin	Levin	Wellstone
Enzi	Lieberman	Wyden
Faircloth	Lott	

NOT VOTING—2

Daschle	Johnson

The bill (S. 923), as amended, was passed, as follows:

S. 923

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

SECTION 1. DENIAL OF VETERANS BENEFITS.

Notwithstanding any other provision of law, a person who is convicted of a Federal capital offense is ineligible for benefits provided to veterans of the Armed Forces of the United States pursuant to title 38, United States Code.

Mr. SPECTER. Mr. President, I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JUDGE RICHARD MATSCH

Mr. CAMPBELL. Mr. President, as my colleagues know, the Oklahoma City bombing trial of Timothy McVeigh has concluded in Denver. The jury found McVeigh guilty on all 11 counts against him, and he has been sentenced to death.

Now that these proceedings are over, I take this opportunity to call to the attention of my colleagues the outstanding service of Chief Judge Richard Matsch who presided over the Oklahoma City bombing trial at a time when many of us here in this body are considering the appointment process for Federal judges. His leadership has provided many Americans a renewed faith in the judicial process. His example of fair, firm leadership is an outstanding model we should consider for future Federal judicial appointments.

Many members of the legal profession and the media predicted that the Oklahoma City bombing trial would last 4 months. Under Judge Matsch's calm, competent direction, the trial concluded in only 2 months.

Judge Matsch has an impressive legal career. He was associate editor of the law review at the University of Michigan School of Law. After law school, he joined the U.S. Army and became an intelligence officer. When he left the Army, he moved to Denver where he was in private practice. Judge Matsch went on to become a city attorney, a Federal prosecutor, and a bankruptcy judge before President Nixon nominated him to the Federal bench in 1974. In 1994 he was elevated to chief judge.

Judge Richard Matsch has earned the admiration of his colleagues and lawyers who have appeared before him. Lawyers and colleagues from the bench praised the choice of Matsch to preside over the trial noting that he has the appropriate judicial temperament. One attorney who has argued before him said poetically, Judge Matsch ''is better than indoor plumbing.''

In light of the skillful and professional way Judge Matsch handled the proceedings of the McVeigh trial, I urge my colleagues to join me in recognizing the contributions of Judge Matsch to our justice system and commending him for his firm, swift justice in such a tragic case. He has touched the lives of many Americans with his outstanding service, and has renewed the faith in all of us that justice can be served.

I thank the Chair, and I yield the floor.

AUTHORIZATION FOR EAST-WEST CENTER

Mr. GRAMS. Mr. President, during the negotiations to achieve passage of the Foreign Affairs Reform and Restructuring Act of 1997, a number of concessions had to be made to accommodate competing interests. One such example was the continuation of the authorization for the East-West Center at the current level of $10 million for both fiscal years 1998 and 1999.

According to its budget justification, the East-West Center seeks to improve understanding and relations between Asia, the Pacific islands, and America. While this may be a worthwhile endeavor, we must question whether it merits a direct subsidy when the center seems to duplicate State Department activities and other private business, academic, cultural exchange, and tourism programs.

The East-West Center already receives a high proportion of its funding from private sources and project specific Federal grants. It seems that it could continue its core functions without the American taxpayer footing the bill. Even the Clinton administration has recognized the need to terminate Federal funding for this center. The administration's budget summary noted that the effort to phase out governmental funding for the East-West Center will continue with its request of $7 million. Yesterday we took a step backwards from achieving that goal. It is my sincere hope that the appropriators will reduce funding from the current level.

I started my fight to eliminate Federal funding for the East-West Center nearly 2 years ago, and I plan to continue my efforts. Many of my colleagues think that $10 million isn't a lot of money considering that we have a $1.6 trillion budget. I believe every expenditure should be reviewed regularly. At a time when Congress, at the request of the taxpayers, is working to finally balance the budget, this kind of sole-source, noncompetitive project can no longer be justified.

U.N. VOLUNTARY FUND FOR VICTIMS OF TORTURE

Mr. GRAMS. Mr. President, during the debate on reforming the United Nations to make it a more effective organization, there was little discussion about the important work that the United Nations carries out. One good example which directly relates to my State is, the U.N.'s leading role in promoting and providing financial assistance to treatment centers for victims of torture around the world. The passage of my amendment to the Foreign Affairs Reform and Restructuring Act of 1997, which authorizes the United States to contribute $3 million in fiscal year 1998 and $3 million in fiscal year 1999 to the U.N. Voluntary Fund for Victims of Torture, ensures that treatment centers in more than 50 countries will continue to receive support. I would like to thank the junior Senator from Minnesota for cosponsoring my amendment, and joining me in being an advocate for helping victims of torture.

My home State of Minnesota is fortunate to have the first and only comprehensive treatment center in the United States for victims of torture. The Center for Victims of Torture has treated over 500 patients since it was established in 1985, and has enabled them to become productive members of our communities by overcoming the atrocities suffered in their countries of origin. I have learned a great deal from visiting the Center and meeting its clients and staff. In addition to providing treatment to persons who have been tortured by foreign governments, the Center has been active in providing training and support for treatment centers abroad.

The United States should take a leading role in encouraging the establishment of additional treatment programs both at home and abroad. We are making progress in this direction. The United States is now the largest contributor to the U.N. Voluntary Fund for Victims of Torture. We must continue to support treatment centers, like the one in Minnesota, which helps those who cannot help themselves—victims of torture. Dedicating more of our U.N. voluntary funds for this purpose will help provide this important service to more needy victims.

REPORTING OF S. 858, THE INTELLIGENCE AUTHORIZATION BILL FOR FISCAL YEAR 1998 FROM THE ARMED SERVICES COMMITTEE

Mr. THURMOND. Mr. President, I am pleased to favorably report out from the Committee on Armed Services, S. 858, the intelligence authorization bill for fiscal year 1998, without amendment or written report.

STATE DEPARTMENT AUTHORIZATION BILL

Mr. BINGAMAN. Mr. President, I rise to express my concern about the passage of S. 903, the Foreign Affairs Reform and Restructuring Act of 1997. Some of my distinguished colleagues have cited this legislation as historic in scope and worthy of support because of the consolidation of the U.S. Information Agency, the Arms Control and Disarmament Agency, and parts of the Agency for International Development into the Department of State. I do not object to this consolidation, but I am concerned that the Senate is yet again infringing too much on the Presidential prerogative to be the primary architect of U.S. foreign policy. This bill gives microlevel direction on how consolidation should occur, and I feel that this is not appropriate for the Senate to be trying to micromanage the performance of our State Department agencies, offices, and employees.

Mr. President, I have other concerns as well with S. 903. As Senators LUGAR and SARBANES have articulated, I feel that we have established inappropriate benchmarks for the United Nations in this legislation so that moneys obligated by the United States to the United Nations can be released. I feel that it is important for the United States to communicate its concerns to the United Nations about its management problems. But I also feel it is important for the United States to honor its already incurred obligations and pay our debts. Furthermore, some of the tests that we impose on the United Nations are very inappropriate. For instance, during the first year, only $100 million of the $819 million in arrears payments after a sovereignty test, which states that efforts must be taken to ensure that no U.S. law be over-ridden or changed by any action of the United Nations. I don't believe that there are many legislators in this Congress who believe for a moment that any U.N. law would purport to have such authority, nor would the United States allow such authority to be vested in the United Nations. However, the inclusion of this in S. 903 sends a signal to our constituents that this is a serious problem. I was sent to the Senate to try and address real problems, not to stir up fake ones.

On another front, it seems to me strange that we would be abolishing two agencies and preparing for the absorption of a third into the Department of State and at the same time creating a brand-new stand-alone agency to oversee the broadcasting functions that were traditionally part of the U.S. Information Agency and under the auspices of the Board for International Broadcasting, which was abolished by the International Broadcasting Act of 1994. We should be basing our current institutional consolidations on the basis that the cold war has ended and that we need to reorganize to meet the challenges of a new and different international system. This legislation however, which sets up a structure virtually identical to the Board for International Broadcasting will cover, among other activities, our broadcasting to Cuba activities. I think that it is not wise to build new institutions, which this bill does, which will keep our Nation mired in a cold war mode.

For these and other reasons, Mr. President, I am registering my objection to this State Department authorization bill, S. 903. I realize that this bill will pass with overwhelming support from this Chamber, but I believe that sometimes we can give away too much on the commonsense front to strike a deal.

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 Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:42 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 985. An act to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, Colorado, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States.

H.R. 1057. An act to designate the building in Indianapolis, Indiana, which houses the

operations of the Circle City Station Post Office as the ''Andrew Jacobs, Jr. Post Office Building.''

H.R. 1058. An act to designate the facility of the United States Postal Service under construction at 150 West Margaret Drive in Terra Haute, Indiana, as the ''John T. Myers Post Office Building.''

H.R. 1747. An act 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.

H.J. Res. 56. Joint resolution celebrating the end of slavery in the United States.

The message also announced that the House has passed the following bill, without amendment:

S. 342. An act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 32. Joint resolution to consent certain amendments enacted by the Legislature of the State of Hawaii to the Hawaiian Commission Act, 1920.

The enrolled joint resolution was signed subsequently by the President pro tempore [Mr. THURMOND].

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 985. An act to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, Colorado, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States; to the Committee on Energy and Natural Resources.

H.R. 1057. An act to designate the building in Indianapolis, Indiana, which houses the operations of the Circle City Station Post Office as the ''Andrew Jacobs, Jr. Post Office Building''; to the Committee on Governmental Affairs.

H.R. 1058. An act to designate the facility of the United States Postal Service under construction at 150 West Margaret Drive in Terra Haute, Indiana, as the ''John T. Myers Post Office Building''; to the Committee on Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following measures were read the first and second times by unanimous consent and placed on the calendar:

H.J. Res. 56, Joint resolution celebrating the end of slavery in the United States.

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–2217. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Uniformed Services University of Health Sciences; to the Committee on Armed Services.

EC–2218. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Specialized Treatment Services; to the Committee on Armed Services.

EC–2219. A communication from the General Counsel of the Department of Defense, transmitting, drafts of eight legislative proposals; to the Committee on Armed Services.

EC–2220. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to Gulf War veterans; to the Committee on Armed Services.

EC–2221. A communication from the Director of Regulations Policy, Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a rule entitled ''Food Labeling'' received on June 16, 1997; to the Committee on Labor and Human Resources.

EC–2222. A communication from the Director of Regulations Policy, Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, two rules including a rule entitled ''Indirect Food Additives'' received on June 16, 1997; to the Committee on Labor and Human Resources.

EC–2223. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, four rules received on June 17, 1997; to the Committee on Environment and Public Works.

EC–2224. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report of a rule, received on June 2, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2225. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report of a rule, received on May 27, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2226. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, a report of a rule, received on June 5, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2227. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, seven rules received on May 22, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2228. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, five rules received on May 22, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2229. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, four rules received on June 2, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2230. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, ten rules received on June 2, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2231. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, a report of thirty-six rules, received on June 2, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2232. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, a report of three rules, received on June 2, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2234. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, a report of four rules, received on June 9, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2235. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, a report of four rules, received on June 12, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2236. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, a report of three rules, received on June 12, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2237. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, a report of forty-two rules, received on June 9, 1997; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

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 (Rept. No. 105–30).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 858. An original bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 936. An original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance:

Kevin L. Thurm, of New York, to be Deputy Secretary of Health and Human Services.

Richard J. Tarplin, of New York, to be an Assistant Secretary of Health and Human Services.

(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. KERRY (for himself, Mr. CLELAND, Mr. WELLSTONE, Mr. ROBB, Ms. LANDRIEU, Mr. HARKIN, Mr. BUMPERS, and Ms. MIKULSKI):

S. 929. A bill to amend the Small Business Act to promote the partnership of small businesses and federally sponsored research entities to develop commercial applications for research projects, and for other purposes; to the Committee on Small Business.

By Ms. COLLINS:

S. 930. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for education, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself and Mr. MACK):

S. 931. A bill to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center; to the Committee on Energy and Natural Resources.

By Mr. GRAMM (for himself, Mr. BUMPERS, Mrs. HUTCHISON, Mr. HUTCHINSON, Mr. SESSIONS, Mr. THURMOND, Mr. SHELBY, and Mr. CLELAND):

S. 932. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to require the Secretary of Agriculture to establish a National Advisory and Implementation Board on Imported Fire Ant Control, Management, and Eradication and, in conjunction with the Board, to provide grants for research or demonstration projects related to the control, management, and possible eradication of imported fire ants, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. MOSELEY-BRAUN (for herself, Ms. SNOWE, Mr. KENNEDY, and Ms. MIKULSKI):

S. 933. A bill to amend section 485(g) of the Higher Education Act of 1965 to make information regarding men's and women's athletic programs at institutions of higher education easily available to prospective students and prospective student athletes; to the Committee on Labor and Human Resources.

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. BOND, Mr. INOUYE, Mr. LUGAR, Mr. WARNER, Mr. BIDEN, and Mr. DEWINE):

S. 934. A bill to amend the Public Health Service Act to reauthorize the adolescent family life program, provide for abstinence education, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. BOND, Mr. INOUYE, Mr. COCHRAN, and Mr. HARKIN):

S. 935. A bill to amend the Internal Revenue Code of 1986 to increase the limit on the credit for adoption expenses and the exclusion for employer-provided adoption assistance for the adoption of special needs children, and to allow penalty-free IRA withdrawals for adoption expenses; to the Committee on Finance.

By Mr. THURMOND:

S. 936. An original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel stengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER:

S. Res. 102. A resolution designating August 15, 1997, as ''Indian Independence Day: A National Day of Celebration of Indian and American Democracy.''; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. CLELAND, Mr. WELLSTONE, Mr. ROBB, Ms. LANDRIEU, Mr. HARKIN, Mr. BUMPERS, and Ms. MIKULSKI):

S. 929. A bill to amend the Small Business Act to promote the partnership of small businesses and federally sponsored research entities to develop commercial applications for research projects, and for other purposes; to the Committee on Small Business.

THE SMALL BUSINESS TECHNOLOGY TRANSFER ACT OF 1997

Mr. KERRY. Mr. President, today I am introducing along with Senators CLELAND, WELLSTONE, ROBB, LANDRIEU, and HARKIN, the Small Business Technology Transfer Act of 1997. I ask unanimous consent that those senators listed in my statement be named original co-sponsors. This legislation would reauthorize the Small Business Administration's Small Business Technology Transfer Pilot Program through fiscal year 2003. The STTR program was originally authorized five years ago to combine the technological innovation of America's universities and research institutions with the business know-how and entrepreneurial spirit of our country's small businesses.

The fact is that other countries are significantly more aggressive in many ways about their joint ventures or partnerships between government and business in order to try to steal market share or create market where there may not even be one. Recently we learned that even as the United States was cutting back on basic research in our budget, Japan had committed a 50-percent increase to its budget because they understand that basic research is the foundation for the future products of the world, and those countries that are able to capitalize on this research are in a much better position to expand their job base.

Millions of dollars each year go to federally sponsored research projects at America's universities, non-profit research centers and federal research laboratories. The innovations that are developed are amazing but the people who conduct the research are not always the best ones to market the product and develop it for commercial use.

We have seen case after case where somebody at a university or at a federally sponsored research facility is sitting on top of a gold mine of information and technology, or even a specific product, but they do not know how to identify the proper target market, gain access to capital, or do the other things necessary to move that product from the laboratory to the marketplace. The STTR program was developed by those of us who feel very strongly that we need to help bridge that gap; that it is an important function in this modern marketplace for us to leverage the ability of those small entrepreneurs by partnering them with the researchers to take the technology out into the marketplace. Because the core competency of research institutions lies in research and not business, fewer practical applications for federally sponsored research were developed than was originally desired. It was Congress' intention to reconcile this problem by coupling non-profit research institutions with small businesses in order to promote the transfer of valuable technology into the commercial sector. This not only benefits the economy, but it ensures that the sponsoring Federal agencies get far more results for the dollars that we invest in research. I know taxpayers are much happier when we do that.

Small business is a more effective mechanism for transferring technology from research institutions to industry where the technology can be used to improve the economy. This is important because even though our research institutions lead the world in science and engineering research, we have had difficulty successfully developing them into commercial applications. Transferring technology from research forums to the commercial marketplace not only benefits the American economy, but also further serves the needs of the sponsoring federal agency by providing better products as a result of the collaboration between the non-profit and for-profit sectors.

Research for federal agencies is conducted in very diverse areas. Because the STTR program is limited to federal agencies with at least one billion dollars designated for outside research, currently five federal agencies participate in the STTR program. Through a series of three phases, research in areas of defense, health and transportation is transformed by small businesses into products and innovations that can be applied in the commercial marketplace. In the first three years of the STTR program, over $115 million have been awarded by the five participating federal agencies. In fiscal year 1996 alone, over $60 million in awards were made to over 320 projects. My home state of Massachusetts had 50 projects receive awards in fiscal year 1996 for a total of over $8.7 million. Among the recipients of these awards were Harvard Medical School, Worcester Polytech and Boston University.

The STTR program helps American businesses compete in the highly competitive marketplace of science and technology. Most of the small businesses participating in this program do not have their own research departments and could not afford to conduct the research needed to produce these products. But by collaborating with the various research institutions, these small businesses gain the access to

technology and advanced research they need to bring quality products to the private sector.

I want to tell you about one company whose experience with the STTR program exemplifies how the small business/research institution partnership has succeeded in bringing ideas to market. Metal Matrix Cast Composites is a small business located in Waltham, Massachusetts. MMCC is working with the Massachusetts Institute of Technology to develop and test aluminum alloys reinforced with ceramic particulates. Besides having potential military applications, these new materials have many commercial applications including brake systems for cars and landing gears for airplanes. Under a previous STTR contract, MMCC developed a product along with Northeastern University in Boston, that allowed them to provide advanced composite parts to its customers. Under that contract, MMCC has already sold these parts to aerospace, electrical, computer and medical instrument suppliers.

The lesson of Metal Matrix Cast Composites is clear. When given the opportunity to collaborate with each other, small businesses and research institutions can produce quality products with real commercial applications that otherwise may not have reached the marketplace.

We are not talking about substituting for what the sector does already. We are not talking about taking the place of something that the private sector figured out it could do better by itself or wanted to do. We are talking about providing something where it did not exist, where it will not exist, where in most instances it cannot without the proper kind of leverage and the proper kind of coordination. As much as all of us would like to feel that Adam Smith's rules are the ones that ought to prevail in the marketplace, the fact is that every other one of our industrial competitors is playing today by a different set of rules, by a set of, in many cases, unfair trade practices where they are willing to dump, willing to joint venture, willing to subsidize, willing to engage in a host of practices that undermine our capacity to move to those markets.

By reauthorizing the STTR program, we will be giving more small businesses the opportunity to gain access to technology and then to succeed in the marketplace. I urge my colleagues to support this worthy program.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD, and I also ask unanimous consent that the bill be available for other sponsors who wish to cosponsor it through the course of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 929

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 ''Small Business Technology Transfer Act of 1977''.

SEC. 2. FINDINGS.

Congress finds that—

(1) federally sponsored research at nonprofit institutions has not been adequately applied to commercial purposes in the past;

(2) small businesses have the entrepreneurial spirit and business experience to apply research for commercial uses;

(3) the partnership between small businesses and research institutions will create more commercial uses for innovative ideas that will spur the economy; and

(4) although to date the Small Business Technology Transfer program has produced quality research proposals, an additional evaluation period is warranted before the program is expanded or made permanent.

SEC. 3. PURPOSES.

The purpose of this act is to reauthorize the Small Business Technology Transfer program for fiscal years 1998 through 2003 to allow for a more complete assessment of the impact and effectiveness of the program.

SEC. 4. SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.

(a) IN GENERAL.—Section 9(n) of the Small Business Act (15 U.S.C. 638(n) is amended by striking paragraph (1) and inserting the following:

''(1) REQUIRED EXPENDITURE AMOUNTS.—With respect to fiscal years 1998, 1999, 2000, 2001, 2002, or 2003, each Federal agency that has an extramural budget for research, or research and development, in excess of $1,000,000,000 for that fiscal year, may expend with small business concerns not less than 0.15 percent of that extramural budget specifically in connection with STTR programs that meet the requirements of this section and any policy directives and regulations issued under this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 1997.

By Mr. GRAHAM (for himself and Mr. MACK):

S. 931. A bill to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center, to the Committee on Energy and Natural Resources.

MARJORY STONEMAN DOUGLAS WILDERNESS AND ERNEST F. COE VISITOR CENTER DESIGNATION ACT

Mr. GRAHAM. Mr. President, I'm happy to have this opportunity today to introduce legislation to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center.

Ms. Douglas and Mr. Coe led the charge to establish Everglades National Park and raise public awareness to restore its vitality.

I think most Americans know that Everglades National Park preserves the subtropical region at the southern tip of Florida. But what most people don't realize is that the park has been nominated by the United States and accepted by the world community as a world heritage site, a wetland of international significance, and a biosphere reserve in recognition of its international significance. It is the only site in the Nation that has received all three designations, which serves to underscore the superlative qualities of the park on a global scale.

Everglades National Park is well known for its diverse and unique wildlife, including alligators and crocodiles, eagles, manatees, and various fish species. The park has 13 species of endangered birds. It has open prairies and extensive saltwater areas with sawgrass marshes, mangroves, and shallow bays. Its 1.3 million acres of wilderness make it the largest subtropical wilderness in the continental United States.

In 1926 and again in 1928, Senator Park Trammel of Florida introduced legislation calling for an examination of the Everglades to determine if a portion could qualify as a national park. The National Park Service had made some preliminary inquiries into the matter when Ernest Francis Coe came forward to champion the idea of creating a national park in southern Florida. Coe came to Coconut Grove from New England in 1925 and was overwhelmed with the natural beauty and wildlife of the Cape Sable and Ten Thousand Islands area. He wanted to find some way to protect the bird rookeries and hammocks, and the establishment of a national park seemed like an ideal solution.

Mr. Coe became the central leader in the campaign to create Everglades National Park. In 1928, he organized the Tropic Everglades National Park Association and is widely regarded as the Father of Everglades National Park. As a landscape architect, Mr. Coe's vision for the park recognized the need to protect south Florida's diverse wildlife and their habitats for future generations. His leadership, selfless devotion, and commitment to achieving this vision culminated in the authorization of the park by Congress in 1934 and its subsequent dedication by President Truman in 1947.

While it is not required by law that Congress name park visitor centers, this legislation will demonstrate Congress' support for honoring Mr. Coe's legacy. Because of his central role in the establishment of Everglades National Park, it is also a fitting tribute that park visitors be greeted by the congressionally designated Coe Center.

In 1947, Marjory Stoneman Douglas published her landmark book, ''The Everglades: River of Grass,'' which greatly increased interest in and concern for the Everglades. Ms. Douglas, who celebrated her 107th birthday on April 6, symbolizes the struggle to save the Everglades. Her pioneering work was the first to highlight the plight of the Everglades and ultimately served to awaken public interest in restoring its health. Ms. Douglas has dedicated her life to the defense of the Everglades through her extraordinary personal effort and by inspiring countless others

to take action. Recognizing these accomplishments, in 1992 President Clinton awarded her to the Medal of Freedom, the Nation's highest civilian award.

Ms. Douglas has consistently stated her wish to have Ernest Coe's efforts suitably commemorated at the park. She has expressed through her associates Dr. Sharon T. Richardson her delight with the idea of designating the Marjory Stoneman Douglas Wilderness area. Dr. Richardson has added her opinion that, ''Nothing could mark her life more suitably than to give her name to this resplendent wilderness.''

I can only echo that sentiment and add that nothing could be more appropriate during this 50th anniversary year of Everglades National Park, than the commemoration of these two legends as proposed in this bill.

To quote from Marjory Stoneman Douglas' book ''River of Grass:''

There are no other Everglades in the World.

They are, they have always been, one of the unique regions of the earth, remote, never wholly known. Nothing anywhere else is like them: their vast glittering openness, wider than the enormous visible round of the horizon, the racing free saltness and sweetness of their massive winds, under the dazzling blue heights of space. They are unique also in the simplicity, the diversity, the related harmony of the forms of life they enclose. The miracle of the light pours over the green and brown expanse of saw grass and of water, shining and slow-moving below, the grass and water that is the meaning and the central fact of the Everglades of Florida. It is a river of grass.

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. 931

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 ''Marjory Stoneman Douglas Wilderness and Ernest F. Coe Visitor Center Designation Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1)(A) Marjory Stoneman Douglas, through her book, ''The Everglades: River of Grass'' (published in 1947), defined the Everglades for the people of the United States and the world;

(B) Mrs. Douglas' book was the first to stimulate widespread understanding of the Everglades ecosystem and ultimately served to awaken the desire of the people of the United States to restore the ecosystem's health;

(C) in her 107th year, Mrs. Douglas is the sole surviving member of the original group of people who devoted decades of selfless effort to establish the Everglades National Park;

(D) when the water supply and ecology of the Everglades, both within and outside the park, became threatened by drainage and development, Mrs. Douglas dedicated the balance of her life to the defense of the Everglades through extraordinary personal effort and by inspiring countless other people to take action;

(E) for these and many other accomplishments, the President awarded Mrs. Douglas the Medal of Freedom on Earth Day, 1994; and

(2)(A) Ernest F. Coe (1886–1951) was a leader in the creation of Everglades National Park;

(B) Mr. Coe organized the Tropic Everglades National Park Association in 1928 and was widely regarded as the father of Everglades National Park;

(C) as a landscape architect, Mr. Coe's vision for the park recognized the need to protect south Florida's diverse wildlife and habitats for future generations;

(D) Mr. Coe's original park proposal included lands and waters subsequently protected within the Everglades National Park, the Big Cypress National Preserve, and the Florida Keys National Marine Sanctuary; and

(E)(i) Mr. Coe's leadership, selfless devotion, and commitment to achieving his vision culminated in the authorization of the Everglades National Park by Congress in 1934;

(ii) after authorization of the park, Mr. Coe fought tirelessly and lobbied strenuously for establishment of the park, finally realizing his dream in 1947; and

(iii) Mr. Coe accomplished much of the work described in this paragraph at his own expense, which dramatically demonstrated his commitment to establishment of Everglades National Park.

(b) PURPOSE.—It is the purpose of this Act to commemorate the vision, leadership, and enduring contributions of Marjory Stoneman Douglas and Ernest F. Coe to the protection of the Everglades and the establishment of Everglades National Park.

SEC. 3. MARJORY STONEMAN DOUGLAS WILDERNESS.

(a) REDESIGNATION.—Section 401(3) of the National Parks and Recreation Act of 1978 (Public Law 95–625; 92 Stat. 3490; 16 U.S.C. 1132 note) is amended by striking ''to be known as the Everglades Wilderness'' and inserting ''to be known as the Marjory Stoneman Douglas Wilderness to commemorate the vision and leadership shown by Mrs. Douglas in the protection of the Everglades and the establishment of the Everglades National Park''.

(b) NOTICE OF REDESIGNATION.—The Secretary of the Interior shall provide such notification of the redesignation made by the amendment made by subsection (a) by signs, materials, maps, markers, interpretive programs, and other means (including changes in signs, materials, maps, and markers in existence before the date of enactment of this Act) as will adequately inform the public of the redesignation of the wilderness area and the reasons for the redesignation.

(c) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the ''Everglades Wilderness'' shall be deemed to be a reference to the ''Marjory Stoneman Douglas Wilderness''.

SEC. 4. ERNEST F. COE VISITOR CENTER.

(a) DESIGNATION.—Section 103 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–7) is amended by adding at the end the following new subsection:

''(f) ERNEST F. COE VISITOR CENTER.—On completion of construction of the main visitor center facility at the headquarters of Everglades National Park, the Secretary shall designate the visitor center facility as the 'Ernest F. Coe Visitor Center', to commemorate the vision and leadership shown by Mr. Coe in the establishment and protection of Everglades National Park.''.

SEC. 5. CONFORMING AND TECHNICAL AMENDMENTS.

Section 103 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–7) is amended—

(1) in subsection (c)(2), by striking ''personally-owned'' and inserting ''personally-owned''; and

(2) in subsection (e), by striking ''VISITOR CENTER'' and inserting ''MARJORY STONEMAN DOUGLAS VISITOR CENTER''.

By Mr. GRAMM (for himself, Mr. BUMPERS, Mrs. HUTCHISON, Mr. HUTCHINSON, Mr. SESSIONS, Mr. THURMOND, Mr. SHELBY, and Mr. CLELAND):

S. 932. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to require the Secretary of Agriculture to establish a national advisory and implementation board on imported fire ant control, management, and eradication and, in conjunction with the board, to provide grants for research or demonstration projects related to the control, management, and possible eradication of imported fire ants, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE FIRE ANT CONTROL, MANAGEMENT, AND ERADICATION ACT OF 1997

Mr. GRAMM, Mr. President, today, I am joined by Senators BUMPERS, HUTCHISON, HUTCHINSON, THURMOND, SHELBY, SESSIONS, and CLELAND in introducing the Fire Ant Control, Management, and Eradication Act of 1997. Over the last 76 years, imported fire ants have infested over 275 million acres in 13 Southern States. The fire ant affects both urban and rural areas with damage estimates in the billions of dollars annually. In Texas, fire ant damage is estimated at $300 million annually, and the cattle industry alone suffers annual losses of $67 million. Further, it is estimated that the State of Georgia loses $46 million annually, with Louisiana and Alabama incurring annual damages of $23.8 and $16 million respectively. Mississippi has estimated losses of $12.3 million. Homeowners in the State of Arkansas spend approximately $106 million each year to combat fire ant infestation.

Research on the fire ants began in 1950 when they were first recognized as pests. However, from 1950 to mid-1980, most of the research was directed toward short-term solutions.

Researchers generally concede that acceptable approaches to managing fire ants will include pesticide use coupled with biological control agents. Since the late 1970's more data on the general biology of fire ants have been established, but vast information gaps still remain.

The legislation that I am introducing along with my colleagues will provide a scientific guide to controlling, managing, and possibly eradicating fire ants.

The legislation is modeled after the successful screwworm and boll weevil eradication programs, and is supported by the American Farm Bureau, National Cattlemen's Association, and the National Association of State Departments of Agriculture.

The bill establishes a national advisory and implementation board on fire

ant control, management, and eradication. The board will consist of 12 members who are appointed by the Secretary of Agriculture and who are experts in entomology and ant ecology, wildlife biology, electrical engineering, economics, and agribusiness. An annual total of $6 million will be awarded to at least 4 but not more than 13 research projects per year for up to 5 years. After this period, the board will select two of the previously funded projects to receive an additional 2-year grant not to exceed $4 million each. In preparation for the final plan to control, manage, and if possible eradicate fire ants, the board shall select one of the two previously funded projects or a combination of both as the basis for the national plan. A final 1-year grant of not more than $5 million will be used to develop a national plan to control the imported fire ant.

Mr. President, fire ants inflict hundreds of millions of dollars in damage each year to homeowners, small businesses, and farmers, with no end in sight. Now is the time to begin using our resources to offer some relief.

By Ms. MOSELEY-BRAUN (for herself, Ms. SNOWE, Mr. KENNEDY and Ms. MIKULSKI):

S. 933. A bill to amend section 485(g) of the Higher Education Act of 1965 to make information regarding men's and women's athletic programs at institutions of higher education easily available to prospective students and prospective student athletes; to the Committee on Labor and Human Resources.

THE FAIR PLAY ACT

Ms. MOSELEY-BRAUN. Mr. President, I rise today to introduce the Fair Play Act, legislation that builds upon the extraordinary success of title IX of the Education Amendments of 1972 and promotes the continued expansion of athletic opportunities available to women at institutions of higher education. I want to thank my colleague from Maine, Senator SNOWE, my colleague from Massachusetts, Senator KENNEDY, and my colleague from Maryland, Senator MIKULSKI, for their help in writing this bill.

Twenty-five years ago, President Nixon signed title IX into law and ushered in a new era of opportunity for American women and girls. Prior to the enactment of title IX, fewer than 32,000 women competed in intercollegiate athletics, women received only 2 percent of schools' athletic budgets, and athletic scholarships for women were practically nonexistent.

Today, because of title IX, more than 110,000 women compete in intercollegiate athletics and women account for 37 percent of college varsity athletes. Last year at the 1996 Olympic games, American women won gold medals in basketball, soccer, softball, swimming, track and field, gymnastics, and other sports. This Saturday, the first season of the WNBA will debut on network television, and it is my understanding that advertisers have already filled every minute of commercial time for the entire WNBA season. Without title IX, none of this would have been possible. From the professional level to intercollegiate competition to local high school soccer fields, women's athletics have captured the hearts and attention of millions of Americans.

But the athletic opportunities created by title IX have contributed more than just winning teams and great female athletes. We all know that sports promotes better physical health. Science has shown us, however, that female athletes also have better mental health, emotional health, self-confidence, discipline, and higher academic achievement. Female athletes are more likely to go to and stay in college than their nonathletic peers. Female athletes are less likely to drop out of school, and are more likely to achieve higher marks in their academic classes. Athletics are an integral part of education and health, for men as well as for women.

In addition, the addition of women's varsity sports at colleges and universities has led to the creation of women's athletic scholarships. These scholarships translate directly into opportunities to go to college. Indeed, in this era when the cost of college is rising three times as fast as household income, athletic scholarships can literally mean the difference between going to college and not going to college. Title IX has brought these opportunities within reach of millions of American girls and women.

Despite the extraordinary success of title IX, however, there remains a significant gap between the athletic opportunities available to college-age women and men. While women represent 53 percent of students, they make up only 37 percent of student athletes. According to a recent NCAA study, female college athletes receive only 23 percent of athletic operating budgets, 38 percent of athletic scholarship dollars, and 27 percent of the money spent to recruit new athletes. The President's Council on Physical Fitness recently noted, ''The face of sex discrimination in athletics has changed. It [is] often no longer the purposeful exclusion of the past, but a collection of more subtle inequities that could be explained away by a lack of resources.''

The fact is, most colleges and universities do not provide their female students with athletic opportunities comparable to those they offer to their male students. According to a recent USA Today survey of NCAA division I-A schools, only 9 percent of the 303 schools surveyed have roughly proportionate numbers of female and male athletes.

Title IX does not, in fact, as some people believe, require schools to devote half their athletic resources to women, or equalize the number of male and female athletes. Title IX does require, however, that colleges at least make a continued effort to expand their athletics programs to fully accommodate the interests of both sexes. In order to monitor this progress and title IX compliance, colleges and universities are required to collect information about their men's and women's athletic programs, including participation rates, operating and recruitment budgets, the availability of scholarships, revenues generated from athletic programs, and coaches' salaries, and are required to make this information available upon request. There is not, however, any mechanism for the collection and distribution of this important information, and the Department of Education does not have ready access to all of this information to assist in its enforcement of title IX.

The Fair Play Act directs colleges and universities to send this information, which they already compile annually, to the Department of Education. The bill therefore imposes no additional burden on colleges and universities. The bill directs the Department to issue an annual report and make the information available through a variety of mechanisms, including the Department's World Wide Web site and a toll-free number people to provide easy access to the information reported by schools, as well as information about title IX.

The Fair Play Act will provide prospective students and prospective student athletes with the kind of information they need to make informed decisions about where to go to school. It will give the Department of Education valuable information it needs to aid its enforcement of title IX in the area of athletics, and it will encourage schools to continue to expand the athletic programs to meet the interests of women nationwide. This legislation is the logical next step in the continuing effort to expand athletic opportunities available to women.

Over its 25 year history, title IX has been directly responsible for expanding the athletic opportunities available to millions of women and girls. The Fair Play Act will build on this legacy of success, and provide the information needed to ensure that the expansion of athletic opportunities available to women continues into the 21st century.

I urge all of my colleagues to join us today sponsoring this legislation and ask unanimous consent that a summary and the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 933

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 ''Fair Play Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) June 23, 1997, marks the 25th anniversary of the signing of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et

seq.) into law, and on that day communities across the United States will honor the tremendous difference such title IX has made to women and girls in our Nation.

(2) Since enactment in 1972, such title IX has played a vital role in expanding the athletic opportunities available to American girls and women.

(3) Prior to the enactment of such title IX, fewer than 32,000 women competed in intercollegiate athletics, women received only 2 percent of schools' athletic budgets, and athletic scholarships for women were practically nonexistent.

(4) In 1997, more than 110,000 women competed in intercollegiate sports, and women account for 37 percent of college varsity athletes.

(5) While such title IX has been very successful, a significant gap remains between the athletic opportunities available to men and the athletic opportunities available to women.

(6) According to a 1997 study by the National Collegiate Athletic Association, female college athletes receive only 23 percent of athletic operating budgets, 38 percent of athletic scholarship dollars, and 27 percent of the money spent to recruit new athletes.

(7) While women represent 53 percent of the students attending institutions of higher education, women comprise only 37 percent of the athletes attending institutions of higher education.

(8) There is substantial evidence that women and girls who participate in athletics have better physical and emotional health than women and girls who do not participate, and that participation in athletics can improve academic achievement.

(9) Easily accessible information regarding the expenditures of institutions of higher education for women's and men's athletic programs will help prospective students and prospective student athletes make informed judgments about the commitment of a given institution of higher education to providing athletic opportunities to male and female students attending the institution.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to make information regarding men's and women's athletic programs at institutions of higher education easily available to prospective students and prospective student athletes; and

(2) to increase the athletic opportunities available to women at institutions of higher education.

SEC. 4. INFORMATION AVAILABILITY.

Section 485(g) of the Higher Education Act of 1965 (20 U.S.C. 1092(g)) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) SUBMISSION; REPORT; INFORMATION AVAILABILITY.—(A) Each institution of higher education described in paragraph (1) shall provide to the Secretary, within 15 days of the date that the institution makes available the report under paragraph (1), the information contained in the report.

''(B) The Secretary shall prepare a report regarding the information received under subparagraph (A) for each year by April 1 of the year. The report shall—

''(i) summarize the information and identify trends in the information;

''(ii) aggregate the information by divisions of the National Collegiate Athletic Association; and

''(iii) contain information on each individual institution of higher education.

''(C) The Secretary shall ensure that the report described in subparagraph (B) is made available on the Internet within a reasonable period of time.

''(D) The Secretary shall establish, within a reasonable period of time, a toll-free telephone service—

''(i) to provide the public with information regarding reports described in subparagraph (B);

''(ii) to provide the public with information regarding the information received under subparagraph (A); and

''(iii) to respond to inquiries from the public regarding the provisions of title IX of the Education Amendments of 1972.

''(E) The Secretary shall use the information provided by institutions of higher education under paragraph (1) to ensure compliance with title IX of the Education Amendments of 1972.

''(F) The Secretary shall notify, not later than 180 days after the date of enactment of this paragraph, all secondary schools in all States regarding the availability of the information reported under subparagraph (B) and the information made available under paragraph (1), and how such information may be accessed.

SUMMARY OF THE FAIR PLAY ACT

PURPOSE

The Fair Play Act will provide students with valuable information about men's and women's athletics programs at institutions of higher education, help the Department of Education enforce title IX in the area of athletics, and encourage schools to continue the expansion of athletic opportunities available to women.

BACKGROUND

While title IX of the Education Amendments of 1972 has succeeded in greatly expanding the athletic opportunities available to women, there remains a significant gap between the athletic opportunities available to men and women. Women represent 53 percent of students, yet they make up only 37 percent of college varsity athletes and receive only 23 percent of athletic operating budgets.

Under section 485(g) of the Higher Education Act of 1965, colleges and universities are required to compile information about their men's and women's athletic programs, including participation rates, operating and recruitment budgets, the availability of scholarships, revenues generated from athletic programs, and coaches' salaries. They are required to update this information annually and make it available upon request. Because there is no repository for this information, however, it is difficult to obtain and evaluate or put into context.

FAIR PLAY ACT

The Fair Play Act directs colleges and universities to send this information to the Department of Education, and directs the Department to disseminate the information through a variety of mechanisms.

(1) Annual Report—The bill directs the Department to issue an annual report containing the information reported by colleges and universities, including aggregate data, trends, information arranged by athletic conference, and information on individual schools.

(2) World Wide Web—The bill directs the Department to make this report available on its World Wide Web site, increasing its accessibility and saving publication costs.

(3) Toll-Free Number—The bill directs the Department to establish a toll-free number through which people could request the information reported by schools, the annual report, or other information about title IX of the Education Amendments of 1972.

(4) Notification of High Schools—The bill directs the Department to notify high schools of the availability of this information.

Mr. KENNEDY. Mr. President, I am honored to join Senator MOSELEY-BRAUN and Senator SNOWE as an original cosponsor of the Fair Play Act of 1997. Our goal is to ensure that women applying to college have the information they need to make decisions about sports opportunities at their colleges. This information will also enable the Department of Education to do a better job of enforcing title IX of the Education Amendments of 1972, which prohibits discrimination in college sports programs.

We've made progress in the quarter century since title IX became law. But we can do better.

Nancy Hogshead is an outstanding example of what we can accomplish. After suffering a great tragedy, she used sports to heal her body and spirit. That determination led to several Olympic medals, and Nancy gives title IX the credit for her success.

Many other women have excelled because title IX opened the door to opportunity. Who can forget the final home run that clinched the gold medal for the women's softball team? Or the medal-winning efforts of the women's soccer team—so many stars of that team were college athletes. And, each of us watched in awe as Kerry Strug landed her vault on one foot to secure a gold medal for the women's gymnastics team.

And we will do even better in the years ahead by ensuring that more young women in colleges in communities through across the country will have the opportunity they deserve to participate in sports.

Title IX is an essential part of our civil rights laws. But, it is often undermined by those who still believe that women and girls should be spectators in the grandstand, not participants on the playing field. From the school gym to the Olympic stadium, if genuinely equal opportunities are available, women will take advantage of them and excel. And wherever they go from college, whatever their career, the lessons they learn in sports will serve them all their lives.

That is why this legislation is so important. The Fair Play Act of 1997 provides students interested in sports with the information they need about the colleges and universities they will attend. As a result, more and more schools will take greater steps more rapidly to provide equal opportunities. And the Department of Education will have greater ability to assure full compliance with the law.

The Department of Education relies on many factors to determine whether colleges and universities are meeting the standards. But additional information will help to identify problems sooner and lead to their earlier resolution.

I look forward to working closely my colleagues in the Senate and the House to see that this legislation becomes law. Equal opportunity women in sports is an achievable goal. We know

we can do a better job on this important issue, and now is the time to start doing it.

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. BOND, Mr. INOUYE, Mr. LUGAR, Mr. WARNER, Mr. BIDEN, and Mr. DEWINE):

S. 934. A bill to amend the Public Health Service Act to reauthorize the adolescent family life program, provide for abstinence education, and for other purposes; to the Committee on Labor and Human Resources.

ADOLESCENT FAMILY LIFE AND ABSTINENCE EDUCATION ACT

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. BOND, Mr. INOUYE, Mr. COCHRAN, and Mr. HARKIN):

S. 935. A bill to amend the Internal Revenue Code of 1986 to increase the limit on the credit for adoption expenses and the exclusion for employer-provided adoption assistance for the adoption of special needs children, and to allow penalty-free IRA withdrawals for adoption expenses; to the Committee on Finance.

ADOPTION PROMOTION ACT

Mr. SPECTER. Mr. President, I have sought recognition to introduce the Adolescent Family Life and Abstinence Education Act of 1997, and the Adoption Promotion Act of 1997. This legislation updates similar legislation which I introduced in the 104th Congress. The abstinence legislation is cosponsored by Senators SANTORUM, BOND, INOUYE, LUGAR, WARNER, BIDEN, and DEWINE, and the adoption legislation is cosponsored by Senators SANTORUM, BOND, INOUYE, COCHRAN, and HARKIN.

This legislation, Mr. President, is directed at one of the most controversial and divisive issues confronting America today, and that is the issue of abortion. In my judgment, this is the most divisive issue confronting the United States since slavery. While I am personally very much opposed to abortion, I do not believe that it can be controlled by the Government. I think it is a matter for families, for women, for rabbis, ministers and priests, and it is essentially a moral issue.

But I believe there is a consensus and general agreement on working toward the elimination of abortion which most Americans would find agreeable from all perspectives. I think that America is not pro-abortion, but there is a disagreement as to whether the choice of women can be controlled by the Federal Government. One area of agreement is that we ought to do everything we can to discourage premarital sex among teenagers, unintended pregnancies, and the abortions which follow.

Senator Jeremiah Denton was a leading sponsor of abstinence education when he served in the Senate, and in 1987, more than a decade ago, I took up Senator Denton's cause in maintaining funding for abstinence education in the Appropriations Subcommittee on Labor, Health and Human Services, and Education. Last year, as chairman of that subcommittee, we increased the funding for abstinence education very substantially, but there has not been an authorization bill for some time. This legislation would call for an authorization up to some $75 million a year. I think we are not going to be able to get there in the immediate future, but I think that is a target where we ought to have authorization to give the Appropriations Committee ample room to work.

I have visited schools around the country. I have found it very much to the point to talk in very direct and candid terms to teenagers in schools about the problems of drugs and about the importance of abstinence, and there is an interest I think among teenagers in wishing to discuss it in an open and frank way. What young women need is to have counter peer pressure which would move toward abstinence. On Friday, March 15, 1996, I had the opportunity to kick off the Commonwealth of Pennsylvania's Teen Pregnancy Prevention Week at Central High School in Philadelphia. During that week, communities throughout Pennsylvania conducted special activities to promote pre-marital abstinence as the healthiest way to prevent teen pregnancy and the many other physical and emotional consequences of early sexual activity.

Last April, I visited Carrick High School in Pittsburgh, where I met with students who are involved in an abstinence program. I also visited the Susquehanna Valley Pregnancy Service in Lancaster, which works with young people who have taken pledges of abstinence and counsels them on overcoming peer pressure with counter peer pressure. I met and discussed abstinence and other issues with students at Susquehanna Township High School in Harrisburg, Manheim Township High School in Lancaster, Cedar Cliff High School in New Cumberland, Central York High School in York, and Liberty High School in Bethlehem.

Throughout the 104th Congress, I conducted hearings on the issues of teen pregnancy, abstinence education, and adoption in my capacity as chairman of the Appropriations Subcommittee on Labor, Health and Human Services, and Education. Numerous witnesses shared their expertise and experiences. I ask unanimous consent a complete list of these witnesses be printed in the RECORD as exhibit 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. The legislation I am introducing today builds on the significant progress made in the 104th Congress, where we enacted tax credits for adoption and authorized, through the welfare bill, an additional $50 million for fiscal years 1998 to 2002 to provide abstinence education. As my colleagues may recall, I introduced similar legislation in the 104th Congress on April 29, 1996.

At the outset, let me provide my colleagues with a brief summary of the legislation. My first proposal would reauthorize and expand the Adolescent Family Life Program, providing $75 million annually to promote abstinence education for teens. My second proposal would increase the tax credit for adopting special-needs children to $7,500 and would permit penalty-free withdrawals from individual retirement accounts for adoption expenses. These two bills complement my efforts to advocate adequate prenatal care, especially for teens, through the Healthy Start Program. We know that in most instances, prenatal care is effective in preventing premature births. I saw my first 1-pound baby more than a decade ago. It is really a startling sight, a child no bigger than my hand, carrying scars for a lifetime and costing as much as $400,000 in medical care per child over a lifetime, according to the most recent data from the National Commission to Prevent Infant Mortality.

Mr. President, nearly 200 years ago, the French writer Alexis de Tocqueville is said to have observed that ''America is great because she is good, and if America ever ceases to be good, America will cease to be great.'' His analysis is timeless.

It is impossible to be a public official today, to travel throughout States such as Pennsylvania and elsewhere in the United States, without recognizing that America's problems are more moral than material. As we have tried to steer toward a growing economy and a balanced budget, we have seen a growing consensus that all our goals must rest on a restored ethic of personal responsibility. A crisis of values, in fact, underlies many of the public policy problems the Senate addresses on a daily basis. This has impressed upon me the need for people of strong moral commitments to enter public service and public debate, so that we may confront the underlying problems together and move our Nation forward.

While the news media offer us a monthly snapshot of leading economic indicators, it may be that our leading moral indicators are more telling, such as the staggering number of teenage pregnancies and the rapid rise in juvenile crime, which suggest that the erosion of the American family continues unabated. Further, today more than 50 percent of American marriages end in divorce, meaning that millions of children face at least some instability in their home environment. Marriage is obviously important in that a strong family structure, based on a commitment of mutual support and respect, is vital for children. On the subject of family values, I speak with considerable pride about the manner in which my parents and my siblings have respected the institution of marriage. In addition to my own marriage of 44

years and my parents' marriage of 45 years, my brother, Morton, and his wife, Joyce, were married for 51 years until his death in 1993. My sister, Hilda, and her husband, Arthur Morgenstern, celebrated their 54th wedding anniversary in April 1997. My sister, Shirley, was married to Edward Kety for 46 years until his death in 1995. My son, Shanin, and his wife, Tracey, celebrated their 10th wedding anniversary on June 29, 1996. So our family totals 250 years of marriage, and counting.

On this critical question of the health of America's families, the grim statistics are worth airing. The number of teenage pregnancies in the United States continues to reach alarming levels. According to data compiled by the Alan Guttmacher Institute, in 1992, the most recent year for which statistics are available, approximately 931,000 women aged 15 to 19 became pregnant. Further, the National Center for Health Statistics reports that there were 500,744 births to women aged 15 to 19 in 1995, and an additional 12,318 births to women under 15 years of age. By comparison, the United Nations Population Division reports that the United States teenage birth rate, 64 births per 1,000 females aged 15 to 19 for the period 1990–95, is the highest in the industrialized world. France and Japan report some of the lowest teenage birth rates, at 9 and 4 births per 1,000 females, respectively. Another leading moral indicator is the rapid increase in the number of unwed teenage mothers. According to Child Trends, Inc., the percentage of births to mothers under age 20 that occurred outside of marriage rose from 48 percent in 1980 to 76 percent in 1994.

Teenage mothers face more complications in childbirth, and their children are 50 percent more likely to be born premature. These children also have a greater risk of dying in the first year of life, suffering developmental problems, and becoming teen parents themselves. Further, the Office of Population Affairs of the U.S. Department of Health and Human Services reports that 80 percent of children born to unwed teenage mothers who have not completed high school live in poverty. By contrast, of those children born to 20-year-old married parents who are high school graduates, only 8 percent live in poverty. In addition, more than three-fourths of unmarried teen mothers began receiving Aid to Families with Dependent Children [AFDC] within 5 years after the birth of their first child. A report released in 1996 by the Robin Hood Foundation estimated that adolescent childbearing costs the taxpayers $6.9 billion each year in welfare and food stamp benefits, medical care expenses, lost tax revenue, incarceration expenses, and foster care. To me, this necessitates a strong response from concerned citizens, the clergy, and public officials.

We can, and we must, confront our leading moral indicators head-on. We must press harder in the fight to reduce the alarming number of teenage pregnancies in the United States. And, when a child comes into the world as the result of an unintended pregnancy, we must do all that we can to ensure that it is raised in a loving, stable family environment. It is the American family, of course, that chiefly bears these responsibilities. Nonetheless, I believe that the government can play a role and that we in the Congress must pursue legislative avenues to strengthen the social fabric and family stability of our Nation.

My first legislative proposal, the Adolescent Family Life and Abstinence Education Act of 1997, would reauthorize the existing Adolescent Family Life Program, known as title XX, a valuable program which focuses directly on the issues of abstinence, adolescent sexuality, adoption alternatives, pregnancy, and parenting. If you want to reduce the number of abortions performed in the United States, teaching children to resist negative peer pressure is a starting place.

In 1981, Congress, with bipartisan support, established the Adolescent Family Life Program as the only Federal program of its kind. The program was reauthorized in 1984, and its authority expired in 1985. Since then, the program has been funded through annual appropriations bills. As chairman of the Labor, Health and Human Services, and Education Appropriations Subcommittee, I pressed to appropriate $14.2 million for the Adolescent Family Life program in fiscal year 1997, an increase of $6.5 million over fiscal year 1996. Within that amount, $10.8 million is provided for abstinence demonstration programs.

A major focus of the Adolescent Family Life prevention projects is delaying the onset of sexual activity, thereby reducing the incidence of adolescent pregnancy as well as the transmission of sexually transmitted diseases. Investing in programs that prevent unintended teenage births to unwed mothers is also vital in this time of budgetary constraints. Addressing the problem of teenage pregnancy, which alone costs the government about $6.9 billion each year, will save millions of dollars in welfare costs.

Since its inception, the Adolescent Family Life Program has supported approximately 196 care and prevention demonstration projects and 63 research projects. On April 10, 1996, I met with officials at Mercy Hospital in Pittsburgh, which has received a 2-year, $1 million grant to create a care network to meet the physical, emotional, psychological, and educational needs of pregnant and parenting adolescents, and to expand upon school-based education programs. The results there have been significant.

Now, more than 10 years after the authority for this valuable program expired, it is vital that Congress reauthorize the Adolescent Family Life Program to stem the staggering emotional and financial cost of teenage pregnancy. My legislation, the Adolescent Family Life and Abstinence Education Act of 1997, would authorize $75 million in Federal spending annually between now and fiscal year 2001 for the Adolescent Family Life Program, substantially higher than the $30 million authorized in 1985. My legislation would also amend title XX of the Public Health Service Act to state expressly that the education services provided by the recipients of Federal funds should include information about abstinence.

Updating Federal law to expressly advocate abstinence education provides necessary guidance to the Department of Health and Human Services. I have also proposed amending the law to require the Secretary of Health and Human Services to ensure, to the maximum extent practicable, that approved grants reflect a geographic diversity with adequate representation of both urban and rural areas. Further, to address concerns raised by Pennsylvania constituents, my legislation would establish a simplified, expedited application process for groups seeking title XX demonstration project funding of less than $15,000. I urge my colleagues and others to join me in the effort to reduce teenage pregnancies and make America a good society by supporting this legislation.

The legislation on adoption, Mr. President, builds upon legislation I introduced last year with my distinguished colleague from Pennsylvania, Senator SANTORUM, who is the principal cosponsor on both of these bills. Our legislation, and there are many others in the field, provided for a $5,000 tax credit for adoption. There are many children in America who need homes, and many people in America who would like to adopt, but it is a very, very expensive proposition. I was pleased that Congress adopted legislation last year providing a $5,000 tax credit for adoption, $6,000 in the case of a special needs child, and this legislation would build on that to provide for an additional $1,500 for special needs children, for a total of $7,500. Another provision in this bill would allow for a $2,000 withdrawal tax free from individual retirement accounts.

Far too many children are left to grow up in foster care without ever experiencing the rewards of being a permanent family member. When couples find that they are not able to conceive their own children or that it is not medically advisable, many consider adoption. Many other couples blessed with their own children consider adopting another child out of a sense of love and community, particularly where a child has been in foster care.

Recognizing that the costs associated with adoption can be prohibitive, Congress passed the Small Business Job Protection Act of 1996 last August, which provided a nonrefundable tax credit for qualified adoption expenses,

such as reasonable and necessary adoption fees, court costs, attorney fees, and other expenses related to a legal adoption. The act also contained a tax exclusion for benefits received under employer-sponsored adoption assistance programs. Both the tax credit and the exclusion of benefits are capped at $5,000 per child, or $6,000 per child in the case of a special needs adoption, and are fully phased out for adjusted gross incomes above $115,000. During Senate consideration of this legislation, I wrote to Majority Leader Dole and Finance Chairman ROTH urging the inclusion of a $7,500 tax credit for special needs adoptions, rather than $5,000 as contained in the House-passed bill. I was pleased that the final bill included a higher level of $6,000 for special needs adoptions, but this is just not enough.

We should be doing more to encourage, in particular, the adoption of children with special needs. Under current law, a child with a special need is one who has a mental, physical or emotional handicap, or who falls into a specific age, gender or minority group, which requires assistance to place that child with adoptive parents. This clinical explanation belies the frustrating condition of these children. A New York Times op-ed column by David S. Liederman, Executive Director of the Child Welfare League of America, published on May 9, 1996, stated that there are some 21,000 children with special needs waiting to be adopted, and another 65,000 in the care of welfare agencies, awaiting legal clearance to be made available. Many of these children have been placed in foster care because of parental neglect and abuse, exposure to drugs or HIV infection, serious emotional and physical disabilities, and other problems. These children, especially those with physical disabilities, are often very expensive to raise, which further compounds the difficulty of placing them in adoptive families.

The legislation I am introducing today, the Adoption Promotion Act of 1997, would increase the tax credit and the exclusion of benefits received under employer-provided adoption assistance for special needs adoptions from $6,000 to $7,500. While it is often much less expensive to adopt a special-needs child than a typical infant, related costs may arise, such as the remodeling of a house to accommodate a physically handicapped child. Increasing the tax credit and exclusion to $7,500 will help to defray such additional expenses.

Finally, I have included a provision in my legislation to allow the penalty-free withdrawal of up to $2,000 from an Individual Retirement Account [IRA] to help cover the costs of adoptions. I understand that a tax credit is simply inadequate to cover all the expenses associated with adoption, and I believe the Federal Tax Code should encourage savings and reward taxpayers, rather than penalizing them for the wise use of their hard-earned money. I have supported other efforts in the past that would allow the use of IRA funds for personal capital expenses such as the purchase of a family home, investment in college education, or payment of medical expenses. In my judgment, using IRA funds for adoption expenses is equally meritorious.

Given the substantial prior support in both the Senate and House for tax incentives to promote adoption, I am hopeful that my colleagues will favorably consider the mix of incentives contained in the Adoption Promotion Act of 1997 and enact this legislation in the near future. By reducing the financial hurdles to adoption, I hope we will be able to give new hope to the thousands of children who live in foster care awaiting the chance to be brought into a loving family environment on a permanent basis.

In conclusion, Mr. President, I urge my colleagues to join me in restoring the health of America's families by supporting the Adolescent Family Life and Abstinence Education Act of 1997 and the Adoption Promotion Act of 1997. I ask unanimous consent that the full text of these bills be printed in the CONGRESSIONAL RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 934

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 ''Adolescent Family Life and Abstinence Education Act of 1997''.

SECTION 2. DEFINITIONS.

Section 2002(a) of the Public Health Service Act (42 U.S.C. 300z–1) is amended in subparagraph (4)(G) by inserting ''and abstinence'' after ''adoption''.

SECTION 3. GEOGRAPHIC DIVERSITY.

(a) Section 2005 of the Public Health Service Act (42 U.S.C. 300z–4) is amended by adding after subsection (a) the following:

''(b) In approving applications for grants for demonstration projects for services under this title, the Secretary shall, to the maximum extent practicable, ensure adequate representation of both urban and rural areas.''.

(b) Section 2005 is amended by redesignating subsections (b) and (c) as subsections (c) and (d), respectively.

SECTION 4. SIMPLIFIED APPLICATION PROCESS.

Section 2006 of the Public Health Service Act (42 U.S.C. 300z–5) is amended by adding the following:

''(g) The Secretary shall develop and implement a simplified and expedited application process for applicants seeking less than $15,000 of funds available under this Act for a demonstration project.''

SECTION 5. AUTHORIZATION OF APPROPRIATIONS.

Section 2010(a) of the Public Health Service Act is amended to read as follows—''(a) For the purpose of carrying out this title [42 U.S.C. 300z et seq.], there are authorized to be appropriated $75,000,000 for each of the fiscal years 1997 through 2001.''.

S. 935

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 ''Adoption Promotion Act of 1997''.

SEC. 2. INCREASE IN LIMIT ON CREDIT FOR ADOPTION EXPENSES AND EXCLUSION FOR EMPLOYER-PROVIDED ADOPTION ASSISTANCE FOR ADOPTION OF SPECIAL NEEDS CHILDREN.

(a) CREDIT.— Section 23(b)(1) of the Internal Revenue Code of 1986 (relating to dollar limitation) is amended by striking ''$6,000'' and inserting ''$7,500''.

(b) EXCLUSION.—Section 137(b)(1) of the Internal Revenue Code of 1986 (relating to dollar limitation) is amended by striking ''$6,000'' and inserting ''$7,500''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1996.

SEC. 3. DISTRIBUTIONS FROM CERTAIN PLANS MAY BE USED WITHOUT PENALTY TO PAY ADOPTION EXPENSES.

(a) IN GENERAL.—Section 72(t)(2) of the Internal Revenue Code of 1986 (relating to exceptions to 10-percent additional tax on early distributions from qualified retirement plans) is amended by adding at the end the following:

''(E) DISTRIBUTIONS FROM CERTAIN PLANS FOR ADOPTION EXPENSES.—Distributions to an individual from an individual retirement plan of so much of the qualified adoption expenses (as defined in section 23(d)(1)) of the individual as does not exceed $2,000.''.

(b) CONFORMING AMENDMENT.—Section 72(t)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''or (D)'' and insert '', (D) or (E)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments and distributions after December 31, 1996.

EXHIBIT 1

WITNESSES TESTIFYING BEFORE THE APPROPRIATIONS SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, ON ABSTINENCE EDUCATION

JULY 11, 1996, WASHINGTON, DC, 9:30 AM

Allan Carlson, Ph.D. President, Rockford Institute; Gracie Hsu, Policy Analyst, Family Research Council; Dr. David Hager, Member of the Physician Resource Council for Focus on the Family, Advisory Board Member for the Medical Institute for Sexual Health; Kathleen Sullivan, Director, Project Reality; and William Devlin, Director, Philadelphia Family Policy Council.

JULY 22, 1996, PITTSBURGH, PA, 9:15 AM

Father Kris Stubna, Secretary for Education, Diocese of Pittsburgh; Cathy Hickling, Editor, Expression Newspaper, Pittsburgh, PA; Amy Scheuring, Director of the Human Sexuality Alliance, Gibsonia, PA; Jacquetta Henderson, Abstinence Educator, Braddock Hills, PA; and Dr. Bradley J. Bradford, Chairman, Department of Pediatrics, Mercy Hospital of Pittsburgh, Pittsburgh, PA.

JULY 29, 1996, LANDISVILLE, PA, 10:30 AM

Rebecca Lovett, Director, Teen/Parent Program, School District of Lancaster, PA; Reverend Roland K. Smith, Youth President of Pennsylvania, United Pentecostal Church International; Father David Sicoli, St. Anthony's Catholic Church, Founder of the C.O.U.R.T. abstinence program; Robert Turner, Director of Student, Discipleship, and Family Ministries, Baptist Convention of Pennsylvania and South Jersey; Emily Chase, Director of Educational Services, Capital Area Pregnancy Center; and Ann Marie Kalloz, Sexuality Education Coordinator, St. Francis Xavier Church, Gettysburg, PA.

JULY 29, 1996, SCRANTON, PA, 2:00 PM

Molly Kelly, Director, Philadelphia Abstention Program; Dr. David Madeira, Better Health Center, Shavertown, PA; John Plucenik, Director, ARC Learning Center, Kingston, PA; Kathy Yaklic, Director of

Youth and Young Adult Ministries, Diocese of Scranton; Mary Louise Schaeffer, Executive Director, Maternal and Family Health Services of Wilkes-Barre; Henry Hewitt, Principal, Scranton Preparatory High School; and Reverend Frank Bissol, Elkdale Baptist Church, West Clifford, PA.

By Mr. THURMOND:

S. 936. An original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. THURMOND. Mr. President, I am pleased to favorably report out from the Committee on Armed Services an original bill, without a written report, which is a second version of the national defense authorization bill for fiscal year 1998.

This bill is identical to S. 924, the national defense authorization bill for fiscal year 1998, ordered reported by the Committee on Armed Services on June 12, 1997, except that it does not contain sections 311, 312, and 313, pertaining to depot-level activities of the Department of Defense, which were contained in subtitle B of title III of that bill.

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. HATCH, the name of the Senator from Colorado [Mr. ALLARD] was withdrawn as a cosponsor of S. 3, a bill to provide for fair and accurate criminal trials, reduce violent juvenile crime, promote accountability by juvenile criminals, punish and deter violent gang crime, reduce the fiscal burden imposed by criminal alien prisoners, promote safe citizen self-defense, combat the importation, production, sale, and use of illegal drugs, and for other purposes.

S. 10

At the request of Mr. HATCH, the name of the Senator from Colorado [Mr. ALLARD] was withdrawn as a cosponsor of S. 10, a bill to reduce violent juvenile crime, promote accountability by juvenile criminals, punish and deter violent gang crime, and for other purposes.

S. 121

At the request of Mr. MOYNIHAN, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 121, a bill to amend the Internal Revenue Code of 1986 to provide for 501(c)(3) bonds a tax treatment similar to governmental bonds, and for other purposes.

S. 127

At the request of Mr. MOYNIHAN, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from South Dakota [Mr. DASCHLE], and the Senator from Connecticut [Mr. DODD] were added as cosponsors of S. 127, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 224

At the request of Mr. WARNER, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 224, a bill to amend title 10, United States Code, to permit covered beneficiaries under the military health care system who are also entitled to Medicare to enroll in the Federal Employees Health Benefits program, and for other purposes.

S. 364

At the request of Mr. LIEBERMAN, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 364, a bill to provide legal standards and procedures for suppliers of raw materials and component parts for medical devices.

S. 394

At the request of Mr. HATCH, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from Ohio [Mr. DEWINE], and the Senator from Connecticut [Mr. DODD] were added as cosponsors of S. 394, a bill to partially restore compensation levels to their past equivalent in terms of real income and establish the procedure for adjusting future compensation of justices and judges of the United States.

S. 496

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 496, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 513

At the request of Mr. MACK, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from North Carolina [Mr. FAIRCLOTH], and the Senator from Minnesota [Mr. GRAMS] were added as cosponsors of S. 513, a bill to reform the multifamily rental assisted housing programs of the Federal Government, maintain the affordability and availability of low-income housing, and for other purposes.

S. 536

At the request of Mr. GRASSLEY, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 536, a bill 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.

S. 570

At the request of Mr. NICKLES, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 570, a bill to amend the Internal Revenue Code of 1986 to exempt certain small businesses from the mandatory electronic fund transfer system.

S. 625

At the request of Mr. MCCONNELL, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 625, a bill to provide for competition between forms of motor vehicle insurance, to permit an owner of a motor vehicle to choose the most appropriate form of insurance for that person, to guarantee affordable premiums, to provide for more adequate and timely compensation for accident victims, and for other purposes.

S. 770

At the request of Mr. NICKLES, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 770, a bill to encourage production of oil and gas within the United States by providing tax incentives, and for other purposes.

S. 923

At the request of Mr. SPECTER, the names of the Senator from New Jersey [Mr. TORRICELLI], the Senator from Oklahoma [Mr. NICKLES], the Senator from Oklahoma [Mr. INHOFE], the Senator from West Virginia [Mr. BYRD], the Senator from California [Mrs. FEINSTEIN], the Senator from Colorado [Mr. CAMPBELL], and the Senator from Pennsylvania [Mr. SANTORUM] were added as cosponsors of S. 923, a bill to deny veterans benefits to persons convicted of Federal capital offenses.

SENATE RESOLUTION 71

At the request of Mr. WYDEN, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of Senate Resolution 71, A resolution to ensure that the Senate is in compliance with the Congressional Accountability Act with respect to permitting a disabled individual access to the Senate floor when that access is required to allow the disabled individual to discharge his or her official duties.

SENATE RESOLUTION 98

At the request of Mr. BYRD, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Indiana [Mr. COATS], the Senator from Mississippi [Mr. COCHRAN], the Senator from New Mexico [Mr. DOMENICI], the Senator from Texas [Mr. GRAMM], the Senator from Minnesota [Mr. GRAMS], the Senator from Mississippi [Mr. LOTT], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Virginia [Mr. ROBB], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Alabama [Mr. SESSIONS], the Senator from New Hampshire [Mr. SMITH], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of Senate Resolution 98, A resolution expressing the sense of the Senate regarding the conditions for the United States becoming a signatory to any international agreement on greenhouse gas emissions under the United Nations

Framework Convention on Climate Change.

SENATE RESOLUTION 102—RELATIVE TO INDIAN INDEPENDENCE DAY

Mr. SPECTER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 102

Whereas India is the world's largest democracy and shares with the United States the system in which the supreme power to govern is invested in the people;

Whereas the people of India drew upon the values of the rule of law in creating a representative democracy;

Whereas India and the United States share a common bond of being former British colonies;

Whereas India's independence was achieved pledged to the principles of fairness, dignity, peace and democracy;

Whereas these and other ideals have forged a close bond between our two nations and their peoples;

Whereas August 15, 1997 marks the 50th anniversary of the end of the struggle which freed the Indian people from British colonial rule; and

Whereas it is proper and desirable to celebrate with the Indian people, and to reaffirm the democratic principles on which our two great nations were born: Now therefore be it

Resolved, That August 15, 1997 is designated as Indian Independence Day: A National Day of Celebration of Indian and American Democracy. The President is requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. SPECTER. Mr. President, I am submitting this resolution commemorating the 50th anniversary of India's independence. This resolution will designate August 15, 1997, as ''Independence Day for the Nation of India,'' a day of celebration of Indian and American democracy.

On August 15, 1947, India came into existence and has been dedicated to democracy and the rule of law for the past 50 years. It is a multiethnic country of 950 million people, who speak more than 18 major languages and hundreds of dialects.

I have had the pleasure to visit India on a number of occasions, most recently with the distinguished Senator from Colorado, Senator BROWN, in August 1995, when we met with Prime Minister Rao. That was a fascinating meeting when the Prime Minister immediately undertook a discussion of the necessity to have the subcontinent nuclear free. Regrettably, there has been much controversy, much tension between Pakistan and India. On that occasion, Prime Minister Rao emphasized his desire to see the subcontinent nuclear free.

The next day, Senator BROWN and I had occasion to visit with Prime Minister Benazir Bhutto in Islamabad and talk to her about establishing a nuclear free subcontinent.

Later, Senator BROWN and I wrote jointly to President Clinton urging that the President invite the Prime Ministers of India and Pakistan to the White House to see if a nuclear free subcontinent might be accomplished with the assistance of the good offices of the United States.

I am delighted to see my distinguished colleague from Pennsylvania, Senator SANTORUM, assuming the Chair, the lofty position of presiding over the U.S. Senate. I am glad to see my colleague here.

Back to my resolution. India's democracy has thrived over the past 50 years, testimony to the fact that principles of freedom are not limited to the most prosperous countries of the West, but a country which has become independent and democratic, notwithstanding its problems with its economy.

There are strong links between the two nations, India and the United States. We are both former British colonies and, in our own civil rights struggles of the last generation, great Americans, such as Dr. Martin Luther King, borrowed the concepts of peaceful dissent from India from the teaching of India's independence leader, Mahatma Gandhi.

The number of Indian, Americans living in the United States continues to increase steadily. The rich cultural heritage and traditions of the Indian people contribute to the great diversity of the United States of America.

Relations between our countries have seen some difficulties, and there are still areas for improvement, but our mutual values of democracy and the rule of law bridge these differences.

I submit this resolution because it is proper and desirable to celebrate with the Indian people and to reaffirm the democratic principles which our two great nations cherish. I ask the American people to join with me in celebrating 50 years of India's independence.

AMENDMENTS SUBMITTED

THE JOHN F. KENNEDY CENTER PARKING IMPROVEMENT ACT OF 1997

CHAFEE AMENDMENT NO. 412

(Ordered to lie on the table.)

Mr. CHAFEE submitted an amendment intended to be proposed by him to the bill (S. 797) 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; as follows:

Page 3, line 7, strike ''or''.

Page 3, line 12, strike the first period and all that follows and insert ''; or''.

Page 3, after line 12, insert the following:

''(C) any project to acquire large screen format equipment for an interpretive theater or to produce an interpretive film that the Board specifically designates will be financed using sources other than appropriated funds.''.

Page 4, strike lines 9 through 14.

Page 4, line 15, strike ''5'' and insert ''4''.

Mr. CHAFEE. Mr. President, today the Committee on Environment and Public Works is reporting a bill, S. 797, the John F. Kennedy Center Parking Lot Improvement Act, as ordered reported on June 5, 1997. I am also filing a technical amendment to the bill which corrects a potential problem with respect to the funding of any large screen format equipment for an interpretive theater for the Kennedy Center. The purpose of the amendment is to ensure that the Board of Trustees of the Kennedy Center are prohibited from using appropriated funds for acquisition of such equipment.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

LAUTENBERG AMENDMENT NO. 413

(Ordered to lie on the table.)

Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill (S. 924) to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike out section 3138.

THE VETERANS BENEFITS DENIAL ACT OF 1997

SPECTER (AND OTHERS) AMENDMENT NO. 414

Mr. SPECTER (for himself, Mr. TORRICELLI, Mr. NICKLES, and Mr. INHOFE) proposed an amendment to the bill (S. 923) to deny veterans benefits to persons convicted of Federal capital offenses; as follows:

On page 1 lines 4 and 5, strike ''or state''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, June 18, 1997, at 9 a.m. in SR–328A to receive testimony regarding U.S. agricultural exports.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LOTT. 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 Wednesday, June 18, 1997, to conduct a markup of the committee's legislative submission for the budget reconciliation package.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, June 18, 1997, at 10 a.m. on Asia trade II.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, June 18, for purposes of conducting a Subcommittee on Forests and Public Land Management hearing which is scheduled to begin at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Wednesday, June 18, 1997, beginning at 10 a.m. in room SH–216, to conduct a markup on budget reconciliation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Wednesday, June 18, 1997, at 9 a.m. for a hearing on S. 314, the Freedom From Government Competition Act, and opportunities for competitive contracting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, June 18, 1997 at 10:30 a.m. in room 106 of the Dirksen Senate Building to conduct a joint hearing with the House Committee on Resources on S. 569/H.R. 1082, to amend the Indian Child Welfare Act of 1978.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet in executive session during the session of the Senate on Wednesday, June 18, 1997, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, of the Senate Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, June 18, 1997, at 10 a.m. to hold a hearing on human rights abuses in China: U.S. visa policy changes and other possible responses.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. LOTT. Mr. President, I ask unanimous consent that the Science, Technology, and Space Subcommittee of the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, June 18, 1997, at 2 p.m. on NASA International Space Station.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, June 18, 1997, in order to report out S. 858, the intelligence authorization bill, and other matters at 4:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

STATE DEPARTMENT AUTHORIZATION BILL

• Mrs. FEINSTEIN. Mr. President, I am pleased to have lent my support to H.R. 1757, the 1998–99 State Department authorization bill, which passed last night. There is much that I support in this bill, and I wanted to take a few minutes today to discuss this bill and my vote.

With its provisions to reorganize America's foreign policy institutions and to press for reform at the United Nations I think it is fair to say that this bill is one of the most far-reaching and important bills that we will consider this Congress.

For well over a decade the United States has been steadily reducing the amount of money it devotes to international affairs agencies and programs. When current figures are adjusted for inflation, the cuts in recent years have been significant—50 percent since 1984.

I was pleased when the administration requested a much-needed increase in funds for international affairs in the 1998 budget request. And I am pleased that this bill has, on the whole, preserved those funds.

The international affairs budget authorized in this bill will go a long way toward righting the inequities of American international affairs spending of the past decade, and toward creating an efficient framework to support America's global leadership in the millennium to come.

Just as important as authorizing funds for the conduct of American foreign policy, this bill also takes an historic step in working with President Clinton and Secretary Albright to create a new foreign affairs structure for the 21st century.

Many of our current foreign policy institutions were created during the cold war, with specific missions and goals in mind.

The reorganization plan put forward by the administration and supported by this bill reflects the need to preserve the unique skills and capabilities of each of the current agencies with the requirement that our institutional arrangements reflect the new demands guiding the conduct of U.S. foreign policy.

By the end of 1999 the result of this bill will be a new streamlined foreign policy structure, drawing on the best people and practices of the old agencies, and fully capable of meeting the new challenges of the 21st century.

Most importantly, from my perspective, this bill preserves some flexibility for the administration in its implementation of the President's plan.

I opposed the reorganization plan we considered in the last Congress, because it denied the President the flexibility he needs to carry out our foreign affairs. This reorganization plan suffers from no such flaw.

I would also like to take a little time to express my support for the plan to repay the United Nations the arrears our Nation owes it and for reform of the United Nations that is contained in the bill before us, S. 903.

I support this package of repayment of arrears and reform benchmarks for one simple reason: because I believe a strong and effective United Nations is fundamentally important to the national interest of the United States.

I am an unabashed supporter of the United Nations. Now that our colleague, Senator Claiborne Pell, has retired, I believe I am the only Member of this body to be in attendance at the founding of the United Nations in my hometown of San Francisco 52 years ago. I was not a delegate, as was Senator Pell—I was a bit younger then—but I am proud that I was able to help the host city celebrate that important occasion.

As mayor of San Francisco, I had the honor and privilege of presiding over the 40th anniversary celebrations in 1985, and 2 years ago, I traveled with many of my colleagues to San Francisco for the 50th anniversary celebrations.

These milestones mean a great deal to me, not because of their historical interest so much as because of their significance in the life of the United States. My own belief is that if the United Nations did not exist, we would have to invent it.

I am not among the United Nations' major detractors. I do not believe for 1 minute that the United Nations is somehow out to impose its will on the United States, or to intrude on our sovereignty. I reject outright the paranoid fantasies of those who warn of the specter of U.N. taxation or a U.N. army, or the U.N. leading inexorably toward world government.

The United Nations serves American interests each and every day. Through the U.N. High Commission for Refugees, it feeds and clothes homeless refugees in time of war. Through U.N. development programs, it helps the poorer nations of the world develop their

infrastructures. It provides a forum for negotiating multilateral agreements on arms control, protecting the environment, and other matters that affect all nations.

The U.N. specialized agencies also address problems that know no political borders. The World Health Organization fights diseases like AIDS that destroy the lives of those they afflict, and, if left unchecked, threaten countless others. The International Labor Organization helps keep track of forced labor and child labor, leading to multilateral efforts to improve working conditions around the world.

Perhaps most importantly, the United Nations helps promote peace and security in trouble spots around the world. The United Nations is probably best known for peacekeeping. While Americans often remember the debacles of Bosnia and Somalia, few realize that U.N. peacekeepers are helping maintain peaceful borders and facilitate peaceful transitions in such places as the Golan Heights, Macedonia, Angola, and Kuwait.

The United Nations also enables the United States to cooperate with our allies to carry out missions that are important to U.S. and international security. With U.N. approval, the United States led the nations of the world to expel Saddam from Iraq in Operation Desert Storm. The United Nations continues to enforce sanctions on Iraq and monitor Iraqi weapons programs.

Because all of these operations require the approval of the U.N. Security Council, the United States, which has a veto on that Council, must approve them. These operations are never forced down our throats. To the contrary, our leadership role and our veto allow us to leverage the United Nations to conduct operations that are in our interests, but with the burden shared among our allies.

For all of these reasons, I value the United Nations and believe it is imperative that we help it regain a sound financial footing. The United Nations' current financial difficulties are threatening to render it unable to implement many of its most important programs. And the biggest portion of the United Nations' shortfall is directly attributable to the United States' failure to pay its arrears.

So the payment of these arrears is no trivial matter. It is the best—perhaps the only—way to ensure the United Nations' survival as a force for international peace and security in the post-cold-war era.

Now, I share the view of the Senator from Indiana, who rightly pointed out that our payment of these arrears is not voluntary. It is an obligation under treaty commitments, signed and ratified according to our Constitution.

But I also recognize something else. The political reality dictates that if we are to pay any arrears to the United Nations, they must be accompanied by a package of reform benchmarks.

Over 4 months ago, the majority leader convened a working group of House and Senate authorizers and appropriators, Republicans and Democrats, to work with the administration on resolving the arrears question.

As the ranking member of the International Operations Subcommittee, I was involved in this task force from the beginning, and my staff attended virtually all of the subsequent meetings, until Senator HELMS and Senator BIDEN began the detailed endgame negotiations.

In the very first meeting of this task force, Secretary of State Albright came to discuss the administration's proposal, which was essentially for Congress to appropriate all of the arrears—$1.021 billion—up front, and to attach no conditions to their payment.

In the room were a number of leading Republican authorizers and appropriators, as well as the majority leader. As I recall, the only Democrats in the room for much of the meeting were the distinguished ranking member of the House International Relations Committee, LEE HAMILTON of Indiana, and myself.

Even then, Mr. HAMILTON and I—two strong supporters of the U.S. role in the United Nations—told the Secretary of State that, as sympathetic as we were to the need to pay these arrears, the administration's proposal did not stand a chance. We said it then, and I say it here today: The votes are not there for repaying our arrears without reform benchmarks.

So the negotiations commenced, and they continued through literally hundreds of hours. Both sides have made significant concessions. The administration, which wanted to pay all the arrears up front, certainly has. Anyone who saw the early Republican proposals, which called for payment of only a portion of the arrears, over 5 years, and with many more, potentially unachievable benchmarks, knows that the distinguished Senator from North Carolina has given a lot.

But the final result of these talks is a package that calls for a tough, but achievable, series of reforms to be implemented by the United Nations over the next 3 years, while the United States pays off $819 million in U.N. arrears, a figure that is the Administration's bottom line. These reforms include greater oversight of budgets and personnel, phasing out obsolete programs, and, perhaps most importantly, a reduction in the U.S. share of the assessed budget from 25 to 20 percent.

From the beginning, I felt that 3 years was about the right length of time for this package, and I argued that in the task force. It is long enough to give us some leverage to ensure the reforms are enacted, but not so long that the other member States do not believe it is credible that we will pay our debts.

Make no mistake, achieving these reforms will take a great deal of work. Some of them, such as the reduction of the U.S. share of the budget, which the other member States must agree to, will require our U.N. Ambassador to employ all of his negotiating skills. Others will require the committed effort of the Secretary General, Kofi Annan—a man I believe is genuine in his desire for real reform.

I acknowledge that this process is not perfect, and that there will be resentment among other nations who feel that Congress is unilaterally dictating what should be multilateral decisions. I understand that.

But these arrears must be paid. And the political reality is that our choice is either to pay these bills in this fashion, over 3 years, while working with the United Nations for reforms, or not to pay them at all. That, to me, is an easy choice. I want to pay our arrears and strengthen the United Nations.

In addition to the two major achievements of U.N. reform and State Department reorganization, this bill also contributes to furthering American interests in the world in a myriad of smaller, though not less significant, ways. Let me provide three such examples.

This bill authorizes funds which will go to the International War Crimes Tribunal, and which will help assure that those who committed genocide and rape in Rwanda and Bosnia are brought to justice.

It lends our support to the work of the Asia Foundation, which, through innovative public-private partnerships is able to leverage Federal resources to effectively promote U.S. political, economic, cultural, and security interests throughout the Pacific rim.

And this bill authorizes funds which will go to support vitally needed infrastructure and new information technology at our embassies and missions.

I have been to many of the crumbling and inadequate State Department facilities throughout the world, and can attest from first-hand experience the importance of these efforts.

As I stated earlier, it is my belief that this bill, with its United Nations and reorganization provisions, takes a significant step in the right direction on several critical issues which Congress has been wrestling with for the past several years. Moreover, the cooperation and hard work of the distinguished chairman and ranking member of the Foreign Relations Committee on this bill, also marks, I believe, a return to a spirit of bipartisan cooperation on foreign policy. I am proud to have been able to cast my vote in support of this bill.●

SALVE REGINA UNIVERSITY'S 50TH ANNIVERSARY

● Mr. CHAFEE. Mr. President, I am pleased to announce the 50th anniversary of Salve Regina University, in Newport, RI. Salve Regina University is a private coeducational university of the arts and sciences, administered by the Sisters of Mercy. In commemoration of this milestone, the U.S. flag will be flown over the Capitol Building on September 2, 1997.

As part of its 50th anniversary celebration, Salve Regina will host year-long activities, open to all, centered around the theme ''The Enduring Power of Vision: Tradition, Achievement, Challenge.'' These activities, including a conference on cultural and historical preservation, will take place on the university's 60-acre campus, bordering on the famed Cliff Walk in Newport.

Mr. President, you may be interested to know that since the enrollment of its first class on September 24, 1947, the university has expanded to offer 29 undergraduate majors in the arts and sciences and 16 graduate programs, including a Ph.D. in Humanities.

I am particularly pleased that the continued success and achievement of Salve Regina will be celebrated this year. And I am very proud to congratulate Salve Regina University for its 50 years of dedication and excellence in education.●

ANNOUNCEMENT OF POSITION ON VOTE—AMENDMENT NO. 382

● Mr. HARKIN. Mr. President, on Tuesday, June 17, I was unable to vote. I would have voted ''yes'' on the Lugar amendment No. 382 to S. 903, the Foreign Affairs Reform and Restructuring Act of 1997.

I believe that the United States should pay our debt to the United Nations. However, I also believe that change and reform in the United Nations are essential if the United Nations is to be revitalized. The U.S. dues for the regular U.N. budget and for international peacekeeping should be reduced. These cost-saving goals can be achieved but we will have to convince our allies and friends, who will have to bear a larger portion of the costs as our contributions decline, that we are serious about our leadership and our compliance with our obligations. That is why I believe that Senator LUGAR offered a reasonable solution to wipe the slate clean of our arrears and clear the way to pursue the U.N. reforms that will make it a more viable institution.

I am hopeful that when this bill emerges from the conference committee the 38 benchmarks mandated in title XXII of the bill as pre-conditions for our payment will be addressed and corrected.●

FAIRNESS IN AMERICA'S DAIRY INDUSTRY

● Mr. ABRAHAM. Mr. President, I rise today to speak once again of one of the greatest impediments to a free market system for U.S. dairy: the Northeast Interstate Dairy Compact.

The compact as approved by Secretary Glickman permits six States in the New England area to set the minimum price paid to dairy producers above the minimum price guaranteed by the federal milk marketing order system. I believe this type of artificial price increase will inevitably lead to an overproduction of milk in the New England area. Unfortunately, this may serve to further reduce milk prices paid to dairy farmers in Michigan and in other regions of the country. Subsidizing an already subsidized industry is totally unnecessary and, in my opinion, creates a dangerous precedent in allowing regions or States to set up artificial trade barriers. This seems to contradict the intention of last year's freedom to farm bill: removing price controls and taking Government out of farming.

I supported the freedom to farm bill because it eliminates agriculture subsidies and gives American farmers the ability to choose which crops to grow. This bill was of paramount importance to the promotion of free markets in the global economy for this Nation's agriculture producers. I was disheartened when the Northeast interstate dairy compact slipped into the farm bill conference report at the last moment. It is my hope that Congress will correct this flaw and move U.S. agriculture one step closer to establishing a true market economy.●

THE 70TH WEDDING ANNIVERSARY OF THE DAVISES

● Ms. LANDRIEU. Mr. President, I rise today to recognize the 70th wedding anniversary of Gerald and Billie Davis Jones of West Monroe, LA. They celebrate their anniversary today with a large gathering of family and friends. The Joneses have been model citizens and contributed to their church and community in both large and small ways. We salute them for their impressive stability and wish them continued happiness together.●

BISMARCK RECEIVES ALL-AMERICAN CITY AWARD

● Mr. DORGAN. Mr. President, I rise today to congratulate the city of Bismarck, ND, for recently being named an ''All-America City.''

This honor comes as no surprise to those of us who have been proud to call Bismarck home. But for many years, weather reports of blowing snow and subzero temperatures enabled us to keep what we call the good life in Bismarck a well-guarded secret. With this award and new national prominence, residents of Bismarck, ND, can no longer be modest.

Bismarck is a place where the quality of life is good, the economy is growing, and the threat of crime is practically nonexistent. Our kids can go to good schools without worrying about carrying knives or guns and they can play outside on their streets after dark. It is a place where people still get to know their neighbors and where hard-working people can make a decent wage. Unemployment for the city is a mere 2.7 percent, well below the national average of 4.8 percent.

But now our secret's out—and I'm pleased it has been done with such honor. Only 10 cities receive the All America City designation each year from the National Civic League. This year, 120 cities applied and only 30 were chosen as finalists. By surpassing the 20 other cities nationwide to win the award, Bismarck gained a title and prominence that will surely attract new businesses, increase population, and provide new opportunities for growth in our State.

Bismarck currently has a population of close to 50,000 residents—most of whom are very hard-working, civic minded people who get involved in the decisions that affect their community—which is one of the main reasons the city was chosen for this award. While Bismarck received recognition from the judges for three of its projects, the city was singled out for its unique city sales tax allocation. In Bismarck, citizens have a share in the decision of where their city sales tax is spent. The judges applauded this unique approach to local government that gives taxpayers input for city projects. What a remarkable idea.

Bismarck was also recognized for its Suicide Prevention Task Force and some local programs produced at the Anne Frank exhibit, including a 10-minute script that pokes fun of images that some people have of Bismarck and North Dakota.

Again, I want to congratulate the city of Bismarck for receiving this prestigious All-America City Award. It is exemplary of the good people and good quality of life that we've always enjoyed in our State.●

MR. PATRICK BISTRIAN, JR.

● Mr. MOYNIHAN. Mr. President, I rise to pay tribute to Mr. Patrick Bistrian, Jr., of Amagansett, NY, on the occasion of his retirement from the board of education of the Amagansett Union Free School District after 30 years of service.

As a student, Pat Bistrian earned recognition in both academic and athletic pursuits. He held almost all the high school track and field records. Local legend has it that some of them still stand today. His leadership in school evolved into a devotion to community service.

Throughout his 30 years on the board, he never wavered in his commitment to the children of the Amagansett School District. Guided by common sense and an admirable dose of doggedness, his can do attitude was always applied for the good of the children. After a fire destroyed the school gymnasium in 1975, Patrick Bistrian fastidiously saw to every detail regarding the replacement of the building. To his credit, the facility exceeded even the grandest expectations and came in under budget.

While voluntarism has now become fashionable throughout the land, the concept is not new to Patrick Bistrian; for him, it is a way of life. I am certain the Members of the Senate join me in saluting Patrick Bistrian for his 30

years of selfless commitment to the Amagansett community. Much like his athletic accomplishments in track and field, he has left behind a legacy that will surely go unrivaled for some time to come.●

''ILLUSORY GAME OF ARMS CONTROL''

● Mr. KYL. Mr. President, during the recent Senate debate over the Chemical Weapons Convention, a great deal of discussion centered on the proper role of arms control agreements. I recommend the Washington Times op-ed by Sven Kraemer, who served as Director of Arms Control at the National Security Council during the Reagan administration to anyone interested in the subject. I ask that it be printed in the RECORD.

The op-ed follows:

[From the Washington Times, May 11, 1997]

ILLUSORY GAME OF ARMS CONTROL

(By Sven Kraemer)

''They cry 'peace,' but there is no peace.'' Jeremiah's lament about the false prophets of peace applies tragically to the false prophets of arms control who won Senate ratification of the proposed Chemical Weapons Convention (CWC) recently. They cry ''arms control,'' but there is no arms control.

CWC supporters saw the CWC as an ''arms control'' talisman to ward off evil powers and ''to ban forever the scourge of chemical weapons from the face of the globe.'' They proclaimed it a global ban although the CWC is far from global in its list of banned chemical precursors and in the number of states likely to sign or to ratify it. They proclaimed it as ''arms control'' while admitting it cannot be effectively verified or enforced and it cannot stop, and even risks abetting, proliferation.

Such false prophets and fatal flaws are tragically common to other ''arms control'' items on President Clinton's radical agenda headed for Senate review. These include proposed ''bans'' on nuclear testing, biological weapons, fissile materials and land mines, a START III ''framework'' that vitiates START II, and a Helsinki summit agreement setting new limits on missile defenses. They don't build foundations or bridges for arms control in the 21st century, but are more like bungee jumps. Counting on miracles, spectacle and concessions rather than effective measures to control and protect against arms, they miss both the opportunities and the obligations of serious arms control and responsible leadership.

CWC supporters claimed years of political legitimacy for the CWC and declared that a ''no'' vote would destroy U.S. leadership, wrecking a long effort to establish high international arms control norms and placing the United States on the side of pariah states. But it is a ''yes'' vote that puts the United States on the side of pariahs. A ''no'' vote would have embarrassed a few officials, but would have marked a principled U.S. stand, supported by American public opinion, against a fatally flawed arms control approach that rewards pariahs and rogues, lowers already low arms control standards and seriously endangers our own security.

NEXT STEPS

The required leadership won't come from the White House and its misguided Senate supporters. The task of critique, reinvention and leadership will come from the unprecedented coalition of courageous senators, former Cabinet-level officials, key businessmen, and leaders of some 40 citizens groups who joined in opposition to the CWC and who want serious arms control, serious defense, and serious protection of our citizens' rights. CWC funding and implementation legislation provide early opportunities for such leadership in correcting the treaty's fatal flaws. The extraordinary Kyl-Lott-Helms, et al. ''Chemical and Biological Weapons Threat Reduction Act'' passed by the Senate the week before the CWC vote, will be an excellent foundation for that effort.

For the future, CWC opponents will be more dubious than ever about the administration's blizzards of misinformation and the next items on Mr. Clinton's radical agenda. Their concerns are backed by Luntz polls that show the American people to be overwhelmingly opposed to treaties like the CWC which cannot be effectively verified or enforced, which create costly and intrusive new U.N.-style international bureaucracies, and which endanger U.S. rights and weaken U.S. security. The administration and its Senate supporters have been put on notice.

To silence such critics and undermine potential long-term opposition, Clinton CWC supporters have sought political cover by invoking George Bush and even Ronald Reagan for their efforts. A George Bush signature was presented as necessarily guaranteeing effective ''arms control,'' and the CWC was even declared a ''Reagan treaty.'' In the wake of the Senate vote, such claims require new review and rebuttal.

The Bush signature guarantees nothing. Grave flaws were evident in the CWC when it was rushed to signature in the closing days of the Bush presidency in January 1993. In the four years since then, changed global conditions have turned these flaws into deadly gambles. Left standing, the CWC flaws, high-risk Clinton arms control and defense policies, and dangerous international developments (notably including severe proliferation problems fostered by Russian and Chinese violations which the Clinton administration rewards instead of engages) will be heading the United States into the bull's eye of disaster.

THREE REAGAN LESSONS AND LEGACIES FOR THE FUTURE

The invocation of Ronald Reagan on behalf of the CWC and similar spurious arms control efforts is particularly ironic. Mr. Reagan's understanding of history and his approach to arms control are repudiated by the CWC's underlying assumptions, provisions and impact. Mr. Reagan often spoke of the historic reality that arms control agreements were routinely violated by dictators and rogues unfettered by the democratic hopes, principles and processes of the American people and their allies. He often spoke of the high cost paid in lives and treasure for trust in such agreements, including those from the 1970's, which were being systematically violated by the Soviet Union. His strategy of ''peace through strength'' won the Cold War in part because he redefined arms control in terms of its contribution to America's security, not as a matter of trust in a ''process'' or as an end in itself.

DEALING WITH DICTATORS AND ROGUES

Enforcing compliance, ending proliferation: From the beginning of his presidency, Ronald Reagan's arms control approach rejected the prevalent lowest common denominator approach of his predecessors in negotiations with dictators and rogues, and focused instead on mastering the task of working with democratic allies effectively to constrain, deter and defend against such evil powers. This task is more important than ever in today's world as Iraq, Iran, North Korea, Libya, Syria and their chief suppliers in Moscow and Beijing routinely violate a wide range of anti-proliferation and other arms control agreements and as the Clinton administration fails to enforce these treaties or even to implement U.S. laws providing sanctions for such behavior.

To start with, Mr. Reagan insisted that violations of existing treaties had to be exposed and corrected before new ones could be signed. And for chemical, biological and toxin weapons, the first two years of the Reagan presidency focused on assessing and reporting such violations and seeking correction, especially concerning Soviet Production and use. The Reagan compliance reports were unprecedented in accurately presenting the threat and in pressing the case for establishing higher norms for international arms control compliance. Thus, when he had Vice President George Bush table a preliminary draft CW Convention in April 1984, half of the press and diplomatic kit made available by the White House and the vice president provided detailed information on troublesome Soviet activities that had to be corrected before CW arms control could begin to be taken seriously.

Mr. Reagan's CWC draft did not contain the ''poisons for peace'' language of the current CWC's Article XI which requires ''the fullest possible exchange of chemicals, equipment and information'' and which forbids ''the maintenance of restrictions.'' Nor did his CWC draft contain the other pro-proliferation clause, Article X, which declares that ''nothing in this Convention shall be interpreted as impeding the rights of States Parties to request and provide assistance bilaterally.''

EFFECTIVE VERIFICATION, ENFORCEMENT AND INSURANCE CAPABILITIES

Mr. Reagan insisted that serious arms control treaties had to impose real, verifiable and enforceable restrictions, not the ''nuclear freeze''-type illusions demanded by the Soviet Union and favored by the self-styled U.S. ''arms control'' lobby. Thus, he proposed the ''zero option'' for Intermediate-Nuclear Forces in 1981 and a ''deep cuts'' Strategic Arms Reduction Treaty in 1982. And when a draft CW Convention was tabled in Geneva in 1984, Mr. Reagan insisted on an interagency and international work program focused on a long-term effort to try to develop such effective restrictions in the future. Reflecting this Reagan imperative, George Bush told the Geneva press: ''Let's try to use this as a beginning, a place to get a start on the negotiations.''

Mr. Reagan insisted that effective arms control required U.S. security capabilities in place to provide the insurance of high-confidence U.S. verification, enforcement and defense, and he required that such capabilities be certified for each arms control proposal by the U.S. intelligence community and the Joint Chiefs of Staff. For chemical weapons, he required enhanced intelligence, robust anti-chemical defenses, and a small residual stock of modern chemical weapons to provide enforcement and negotiation leverage until a period near the end of the final weapons destruction date.

In addition to such U.S. insurance capabilities for specific arms control treaties, Mr. Reagan's Strategic Defense Initiative, introduced in March 1983 (a year before the draft CWC was tabled), provided for deterrence and defense based on protection rather than on his predecessors' dubious Cold War policy of Mutual Assured Destruction (MAD). The American people, and people around the world, were to share the benefits of the accelerated development and deployment of advanced U.S. theater and strategic defenses to be available against missiles—the delivery system of choice most threatening in the use

of chemicals, toxins and other weapons of mass destruction. As late as 1992, George Bush and Boris Yeltsin agreed that at least a limited global anti-missile defense system (GPALS) would be important to security and stability.

In contrast to the Reagan defense insurance policies, the United States is not only unilaterally eliminating its chemical stockpiles, a move other nations are not following, but the Clinton administration is cutting back several hundred million dollars in U.S. chemical defense investment, reducing its intelligence, dumbing down theater missile defenses, and further postponing the national missile defense deployments required to protect the American people against growing threats from rogues and from accidental launches.

PROTECTING U.S. CONSTITUTIONAL RIGHTS AND U.S. SOVEREIGNTY

Mr. Reagan's arms control policies insisted on assuring U.S. constitutional rights and protecting U.S. sovereignty. His CWC interagency work program reflected the requirement to study and to try to resolve the serious Fourth and Fifth Amendment dilemmas raised by extensive CWC reporting, regulatory and inspection requirements, which in the current CWC potentially affect the rights and budgetary and proprietary interests of up to 8,000 U.S. companies. Unlike the current CWC, Mr. Reagan's draft CWC of 1984 had the United States and other permanent members of the U.N. Security Council as five guaranteed members of the CWC Executive Council, and required a Preparatory Conference and other forums to operate by consensus, providing a U.S. voice and veto when CWC provisions and processes required amendment.

As the Senate now reviews CW implementing legislation, funding requirements and other elements of the radical Clinton agenda, it should send its own veto on behalf of U.S. security and serious arms control. In the face of the globe's gathering storms, it is not too late ''to provide for the common defense'' and to prevent the historic tragedy now unfolding because of U.S. reliance on ''arms control'' illusions.●

HALTING NEW DEPLOYMENTS OF LANDMINES

Mr. DODD. Mr. President, I rise today in support of the bill to halt the unmitigated spread of landmines sponsored by Senator LEAHY and Senator HAGEL. In particular, I laud Senator LEAHY's tireless efforts in lining up over half the Members of the Senate behind this important legislation. Also, Senator HAGEL's experience as an Army sergeant in Vietnam and his unrelenting support for veterans and the military make his leadership role on this bill quite appropriate.

This bill would halt new deployments of U.S. antipersonnel mines starting on January 1, 2000. What better way to open the new millennium than to clamp down on these hidden, unmanageable devices that kill or injure someone somewhere every 22 minutes.

Let's not lose sight of the fact that landmines kill and maim without impunity—men, women, and children alike will continue to lose their lives or limbs as long as landmines remain buried around the globe. That attribute, the completely random killing, sets these devices apart from all other weapons of war, with the possible exception of weapons of mass destruction. Yet, even a hydrogen bomb cannot kill a child playing in a pasture a decade after the bomb was dropped.

Today there are 100 million land mines in 68 countries that wait potently to explode, be it tomorrow, years from now, or decades hence. More soldiers, U.N. peacekeepers, and children will surely lose their lives before the world acts to stem the tide of these horrible weapons. The question is: How many hundreds more must die needlessly before we pursue vigorously a treaty banning antipersonnel landmines?

Late last year, the U.N. General Assembly resolved, without a single dissenting vote, to do just that. Having introduced that resolution in our customary role as world leader, we must now take action.●

WENDY GRAMM'S GRADUATION SPEECH GIVEN AT TRI STATE COLLEGE

● Mr. DOMENICI. Mr. President, I ask to have printed in the RECORD a graduation speech given by Wendy Gramm at Tri-State College. I think it is an inspirational message to young people. Wendy, while very accomplished in her own right, is also the wife of Senator PHIL GRAMM. While this speech is about a significant man in her life, she recalled stories about her father, not her husband.

The central message of the speech is drawn from the personal experiences of three generations of Wendy Gramm's family. Mrs. Gramms' father graduated from this institution of higher learning with a degree in engineering.

During this commencement, Wendy was awarded an honorary doctorate degree from her father's alma mater. In her speech, Wendy talked about the traits that made her father successful. Mrs. Gramm's point is that these same traits can make the graduating class a success. These traits include: define goals, work hard, show leadership, practice the highest standard of ethics.

Wendy Gramm gave the students her definition of what makes a leader: ''Leaders lead by example, and must show honesty and fairness always.''

The text of the speech follows:

Congratulations to graduates, parents, teachers, relatives and friends. You've done it and you deserve congratulations.

All too often we work so hard, focused on where we are going, and fail to stop and enjoy what we've accomplished. You've heard it before—and it's true—life is not a destination, but a trainride, so enjoy the ride. Enjoy your accomplishments today. Pat yourself on the back. And take time to thank those who helped you.

This is a special day for you—and for me, too. I will celebrate receiving this honorary degree—and will make everyone call me doctor-doctor for today. Today is also special because my father graduated from TriState, 61 years ago. My mom is here, as well as much of my family—my husband, one son (the other is studying for exams), and two sisters and a brother-in-law.

Let me tell you his story, because I believe his story has lessons for all of us today. The stories also illustrate what I believe are essential qualities of leadership and rules for a full, happy, and successful life.

My grandparents came from Korea at the beginning of the century to work in the sugar cane fields of Hawaii. They came as contract laborers, meaning they paid for their way over by agreeing to work in the sugar cane fields for a number of years—new indentured laborers. They came with nothing, not even knowing the language. They came looking for freedom and opportunity.

My father, Joshua, was the second in a family of 12 children.

The first story is about having dreams and goals in life. When my father was in high school, there was an essay contest—students were asked to write an essay about what they could do to make this a better country. Dad thought and thought, as the minutes ticked by and the blank page stared up at him (you know the feeling). He wondered, what could a beach bum like Joe Lee do that would affect a whole country? The answer came to him in the middle of that contest—he could do the most for his country if he made something of himself.

He won the contest and $25, a small fortune in the early 1930s.

The essay contest helped define his goals in life, and he decided to pursue his dream—of becoming an engineer and making something of himself. He started college at the University of Hawaii, but ran out of money. So he worked in a laundry.

The next summer a classmate of his told him he was going to Tri-State College to study engineering. My grandmother told my father—I'll give you money for transportation to Indiana—the rest is up to you.

Dad set a goal, and worked hard—to find a way to reach the goal. A second important quality for success is commitment to a goal. And dad was committed. Upon arriving in Angola, he lived first few days on day old bread and pork and beans—still loved p&b.

He found room and board in the home of the postmistress in town, and helped in the yard and tended the furnace. She was a kind a gracious lady, and dad couldn't believe it when he visited her 25 years later in 1950. She looked exactly the same!

The first job he applied for was at a restaurant. The restaurant owner told dad that he was thinking of getting a dishwashing machine. My dad said he could wash dishes faster and better than the new dishwashing machine—he would race the machine for the job. My father won the race and the job.

He worked his way through Tri-State, generally holding three jobs at the same time, working in two restaurants, as a tree surgeon and painting trim on houses, along with his furnace tending and yard work.

The third important quality for leadership and success is my favorite story about Tri-State. Dad had gone to class where they went over a test they had taken. During the class, Dad realized that the professor had made a mistake and had given him a higher grade than he deserved. So we went up to the professor after class and told him of the error. The professor then said that he had deliberately made mistakes on all the students' tests, and Dad was the only student who came up to him and admitted it. I don't remember the punch line—I believe the professor gave Dad an A for the test—but the punch line isn't important. What is important is that Dad had the highest standards of ethics.

Perhaps the most important quality of a leader is the highest level of integrity—leaders lead by example, and so must show honesty and fairness always.

Regrets? Not having gone to a big 10 football game. Remember what I said earlier about enjoying your day, and the train ride.

Dad lived his life like the engineer he was—organized, efficient, prepared, never procrastinating, and finishing each job on time or before.

He moved back to Hawaii after graduating in 1936, and met Angeline Lee (Lee is a common name in Hawaii). He arranged a date—and, like the engineer he was, showed up for the date one week early. But mom liked him anyway, and they got married, had four children, and Dad died shortly after his 50th wedding anniversary.

The principles he lived by—don't brag, just do a good job, and rewards will come; be prepared and organized and just go ahead and do the job; be fair and honest. These principles and the leadership qualities he exhibited—vision, commitment and integrity—worked well for him—he became the first Asian American ever to be an officer of a sugar company in the history of Hawaii.

Recap: my grandfathers cut sugar cane by hand, my father became VP of the same sugar company, and when I chaired the Commodity Futures Trading Commission Presidents Reagan and Bush liked to point out that I oversaw the futures trading of all American commodities, including cane sugar.

This is the American Dream.

The story I have told you is not just the story of my family, Tri-State University, or leadership. It is not the story of an extraordinary family, but the story of an ordinary family in an extraordinary country.

It is the story of America, where ordinary people can and do accomplish extraordinary things.

So congratulations once again. I wish you good luck and every success.

As you go out into the world, remember this day. Remember your accomplishment. I also hope you will remember my family, the American Dream, and Tri-State's role is making that American Dream for our family and for me.

I also hope that you will come to appreciate that great American Dream Machine—freedom and free enterprise—and that you will work to preserve and protect it so that the Joshua Lees of tomorrow can have a dream, maybe come to Tri-State, and go on to be a success, a leader, and make better lives for themselves, their families, their communities, and their country.

And may you do the same and have great success and happiness.●

DISASTER SUPPLEMENTAL APPROPRIATIONS AND RESCISSION ACT

● Mr. DORGAN. Mr. President, I am pleased that I can finally tell the people of North Dakota that a disaster relief package has finally been passed by Congress and signed by the President. I am pleased that I can finally tell tens of thousands of individuals and business owners, who were devastated by the worst winter on record in North Dakota followed by a millennial flood, that help is on the way.

Everyone who has watched the news over the past 2 months has been moved by both the devastation and the determination of the citizens of North Dakota. You watched our people working side by side, day and night to sandbag their homes, their schools, and their businesses. The dramatic photos on every TV station are a living legacy of what community is all about. It was neighbor helping neighbor. In the end, Mother Nature won the battle, but we fought the good fight and we did it together.

Despite 9 blizzards which dropped more snow in North Dakota than in any other year on record; despite storms which killed more than 125,000 head of livestock and knocked out hundred of miles of power lines; despite a millennial flood which forced the evacuation of 50,000 people from Grand Forks; despite the fact that many North Dakotans have lost their homes and all their worldly possessions, we North Dakotans will continue to work together to rebuild our cities, our businesses, and our communities in order to preserve a way of life which we all cherish.

We are a strong, proud, and resolute people. We will face the challenges ahead with courage and commitment. But with damages expected to be in the billions, we could not proceed without the Federal support provided in the disaster relief bill.

With this bill and the assistance that flows with it, the disaster victims in North Dakota and the other flood ravaged States can begin the long and painful process of recovery. The money provided in the relief bill will allow them to make informed decisions about their lives, their homes, and their businesses. They have waited too long for this help. But the wait is over. Help is on the way, and rebuilding and healing can begin.

I would like to thank all the Members of the Senate and House Appropriations Committees for their help in working with me to ensure that sufficient assistance to address the incredible needs of North Dakota, South Dakota, and Minnesota was ultimately included in the disaster relief bill. Individually and collectively, we have suffered a disaster of catastrophic proportions which has required an exceptional response, and that is what the disaster relief bill provides.

There are many people to thank as for their help on the disaster appropriations bill. At the top of the list are Senators STEVENS and BYRD who were extremely helpful and supportive throughout every step of the process. Without their personal intervention and continuous support, many items and millions of dollars would not have been included in the final package. On behalf of all the people of North Dakota, I want to thank them for their generous assistance.

Let me just list a few of the items in the disaster bill which will have a direct bearing on our ability to rebuild:

$3.4 billion for FEMA, a significant portion of which will go to the Upper Midwest region.

$500 million in community development block grants. This is the most flexible form of disaster assistance and the most crucial component to allow for buyouts. While all disaster States are eligible for this assistance, we anticipate that the majority will go to the Dakotas and Minnesota.

$134 million in emergency agricultural assistance for the Upper Midwest, including

$50 million for a new livestock indemnity program which will help North Dakota farmers and ranchers who have lost close to 125,000 head of livestock;

$15 million in Department of Agriculture funds to purchase floodplain easements to reduce hazards to life and property due to the floods; and

$5 million for the interest assistance program to provide additional funding for guaranteed, low-interest loans to farmers.

$20 million to reimburse school districts who have had to educate additional children who were dislocated by the floods.

$15 million for all preconstruction and design work for an outlet from Devils Lake to the Sheyenne River.

$27.9 million in Corps of Engineers funding for North Dakota from the flood Control and Coastal Emergencies program.

$600,000 for Ramsey County to mitigate damages to the sewer system from flooding, if necessary.

About $20 million for the Corps of Engineers to raise the levees at Devils Lake.

$210,000 for North Dakota's national parks.

$3.9 million for the BIA in North Dakota.

$265,000 for the Indian Health Service in North Dakota.

$6.1 million for North Dakota to repair damaged freight rail lines.

$9.3 million to the Fish and Wildlife Service in North Dakota.

$840,000 for the U.S. Geological Service in North Dakota.

Department of Education waiver authority language which will permit the Department to help students having difficulty meeting application and other statutory deadlines regarding Federal education funds.

Language which allows States greater flexibility in using its child care and development block grant funds to help families in nonemployment related activities relating to the cleanup and recovery.

A provision which directs the Office of Management and Budget to work with universities damaged by the floods in revising and extending their Federal grants, contracts, and cooperative agreement.

In order to provide my colleagues with more detailed information on plans for enhanced diking at Devils Lake, ND, I ask to have printed in the RECORD a letter from the St. Paul District of the Corps of Engineers dated May 19, 1997.

There are many people beyond the Congress to thank for their support in the wake of a series of historic and devastating disasters in North Dakota. Above all, I want to thank the people of North Dakota who, despite their losses, have refused to be overcome. They have displayed a remarkable

sense of courage, caring and conviction throughout the ordeal. Never have I been more proud to represent the State of North Dakota than I am now. They are the best citizens in the country. They know the meaning of neighbor. Whenever and wherever they were able, they extended a hand to those less fortunate.

The great spirit of our people is embodied in the mayor of Grand Forks, Pat Owens. While small in stature, she has the heart of a giant. She gave us the courage not to lose courage. Her indomitable spirit held the citizens of Grand Forks together during the worst days of the tragedy, and now is guiding us patiently and compassionately through the recovery.

I also want to thank all the Federal agencies for their long hours and hard work in bringing emergency assistance to relieve the immediate suffering of our citizens. They have done a magnificent job under extremely trying circumstances, and we are grateful for their superhuman efforts. James Lee Witt, the Director of FEMA, has been the guiding light in this endeavor. He came to North Dakota and personally witnessed the devastation, and then rushed personnel and resources into the State to assess damages and provide emergency assistance. He has also coordinated the activities of other Federal agencies in trying to get assistance to those in need as quickly as possible. That process is ongoing, and James Lee remains the stalwart in that endeavor. We thank him for all he has done and continues to do.

In conclusion, let me thank my colleagues once again for their help in passing an historic disaster relief bill. North Dakotans are grateful for the helping hand the disaster relief bill provides. Recovery will be a long and painful process, but we will face the challenges ahead with courage and commitment. With our prairie faith to guide us, we will rebuild, we will recover, and we will be a stronger community.

The letter follows:

DEPARTMENT OF THE ARMY, ST. PAUL DISTRICT, CORPS OF ENGINEERS,

St. Paul, MN, May 19, 1997.

Hon. BYRON DORGAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR DORGAN: Thank you for your recent inquiry on the requirements to modify the levee work underway at the City of Devils Lake, North Dakota to provide protection from a lake level at elevation 1450. This letter will describe the work required to provide this additional protection.

The levee project at the City of Devils Lake that is currently under construction is a raise of the Federal levee project built by the Corps of Engineers in the 1980s under the Continuing Authorities program. The ongoing construction is raising and extending the existing levee system to provide an increased level of protection from the lake. The original levee was design to protect against a lake level of elevation 1440. The ongoing construction will protect against a lake level five feet higher, to an elevation 1445. The top of levee is being constructed five feet higher than the design lake level to provide the necessary freeboard to handle wind, waves & ice action.

The current work was started in 1996 when the lake was at elevation 1437, approaching the protection level of the original levee, 1440. The early National Weather Service forecast for the lake level this summer was elevation 1440.5, well within the level of protection being provided by the current work. However, in mid-April this year, the National Weather Service increased the forecast lake level by three plus feet to elevation 1443.5 to 1444, projecting this level to be reached in July 1997. Based on this revised forecast lake level, it is necessary to consider additional protection by raising the levee system even higher than currently being constructed.

An additional levee raise to provide protection against a lake level of 1450 is highly desirable and can be constructed cost effectively. The additional work required to provide this higher level of levee protection, with appropriate freeboard, would consist of the following features:

Increase the height and base width of the existing earthen levee sections.

Extend and modify the levee alignment to tie into high ground at the new top of levee elevation. This could include the extension of the line of protection to areas which were not previously considered practical to protect, but which due to the higher level of protection may now be necessary and effective;

Increase the extent and thickness of the riprap on the lakeward side of the levee to assure adequate erosion protection;

Modification of the pumping stations and/or installation of another pumping station, and modification of interior drainage facilities to accommodate increases in the drainage area behind the levee protected and increased pumping head;

Additional road relocation work and closures at levee crossing; and,

Additional utility relocation work.

If you have any questions regarding the above information, or wish to discuss this matter further, please contact me.

Sincerely,

J.M. WONSIK,
Colonel, Corps of Engineers District Engineer.●

SOLVING CITIZEN BAND RADIO INTERFERENCE PROBLEMS

● Mr. ABRAHAM. Mr. President, I rise today in support of S. 608, a bill offering potential relief to neighborhood residents victimized by the illegal use of a citizen band [CB] radio. In Grand Rapids, MI, and in other towns in Michigan and across the country, CB operators have boosted the power of their signal using equipment prohibited under FCC regulations. As a result, nearby residents have been unable to watch television, listen to their radios, or have a telephone conversation without experiencing interference from a neighbor's illegal use of a CB radio.

Currently, there exists a series of rules governing the appropriate use of CB radio, including restrictions on equipment and frequencies, duration of broadcast, and appropriate content. Due to a change in priority, the FCC no longer investigates related interference complaints. The Commission merely sends individuals a packet of information outlining steps which can be taken to reduce the interference. Unfortunately, these solutions have been met with only limited success. In many cases, after having exhausted all available options, residents are left with no legal recourse. In addition, when residents turn to local authorities, they are denied assistance. Because of the Communications Act of 1934, the Federal Government has exclusive authority to regulate radio frequency usage and to enforce related rules. Therefore, State and local authorities are prevented from enforcing FCC rules already in existence.

This is where S. 608 would provide a remedy. This bill, which I have cosponsored, would give limited authority to State and local governments to enforce FCC rules governing CB radio equipment. I would like to emphasize this legislation will not jeopardize the exclusive regulatory jurisdiction of the FCC, neither will it impose added requirements on State and local governments. This bill merely allows localities to enforce rules already in effect, thereby giving citizens a legal recourse in solving radio interference disputes.

Mr. President, I view this legislation as a small, yet simple approach to solving CB radio interference problems. I urge my colleagues to support this bill, and I look forward to working with Senator FEINGOLD to secure its passage.

I ask that the text of a Grand Rapids City Commission resolution in support of S. 608 be printed in the RECORD.

The material follows:

GRAND RAPIDS, MI, *May 7, 1997.*

Senator SPENCER ABRAHAM,
Southfield, MI.

DEAR SENATOR ABRAHAM: Enclosed is a certified copy of Resolution 63295 approved by the Grand Rapids City Commission on April 29, 1997, which encourages you and all the members of the Michigan Congressional Delegation to support Senate Bill S. 608 which changes Federal Communications Commission rules to allow states and local units of government to enforce certain regulations regarding the operation of citizen band radio equipment.

Sincerely,

MARY THERESE HEGARTY,
City Clerk.

Enclosure.

Your committee of the whole recommends adoption of the following resolution encouraging Senator Abraham and the Michigan Congressional Delegation to support Senate Bill S. 608 which would amend the Federal Communications Act of 1934 to allow state and local governments to prohibit citizens band radio equipment and operations which are not authorized by the Federal Communications Commission and to enforce those regulations.

J. H. LOGIE, JAMES C. KOZAK, ERIN J. WILLIAMS, SHARON WEST, LINDA SAMUELSON, ROY L. SCHMIDT.
Committee of the Whole.

Com. Kozak, supported by Com. Schmidt, moved adoption of the following resolution:

Resolved, that the City Commission encourages Senator Spencer Abraham and all the members of the Michigan Congressional Delegation to support Senate Bill S. 608 which changes Federal Communications Commission rules to allow states and local

units of government to enforce certain regulations regarding the operation of citizen band radio equipment.●

INDIAN EDUCATION

● Mr. CAMPBELL. Mr. President, today, I lend my support of the resolution my colleague Senator DOMENICI has introduced to bring the quality of Indian education on par with the rest of America. Increasing the quality of education available to our Native American youth will go far in solving many of the problems facing tribal governments and Indian people.

This resolution acknowledges that the facts are discouraging. Indian youth lead all ethnic and racial groups in drop-out and poverty rates. Their juvenile delinquency rate continues to grow faster than the rest of young people in America. Both Indian reservation and Bureau of Indian Affairs schools are severely underfunded from a programmatic standpoint. These schools attempt to provide services to their children in spite of substandard facilities—facilities that no parent should have to send their child to and that no teacher should have to work in. These schools are understaffed and Indian educators are sorely underpaid.

As this resolution makes clear, the United States has a moral and legal obligation to provide or aid tribal governments in providing quality education to American Indian and Alaskan Native youth. This responsibility is recognized in treaties, Executive orders, court decisions, and statutes. Yet, the disturbing facts that I have just mentioned make it clear that this obligation is not being met. It is my hope that this resolution will be the first step in building awareness of the current state of Indian education that will allow us to focus on a pragmatic solution.

The importance of Indian education cannot be overstated. It holds the key to solving the most prevalent and devastating problems in Indian country: grinding poverty and the absence of opportunity for Indian youth.

I am drafting legislation to address the unemployment problem on reservations by helping tribes create jobs and attract businesses. But in addition to a lack of capital and an abundance of regulatory obstacles, tribes face the challenge of filling jobs with trained people. Education and job creation must go hand-in-hand if tribes are to improve the standard of living for their members. Only through education will Indian tribes be able to solve problems such as unemployment, economic development, and achieving higher standards of living.

At a recent Indian Affairs Committee hearing, a member of the Office of Juvenile Justice stated in his testimony that ''while violent crime is falling in American cities, it is rising on American Indian reservations.'' Additionally, a report released by the Federal Law Enforcement Training Center reveals that over the past 5 years gang related crimes, in the form of drive-by-shootings and homicides, have increased by more than 500 percent in some Indian communities. Mr. President, it must be understood that many of the problems facing Indian youth today center on the erosion of their culture. Too often, Indian children lack pride in who they are, where they live, and where they come from. This lack of self-esteem has caused consequences that ripple through the lives of Indian youth such as high drop-out rates and a growing juvenile delinquency and gang problem. As we resolve to better the quality of education for Indian children, we must strive to do so while acknowledging the importance of promoting Indian culture.

Mr. President, as the 105th Congress proceeds, I urge my colleagues to join in supporting this resolution.●

BENNETT AMENDMENT TO STATE DEPARTMENT AUTHORIZATION BILL

● Mr. KYL. Mr. President, I rise in support of the amendment offered by Senator BENNETT, which urges the administration to enforce the Gore-McCain Iran-Iraq Nonproliferation Act of 1992.

There is wide agreement among leaders in the Congress and the administration that the proliferation of weapons of mass destruction [WMD] and advanced conventional weapons is one of the key national security threats facing the United States today. In fact, in 1994, President Clinton issued Executive Order 12938 declaring that the proliferation of weapons of mass destruction and the means of delivering them constitutes ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States,'' and that he had therefore decided to ''declare a national emergency to deal with that threat.'' The President reaffirmed this Executive order in 1995 and 1996.

But despite declaring a national emergency, the administration has been unwilling to take actions which would reduce the threat we face, such as enforcement of the nonproliferation laws passed by the Congress and signed by the President. For example, the administration has refused to invoke sanctions on China for the transfer of advanced C–802 antiship cruise missiles to Iran as required by the Gore-McCain Nonproliferation Act of 1992. This act requires the United States to impose sanctions on any entity that transfers ''goods or technology so as to contribute knowingly and materially to the efforts by Iran or Iraq (or any agency or instrumentality of either such country) to acquire chemical, biological or nuclear weapons or to acquire destabilizing numbers and types of advanced conventional weapons.''

The administration's failure to invoke sanctions as required by law is particularly disappointing in light of the statement then-Senator AL GORE made on the Senate floor on October 17, 1991, about the need for strong actions to combat proliferation. Mr. GORE urged governments around the world to make sales of sensitive technologies ''high crimes under each country's legal system; to devote the resources necessary to find those who have violated those laws or who are conspiring to violate them, and to punish the violators so heavily as to guarantee the personal ruin of those who are responsible, and to easily threaten the destruction of any enterprise so engaged.''

In 1996, China sold C–802 antiship cruise missiles and fast-attack patrol boats to Tehran. The C–802 has a range of 120 km with a 165 kg warhead and is especially lethal due to its ''over-the-horizon'' capability. In an interview last year, Vice Adm. Scott Redd, commander of the U.S. Fifth Fleet expressed concern that the C–802 gave the Iranian military increased firepower and represented a new dimension to the threat faced by the U.S. Navy in the Persian Gulf.

On April 10, 1997, former U.S. Ambassador to China, James Lilley, testified to the Senate that Iran planned to increase the survivability and mobility of its force of C–802's, by mounting some of the missiles on trucks, which could use numerous caves along the gulf coast for concealment. And just this morning, Secretary of Defense Cohen announced that Iran had successfully tested an air-launched version of the missile earlier this month.

Yet despite these facts, the administration has narrowly interpreted its legal obligations and has not invoked sanctions on China for the sale of these missiles to Iran. The administration concedes that the missiles are advanced, but claims the sale was not destabilizing, thereby dodging the requirement to impose sanctions.

As we saw in 1987, when 37 sailors died from the impact of one missile on the U.S.S. *Stark*, cruise missiles like the C–802 pose a dangerous threat to U.S. forces and our allies in the gulf. The presence of the U.S. Navy in and around the Persian Gulf is critical to the fragile equilibrium of that region. Iran's possession of C–802 cruise missiles threatens this equilibrium and is clearly destabilizing. As Secretary Cohen said this morning, ''Iran's word and action suggests that it wants to be able to intimidate neighbors and interrupt commerce in the Gulf.''

Mr. President, the time has come for us to back up our words about the terrible threat we face from weapons of mass destruction and advanced conventional arms with actions. Actions that will reduce the threat we face by punishing those countries that supply these dangerous weapons to irresponsible regimes like the one in Iran. We should begin by enforcing the nonproliferation laws currently in place. The amendment sponsored by Senator BENNETT is a meaningful step in the

right direction. I urge my colleagues to support its passage.●

ORDERS FOR JUNE 19, 1997

Mr. GRASSLEY. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10 a.m. on Thursday, June 19. I further ask consent that on Thursday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then be in a period of morning business until 1 p.m., with Senators permitted to speak therein for up to 5 minutes, with the following exceptions: Senator KENNEDY for 15 minutes, Senator TORRICELLI for 20 minutes, Senator COLLINS for 10 minutes.

Mr. BYRD. Reserving the right to object, would the Senator allow me a couple of minutes so that I can check with another Senator? I may want to make a unanimous-consent request on another matter.

Mr. GRASSLEY. Mr. President, I will yield for the purpose of the Senator from West Virginia to propound a unanimous-consent request, and then I will resume following that.

STAR PRINT—S. RES. 98

Mr. BYRD. Mr. President, I thank the distinguished Senator.

Mr. President, on June 12, Senator HAGEL and I and other Senators introduced Senate Resolution 98, expressing the sense of the Senate regarding the conditions of the United States becoming a signatory to any international agreement on greenhouse gas emissions under the U.N. convention. On that same day, in addition to Senator HAGEL and myself, 44 Senators cosponsored that resolution, making the total 46.

Since that time, 14 additional Senators have indicated an interest in being cosponsors. So I will read their names shortly. But in addition to requesting a star print of Senate Resolution 98, I indicate for the RECORD a substantive change in the resolution. It is required that there be a substantive change in order for there to be a star print. I want a star print to show the additional 14 Senators' names. The additional names are: Senator AKAKA, Senator COATS, Senator COCHRAN, Senator DOMENICI, Senator GRAMM, Senator GRAMS, Senator LOTT, Senator MOSELEY-BRAUN, Senator ROBB, Senator ROCKEFELLER, Senator SESSIONS, Senator SMITH of New Hampshire, Senator SPECTER, and Senator STEVENS.

Now, Mr. President, the substantive change would be in the form of an additional ''whereas'' clause. I will read it:

> Whereas, it is desirable that a bipartisan group of Senators be appointed by the majority and minority leaders of the Senate for the purpose of monitoring the status of negotiations on global climate change and reporting periodically to the Senate on those negotiations: Now, therefore, be it''.

That is the new ''whereas'' clause, and those are the words that would constitute the substantive change.

Therefore, I will ask unanimous consent that there be a star print of Senate Resolution 98 which will indicate the additional 14 Senators' names and the additional whereas clause.

May I say, parenthetically, that I think it would be good for the administration to know that there is an independent group of Senators who have status, who have been authorized by the U.S. Senate to monitor the developments and negotiations on global climate change, and who will be authorized to report periodically back to the Senate concerning those developments. That is the purpose of the additional clause, and I, therefore, make that request.

Mr. CRAIG. Mr. President, reserving the right to object—and I will not object—let me again thank the Senator from West Virginia for his leadership in this area and the refinement of this Senate resolution, what he is doing. What now 61 Senators are saying is that this is a very, very important issue for this country, and to the world. And the Senate wants to be active players and observers in the development of this potential treaty because ultimately it gets here to the floor of the United States Senate for us to make that decision.

Senator BYRD has offered us tremendous leadership in this area. I thank him. Mr. President, I, too, know that you have become our leader on this issue, and I appreciate that. Thank you.

Mr. BYRD. Mr. President, if the Chair will momentarily indulge me, may I say that the Presiding Officer of the Senate, Mr. HAGEL, will be conducting the hearings on tomorrow by this subcommittee which he chairs, the subcommittee of the Foreign Relations Committee on this very subject.

I urge Senators to follow the conduct of these hearings. It is my understanding, in talking with Senator HAGEL that there will be subsequent hearings tomorrow. These will be important hearings, and there will be witnesses appearing who will have testimony that I think will be worthwhile to the Senate as it proceeds on the course of following the negotiations, having a voice in them, and, as it were, leaning over the shoulders of the administration as the negotiations take place.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I thank the distinguished Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am a cosponsor of the resolution that the distinguished Senator from West Virginia just spoke of. I applaud him. I associate myself with the kind remarks that the Senator from Idaho made because it is a very forceful tool, and is a very badly needed tool to make sure that our Constitution and our economy is protected.

Mr. FORD. Mr. President, if the Senator from Iowa will yield without losing the right to the floor, let me also join him and the Senator from Idaho, and compliment the distinguished Chair, and my friend from West Virginia, on what is attempted here.

I just watched the statement today that, if this Tokyo plan goes through, all of our energy generating facilities just go right across the border to Mexico. They are excluded. So all our jobs will go down there. All our electricity will come from there because they are excluded and to the detriment of our people.

So I couldn't compliment the Senator from West Virginia more. He has been diligent in this, and I compliment him. And I just hope I can follow his lead. So whatever he needs from me, let me know.

I yield the floor.

Mr. BYRD. Mr. President, I thank both Senators.

The PRESIDING OFFICER. If there is no objection, the previous unanimous-consent request is agreed to.

DRUG FREE COMMUNITIES ACT OF 1997

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 65, H.R. 956.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> A 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.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

● Mr. DASCHLE. Mr. President, today the Senate is giving final approval to the Drug-Free Communities Act of 1997. This bill will help protect our children from the deadly danger of drugs. By approving this bill, we are putting more resources in the hands of those who are making a difference in the fight against drugs: parents, teachers, coaches, and civic and religious leaders.

At the same time, though, the bill is fiscally responsible. In this time of tight fiscal constraints, we have created a bill that does not increase the Federal deficit by a single penny. The legislation simply redirects existing Federal funds from less productive areas of the drug control budget to community-based anti-drug coalitions with proven track records in the fight against drugs. What's more, the bill requires a financial commitment from communities that seek funds. The requirement of matching grants will force the communities to demonstrate an even greater commitment to fighting drug abuse before receiving Federal funds.

The Drug-Free Communities Act has attracted the support of more than 150 State and local law enforcement groups, churches, and other organizations. On the national level, it has been endorsed by groups as diverse as Mothers Against Drunk Drivers and William Bennett's Empower America. In my own State, the South Dakota Department of Human Services and Siouxland Cares have also committed their support. As these endorsements suggest, this bill represents a wonderful opportunity to provide meaningful help to community anti-drug coalitions in South Dakota and throughout the country.

I am extremely pleased that my colleagues are supporting this legislation to keep our children away from drugs, and drugs away from our children.●

Mr. DEWINE. Mr. President, I thank the Senator for bringing the Drug Free Communities Act to the floor today. I am proud to be an original cosponsor of this legislation—and I urge all my colleagues to support it today.

We face an epidemic of drug abuse in this country—particularly among children. Substance abuse by young people has more than doubled during the past 5 years, and children are beginning to use drugs at younger ages. This trend has major implications for public health, which include the dangers of long-term addiction and disease. There also are costs to society as a whole in the form of poorer educational achievement, lost productivity, increased health care costs, and higher levels of crime. The most important cost, however, is the tragic loss of the potential and aspirations of many of our young people.

During America's long fight against substance abuse, community-based coalitions have offered a way to turn this situation around. These coalitions have consistently shown that grassroots efforts to educate young people about the dangers of drug abuse do work. It is clear that a Federal drug abuse strategy must complement and enhance community actions wherever possible.

Recognizing the success of community-based programs, the Drug Free Communities Act will enhance programs that work by providing matching grants to community coalitions with proven track records. This is a sensible approach, because it builds on the hard-won, practical experience of people who have been in the forefront of the fight against substance abuse.

America's children are our most important resource, and substance abuse places them at great risk. The Drug Free Communities Act will enhance the ability of communities across the country to protect the health of their young people. This proposal has great potential for success and deserves our wholehearted support.

Mr. SHELBY. Mr. President, I rise today to express support for the Drug-Free Communities Act and I would like to commend its sponsors, Senators GRASSLEY, DASCHLE, DEWINE, and D'AMATO for their efforts in developing this important legislation.

Unfortunately, a recent poll conducted by the Partnership for a Drug-Free America indicated that younger and younger children are using drugs. This poll is only the latest evidence of a very disturbing trend of increasing drug use by young people. It is important that we act to stop drug use and to prevent the devastation that drug use will have on America's young people.

The Drug-Free Communities Act is an important step in this effort. This legislation provides local community groups, who have proven track records addressing teen drug use, with the funding they need to really combat drug usage. The Drug-Usage Communities Act creates an advisory commission, consisting of local community leaders, who will oversee the program and make sure that funds are directed to those groups that are successful in fighting drug use by America's children. The act provides funding only to those groups that can match the Federal dollars with non-Federal funds, ensuring that viable community groups will participate in the program and sustain anti-drug efforts as the fight continues. Lastly, the Drug-Free Communities Act requires no new funding. Funds will come from the $16 billion Federal drug control budget.

This legislation is extremely important to the war on drugs. With the latest news that our efforts are flagging, that children are giving in to the temptation of drugs, we must fight back. The drug dealers are not waiting to approach our children, they never hesitate to make a sale. We cannot delay in fighting for them. We must reinvigorate the effort to protect our children. We must pass the Drug-Free Communities Act.

Mr. FEINGOLD. Mr. President, I'm pleased that the Senate is turning its attention today to the Drug Free Communities Act. As a cosponsor of this legislation, I want to thank Senator GRASSLEY for his leadership in developing the bill and the chairman for agreeing to move it through the committee expeditiously. This is an important bill for children and communities, and it deserves to be passed quickly and signed into law.

The Drug Free Communities Act will provide needed support to local partnerships, which play an important role in helping children and teens to resist drugs. My State of Wisconsin currently has 132 such community-based partnerships—groups of parents, teachers, community and religious leaders, youth advocates, and others who come together to teach leadership skills and provide kids with alternative activities and opportunities.

In Marshfield, WI, for instance, the Wood County Partnership Council has focused on activities to reduce drunk driving by teens. Programs sponsored by the council have included regional teen institutes, parent to parent workshops, and general prevention training of community members.

In Milwaukee, Neighborhood Partners has developed grassroots neighborhood organizations which focus on preventing substance abuse and drug-related crime. These organizations have helped to establish neighborhood watch programs, after school tutorial programs, and block patrols. Two years after founding this partnership, the personal property crime rate in the targeted area fell by 16 percent, as compared with a Milwaukee-wide decrease of 12 percent.

These are the sorts of programs that might apply for funding under the Drug Free Communities Act, in order to help support parents and other community volunteers reach more youths with their important messages.

No new funds will be appropriated under H.R. 956. Instead, funding for qualifying local partnerships will be diverted from the existing $16 billion drug control budget. In order to ensure that the coalitions receiving these Federal dollars are sustainable, grants will be made available only to broad-based, local partnerships that have been active for at least 6 months, and are able to match their Federal awards dollar for dollar, with either cash or in-kind contributions.

Supporting locally-based prevention initiatives is a critical piece of a comprehensive drug control strategy. The Judiciary Committee, on which I sit, spends a good deal of time addressing issues of crime that stem from youth and adult drug use. I'm pleased that today the Senate is focusing, in a bipartisan way, on preventing the root cause of so much crime, by supporting parents and localities in their efforts to prevent youth drug use.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

Mr. FORD. Mr. President, reserving the right to object—and I will not object—there is no objection on this side. I would like to note that the distinguished Democratic leader, Senator DASCHLE, who is unable to be here this evening, is a cosponsor of this legislation and endorses it highly.

I have no objection.

Mr. GRASSLEY. Mr. President, I might go beyond that and say this has very, very broad bipartisan support.

The PRESIDING OFFICER. Without objection, so ordered.

The bill (H.R. 956) was passed.

Mr. GRASSLEY. Mr. President, I am pleased that the Senate has passed H.R. 956, the Drug Free Communities Act of 1997, today. Earlier this month, this same bill was approved by a vote of 420 to 1 in the other body. As you know, I, along with 18 of my colleagues, introduced a companion version of this legislation in the Senate

earlier this year. By the close of business today, this legislation has garnered a total of 29 cosponsors.

Mr. President, this is an outstanding show of support for this important piece of legislation. When each of us return home over recess, we meet with the people that we represent. We listen to their problems, and we listen to their solutions. And when we talk about drugs, and talk about what can be done to keep our kids from using drugs, it always comes back to the community. What matters most is what parents, schools, churches, law enforcement, community groups, and businesses do, working together, to keep our kids drug free.

This legislation will support these efforts. It will allow communities with established coalitions, coalitions that have a proven track record, to receive matching funds to support their efforts. It will provide additional resources in the hands of those who make a difference; people that our children respect and listen to: parents. Placing resources at the community level allows parents, teachers, community, and religious leaders to use these funds to make a difference in the lives of our children, our future.

I want to thank my colleagues and co-sponsors on both sides of the aisle. I particularly want to thank Senator DASCHLE, Senator DEWINE, Senator BIDEN, and Senator HATCH and many others for their support and efforts in moving this legislation.

PROGRAM

Mr. GRASSLEY. Mr. President, on behalf of the majority leader, for the information of all Senators, for tomorrow's business it is the leader's hope that the Senate will be able to begin consideration of the very important Department of Defense authorization bill. Also, the leader is hopeful that the Senate will be able to consider the intelligence authorization bill. Therefore, votes can be expected to occur during the session of the Senate on Thursday.

I would remind all Members that there is a lot of work to be done before the Senate adjourns for the July 4th recess. Therefore, the leader would appreciate all Senators' cooperation in order to complete the business of the Senate in a responsible fashion.

ORDER FOR ADJOURNMENT

Mr. GRASSLEY. On behalf of the leader, I ask unanimous consent, if there is no further business to come before the Senate, that the Senate stand in adjournment under the previous order, following the remarks of the Senator from Iowa.

The PRESIDING OFFICER. Without objection, it is so ordered.

DOD's PROBLEM DISBURSEMENTS

Mr. GRASSLEY. Mr. President, I would like to talk about the Department of Defense's [DOD] problem disbursements.

I have spoken on the subject many times in the past.

I would like to speak on it again today because the Pentagon's Chief Financial Officer, or CFO, Mr. John Hamre, claims he's whipping the problem.

His claims do not seem to stand up to scrutiny.

The GAO has issued a new report on DOD's problem disbursements. It is entitled ''Improved Reporting Needed For DOD Problem Disbursements.''

This report rips Mr. Hamre's claims to shreds.

In May 1996, Mr. Hamre claimed he had an $18 billion problem. Now, it's $8 billion and falling.

The GAO says Mr. Hamre is understating the problem by at least $25 billion.

Mr. Hamre is blowing smoke to hide the problem.

He is falling back on the oldest trick in the bureaucrat's book: Redefine the problem to make it appear smaller.

He did it by administrative decree in December 1996.

His decree arbitrarily excludes huge chunks of problem disbursements from official reports to Congress.

He just waved his magic wand and shrunk the universe.

It is not smaller because he cleaned up the books or reconciled delinquent accounts.

He did not do any oldtime bookkeeping to get the job done.

In fact, he did not get the job done. He just wants us to think the did.

Mr. President, to understand what Mr. Hamre is up to, we need to understand problem disbursements. What are they, and why are they a problem?

The GAO says there are three types of problem disbursements: in-transit disbursements, unmatched disbursement, negative unliquidated obligations or NULO's.

An in-transit disbursement is one that is floating in limbo.

The check was written and the bill was paid. But the payment has not been posted to an account.

If Mr. Hamre were on the ball, there would be no in-transits. Transactions should be recorded as they occur. That's basic accounting 101 stuff.

That's how businesses operate.

The Pentagon's accounting guru—Mr. Keevey—says that's the right way to do it. I quote Mr. Keevey:

> Under a good finance and accounting network, you would never make a payment until you check it against the underlying obligation and the underlying records.

If DOD practiced what Mr. Keevey preaches, there would be no problem disbursements. Period.

Congress has been telling DOD to do exactly the same thing every year for the last 3 years.

Section 8106 of last year's appropriations bill says:

> Match disbursements with obligations before making payments.

But the bureaucrats complain: ''No can do. It's just too hard.''

They think it's normal for disbursements to float in limbo for up to 120 days or even longer. For them, a disbursement floating in outer space for 4 months is OK.

It's not a problem disbursement under Mr. Hamre's exclusion policy.

Here's a prime example of how well Mr. Hamre's policy works.

The GAO discovered, for example, that DOD excludes certain ''recurring and routine'' transactions.

Mr. President, you should see what the GAO found in the Pentagon's ''recurring and routine'' basket?

The GAO discovered $4.5 billion of payroll disbursements from automated teller machines or ATM's that were once located on Navy ships.

They just weren't very fresh.

They were so old that their points of origin had disappeared off the face of the Earth. The ships that carried the ATM's have been decommissioned.

Time passed them by.

Most of these ATM transactions were at least 2 years old but some dated back to January 1988, or 9 years ago.

To the average citizen, a check that is not recorded in a checkbook register for 9 years just might be a problem.

But not to Mr. Hamre.

He says it's ''normal and routine'' for a disbursement to float around in outer space for 9 years. ''It's OK. It doesn't count. Not to worry.''

Unmatched disbursements are more troublesome than in-transits.

When in-transits finally reach the accountant's desk, the accountant tries to match the disbursement with its corresponding obligation.

An obligation is like a contractual commitment of money.

When a corresponding obligation cannot be identified, you have a problem—an unmatched disbursement.

In some cases, the hookup is made. Sometimes it takes months or even years. And sometimes, the match is never made.

That's an unmatchable disbursement.

That happens when supporting documentation has disappeared.

When you have a check and no supporting documentation, you have a hot potato.

That's a problem, Mr. President. It's a big problem for anyone responsible for controlling public money.

CFO Hamre found a quick and easy cure for this ugly wart. He just lopped it off.

In 1995, he literally wrote off billions of dollars in unmatchable disbursements.

He just wiped them clean off the books. Problem solved.

When Mr. Hamre did this, I came to the floor and criticized him for doing it. I thought it set a terrible precedent.

Maybe Mr. Hamre had no choice, but when you write off billions of dollars of disbursements, some heads should roll. And it should never happen again.

Sadly, no one was held accountable.

The third category of problem disbursements are NULO's.

With a NULO, you get a quick match, but there is not enough money in the account to cover the check. It is overdrawn.

That could be a violation of the Anti-Deficiency Act, and that's a felony.

There is a fourth category of problem disburements that DOD doesn't report. I did not mention it up front because it is not official. It was invented by the Senator from Iowa.

I call it mismatched disbursements.

I have spoken about Mr. Hamre's illegal progress payment policy several times this year.

Under the Hamre policy, checks are deliberately charged to the wrong accounts. That creates a mismatch.

It is a mismatched disbursement.

A mismatched disbursement is the flip side of an unmatched disbursement. It is a problem disbursement, for sure.

Mr. Hamre's progress payment scheme is producing a whole new category of problem disbursements.

And he doesn't even know it.

DOD makes over $20 billion a year in progress payments.

If most are mismatched—as I suspect—then DOD's problem disbursements exceed the $45 billion figure cited by the GAO.

If this were a $1 million problem, I might not worry so much.

Unfortunately, billions of dollars of public money could be at risk. We just don't know—until DOD gets a good match.

When you have billions of dollars in checks with no documentation and you're writing them off right and left, your accounts are vulerable to theft.

As CFO, Mr. Hamre is accountable for this mess.

Mr. President, Mr. Hamre has been selected by Secretary Cohen to fill the No. 2 spot at the Pentagon.

He would become the Deputy Secretary of Defense. That's a big job.

I am opposed to this nomination.

I will have much more to say about Mr. Hamre in the weeks ahead.

Mr. President, I want to be sure my colleagues understand where I am coming from.

CHIEF JUDGE KAZEN, U.S. DISTRICT COURT

Mr. GRASSLEY. Mr. President, I would like to briefly address an issue I talked about already on June 5. I want to clarify the record regarding an inaccurate Washington Post front-page story on Chief U.S. District Judge George P. Kazen of the southern district of Texas.

To refresh your memory, the Post reported on May 15 of this year that Judge Kazen had stated he was overworked, couldn't manage his caseload and needed more judges. The article then more than implied there was a backlog in his district and there was a crisis across the Nation which was created by the Judiciary Committee playing politics at the cost of justice.

I had hoped we were done talking about that example of inaccurate and misleading reporting, but judging by a remark made Monday here on the floor, I must reiterate what I already said on June 5: there is no backlog in the southern district of Texas, the article III judges of that district, and of most districts of the country, for that matter, assure me that they can handle their caseloads just fine.

I noticed my colleague Senator LEAHY used this article Monday to once again complain about the pace of confirmations. Unfortunately, he has also become a victim of that misguided article.

As chairman of the Judiciary Subcommittee on Administrative Oversight and the Courts, I felt compelled to come before my colleagues and set the record straight on the southern district of Texas. Therefore, on June 5, I gave you the applicable statistics for the district and I gave you the responses my 1996 survey produced for that district. As you might recall, in an effort to keep the lines of communication open between this Congress and the judicial branch, I sent a comprehensive survey to all article III judges last year. Some of the questions in the survey addressed precisely this issue of a backlog. I said on June 5 and I'll repeat it today, both my survey and my communications with our Federal judges clearly show that there is no backlog and that a vast majority of the judges in the southern district of Texas, one of the largest and busiest in the Nation, can more than aptly manage their caseload. By the way, the same holds true for the Nation in general.

When I spoke to you on June 5, I wondered how come Judge Kazen would turn to the Washington Post and create such a different impression from what my research, my figures, and, most importantly, my communications with our Federal judges indicated. Well, it turns out that Judge Kazen was as surprised by the article as I was. You see, I just received a letter from Judge Kazen on June 6 and it has now become clear that Judge Kazen is as much a victim of inaccurate reporting as everyone who ended up reading that article is. According to Judge Kazen, he only talked to the reporter regarding his district's contemplation to move the home seat of a judicial vacancy from Houston to either Laredo or McAllen.

Incidently, the vacancy Judge Kazen was talking about has been around since 1990. It therefore appears that my Democratic colleagues, who are so quick to cry ''politics'' when the Judiciary Committee dares to scrutinize a Clinton nominee, had ample opportunity to fill that seat and for one reason or another they chose not to do so.

Judge Kazen insists in his letter that while the article ultimately quoted him as speaking about judicial vacancies, the conversation he had with the reporter was solely on the proposed move of the future judge's home seat. Judge Kazen further states that the article's focus on filling vacancies was never the focus of his conversation with the Post reporter. If mentioned at all, it was nothing more than a passing reference. Judge Kazen, in his letter to me, is adamant that he never described ''any caseload as being unmanageable.''

Therefore, not Judge Kazen, but the Washington Post used this one example to complain of backlog and unmanageable caseloads. Mr. President, the vast majority of the judges who have responded to my survey, who have written me letters, who have called my offices, or who have come before the Judiciary Committee or my subcommittee are not backlogged and are quite able to manage their caseloads. Judge Kazen's letter to me underscores that fact, and I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF TEXAS,
June 6, 1997.

HON. CHARLES E. GRASSLEY,
Chairman, Subcommittee on Administrative Oversight and the Courts,
Senate Hart Building, Washington, DC.

DEAR SENATOR GRASSLEY: Your letter of May 30, 1997, prompts me to seek clarification of what issues you believe that I raised in the Washington Post article of May 15. That article was the result of a telephone call in April from a Texas reporter working for the Post. She inquired about a letter I had written in February to the Democratic members of Congress from southern Texas. The letter had apparently been released to the media by one or more of the recipients, as it had already been the subject of press reports in Texas.

The purpose of my letter was to advise the Representatives that our Court was contemplating a request to the Judicial Council of the Fifth Circuit that the home seat of the judge who would eventually succeed former Chief Judge Norman Black be moved from Houston to either Laredo or McAllen. The possibility of such a move had been discussed off and on during 1996, but no action had been taken. We knew that this position would not be filled immediately, and we could have deferred action until later. However, we learned in February that the Representatives were meeting soon to recommend a nominee to the White House. They were doing so under the natural assumption that the person would sit in Houston. We decided that basic fairness required us to at least alert the Representatives to our plan.

The letter advised that the Court would ''probably'' request the move and that our final decision would be made at a meeting of the full Court in May. The letter stated in general terms why we were taking this step. This included the fact that the four ''border'' divisions of our Court have long borne the burden of one of the heaviest criminal dockets in this country. We advised that scores of new Border Patrol agents are scheduled for assignment to Laredo and the Rio Grande Valley this year, along with projected increases of other law enforcement agents. We concluded that many more agents inevitably will lead to more arrests and more prosecutions in our southern divisions. At least, this

should be the result if the agents do what they are hired to do.

The letter also advised that, for the first time in over twenty years, the chief judgeship of the Court had moved outside Houston. Under our seniority system, it will remain outside Houston for at least the next twenty years. The chief judge has typically been required to take a reduced docket to attend to the administration of this vast district, which consists of seven divisions spread over some 44,000 square miles.

The *Post* reporter had called to ask about the status of this matter. I told her that our plan was still on course. I never described any caseload as being ''unmanageable.'' In response to her questions about the reason for our decision, however, I did try to explain the special pressures caused by an unrelenting criminal docket and why our judges felt the move was appropriate.

I realize that the *Post* article ultimately focused on filling vacancies, but that was not the focus of our conversation. If that topic was mentioned at all, which I cannot recall, it would have been a passing reference to the fact that we have a very old vacancy which we hope can be filled this year. The portions of the article actually quoting me are addressed to the issue of why our Court is seeking to move a judgeship away from Houston. It is our belief that this move is an internal judicial issue, governed by 28 U.S.C. §134(c). If I am mistaken in this regard, or if your subcommittee has concerns about it, I will try to assemble whatever data might be relevant, although this proposal is based to some extent on our best estimate as to the situation as we expect it to be whenever that new judge would be confirmed.

It does not surprise me that some of my colleagues reported to you that their dockets were manageable. It is precisely for this reason that the Houston judges have supported me in the effort described above. Their support is based on certain assumptions. First, we are assuming that Senior Judge Norman Black will be able and willing to carry at least a fifty percent caseload in Houston for the next several years. From June 1992 until December 1996, we had only one senior judge. That was Judge Hugh Gibson, who was helping with Judge Sam Kent's unusually large civil docket in Galveston. Judge Gibson became seriously ill last year and is only now beginning to attempt a comeback. Second, Judge John Rainey has currently been working in three divisions—Houston, Laredo and Victoria. Whenever the new judge arrives, Judge Rainey would drop Laredo and take a larger portion of the Houston docket. We think this is a positive step. Travelling between two divisions is not efficient; travelling among three divisions is grossly inefficient, especially when those three divisions stretch over 300 miles. Third, we are hoping that the Houston filings will not drastically increase during the next several years. If any of these assumptions prove untrue, we may well have to go back to the proverbial drawing board.

I am attaching a newspaper report that a ''record-setting number of U.S. Border Patrol recruits'' are currently undergoing basic training, to be assigned along the Mexican border. Forty-two of these persons are scheduled for the Laredo Sector and 133 for the McAllen Sector. We understand that increases in other law enforcement agencies, together with United States Attorneys, are also planned.

In 1996, the criminal filings in the four ''border'' divisions (Laredo, McAllen, Brownsville, Corpus Christi) were 1239, compared with 1069 in 1995, a 16% increase. As of May 31, the 1997 criminal filings in these divisions are 206 in Brownsville, 130 in Corpus Christi, 175 in Laredo, and 158 in McAllen. These are the results of five months of grand jury work. Projecting those figures over 12 months would yield filings of 494, 312, 420 and 379 respectively. This would make a total of 1605, a 29% increase over 1996. These projections do not consider that, as far as I know, few if any of the new law enforcement agents are actually in place yet. Also, these statistics refer to cases, not defendants. Many of these criminal cases, especially narcotics cases, involve multiple defendants. For example, the 1239 cases filed in the four divisions in 1996 involved 1884 defendants. I am currently processing a single case with 22 defendants. These projections also do not consider any civil filings.

The step our court is proposing is, in my opinion, sound management and would increase organizational efficiency. I would hope that you would applaud our effort to place our resources where the demand is, since I believe that you have previously encouraged the Judiciary to consider precisely this type of move.

Despite the fact that I was not discussing the issue of vacancies with the Post reporter, I do not wish to imply that I am disinterested in that issue. Chief Justice Rehnquist and many others more eloquent and prominent than I have spoken often on the subject. In addition to the new vacancy created by Judge Black, we have a vacancy that has existed since 1990. The nominee currently before the Senate is the third person either nominated or recommended for this position, going back to President Bush. The current candidate was first nominated in late 1995, if I am not mistaken. She was renominated earlier this year. This person is scheduled to sit in Brownsville. As you can see, we are conservatively projecting almost 500 criminal filings in that division this year, apart from any civil filings. The new judge and the incumbent, Filemon Vela, were also due to help Judge Ricardo Hinojosa, who sits alone in McAllen. As far as I know, no one has ever advised our Court that there was any doubt about the need for this position. In fact, based on our statistics, the Judicial Conference of the United States recently recommended that still another judge be added to our Court. The 1996 Biennial Judgeship Survey supporting this request is attached. I am also attaching our latest Magistrate Judge Survey, dated December 1994, prepared by the Administrative Office of the United States Courts, and the 1996 statistics showing the significant amount of work done by our magistrate judges.

Ours is a hard-working, very productive Court, which closed almost 13,000 cases last year, in addition to almost 4500 petty criminal cases closed by our magistrate judges. We realize that we will not get Judge Black's successor, much less a new position, anytime soon. However, we believe it is critical that at least our 1990 vacancy be filled in the reasonably near future. Judge Vela will be taking senior status within three years, and we must have a judge with some judicial experience in Brownsville before the vacancy cycle begins anew.

I hope this letter is helpful. I would be happy to discuss this situation with you at your convenience.

Sincerely yours,

GEORGE P. KAZEN.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Ms. COLLINS). Under the previous order, the Senate stands adjourned until 10 a.m., Thursday, June 19, 1997.

Thereupon, the Senate, at 6:24 p.m., adjourned until Thursday, June 19, 1997, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate June 18, 1997:

THE JUDICIARY

FRANK M. HULL, OF GEORGIA, TO BE U.S. CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE PHYLLIS A. KRAVITCH, RESIGNED.

EXTENSIONS OF REMARKS

TRIBUTE TO THE HONORABLE CLARENCE J. BROWN IN CELEBRATION OF HIS 70TH BIRTHDAY

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. HOBSON. Mr. Speaker, I rise today to honor Clarence J. Brown on the celebration of his 70th birthday. Bud Brown proudly served as a member of this body from the Seventh District of Ohio from 1965 to 1983. He was preceded by his father, Clarence J. Brown, Sr., who served for 27 years.

During his tenure in the U.S. House of Representatives, Bud Brown served as the ranking Republican member of the Energy and Commerce Committee and the Joint Economic Committee. He also served on the Government Affairs Committee and was the ranking member of three major subcommittees.

Following his departure from Congress, Bud Brown served in the Reagan administration as Deputy Secretary and as Acting Secretary of the Department of Commerce after the death of Malcolm Baldridge. In 1992, he was named president and chief executive officer of the U.S. Capitol Historical Society where he works to fulfill the Society's mission to preserve and share the Capitol's historical importance.

As a Member of Congress, Bud Brown followed his father's footsteps with a strong focus on constituent service, a focus which served as an example for those members who followed. As he stated in his final newsletter to his constituents, his greatest reward from service came not from recognition for his legislative efforts, but in the satisfaction of helping individuals solve problems. Bud Brown summarized this when he said: ''There is clearly a role for Government, but it is to serve, assist and protect—not to coerce, dominate, or abuse.''

Today, as we honor Bud Brown on his birthday, I am pleased to join with his friends and colleagues, his wife, Joyce Eldridge Brown, his children, Clancy, Cate, and Roy, and his granddaughter, Rose Beth, in wishing him all the best in the years to come and to thank him for his years of service to the Seventh District of Ohio, the Buckeye State, and to our Nation.

In honor of that service, we are planting a Buckeye tree on the grounds of the U.S. Capitol that Bud so dearly loves and has dedicated so much energy to preserving. It is a fitting tribute to a man whose life and work have been spent advancing the ideals embodied in the great monument to democracy and freedom which is our Capitol.

A TRIBUTE TO DR. HAROLD BORING

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of my dear friend, Dr. Harold Boring, the assistant superintendent of the San Bernardino City Unified School District. Hal is retiring after a highly distinguished career and will be recognized for his many years of service to education and our community at an event in his honor later this month.

Hal Boring began his career with the San Bernardino City Unified School District in 1963 as an elementary school principal in Highland at Cypress Elementary School. In 1966, he became the instructional materials consultant and in 1971 Hal was promoted to serve as the district wide director for instrumental materials. Two years later, he became the director of instructional and business resources and served in that capacity until 1977 when he became the assistant superintendent for administrative services.

Over the years, Hal has been active in a number of educational, civic, and political activities benefiting a great many people in our community. He has served as a member of the San Bernardino County Republican Central Committee, the State Republican Central Committee, the International Council for Friendship and Goodwill, and as a member of the Board of Directors of the Highland Chamber of Commerce.

In addition, he has developed meaningful and productive relationships that have led to legislation resulting in many positive changes to our educational system. He is particularly well known throughout California for his knowledge of legislation and the legislative process. His work with the Association of California School Administrators [ACSA] for over 20 years has helped make ACSA a vital voice in the educational process across the State.

Hal and I first became friends while attending San Bernardino High School several years ago. Since that time, our friendship has continued to grow and I have been privileged to work with Hal on many occasions. To say the least, Hal's interest in and commitment to education and public affairs has made a tremendous difference to the many lives he has touched. He has always had a special gift for assisting others and a willingness to listen and lend a hand whenever possible.

Mr. Speaker, Hal Boring provides an example of leadership that is deeply respected and admired by his professional colleagues and our community at large. I ask that you join me, our colleagues, and Dr. Boring's many admirers in thanking him for his remarkable public service over the years and wishing he and Gloria the very best in the years ahead.

STATEMENTS BY JESSA BLACK, CURTIS WHITE, AND EVAN PAPPAS REGARDING FEDERAL AID TO HIGHER EDUCATION

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. SANDERS. Mr. Speaker, for the benefit of my colleagues I would like to have printed in the RECORD these statements by high school students from Vermont, who were speaking at my recent town meeting on issues facing young people.

Mr. WHITE. The state government is not providing sufficient funding for higher education and the federal government is not providing the incentive for states to increase that funding; especially in Vermont, the state with the lowest provision for funding of higher education this has a profoundly negative impact. The students from Vermont leave the state as the out-of-state tuition at many other state universities is less expensive than the in-state tuition of that of the University of Vermont which is $7200 a year. The tuition at SUNY Stonybrook, U.C. Berkeley, North Adams State, U. Mass. at Amherst and almost all midwestern universities is lower for an-out-of-state student than that of UVM. This causes a drain of the best of the best students in Vermont essentially.

With the best students leaving the state, industry does not want to come with so few educated workers for hire. With no industry there is no incentive for people to move to the state who would then bring in revenue. With less revenue the state has less money to pay for higher education, and it is quite frankly a vicious cycle that needs to be broken.

Mr. PAPPAS. The federal proposals to offer help in paying for higher education do not remedy this problem. The 105th Congress law, HR 318 provides for federal income tax credit for tuition. There's a proposal of a $10,000 Hope scholarship tax deduction and one that would bring Pell Grant increases. Bill HR 2050 from the 104th Congress would restore the deduction for interest on higher education loans and permit penalty-free deductions from retirement plans. All of these proposals would bring relief if families are already saving or if they qualify for the grants that would help. However, all these bring individual relief only. They do not bring any state initiative to fund higher education.

Ms. BLACK. We propose that when states fund higher education above a certain minimum percentage, the federal government will provide matching funds. These funds can be drawn from the federal income tax. This small, relatively small drain would have numerous benefits. This will allow for lower tuition costs making higher education available to more people in the State of Vermont as well as the rest of the nation. When you create a more educated work force, you bring in more industry, increase the economy and raise property values and with more funding of education, the more participation there is in the democratic process, and this would help.

Mr. WHITE. A loss of industry or a lack of industry rather because who wants to come and set up business in a place with no educated work force. It's not good for industry, it's not good for business and it's not good for the economy of Vermont.

Ms. BLACK. There there's the cycle that if industry doesn't come because there's not an educated work force, we don't have any incentive for out-of-state families to move in because they realize there's not a future for their children here and then there are even less people in which case there is less of a tax base to help pay for the higher education and less people that will stay.

Mr. WHITE. The University of Vermont, for example, even for an in-state student, as we said, charges more than SUNY at Stonybrook or any of the—U.C. Berkeley. It's very expensive for a Vermont student if they want to stay in state or go to UVM or Castleton or any of the number of state schools. It's just far too expensive, $7200 in tuition.

Ms. BLACK. In state and for students in the southern area of Vermont, North Adams State is almost closer than the University of Vermont and it's almost $2,000 less expensive for an out-of-stater from Vermont than in state in—in Vermont, so why would they stay?

Mr. WHITE. We're exporting basically our best and brightest out of state. In Europe, at least in Germany, they have a system where you can go for free but the only—the only—the drawback to that is you have to be in the top of the top of the top. Not everybody gets an opportunity to go on to university in some European countries.

Ms. BLACK. In the midwestern states there's both state and federal funding. Well, in every state there's both state and federal funding to public higher education, but in Vermont it's a lot lower. And if we had the process where the federal government would match state funds, it would give smaller states like Vermont more of an initiative to fund the higher education.

Anybody who has the ability should be able to go to their state university. I mean, not everybody could get into the top schools, but everybody should have the chance to go to a school for higher education because it's getting harder and harder to get a decent job where you can make any sort of a living without a college education.

Mr. LAFARGE. More and more people are going to college every year, but even people that get say a four-year degree aren't even going to make as high a wage as would be expected, so people who just go to high school are going to be left behind and may be stuck to factory jobs or, you know, just——

Mr. WHITE. The numbers, in fact, show the disparity between even a master's degree—a person with a master's and a person with a four-year degree and a person with a high school degree. It shows the disparity, the numbers which I don't have obviously, but there's a great disparity between the amount of money that each of those people would make.

Twenty percent of our budget is spent on defense. Well, it seems to me that since there are no real wars going on, and not to parrot what everyone else has said, but it seems as though really defense should—shold and could be cut.

Ms. BLACK. I think that even if it would mean raising income taxes and I know people are complaining that taxes are too high and that education is too expensive, but you've got to—you know, the public needs to understand the long-range effect of having education accessible because if they were willing to put up with a small increase in the income tax or the taxes that this money could be drawn from, then if people could go to college, they would—they could make more money and the economy would be increased as a whole and the property values would go up as a whole and in the long term that small increase would not seem as large.

Mr. WHITE. Plus it's cheaper to educate people and to have them get jobs than to support them on welfare or to support them in other ways when they can't find jobs down the line. It's a lot cheaper, it's a better investment.

Ms. BLACK. I think in fact that—I think taxes are high for everybody now and I think hopefully what this raising the taxes would do would be to give aid to the people who couldn't normally attend college and you'd—although I know people who don't have as high incomes don't feel like they want to be paying taxes, it seems as if it would benefit them the most if they could help—if everybody had their taxes raised a small amount, it would benefit them as well.

HONORING THE NORTH CENTRAL REGION, UNITED PARCEL SERVICE

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. WELLER. Mr. Speaker, I rise today to honor the work and dedication of the North Central Region of United Parcel Service in appreciation for their efforts to assist people in moving off of welfare and into positive work experiences.

United Parcel Service has demonstrated outstanding leadership as a private employer who seeks to employ and train individuals who need critical job skills to compete in today's job market.

United Parcel Service is one of the largest users of the Federal Work Opportunity Tax Credit program [WOTC]. The WOTC encourages private companies to seek and train individuals who are making the transition from welfare to work. In fact, for the 1997 year, UPS is on target to hire 861 employees in Illinois who qualify for the Federal program.

United Parcel Service's commitment and impact on the community is not only deserving of congressional recognition, but should serve as a model for others to follow.

At a time when our Nation's leaders are asking the people of this country to make serving their community a core value of citizenship, honoring United Parcel Service is both timely and appropriate.

I urge this body to identify and recognize other private employers in their communities who could also participate in the Work Opportunity Tax Credit Program as United Parcel Service has.

ELIMINATING THE NATIONAL ENDOWMENT FOR THE ARTS

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. PACKARD. Mr. Speaker, for years certain National Endowment for the Arts [NEA] projects have attracted a great deal of controversy. Americans have been inundated with reports of grotesque live performances, blasphemous art exhibits, and obscene publications—all supported by taxpayer money. Regardless of the reforms Congress has tried to impose on the NEA, taxpayer money continues to filter down and fund controversial art. Now more than ever, we need to put an end to this inefficient cycle by admitting that the Federal Government has no business funding the arts and eliminate the NEA.

I support the arts and recognize their importance to our society. However, I believe it is our responsibility as citizens to keep it thriving on the local level. Yesterday, the House Interior Appropriations Subcommittee voted to terminate the NEA. I believe that it is time to place a priority on balancing the budget and relieve the American family's crushing tax burden by eliminating the NEA and other inefficient Federal Programs.

Mr. Speaker, I have no doubt that the arts will continue to thrive without the existence of the NEA. Last year, more than $9 billion was spent on the arts in America by the private sector. The fiscal year 1997 NEA budget of $99.5 million represents only 1 percent of these private sector contributions.

interestingly enough, despite a 40-percent cut in Federal funds over the last 2 years, the arts industry is booming—attendance rates are up, employment in the arts is up, total receipts from performing arts is up. Yet American families, already overtaxed and threatened by looming Federal debt, were forced to pony up $99 million last year for the NEA.

Mr. Speaker, during its time of tight budgetary constraints, I encourage all of my colleagues to make a serious attempt to distinguish between essential and nonessential Government programs. The Federal Government should not be in the business of supporting the arts. The time to eliminate the NEA is now.

REPUBLICAN CHICKEN LITTLES

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. FRANK of Massachusetts. Mr. Speaker, people talk frequently in this House about the need for accountability, but it is too often a case of Members here demanding that others be held accountable. A little self-accountability would go a very long way in this institution, and the recent article by Mark Shields on the minimum wage in the Saturday, June 14 issue of the Washington Post does a good deal to hold Members of Congress accountable for things they have said.

As Mr. Shields points out, when we debated the minimum wage in the previous Congress, many Republican Members predicted that an increase in the minimum wage would be an economic and social disaster. They could hardly have been more wrong. As Mr. Shields shows, while most Republicans opposed the increase in minimum wage and many of the Republican leaders predicted that increasing it would be disastrous, Republicans were wrong.

As Mr. Shields notes, directly contrary to the Republican predictions, which apparently grew organically out of their view of economic reality, today, with the increased minimum wage in effect for 8½ months, we see "no adverse effect on the employment of young workers

* * * bigger paychecks and * * * a healthier national economy * * *.'' Of course the minimum wage did not cause all of this to happen, although it has played a significant role in the bigger paycheck part of this for people at the low end of the wage scale. But the fact that we are enjoying this continued economic boom, with increased employment at the lowest end of the wage scale, directly contradicts what the Republican Party made its official doctrine during the debate on the minimum wage, and Mr. Shields is right to document the glaring disparity between what they said and reality.

THE GOP'S CHICKEN LITTLES

(By Mark Shields)

When it comes to economic forecasting, conservative Republicans on Capitol Hill give a new respectability to astrology.

Consider the matter of the federal minimum wage. Last summer Congress voted to increase the minimum wage, effective last Oct. 1, from $4.25 an hour to $4.75 (it will rise again next Sept. 1 to $5.15 an hour). Democrats almost unanimously favored the increase, and Republicans almost unanimously opposed it.

But many Republicans did more than merely oppose the hike, they were prophets of doom and gloom: Chicken Little and Gloomy Gus rolled up into a single morose caucus.

House Republican Whip Tom DeLay (R-Tex.) was his usual direct self in panning the increase: ''The Democrat party is to job creation what Dr. Kevorkian is to health care; a job-killer cloaked in kindness.'' A little less restrained was Rep. Jack Kingston (R-Ga.), who accused House Democrats, whom he referred to in floor debate as the ''comrades on the other side,'' of failing to understand that a minimum-wage increase would destroy jobs, adding, ''The folks over there are simply economically ignorant.''

But the Cassandra award belongs to Rep. John Shadegg (R-Ariz.), who declared: ''Raising the minimum wage will put one out of every four minority workers between the ages of 17 and 24 who are out of school and working out of work.''

What was being voted on then was a modest proposal that simply would guarantee that a worker in America who labors 40 hours a week, 52 weeks a year, would earn about what a member of Congress is paid every three weeks.

Republicans were wrong. The economy, almost eight months after the minimum-wage increase became law, is much better, not worse. The nation's unemployment is at its lowest point in 24 years. The proportion of the population with jobs is the highest in American history. The stock market continues to set new altitude records.

But what about the dire GOP predictions concerning lost jobs? Minimum-wage opponents emphasized that job losses would be heavy in the eating and drinking industry, where nearly one out of three private-sector minimum-wage earners is employed. In the first four months after the minimum wage was raised, employment in eating and drinking businesses grew at a rate four times faster than it had in the year before the increase.

And wait, there is still more good news for the workers this hike was intended to help. Teenage unemployment is measurably lower than where it stood just last September, before the wage increase. In a soon-to-be-released study, the Economic Policy Institute finds that not only has unemployment for teenagers and young adults not been adversely affected in the first eight months following the wage increase but that the benefits have primarily gone to low-income working families.

Minimum-wage workers, contradicting the myths spun by foes of the federal wage law, are not typically the spoiled stepson of the investment banker just picking up gas money for his BMW convertible. Instead, 35 percent of the workers who benefited from the increase are the sole breadwiners in their families. Three out of five of them are women. Seven out of 10 are 20 or older.

That's why it's encouraging to learn that the increase has had its biggest impact upon the earnings of black and Hispanic teens. The benefits of the wage increase have gone overwhelmingly to low-income working families. Nearly 56 percent of the families that have benefited from the wage increase are in the bottom 40 percent of American income.

With no adverse effect on the employment of young workers, with bigger paychecks and with a healthier national economy, about all that's left to say to those pessimistic, it's-five-minutes-to-midnight conservatives is, ''Cheer up, fellas, eventually things will get worse.''

GEORGE PATRICK MACRIS—GUAM'S SMALL BUSINESS PERSON OF THE YEAR

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. UNDERWOOD. Mr. Speaker, I would like to take this opportunity to recognize the accomplishments of Dr. George Patrick Macris, recipient of the State Small Business Person of the Year Award. he was recently honored for his work as president of the Harmon Doctor's Clinic at a luncheon hosted by the U.S. Small Business Administration on June 3, 1997.

Dr. Macris holds a degree in zoology from Rutgers University and a medical degree from Rutgers University Medical School and New Jersey Medical School. He also served as a medical officer in the U.S. Naval Reserve for several years before settling down to private practice in Anchorage, AK.

Since 1991, Mr. Macris has been practicing in Harmon, Guam, where he operates the Harmon Doctor's Clinic, serves as commander in the Naval Reserve, and sits in numerous hospital committees. Moreover, he has been an advocate of health care reform and is currently the Governor appointed and elected chairman of the Guam Health Coordinating Council and a staff member at Guam Memorial Hospital and the U.S. Naval Hospital, Guam.

The Harmon Doctors' Clinic, for which Dr. Macris received his award, is a unique health care facility which provides comprehensive services to both health care professionals and patients. In 1996, it became a designated Immigration and Naturalization Service [INS] Civil Surgeon Center and received Communicable Disease Control [CDC] vaccine approval—travel clinic. Currently, the clinic offers medical/health care services in general/internal medicine, diving/hyberbaric medicine, school physical, vaccination and travel clinic, cardiopulmonary diseases, urgent care, x-ray, OSHA/preventative medicine physical and laboratory. Moreover, Dr. Macris intends to expand services to include the only privately owned and operated decompression chamber and cancer treatment center. He has already received positive responses from the American Cancer Institute in establishing a cancer treatment center on Guam.

The clinic has also been successful administratively. It generated revenues in excess of $900,000 and anticipates a 12-percent growth in 1997. The patient base has also grown from 30 to over 11,000 member patients. The clinic employs 17 persons under the direction of Dr. Macris.

Again, I congratulate Dr. Macris for his outstanding leadership in the medical field. His exemplary service and innovative thinking are certainly assets to Guam. Not only have they garnered him recognition from the Small Business Administration, they have also won him Guam's respect and admiration.

FORMER MEMBERS OF CONGRESS TO CHINA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. HAMILTON. Mr. Speaker, a few days from now, Members will be asked to vote on one of the toughest issues they will face this year—whether to renew China's most-favored-nation trade status.

I recently had sent to me a copy of a report of a study tour to China by a delegation of former Members of Congress.

I am taking the liberty of reprinting the summary section of this report in the RECORD, in the hope that it may be of some use to Members as they consider the issues involved in the MFN debate in the days ahead.

REPORT OF STUDY TOUR TO CHINA

A delegation of members of the U.S. Association of Former Members of Congress traveled to China during the period September 1–10, 1996 at the invitation of the Foreign Affairs Committee of the National People's Congress. The trip included meetings in Beijing, Xian, Shanghai and Guilin. The delegation was led by the President of the Association, former Representative Louis Frey, Jr. (R–FL) and included: former Senator Daniel B. Brewster (D–MD); former Representatives John N. Erlenborn (R–IL), who is Treasurer of the Association; Beverly B. Byron (D–MD); Lawrence J. Hogan (R–MD); Elizabeth Holtzman (D–NY); John W. Jenrette, Jr. (D–SC); Philip E. Ruppe (R–MI); Richard T. Schulze (R–PA); Carlton R. Sickles (D–MD); and the Executive Director of the Association, Linda A. Reed. Also on the trip were: Marcia Frey; Judy Brewster; Kirk Walsh, husband of Beverly B. Bryon; Mary and Elizabeth Ruppe, daughters of Philip E. Ruppe; Nancy Schulze; and H. Thomas Collins, husband of Linda A. Reed. The members of the delegation paid their own international transportation costs; all expenses in China were covered by the Foreign Affairs Committee.

Prior to the trip, members of the delegation received briefings from personnel in the Office of Chinese and Mongolian Affairs at the Department of State and staff of the House International Relations Committee, and had the opportunity to review hundreds of pages of background material on China prepared by the State Department, the Congressional Research Service and the National Committee on U.S.-China Relations.

In Beijing, the delegation was given a welcoming banquet by the Foreign Affairs Committee of the National People's Congress,

hosted by the Chairman, Mr. Zhu Liang. Meetings were held with Mr. Qiao Shi, Chairman of the Standing Committee of the National People's Congress, in the Great Hall of the People, and with Mr. Qian Qichen, Vice Premier and Minister of Foreign Affairs, at the Diaoyutai State Guesthouse. Others with whom discussions were held in Beijing included: Mr. Yang Zhenya, Member of the Standing Committee and Vice Chairman of the Foreign Affairs Committee; Mr. Jiang Shunxue, Member of the Standing Committee and Member of the Foreign Affairs Committee; Ms. Zhao Jie, Deputy Office Director of the Foreign Affairs Committee; Mr. Lin Hu, Deputy to the National People's Congress and Member of the Foreign Affairs Committee; Professor Wang Fosong, Member of the Standing Committee and Vice Chairman of the Chemistry Division of the Chinese Academy of Sciences; Mr. Wang Fe Song, Mr. Zhang Ting, Mr. Lin Shangyuang and Mr. Lin Hu, Members of the Foreign Affairs Committee; Mr. Li Zhong Ying, Advisor to the Foreign Affairs Committee; Mr. Shi Zong Ben, Advisor to the Foreign Affairs Committee who also traveled with the delegation throughout China; Ms. an Xiaoru, Division Chief of the Foreign Affairs Committee; Hon. James R. Sasser, U.S. Ambassador to China; Mr. William C. McCahill, Jr., Deputy Chief of Mission, U.S. Embassy; Mr. William Stanton, Political Counselor, U.S. Embassy; Mr. Robert Goldberg, First Secretary (Economics), U.S. Embassy; and Ms. Sylvia Reed Curran, Second Secretary (Political), U.S. Embassy.

In each of the provincal capitals visited, the delegation had a welcoming banquet and other meetings. In Xian, Mr. Zhang Boxing, Member of the Central Committee of the CPC, Deputy to the National People's Congress and Chairman of the Standing Committee of the Shaanxi Provincial People's Congress, was host to the delegation along with Mr. Chen Fushen, Secretary-General of the Standing Committee of the Shaanxi Provincial People's Congress. In Shanghai, Mr. Sha Lin, Vice Chairman of the Standing Committee of the Shanghai Municipal People's Congress, was host to the delegation along with Dr. Wang Dao Min, Member of the Standing Committee of the Shanghai Municipal People's Congress and Deputy Director of the Education, Science, Culture and Public Health Committee. In addition, the delegation toured the Jinqiao Export Processing Zone and visited the offices of Rosemount Shanghai Co., Ltd. In Guilin, Mr. Hong Puzhou, Chairman of the Standing Committee of the Guilin Municipal People's Congress, hosted the delegation along with Mr. Zheo Ke, Director of the Foreign Affairs Office of the Guilin Municipal People's Congress.

It was obvious from the beginning that the Chinese had rolled out the red carpet for the delegation. There was very little sightseeing, with the emphasis being on talks with Chinese officials. There were no ground rules regarding the talks, and issues discussed included such varied topics as human rights, Taiwan, the problems with Pakistan, trade, Hong Kong and how to run a free enterprise system under a communist government.

Many of the members of the delegation had visited China before and one, Congressman Carlton Sickles, had been stationed there during World War II. All the delegation members were impressed with the enormity of the dramatic changes taking place. The task of increasing the standard of living of a population of over 1.2 billion people is such a large proposition that one would tend to think it impossible to achieve. However, the sights and sounds of a dynamic China, especially in the large cities and along the eastern coast, are convincing proof that this task is being successfully fulfilled in part of the country and that the growth potential for the remaining areas is of staggering proportions. Unfortunately, the positive changes in the cities and coastal areas are in sharp contrast to the rural areas, which are lagging far behind.

This report includes overall general comments, followed by a more detailed description of the major meetings that took place. The following comments are not in any particular order.

1. The economy of China is still largely government controlled, although it is moving toward a free-enterprise system. One major problem is that over half of the government-owned industries are losing money. This problem is compounded further by the fact that these industries have borrowed substantial sums from Chinese banks, which adds to the negative effect on China's economy.

2. The Chinese people are clearly industrious and capable of assimilating knowledge in the new information age. People in the large cities are animated, well-dressed, cheerful, consumer-oriented and constantly in motion. Whether the middle class is 100 million or 300 million, it still represents an enormous and growing market.

3. The current Chinese leadership appears to have a near fixation about Taiwan and Hong Kong. They consider these territories to be integral parts of China; what happens to them is an internal Chinese matter. The Chinese government was embarrassed by the United States granting a visa to the President of Taiwan to return for his Dartmouth College reunion. The fixation on the return of Hong Kong is exemplified by a large clock in Tiananmen Square, which counts down the days, hours, minutes and seconds until Hong Kong is returned to China.

4. The Chinese do not understand how the American political system functions. They fail to understand the concept of a loyal opposition in a democratic system and are perplexed over statements issued by Members of Congress which seem counter to the position of the U.S. President and their understanding of U.S. foreign policy. The concept of checks and balances and a separate and independent legislative branch is something they neither understand (nor want to understand) nor probably are capable of comprehending in the immediate future.

5. The Chinese have been out-lobbied by some other nations. Apparently, they believe they do not need to have paid lobbyists in Washington to represent their views. When asked about setting up an active exchange program between Members of the U.S. Congress and the National People's Congress of China, interest was evident, as long as they are not solely responsible for the finances of the exchange.

6. The Chinese wish to be recognized as one of the world's great nations. However, at present, they do not feel compelled to play by the same rules. Everything something was mentioned about any subject that was controversial, be it human rights, Taiwan, Hong Kong or Tiananmen Square, their answer was that these are internal matters that are the sole province of the Chinese government. Unfortunately, as a country with a population of over 1.2 billion people, China is going to be scrutinized by other nations and are the world press and can't hide behind the rubric of calling these internal problems. The Chinese either choose not to or fail to recognize this reality.

7. There is some recent evidence of anti-American feeling exemplified by a book written by a young Chinese whose thesis is that the United States is trying to apply to China the policy that is similar to that which was applied to Russia during the Cold War, i.e., containment. The thinking of some Chinese is that some nations would like to see the present People's Republic of China split into various subdivisions, thus reducing its national power.

8. China still lacks a free press as Americans know it. The government is able to focus attention in areas that it feels are important and to present a one-sided view of issues. Just after the delegation left China, the government unveiled a major public ethics campaign that seeks to impose sterner controls over the media and culture. The Central Committee issued a statement that said, ''Some government departments and leaders had neglected ethics and ideology while being quite strong in promoting material progress.'' This emphasizes the dilemma of attempting to maintain an authoritarian government while simultaneously developing a free market economy and a more open political system.

9. Despite recent militant statements by the Chinese government regarding Taiwan, it appears that, in the long run, increasing economic cooperation between the two will ease the problem. The Chinese indicated that they were opening new air and maritime routes and postal service and are encouraging investment and commerce with Taiwan. At present, Taiwanese investments in China exceed those of any other nation. As commerce increases, followed by travel, tensions probably will be reduced.

10. The Chinese recognize that the world will be watching the transfer of power in Hong Kong. Most people in China and Hong Kong seem to believe that, during the first three or four years, the Chinese will allow ''two systems of government within one country.'' Hong Kong, apparently, will be given more freedom and leeway than exists now on the mainland. It remains a question as to how much freedom will be allowed and how long it will last. If China continues to develop an expanding free-enterprise system, with the inevitable erosion of the central governmental controls, Hong Kong may be able to avoid total control from Beijing.

11. Great progress has been made in some areas of the infrastructure. For instance, some commercial aircraft are modern, mostly U.S., and many airports have been updated in the major cities. Highways in and around the major cities also have been improved greatly. There are major environmental and power problems, however. Infrastructure in rural areas needs to be improved greatly or rebuilt completely.

12. It appears, at least on the surface, that the question of succession has been amicably settled. The age and physical condition of Deng are such that, as a practical matter, he rules in spirit only. The public statement of the Chinese leaders is that the succession has taken place and that the policies, especially economic policies, will not change significantly. While it is recognized that China can do a 180 degree turn on a moment's notice, e.g., the Cultural Revolution, the development of a free-enterprise system and relative economic prosperity among many Chinese have made such an impact that it would be extremely difficult. It would necessitate the use of military force to return China, i.e., to turn back the clock, to a communist economy.

13. The Chinese still are a long way from a rule of law and also have major human rights problems. In this regard, they are not unlike many other nations in the world. The United States must decide whether it would be more effective to use the carrot or the stick in its approach to China. It appears obvious that the better the economy, the more foreign investment and trade, the further the free-enterprise system develops, the better the chances are for a rule of law and improvements in human rights. There probably

is a middle ground where the United States can point out firmly, strongly and, hopefully, politely that problems exist without diluting those principles that underlie our democratic tradition while working with China in a positive manner to bring about economic progress.

14. The Chinese must understand that when the United States acts, it is acting in its own self-interest, but it is in the United States' best interest to work cooperatively with an economically strong and politically sound China. It would appear that a strong China can bring stability to Asia, help the world with problem nations, e.g., North Korea, contribute to the solution of world ecological problems and present American businesses with new opportunities.

15. It is the delegation's opinion that there should be increased bilateral meetings and governmental exchange programs. A lack of understanding regarding key issues now exists on both the part of the Chinese and the Americans. The United States has a great opportunity in China. There is no deep feeling of hostility. The Chinese seek respect as a major player in world affairs. They are moving, albeit slowly, in the right direction. It is in our interest to help them continue this forward trend.

16. It would appear that the Chinese are looking for a statement from the United States as to where the relationship is going. In the past few years, both nations have reacted and, in some cases, over-reacted to problems such as Taiwan, Pakistan and trade issues, including transshipping and violations of copyright laws. Tension between the United States and China has been increased by the debate over the most favored nation status. Statements from various Members of Congress, many of which are aimed more at appeasing their own political constituents rather than for foreign consumption, are upsetting to the Chinese. After the U.S. Presidential election, more U.S. attention should be directed to China, working perhaps toward a summit sometime in late 1997 or early 1998.

A TRIBUTE TO JIM CONNELLY

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of my dear friend, Jim Connelly. Jim is retiring after a highly distinguished public relations career and will be recognized for his many years of service an event in his honor on June 27.

Jim was born in Youngstown, OH on April 2, 1992 as the fourth child of Cora and Martin Connelly. He served in the U.S. Army from 1942 to 1945 with the Military Railway Service and the Armed Forces Radio Service in China, Burma, and India. Upon leaving the service in 1945, he served as public relations director for Edward J. DeBartolo, the shopping center king. He later served as public relations director for the Kenley Theater Summer Stock Co. where he was charged with securing publicity for celebrities including Mickey Rooney, Alan Jones, Burt Wheeler, and others.

Jim moved to California in 1959 and embarked upon a newspaper career. He worked for a number of area papers including the Rialto Record, Bloomington News, and the San Bernardino Independent Press. At this time, he also handled public relations for Bob Hope including many of the Bob Hope Desert Classic Golf Tournaments and the many USO shows overseas conducted to entertain our American troops. In a recent note, Bob Hope said he was unable to attend Jim's retirement party because he was running in a 100-mile marathon.

To say the least, Jim has had a most remarkable life and career. He worked on behalf of the Presidential campaigns of both John F. Kennedy and Robert Kennedy. He served as the director of public relations for the State of California Veterans of Foreign Wars. He also directed public relations for the grand opening of the Jerry L. Pettis Memorial Veterans Hospital in Loma Linda. Over the years, he has served many, many worthy organizations with his time, energy, and talent.

Mr. Speaker, Jim Connelly provides an example of community outreach and leadership that is deeply respected and admired by his professional colleagues and our community at large. I ask that you join me, our colleagues, and Jim's many admirers in thanking him for his remarkable public service over the years and in wishing him and Rose the very best in the years ahead.

STATEMENT BY MARYANN SCHRUPP REGARDING CHILD LABOR

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. SANDERS. Mr. Speaker, for the benefit of my collegues I would like to have printed in the RECORD this statement by a high school student from Vermont, who was speaking at my recent town meeting on issues facing young people.

Ms. SCHRUPP. It is estimated that between 100 million and 200 million children of the world under the age of 15 work. The concern is for children exposed to hazardous working conditions, for those who are exploited and endangered mentally and physically. These children make barely or under subsistence level wages and work without any proper benefits or hope of receiving an education. This education can lift them out of their present state of living and this is the education that is not available to them.

This is not a new phenomena, one that has recently become a priority for global consideration and global course of action. Unicef's 1997 report on the state of the world's children has focused specifically on the problem of hazardous child labor. Western media has started informing Americans of the conditions of soccer ball workers, soccer ball assemblers in Asia, rug makers in Pakistan, glass makers in India and textile workers in Asia and Central America. These workers are children hired for their low cost and expendable nature, their small fingers, and their inability to organize or question.

The fact that some of these children are working for American-based transnational companies has put the pressure on these companies to discontinue condoning the practice of child labor. According to the U.S. Department of Labor's report on the apparel industry and codes of conduct, corporate codes of conduct under business guidelines prohibiting the use of child labor are becoming more common as consumers as well as religious, labor and human rights groups are increasingly calling upon companies to take responsibility for the conditions under which the goods they sell are being manufactured.

Codes of conduct for American industries such as sports equipment and textile manufacturers are essential to stopping the importation of goods made by child labor either correctly or indirectly. Huge and popular names like Disney, Gap, Nike, Getz, Arizona, Eddie Bauer, and Gitano have been directly linked to overseas and in some cases national sweatshops where they can take advantage of the cheap and hard working supplies of local labor.

The most obvious examples of overseas sweatshops owned by American-based companies are the Maquiladoras of Central America where textiles are manufactured. 15-year-old girls who work in the Maquilas of Honduras tell how they're forced to take birth control bills on a daily basis and are required to pay for an expensive abortion injection if they do become pregnant. These girls are not allowed to leave each day until they fill a production quota. If a rush order for clothes came in, observers would note these girls entering the Maquilas at 7:00 a.m. and not returning until sometimes as many as 23 hours later. That's a 23-hour workday.

In China, Indonesia, and Pakistan, sporting equipment used in the United States is manufactured by child laborers. Jonathan Silvers wrote the following report in the Atlantic Monthly on soccer ball factories in Pakistan. No amount of preparation could have lessened the shock and revulsion I felt on entering the sporting goods factory in the town of Sialkot where scores of children, most of them aged five to ten, produce soccer balls by hand for about a dollar and 20 cents a day. The children work 80 hours a week in near total darkness and total silence. A partial list of infractions for which they may be punished is tacked to a wall near the entrance. It's a document of dubious utility. The children are illiterate. Punishments are doled out in a storage closet at the rear of the factory. There children are hung upside down by their knees, starved, caned or lashed. The punishment room is a standard feature of a Pakistani factory, as common as a lunchroom at a Detroit assembly plant.

Eighty percent of the soccer balls sold in the United States are imported from Pakistan. These are the same soccer balls that were used in the 1996 summer Olympic games and all professional sporting events. The Fowl Ball Campaign, a campaign launched by a coalition of non-governmental organizations, cannot prove that any soccer balls manufactured in Pakistan are not made by children.

Still, these reports show only a fraction of the picture. Most cases of child labor do not involve western companies but occur in domestic households unseen and unregulated. The more sinister forms of child labor such as child prostitution and the virtual slavery of bonded labor are often far removed from western markets and influence. They remain a national issue for these developing companies, many of which protest sovereign rights to run their nation's factories as they see fit. Most of the time, however, the children are employed at ages ruled illegal even by their country's governments.

For this reason, the United States needs to take responsibility for more than direct involvement with child labor. Countries, companies, and non-governmental organizations around the world are working together to not only eliminate child labor but to create conditions in developing countries which will prevent the exploitation of children.

The Convention on the Rights of a Child was signed into international law by the United Nations in 1990. It is the most widely ratified treaty in history signed by all but

six members of the United Nations General Assembly. The Convention expresses the conviction that children have rights, the same full spectrum of rights as adults, civil and political, social, cultural and economic. The United States is one of the six countries that has not yet signed this Convention.

American taxpayers' dollars are used to fund free trade zones which contribute to an environment of poverty for the people of developing countries. It is this kind of environment that supports the exploitation of children by national, international companies. Often a free trade zone means no corporate taxes, no income taxes, no regulations and no unions. GAT and the World Trade Organization are influenced heavily by the U.S. and it is here that the United States must take some responsibility for the fact that they support organizations which do not recognize child labor as a relevant issue.

Other organizations which receive support from the United States are the World Bank and the International Monetary Fund. These organizations are responsible for massive government adjustment into developing countries. The structural adjustment programs primarily consist of spending cuts that hurt social and educational programs. These cuts hurt the lower classes of the country and make the cycle of child labor all the more difficult to break. It is a cycle, one perpetuated by poverty and employees willing to exploit the poor and the helpless.

The greatest setback for these children is their lack of education. Everyone agrees that the key to ending child labor is in mandatory education legislation. This is important because while many people express the need for economic sanctions and boycotts, large-scale sanctions cannot be imposed on developing countries until safe and productive alternatives are developed for the children who would lose their jobs.

What then is the solution to this problem? What can we do to ensure that children are not exploited throughout the world? There are many factors of influential power in the United States. The most important one is the power of the individual. The incredible accomplishments of NGOs, that's non-governmental organizations, across the world were all put into action by individuals who wanted to make a difference. The death of child activist Icbow McSee sparked the birth of Free the Children, an organization dedicated to children's rights.

Free the Children is run by students ages 8 through 18. The group of school children in Quincy, Massachusetts who raised $144,000 to build schools and educational programs in Pakistan in order to help fulfill Icbow McSee's uncompleted dream is another example of this incredible power.

Even in the simple choices of the consumer, the individual can make a statement about what methods of production they will and will not support. Educating others about the situation is also an individual source of power. The media is a valuable tool in expressing individual opinion. Disney and Gap in particular received enough negative publicity to publicly embarrass the companies into amending their production methods.

Bob Herbert wrote recently in the New York Times that Nike is important because it epitomizes the triumph of monetary values over all others and the corresponding devaluation into peculiar interests and values we once thought of as human. Corporations do not like to create this kind of name for themselves.

Secondly, the pound of influence of the private sector should not be underestimated. Transnational companies like Rebok and Levi Strauss have been positive forces in using safe and non-exploitive methods of production. All corporations should adopt such codes of conduct as an essential step towards eliminating child labor.

The government of the United States has the potential to be a powerful force in the fight against child labor yet presently the government does not seem to be taking the appropriate actions necessary. If corporations can be called on to adopt codes of conduct, the more (unclear) the government of our country. The United States must sign a convention on the rights of a child. The government must work to regulate our nation's companies to ensure that child abuse is not a human resource in our nation as well. The government must include the basic rights of children as part of their agenda when forming free trade zones and when interacting with organizations such as the World Bank.

I call on the U.S. Government to take a stance, to show us that hazardous child labor cannot be acceptable in any form for any reason. The exploitation of the world's children is an international crisis for democracy and justice and we need to do our part.

Companies will go to the third-world countries where they can hire and they want to hire children because they can work faster and their hand-eye coordination is actually better when they're, you know, aged between 12 and 15 and they don't have to pay them anything. These people are being paid piece wages about 12 cents a garment. If it's a choice between paying someone 12 cents to make a garment in a place where there are no environmental conditions, no social regulations, nothing like that outside of the United States regular like restrictions on companies, they don't need to follow any of these rules.

Bonded laborers—Icbow McSee is actually an example of one of these. Most of them are in Asia and China, Indonesia and Pakistan. If a parent needs to pay off debts, what they'll often do is they will sell their children to manufacturers who will collect these children around the ages of sometimes as young as four or five where they can never make any wages because they spend their entire lives paying off the debt of their parents, and often these children are made, forced to stay in their factories by being chained to looms, especially in the oriental rug market.

IN HONOR OF THE WESTERN QUEENS GAZETTE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mrs. MALONEY of New York. Mr. Speaker, I rise today to bring to the attention of my colleagues the valuable contributions the Western Queens Gazette has made to the city of New York. Today, the Gazette celebrates its 15th anniversary of serving as an essential voice for the community.

The Gazette was inaugurated in 1982 by a group of enthusiastic community activists, few of whom had any previous journalism experience. This group, which included the paper's original publishers—George Stamatiades, Roger LaGhezza, and Judy Jackson—developed the first newspaper in a makeshift office erected in one of their basements. Just 19 days after they had the initial idea to publish a newspaper in the Queens community, the first issue of the paper went to press. Since that time, the Gazette has been published regularly. At a time when the print media has been consolidating, the Western Queens Gazette has found a home in a community that is hungry for news.

In 1983, John Toscano and Buster Celestino purchased the paper; they continued to publish it until 1990 when Tony Barsamian, the Gazette's current publisher, took over. Under Mr. Barsamian's leadership, the Gazette has increasingly become the leading source of local news and information for the community.

For 15 years, the Western Queens Gazette has served as an outstanding journalistic vehicle through which the Queens community can express itself. Mr. Speaker, I ask that my colleagues join me in paying tribute to the Western Queens Gazette on the occasion of its 15th anniversary.

CONGRESSMAN TOM CAMPBELL'S RELATIONSHIP WITH THE UNIVERSITY OF CALIFORNIA AT BERKELEY

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. CAMPBELL. Mr. Speaker, 2 years ago, the Haas School of Business at the University of California at Berkeley received a grant from the U.S. Information Agency [USIA] for work connected with the Haas School's efforts to open a business school in St. Petersburg, Russia. My wife, Susanne Campbell, is the Executive Director of that program. She has reapplied to the USIA for this same grant this year.

In December 1995, I won election to Congress. I am currently a member of the International Relations Committee. This committee has jurisdiction authorizing moneys for the USIA. I have informed the Committee on the Standards of Official Conduct of my wife's involvement with UC-Berkeley and the USIA, and sought counsel as to what conduct would be appropriate.

I have been advised by the committee that under clause 3 of the House Rule 43 of the Code of Official Conduct, a Member ''shall receive no compensation * * * to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.'' In addition, clause 5 of the Code of Ethics for Government Service reiterates clause 3 of House Rule 43, by providing that a Federal official should ''never accept for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.'' Additionally, Federal officials should ''[n]ever discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not.''

The committee informs me that, under these rules, there is no question that my wife may seek USIA funding for her program while I am a Member of Congress. Since the USIA grant does not include her salary, the committee has advised that no legal threshold is reached that would require a further ethics discussion.

As to my official conduct, House Rule 8 of the Code of Official Conduct states that, ''[e]very Member * * * shall vote on each question put, unless he has a direct personnel

or pecuniary interest in the event of such question.'' The Ethics Manual cites numerous House precedents which tend to encourage voting, and provides hypotheticals for guidance. In my particular situation, the committee recommends that I recuse myself from debating, commenting upon and voting on USIA funding for my wife's specific program. I will follow this advice, and additionally refrain from communicating with any agency or person on matters related to this USIA Program. A vote on her program by itself is, of course, extremely unlikely.

I have prepared this statement to make public, and also to deliver to any agency or person when appropriate in connection with my work as a Member of Congress so that, should a matter of my congressional business involve USIA funding or the University of California at Berkeley, the recipient can weigh my advice or opinion knowing of the interest that I may have. However, I do assure any such recipient, and my constituents, that I have never, and will never, decide a matter of public policy differently because of my wife's relationship with the University of California at Berkeley.

A BILL DESIGNED TO HELP

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. QUINN. Mr. Speaker, today, I am introducing H.R. 1877, a bill to improve the opportunities for veterans to obtain part-time employment while using their VA education benefits.

The cost of a college education continues to grow faster than the general rate of inflation. This means that in times of tight Federal budgets, it is difficult for us to provide the increases necessary for VA education benefits to keep pace with inflation. Clearly, a veteran, especially a married veteran, cannot go to school without an additional source of income. For most, that means a part-time job. But, for many veteran students, part-time jobs are difficult to find or do not fit well with class schedules. For example, veterans attending school at a large university located in small towns find part-time jobs nonexistent.

Under current law, work study positions are limited to colleges, the Department of Veterans Affairs, the Department of Labor, and the Department of Defense. These positions involve veteran-related work and are compensated at the minimum wage level.

H.R. 1877 will expand the types of organizations which may apply for approval of work study positions. Federal agencies, schools, and community service organizations will be able to avail themselves of a dedicated, drug-free and proven work force at no cost through this bill. For example, a community-based nonprofit whose mission is to provide services to homeless veterans would be eligible to apply for positions to be filled by work study participants. As a result, veteran students will find it easier to get part-time jobs and homeless veterans will see an improvement in the quality of their lives.

Mr. Speaker, this bill provides opportunities for people who want to work and improves services to veterans at almost no additional cost to the Government. This is the type of program that rewards energetic young veterans who need assistance in finishing their education and is good for America. I urge all my colleagues to support H.R. 1877.

HONORING BRIG. GEN. JAMES DOWNS LATHAM

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Ms. MCCARTHY of Missouri. Mr. Speaker, my colleague, Mr. SNOWBARGER, and I, rise today to pay tribute to the life of a man who has given much to his country. Brig. Gen. James Downs Latham is being honored Friday, June 20 for his retirement from the Air Force after a distinguished career of service.

A native of the Kansas city area, General Latham started his Air Force career in pilot training at Vance Air Force Base in Oklahoma after receiving a B.S. degree in psychology from Kansas State University in 1969. An accomplished swimmer, he attended the university on a swimming scholarship where he was a member of Sigma Phi Epsilon fraternity. He served as president of the Intrafraternity Council at KSU. He went on to become a command pilot with more than 5,000 hours, including 383 combat missions in Southeast and Southwest Asia. His commands have included a tactical fighter squadron, two fighter wings, a composite wing, Squadron Officer School, and the Air Force Reserve Officer Training Corps.

General Latham's courage and bravery were exemplified by his voluntary assignment as a high speed forward Air Controller—(Wolf Fac.) during the Vietnam conflict. It was on such a mission that his F4 phantom jet fighter was shot down over North Vietnam in October, 1972. He was immediately captured and detained in the southern panhandle of North Vietnam. In what has become known as a daring and legendary escape, he evaded his captors through the jungle and out into the South China Sea only to be recaptured and imprisoned in Hanoi until his release in the Spring of 1973.

Known throughout the entire Air Force as the best of the best aviators, he was selected as commander/leader of the Thunderbirds, the Air Force's elite demonstration team. He was the first major to lead this prestigious group of aviators.

He has received numerous awards and decorations. His decorations include the Silver Star with oak leaf cluster and the Purple Heart with oak leaf cluster. General Latham was awarded the Silver Star for gallantry and devotion to duty while flying against opposing armed forces in Southeast Asia and facing certain torture and probable death while a prisoner of war. His Purple Heart was awarded for the wounds incurred as a direct result of the Vietnam conflict.

General Latham's many awards are a testimony to his qualities as a leader and to his abilities as a team builder in the finest tradition of the Air Force. Whether flying fighter aircraft, commanding fellow servicemen, or working in the Pentagon, General Jim Latham has shown courage throughout his career. Our Nation can be proud of this fine citizen whose dedication to his country make him truly a great American.

Mr. Speaker, please join us in extending congratulations to General Latham and his wife, Sue, his daughters, Minde, Kendra, and Brecke and his parents, Dr. and Mrs. Raymond Latham.

STATEMENT BY DANIEL LUZOR REGARDING GUN CONTROL

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. SANDERS. Mr. Speaker, for the benefit of my colleagues I would like to have printed in the RECORD this statement by a high school student from Vermont, who was speaking at my recent town meeting on issues facing young people.

A well-regulated militia, being necessary to the security of a free state. The right of the people to keep and bear arms shall not be infringed. That is the Second Amendment in its entirety.

The Second Amendment was one of the first amendments to be ratified being part of the Bill of Rights and is also the shortest and arguably the vaguest of all amendments in the constitution. Despite all of the discussions surrounding the issue, it is still not clear precisely what the amendment means.

The Second Amendment grew out of a law passed by British Parliament during the latter period of the Colonial era. The law effectively prohibited any colonist from possessing a firearm of any kind so as to prevent any possibility of rebellion. Eventually, of course, the colonists disregarded that law, overthrew the British and set up their own nation. Later once the Revolutionary War had been won and the United States was relatively secure in its status as an independent country, the founding fathers decided that it was necessary to formally allow the people a means of defense against the government.

One of the founding principles of the Revolution had been that the people had the right to overthrow the government if they believed it to be unworthy. One of the most effective means to overthrow the government was, of course, with firearms and so the Second Amendment was born.

Since the Second Amendment mentions the militia specifically, one would assume that the right to keep and bear arms relates specifically to the militia and that the intended meaning of the Second Amendment was that the people have the right to use arms as members of the militia in order to protect themselves from tyrannical governments.

On the other hand, if one considers the state of the world in 1791 when the Second Amendment was ratified, the notion of the founding fathers allowing exclusively members of state militias to bear arms seemed ridiculous. Most people in the 18th Century needed firearms in order to survive because most food needed to be hunted. Personal firearms were a necessity for survival and yet in today's society with cheap hamburger in every supermarket and good steak in every expensive restaurant, firearms are no longer necessary for survival. Therefore, one of the original reasons for the Second Amendment has perhaps been outlived.

What then is the use of the Second Amendment? I believe that the Second Amendment's relevance in today's world pertains to the militia. It is essential for the survival of American ideals that Americans have the right to overthrow corrupt government. That was one of the main principles behind

the Second Amendment, that Americans should be allowed to possess firearms in order to defend themselves as members of state militias.

Regardless of the intentions of the Second Amendment, the wording itself is rather vague. It does not specifically state in the Bill of Rights the extent to which firearms should be allowed. Therefore, it seems that simply from reading the Bill of Rights and without accounting for other factors, the possession of firearms can be limited although not prohibited altogether.

It is also important to remember that the Constitution was written with the awareness that it would be changed, that as the world progressed, new issues would become important and old issues would become less important.

We have repealed an amendment before and while I do not necessarily advocate repealing the Second Amendment, the amendments to the Constitution are not set in stone and if times change, the Constitution ought to change with it. Perhaps it is time to rethink the issue of gun freedom. Is the possession of a firearm a general necessity? Is the private possession of a handgun ever necessary? And, most importantly, do the risks of gun freedom outweigh the benefits?

IN CELEBRATION OF LAWRENCE MEINWALD'S 83D BIRTHDAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. GILMAN. Mr. Speaker, I rise today in order to call to the attention of our colleagues the birthday of an outstanding American and a resident of the town of Goshen in Orange County, NY, Mr. Lawrence Meinwald. On June 18, 1997, Mr. Meinwald will be celebrating his 83d birthday.

Mr. Meinwald was an immigrant from Warsaw, Poland, who came to the United States in 1920, when he was just a young boy. Mr. Meinwald spent 10 days on Ellis Island, being forced to remain there until our Government decided if the young immigrant should be permitted to stay. Luckily for him and for us, they allowed Mr. Meinwald permanent entry into the United States, where he has remained ever since.

Fourteen years ago, Mr. Meinwald and his wife, Carolyn, took a trip to Goshen, NY, looking for a haven from the hectic atmosphere of city life. They fell in love with the quaintness and historic character of the Goshen area and decided to make this country retreat their new home.

Shortly thereafter, Mr. Meinwald and his wife set out to restore and revitalize their new community. The couple chose selected buildings in the village of Goshen which, although long neglected, had much promise for enhancement due to their architectural excellence and historic beauty.

Eight commercial buildings have been completely restored since Mr. Meinwald's arrival in 1983. Mr. Meinwald has installed elevators in all eight of the buildings, as well as creating other structural mechanisms designed to preserve the historical nature of the area. The most recent is an office building at 1 Railroad Avenue, so called due to its close proximity to the old Erie Railroad train station.

In celebrating Mr. Meinwald's 83d birthday, it is important to note that he has been a tremendous asset to the Goshen community and to our entire region. In his restoration of the eight historic buildings in the village, he has provided both a great service to his community or his home and at the same time has found the small-town atmosphere that he was looking for.

Mr. Speaker, I invite our colleagues to join with me in extending birthday greetings to an outstanding citizen of our community, Lawrence Meinwald of Goshen, NY.

TRIBUTE TO THE GIRL SCOUTS OF AMERICA

MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. FORBES. Mr. Speaker, I rise today to pay tribute to the Girl Scouts of America on the occasion of their 85 years of service to our Nation's girls and young ladies.

Girl Scouts of the United States of America was founded in 1912 by Ms. Juliette Gordon Low, with 18 girls in Savannah, GA. Three years later the first group was established in Suffolk County, LI. In 1930, a noted environmentalist from Bellport, LI, Birdsall Otis Edney, became the first, and remains the only, Long Islander to be president of the Girl Scouts USA.

The mission of the Girl Scouts is to help all girls reach their full potential. To that end they teach girls to set and reach goals, improve their decisionmaking skills, appreciate the diversity of others, and to become leaders. Under the able leadership of its executive director, Marilyn Proios, and 8,360 adult volunteers, the Suffolk County Council provides this benefit to one of every four girls in Suffolk County, LI.

Next January, the Suffolk County Girl Scout Council will celebrate the 30th anniversary of its founding in Smithtown, LI. Since 1968, the Suffolk County Council has grown into the largest Girl Scout Council in New York State; serving 31,000 girls in Suffolk County. The Suffolk County Girl Scout Council is the largest youth-serving agency in all of Suffolk County.

Mr. Speaker, I ask my colleagues to join me in congratulating the Girl Scouts of America for 85 years of outstanding service to the young women of the United States of America.

THANK YOU, FATHER DONALD LOUIS SHIRODA

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. STUPAK. Mr. Speaker, it is an honor for me to bring to the attention of the House of Representatives and the American public the retirement of a man who many residents of Michigan's Upper Peninsula think of as one of God's greatest blessings. Father Donald Louis Shiroda will retire from the priesthood at the end of this month after 37 years of dedicated service to the people and the communities of the Upper Peninsula.

After high school, Father Shiroda served his country in the U.S. Marine Corps, where he made the decision to become a Catholic priest. In 1950, he began seminary in Kitchner, Ontario at St. Jerome's, moving to Milwaukee's St. Francis Seminary 2 years later to study philosophy and finishing his theological training at St. John's in Plymouth in 1959. Father Shiroda then began his career as a priest serving as assistant pastor for St. Gregory Church in Newberry, MI.

Father Don has served numerous parishes and communities throughout the Upper Peninsula, subsequently administering to St. Thomas in Escanaba, St. Agnes in Iron River, St. Albert the Great in Houghton, Marquette's St. Christopher, Calumet's St. Paul the Apostle, Immaculate Conception in Iron Mountain, and the Sacred Heart Parish in L'Anse. In 1986, Father Shiroda was appointed pastor of St. Joseph Church in Sault Ste. Marie. He has been an example and leader of faith, human kindness, and the active living of God's love in the Sault area for the last 11 years. The people of the Sault have had the opportunity to know Father Shiroda's talents in many settings. Along with his service as Dean of the Sault Ste. Marie Deanery and Episcopal Vicar of the Eastern Region, he has also held terms as Sacramental Minister to Catholic Campus Ministry at Lake Superior State University and regularly performs mass at the Hiawatha Correctional Facility.

As Father Don recently stated about his community, ''I love the people of the Sault, not only the Catholics, but everyone. I have just as many non-Catholic friends as I do Catholic. I'm a people person. I also greatly enjoy my work with children and working up in long-term care. I really enjoy those people. I wasn't any place longer than 5 years until I came here.'' The people of the Sault, and all across the Upper Peninsula love and enjoy Father Shiroda and it will be with a heavy heart that they witness the end of his distinguished pastoral career.

Father Don's last Sunday Mass will be said June 29, 1997, 37 years and 3 weeks after his first Mass was held in Newberry. Fortunately, he will not be saying goodbye to the area, but plans on continuing his ministry. ''I'm going to reside in the Sault and help where help is needed,'' he has said. ''People of the Sault are all people of God regardless of their denomination.''

Mr. Speaker, Father Don Shiroda truly has been a blessing for the people of the Upper Peninsula and the Sault Ste. Marie area. As a practicing Catholic, I know the importance and value of priestly leadership and direction. Father Don is an example to all of us, Catholic and non-Catholic, because of his compassion and concern for the community and the people who surround him. Not only is he a spiritual model, but also a model American citizen and for this he deserves our recognition and praise.

Mr. Speaker, on behalf of all the residents of Michigan's First Congressional District, I would like to extend my heartfelt congratulations to Father Donald Louis Shiroda on his retirement, thank him for his dedicated service, and wish him well in his endeavors yet to come.

TRIBUTE TO ROBERTS, IL

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. POSHARD. Mr. Speaker, I offer the following Resolution for printing in the RECORD:

A RESOLUTION RECOGNIZING AND CONGRATULATING THE VILLAGE OF ROBERTS, ILLINOIS, ON THE 125TH ANNIVERSARY OF ITS FOUNDING

Whereas 125 years ago, in 1872, a small village was established in central Illinois by Francis Alonzo Roberts, along the lines of the Illinois Central Railroad; and

Whereas this village, known as Roberts, has maintained a tight yet diverse community throughout its 125-year history, including a variety of religious denominations and ethnic backgrounds; and

Whereas the residents of this agricultural community have displayed great service not only to their village, but also to one another, first when they rebuilt their village after a fire in 1873, and recently, when the citizens renovated their school gymnasium to serve as a public activity center; and

Whereas this treasured example of small-town America has maintained over the past 125 years the values and ethics that the village founders cherished, caring for each other and building a sense of community that stands as a model for others to emulate:

Now, Therefore, Be It Resolved That, the House of Representatives congratulates the Village of Roberts, Illinois, on the 125th anniversary of its birth, and on its growth into a village that has been, in the words of its citizens, ''a good place to live,'' and will continue to be so in the future. Our country stands in grateful recognition of the contribution the residents of Roberts have made to the improvement of our great nation.

GOP WELFARE PLAN

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. CLAY. Mr. Speaker, I would like to bring to your attention an important editorial that appeared in the St. Louis Post-Dispatch, Monday, June 16, 1997. It brings to light the harsh reality of a GOP plan that deprives welfare participants of minimum wage.

[From the St. Louis Post-Dispatch, June 16, 1997]

GOP WELFARE PLAN INSULTS THE POOR

Just when GOP leaders were promising to put a compassionate face on their social-reform initiatives, they show us their ugly side. Witness the party's unconscionable opposition to paying the minimum wage to some welfare recipients. The GOP's anti-family plan is an insult to human decency and fair-labor laws. This idea is the party's response to President Bill Clinton's recent order that the minimum wage apply to workfare participants employed by public agencies and nonprofit groups, just as it would apply to private-sector jobs.

Rep. William L. Clay of St. Louis says the GOP's proposal ''reminds me of slavery's cruel exploitation of human labor.'' GOP Rep. James Talent of St. Louis County responds that job earnings of welfare participants would be boosted beyond the minimum wage through other benefits—Medicaid, child care, housing subsidies and food stamps.

That's like saying middle-income workers don't deserve pay raises because their incomes are indirectly inflated by subsidized health insurance, subsidized housing in the form of mortgage deductions and other benefits. Perhaps GOP leaders should go further and recommend pay cuts for federal lawmakers because of the innumerable subsidies—we call them perks—that come with their jobs.

Maybe Republicans don't realize that workfare participants need the income. A single mother on welfare with two children must earn at least $12,590 just to stay above the poverty line. If she earned $19,370, she would be earning just 55 percent of the U.S. median income for a three-person family.

It's misleading for Mr. Talent and others to suggest that subsidies, such as those for child care, compensate for a lower-than-minimum wage. In all likelihood, these working mothers will have to pay part of the cost of their child care. Also, there's no guarantee the mothers will continue qualifying for Medicaid once they take jobs. And let's not forget such incidentals as work-related transportation costs.

If the GOP is serious about workfare being a declaration of independence for poor women, then the party must make the work financially viable. Stigmatizing welfare mothers by paying them sub-minimum wages is hardly an incentive for them to take jobs.

TRIBUTE TO ROBERT ''BUD'' SPILLANE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. MORAN of Virginia. Mr. Speaker, I rise today with Representatives TOM DAVIS and FRANK WOLF to pay tribute to Dr. Robert ''Bud'' Spillane, a distinguished educator and retiring superintendent of Fairfax County public schools. Dr. Spillane has managed, with great proficiency, the Nation's 12th largest school system, which encompasses 150,000 students, 25,000 employees, 225 facilities, and a $41.2 million budget.

During his 12 years with Fairfax County, Dr. Spillane has fostered and improved the school system's national reputation for excellence while the county has experienced growing student diversity. Ninety percent of all seniors take college entrance exams. Scores are well above national averages and dropout rates are low. Dr. Spillane has instituted rigorous academic standards and established high expectations for all students, lengthened the school day for secondary students, and focused on improving programs for early primary children.

Dr. Spillane developed a teacher performance evaluation system, encouraged sitebased management initiatives and greater accountability measures. He cultivated strong support for education in the business community, which has led to expanded school partnerships. He launched an internationally recognized high school for science and technology.

During a period of budgetary austerity in 1991, Dr. Spillane substantially reduced the number of central office personnel while improving organizational efficiency. More recently, he increased public school choice by fostering increased focus on magnet schools at the elementary level and other special programs in secondary schools.

Dr. Spillane is the author of many papers and professional articles and a frequent speaker on educational issues. He has won many prestigious awards, including the 1995 Virginia Superintendent of the Year Award and the 1995 National Superintendent of the Year Award. He is currently in the process of writing a book tentatively titled, ''The School Superintendent of the Future,'' for Aspen Publishers.

Mr. Speaker, parents, teachers, and former students wish Dr. Spillane the very best in all his future endeavors and share my appreciation for his dedication and service to the people of Fairfax County.

A CONCURRENT RESOLUTION EXPRESSING CONCERN OVER RECENT EVENTS IN SIERRA LEONE IN THE WAKE OF THE RECENT MILITARY COUP D'ETAT OUSTING THAT COUNTRY'S FIRST DEMOCRATICALLY ELECTED PRESIDENT

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. HALL of Ohio. Mr. Speaker, I am pleased to join my Africa subcommittee colleagues in introducing this resolution, expressing the United States concern for the plight of Sierra Leone's people in the face of the May 25, 1997, coup that ousted the country's democratically elected government. A year ago, I stood with my good friend Congressman HOUGHTON to congratulate the people of Sierra Leone on holding elections that we all prayed would consolidate the peace and usher in a new era of stability, economic progress, and human and social development for the war torn country.

Sadly, we now come together to deplore the coup of May 25, 1997 and express the United States' contempt for the actions of those who would subvert Sierra Leone's fragile recovery from years of bloody civil conflict, and plunge the country back into chaos, suffering, and ruin. In introducing this resolution, we add our voices to those of the Organization of African Unity, the United Nations Security Council, and the European Union in strongly urging Major Johnny Paul Koroma and his supporters to step down and peacefully restore power to the democratically elected government of President Kabbah.

The ties between Sierra Leone and Ohio's third district go way back. Nearly 100 years ago, Daytonians were among the first missionaries to Sierra Leone, and today our district is enriched by a small but vibrant community of Sierra Leonean immigrants. A Dayton company, Nord Resources, has long operated the Sierra Rutile mine, which is the nation's largest private employer, taxpayer, and foreign exchange earner. Prior to the coup, the company was in the final stages of re-opening the mine site, with the assistance of a laboriously negotiated loan package. The coup effectively suspended the Sierra Rutile project, jeopardizing 2,000 badly needed jobs for Sierra Leoneans, along with the prospects for the country's overall economic recovery.

For the sake of Sierra Leone's people and the country's future, it is my fervent hope that

the political crisis will be swiftly and peacefully resolved, the popularly elected government reinstated, and humanitarian needs of vulnerable groups met. Sierra Leone's people have suffered immeasurable through years of civil strife, and the United States also has moral obligation to help prevent an escalation of the current situation into a humanitarian crisis of even graver proportions. To this end, it is essential that the United States remain engaged in Sierra Leone, and continue to bring a full range of diplomatic resources to bear on a peaceful resolution of the current crisis, in coordination with the OAU and the international community as a whole. The future stability of the sub-region as a whole is at stake, since political and humanitarian problems in Sierra Leone spill over into Liberia and other neighboring countries.

Finally, our special recognition and gratitude should go to the many brave Americans and Sierra Leoneons whose heroic efforts made possible the safe evacuation of 2,509 people, 500 of the Americans, who were caught in the crossfire in the harrowing days following the May 25 coup. Their courageousness and exemplary performance in preparing and executing the dramatic rescue operation was nothing short of miraculous. Special mention should go to Ms. Ann Wright, the Charge D'Affairs at the U.S. Embassy in Freetown at the time of the coup. At serious risk to her own life, Ms. Wright helped negotiate a cease-fire between rebel forces and Nigerian ECOMOG troops, and secure assurances that civilians would not be fired upon during the evacuation. She worked with the U.S. Marines landing team to organize the safe and orderly transfer of civilians from Freetown to the U.S. carrier *Kearsarge* stationed 12 miles off the coast. Many others deserve credit, but special thanks goes to *Kearsarge* officers Captain Ertel and Captain Wittkamp, and the 22 U.S. Marines led by Lt. Col. Sam Helland for their exemplary courage, efficiency, and professionalism in carrying out the evacuation.

CONGRATULATIONS TO THE ILLINOIS WESLEYAN UNIVERSITY MEN'S BASKETBALL TEAM

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. EWING. Mr. Speaker, on behalf of the people of the 15th Congressional District of Illinois, I would like to extend my congratulations to Coach Dennis Bridges and Illinois Wesleyan University men's basketball team for advancing to the Final Four and winning their first ever NCAA Division III national title.

After 110 years in intercollegiate athletic competition, Illinois Wesleyan University has finally won a national title when it defeated Nebraska Wesleyan University 89 to 86. I recognize and congratulate Coach Dennis Bridges, the winningest active Division III coach, for being named ''Division III Coach of the Year'' and Bryan Crabtree, for being named Final Four MVP and ''Division III Player of the Year.''

During their historic season, Wesleyan amassed a school record of 29 wins and only 2 losses, a CCIW championship, and now an unprecedented national title. The accomplishments of this team are truly remarkable in that Illinois Wesleyan University was picked to finish third in the CCIW conference in the coaches' preseason poll. Apparently, the coaches underestimated the emerging Wesleyan dynasty which had the year prior finished third in the Nation.

In recognition of their historic season, I will now list the names of the coaches and players for the 1997 Division III men's basketball national champions: Head coach Dennis Bridges; assistant coaches: Dennis Martel and David Steinbrueck; players: Tony Pacetti, Seth Zeller, Korey Coon, Jason Osborn, Nathan Hubbard, Brent Neibrugge, Kyle Tudeen, Mike Pope, Buck Condill, Bryan Crabtree, Jerry Happ, Andrew Boyden, Matt Hoder, Matt Mann, and John Baines.

In addition to Illinois Wesleyan University's athletic achievements, I would be remiss if I did not point out that Illinois Wesleyan University is fast becoming one of the Nation's most prestigious and selective liberal arts schools. Illinois Wesleyan University is an outstanding example of how higher education can successfully blend a quality academic program with a top-notch athletic program. This point is driven home by the fact that Illinois Wesleyan University ranks third nationally with 82 student-athletes being named to the GTE Academic All-American Team since the program first began in 1970.

Once again, I salute and congratulate Coach Dennis Bridges and the Illinois Wesleyan University men's basketball team, as well as the administration and faculty of this fine institution.

A TRIBUTE TO CHIEF BEN SURPRISE

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. OLVER. Mr. Speaker, I rise today to honor Ben Surprise, a man who has faithfully and dutifully served his fellow citizens of Westfield, MA for the past 37 years as a member of the Police Department.

Beginning as a reserve officer in October, 1960, Ben officially retired as chief on May 31, 1997. During that period he moved from reserve officer, to patrolman, sergeant, lieutenant, and captain. His record is unblemished.

But Ben's service to others was not limited to the range of his cruiser. In 1950 he became a member of the U.S. Air Force and in 1957 joined the Air National Guard being stationed in France during the Berlin crisis. In 1983 he was named NCO of the year, and in 1989 he retired after 39 years.

Among his many citations as a police officer he includes a certificate of appreciation from the Drug Enforcement Administration.

Chief Surprise has been married for 37 years and is the proud father of six children, and grandfather of three.

I am happy today to bring to my colleagues and the Nation recognition of Chief Surprise's life-long service to his community and his country.

He has earned an honorable and long retirement.

TRIBUTE TO SEBRINA PALMER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to recognize Ms. Sebrina Rene Palmer. Ms. Palmer is the recently crowned Miss Alcorn State University for the 1997–98 school year. She is a junior elementary education major from my hometown of Bolton, MS.

Sebrina is actively involved in her community. She is a member of the National Association for the Advancement for Colored People, Alpha Kappa Mu Honor Society, Alcorn State University Ambassadors, a student recruitment organization, and the Student National Educators Association. She has championed the St. Jude Annual Walkathon and Bike-A-Thon as well as the community clean up project and a homeless prevention project.

Sebrina's platform for Miss Alcorn State University was AIDS awareness. She campaigned on the necessity among young people to not forget this devastating and fatal disease. Her goal is to become an elementary school teacher because she believes in giving back to her community.

Sebrina is also a member of the County Line Baptist Church in Pocohontas, MS. She serves as the Sunday school pianist, member of the choir, the usher board, and the Home Mission Institute. She is the daughter of Mr. and Mrs. Walter L. Palmer also of Bolton.

Mr. Speaker, I ask you to join me in honoring Ms. Sebrina Rene Palmer, Miss Alcorn State University, 1997–98 school year.

ON THE 25TH ANNIVERSARY OF THE BROOKLYN HEIGHTS VILLAGE SENIORS CLUB

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. KUCINICH. Mr. Speaker, I rise to honor the dedication and achievement of the many diligent workers of the Brooklyn Heights Village Seniors Club in Brooklyn, OH, on their 25th anniversary.

More than 60 members have assisted the community with a multitude of volunteer work including visiting the sick at hospitals and organizing and running the annual Red Cross blood bank for the village of Brooklyn. In addition to these projects, they have contributed a portion of their earnings to children in little league sports.

The Brooklyn Heights Village Seniors Club volunteers give themselves, and in doing that, they make the Cleveland area a better place. I would like to congratulate this club on 25 years of hard work.

CELEBRATING THE END OF SLAVERY IN THE UNITED STATES

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 17, 1997

Mr. STOKES. Mr. Speaker, I rise today in strong support of House Joint Resolution 56, which celebrates the end of slavery in the United States. I want to thank Congressmen ELIJAH CUMMINGS and J.C. WATTS for bringing this resolution to the House floor today.

As we begin a national dialog on race, I think it is appropriate that we begin with the recognition of the end of slavery. Every year for more than 130 years, African-Americans have celebrated the end of slavery in a day of freedom known as Juneteenth.

Two years after President Abraham Lincoln signed the Emancipation Proclamation, many of the 200,000 slaves who were in Texas when the Civil War began were still among the plantations and farms along the coastal plain, many of them around Galveston. Word of the Proclamation and Robert E. Lee's surrender were slow in arriving in the Western States, so it was not known for some time that the slaves were actually free.

Maj. Gen. Gordon Granger of the Union Army landed at the port of Galveston with 1,800 soldiers to take command of the military district of Texas. His first action after landing, on June 19, 1865, was to go from his headquarters into the street and read general order No. 3, which stated:

> The people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves. * * *

In many States, former slaves made up a significant portion of the population. Naturally, the end of slavery was cause for celebration, so beginning in 1866, every June 19th became known as Juneteenth. This tradition has remained strong into the 20th century, and I am proud to recognize it in the House of Representatives today.

Mr. Speaker, Juneteenth is a fitting celebration for the memory of the countless men and women who were forcibly brought to this country and forced to suffer the hardship and cruelty of enslavement. But Juneteenth is also a celebration of optimism for the future of an American society that recognizes the worth and value of all citizens and seeks social, economic, and political equality. I thank my colleagues for bringing House Joint Resolution 56 to the House floor today, and I strongly urge its passage.

TRIBUTE TO THE MEN OF THE U.S.S. *LIBERTY*

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. FRANKS of New Jersey. Mr. Speaker, I rise today to pay tribute to the 34 men who gave their lives in the defense of the U.S.S. *Liberty* 30 years ago.

On June 8, 1967, the American intelligence ship U.S.S. *Liberty* was attacked during a grueling 75 minute strike in the Mediterranean Sea. The unarmed ship was defended with great honor and valor during the onslaught. The entire crew battled to keep the ship afloat after rocket attacks and a torpedo hit. Despite these debilitating attacks, the crew managed to save the ship and guide her safely to port. However, 34 American men lost their lives due to enemy fire and in attempts to save the ship.

Mr. Speaker, I would like to take this moment to pay tribute to the men who gave their lives in defense of the U.S.S. *Liberty*. This selfless act reminds us of the commitment that our servicemen and women demonstrate every day and the extreme dangers inherent in the defense of the U.S. Congress and the citizens of our country should be mindful of their sacrifice and valor.

This memorial shall serve as a tribute to the men of the U.S.S. *Liberty* who served their country so faithfully. I urge my colleagues to join me and applaud the actions of these men and their families and friends who keep their memory alive.

THE PEOPLE'S REPUBLIC OF CHINA

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 1997

Mr. SOLOMON. Mr. Speaker, there were two excellent articles in two separate newspapers this morning. There is a common thread between them, and that is the People's Republic of China.

A Bill Gertz article in the Washington *Times* describes the extent to which China is upgrading the capacity of Iran to sink American ships and kill American sailors. Gertz said the disclosures of Iran-China missile cooperation raises new questions about Clinton administration claims that China has been heeding United States warnings about curbing trade with Iran and other rogue nations on missile and weapons technology.

But that's not all China has been doing, Mr. Speaker. They have been trying to influence American elections, and in this endeavor they seem to have gotten the cooperation of individuals serving in the Clinton administration. Which brings us to the second article, that of James Risen and Alan A. Miller in the Los Angeles *Times* about the security clearances of John Huang, who became a high Commerce Department official and campaign fundraiser, apparently while retaining his loyalty to the Lippo Group of Indonesia.

I would urge all Members to read and reread both articles, and I place them both in today's RECORD.

CHINA JOINS FORCES WITH IRAN ON SHORT-RANGE MISSILE

(By Bill Gertz)

Iran is developing a new short-range ballistic missile as part of a joint program with China involving rocket motors and test equipment, The Washington Times has learned.

Iranian missile technicians traveled to China early last month to watch a ground test of a 450mm-diameter rocket motor to be used in the NP–110 solid-fuel missile, according to a Pentagon intelligence report labeled ''top secret.''

The missile, which would have a range of 105 miles, would be capable of hitting targets as far away as Baghdad and the United Arab Emirates, while keeping the missile launchers away from coasts, where they are vulnerable to counterattack, said Kenneth Timmerman, director of the Middle East Data Project, which tracks weapons programs in Iran.

The joint missile program also involves Iran's use or acquisition of Chinese X-ray equipment, which is used for studying missile casings and for checking whether solid fuel is in proper condition.

Disclosure of the Iran-China missile cooperation raises new questions about Clinton administration claims that China has been heeding U.S. warnings about curbing trade with Iran and other rogue states on missile and weapons technology.

John Holum, director of the U.S. Arms Control and Disarmament Agency, told reporters in November, after a visit to China, that U.S.-China collaboration on arms control and proliferation issues was ''very constructive,'' and said Chinese progress on restricting destabilizing arms sales was ''dramatic.''

A classified CIA report in October said China had provided Iran with missile guidance components and technology.

''This is a new [category] of missiles,'' Mr. Timmerman said of the NP–110. ''It shows the Iranians have a very advanced and multifaceted capability to produce solid-fuel propellants.''

In written statements to Congress made public last week, Secretary of State Madeleine Albright said, ''Iran's ballistic program poses a serious threat to American servicemen and women.''

''Iran's ballistic missile program also poses a threat to America's friends and allies in the region,'' she said in response to questions by Rep. Gerald B.H. Solomon, New York Republican.

The administration has been ''reviewing carefully'' reports of missile- and weapons-technology transfers from China to Iran but has not decided whether the sales meet legal thresholds for triggering sanctions, she said.

Iran is known to have two types of Soviet-designed Scud missiles, including systems acquired from North Korea or developed in Iran.

Less is known about its shorter-range missile programs, including systems identified variously by military experts as the Iran–130, the Mushak 120 and the Nazeat.

According to Mrs. Albright, the Iranians are ''assembling'' Scud–B missiles with a range of 186 miles that carry payloads of up to 2,200 pounds.

''Iran is working to produce Scud–C missiles with a range of 500 kilometers [310 miles] and a smaller payload than the Scud–B,'' she told Mr. Solomon. ''We also believe Iran is interested in developing even longer-range missiles.''

The secretary said that ''given Iran's persistent efforts to develop a nuclear, chemical and biological capability, we are concerned that Iran may use this capability to develop weapons-of-mass-destruction warheads.''

The China Precision Engineering Institute New Technology Corp. reached agreement with an arm of Iran's Defense Industries Organization to sell gyroscopes, accelerometers and test equipment—all elements used to build and test missile-guidance systems, the CIA report said.

Other military equipment was delivered in July 1996 as part of a program to modify Iran's Chinese-made HY–2 anti-ship missiles.

Iran currently has about 200 Scud–B and Scud–C mobile missiles. The Scud–B has a

range of about 186 miles and the Scud–C can hit targets about 310 miles away.

Iran also is believed by U.S. intelligence officials to be interested in buying 620-mile-range No Dong missiles from North Korea. The No Dong is said to be close to deployment.

A U.S. intelligence report last month also revealed that three Russian entities have signed contracts with Iran to help produce liquid-fueled ballistic missiles. The Russian contracts include projects for wind tunnels used in missile design, model missile manufacture and development of computer software.

[From the Los Angeles Times, June 17, 1997]

HUANG'S SECURITY STATUS RAISES NEW QUESTIONS

(By James Risen and Alan C. Miller)

WASHINGTON.—In John Huang's strange odyssey into the heart of the Clinton administration and the Democratic Party, few things remain so shrouded in intrigue as the handling of his coveted security clearances and his access to U.S. government secrets.

The former Commerce Department official and Democratic fundraiser has played a leading role in the campaign finance controversy since it erupted last fall. But now federal investigators are looking into more serious questions about whether Huang also, as a House committee chairman has charged, ''committed economic espionage.''

If Huang was supplying sensitive U.S. government information to his Indonesia-based former employers or, more troubling, the Chinese government, then the Commerce Department may have been the perfect place for him to get it—because of the casual manner in which the department handled his access to top-secret materials and classified CIA briefings, according to Commerce Department records and extensive interviews.

Commerce Department officials have described Huang as a midlevel functionary cut off from policy action on Asia. But they are unable to explain why he had almost weekly one-on-one briefings from a CIA officer on the latest intelligence concerning China, Taiwan and Vietnam.

What's more, a series of stunning security breaches at the Commerce Department allowed Huang to get and maintain a top-secret clearance for 18 months, both before and after he became a government employee—a period longer than the time he actually served.

Huang's security status was of keen interest to at least one high-level Commerce Department official. Huang's boss tried to ensure that Huang maintained his top-secret clearance even after he left the department for the Democratic National Committee.

But when Huang—in a marked departure from previous department practice—turned down an offer from his boss to be upgraded to the government's highest security clearance, Commerce Department officials showed strangely little curiosity. An upgrade from ''top secret'' to ''sensitive compartmented information,'' or ''codeword'' clearance, which his two immediate predecessors had, would have required Huang to undergo a much more detailed investigation of his ties to foreign nationals, including his former employer, the Jakarta-based Lippo Group.

Former department officials and others now agree that Huang's apparent reluctance to subject himself to the intense scrutiny required for code-word clearance should have raised questions.

''The ability to have access to information is the dividing line between being an insider and outsider, the dividing line between having informed judgment and not,'' said a former senior Commerce Department officials. ''So for somebody to decline it would have been a red flag.''

Huang, who was let go by the Democratic National Committee late last year after allegations surfaced about his involvement in the campaign finance controversy, was unavailable for comment. The Glendale resident's Washington attorneys have said they ''have no doubt that he comported himself honestly at the Commerce Department.''

One of the lawyers, Ty Cobb, declined to comment on most questions concerning Huang's security clearances and the classified information he received at the Commerce Department. Regarding the top-secret briefs, Cobb said: ''We look forward, when circumstances permit, to clearing up the confusion created on this issue by earlier press reports but we aren't in a position to discuss it at this time.''

NO CRIMINAL CHARGES FILED

Huang, a naturalized U.S. citizen, has not been charged with any crime. And the Justice Department task force investigating the campaign finance controversy and the alleged covert scheme by the Chinese government to buy political influence in the United States has not publicly discussed its investigation of Huang.

But the congressional committees investigating fund-raising abuses are looking into how the Commerce Department handled Huang's security clearances and his access to intelligence—and whether Huang exploited vulnerabilities in the government's security-clearance procedures.

The content of the intelligence briefings Huang received on Taiwan, China and Vietnam could not be learned. But, in general, he was in a position to glean internal government information about U.S. trade practices, the business practices of foreign competitors, links between foreign governments and the private sector and corrupt business practices in those countries. Such information could have been of value to companies and individuals doing business in or wanting to invest in the region, including Lippo, Huang's previous employer.

From the beginning, Commerce Department officials considered Huang a ''White House hire'' steered to the department because of his political connections. His former bosses at Lippo—founder Mochtar Riady and his son, James—told acquaintances that they placed Huang at the department. The Riadys, once part-owners of a bank in Little Rock, Ark., had developed close ties to President Clinton when he was governor of Arkansas.

In January 1994, Huang was approved for the job of principal deputy assistant secretary of commerce in the international economic policy office.

Although Huang did not plan to start until that July, the department awarded him an ''interim top-secret'' security clearance on Jan. 31, after a cursory one-day background check by the Office of Personnel Management. Security checks for permanent ''top-secret'' clearances normally take a month or more.

Commerce Department officials have defended Huang's interim clearance, saying that he was expected to start his new job quickly. But Huang's Feb. 28 personnel form indicated that his start date was set for July 18, 1994.

Officials stress that there is no evidence Huang attempted to use his security clearance while he was still working for Lippo in Los Angeles. They contend that his clearance remained inactive until he arrived at the Commerce Department.

But several former senior department officials said they found this troubling.

''That sort of stuns me,'' one said. ''At a minimum, it sounds to me that [this is] a flaw in the process.''

After Huang started work, the Commerce Department asked the Office of Personnel Management to conduct a full-field investigation of his background for a permanent top-secret clearance.

Personnel management officials said that they began the background check in August 1994, looking at 10 years of Huang's educational, professional and military records and interviewing neighbors in cities where he had lived during the previous five years. Finding no problems, final approval was granted in October.

But personnel management officials conceded that they did not conduct an overseas investigation of Huang—even though he had served in the Taiwan air force and spent much of his career working for overseas-based employers. The regulations did not require it, officials emphasized.

After Huang began work at Commerce, his boss—Charles Meissner, assistant secretary for international economic policy—sought to have him upgraded to code-word clearance. This would have given Huang access to the most sensitive materials the U.S. government has on matters such as trade negotiations with China, Taiwan and the rest of Asia.

Meissner told John Dickerson, an intelligence liaison officer at Commerce, that Huang needed the security upgrade to do his job properly. Dickerson then told Huang he would have to meet with the department's Office of Security, fill out new paperwork and undergo additional scrutiny.

Dickerson said through a Commerce Department spokeswoman that he never heard from Huang again on the matter.

Later, Meissner approached Robert Gallagher, Dickerson's boss, and asked about the status of Huang's application for code-word clearance, Gallagher said through the spokeswoman. Gallagher said through the spokeswoman. Gallagher in turn asked Huang if he had applied.

Huang said he had not and again asked Gallagher what was involved. When Gallagher told him it was more extensive process than had been required for top-secret approval, Huang declined to apply, Gallagher said.

INTERVIEWS WITH FOREIGNERS REQUIRED

Significantly, if Huang had applied, personnel management officials would have interviewed foreign nationals with whom he had been in business. Moreover, the entire background investigation would have been sent to the CIA's Office of Security, which could have demanded a more detailed background check, agency officials said.

''The code-word application would have triggered a higher level of scrutiny of any of his connections overseas, including business ties with foreign nationals,'' said a personnel management official.

The security issues become starker given that Huang, who had hoped to help shape the administration's international economic policy, found himself largely cut out of the action on Asia almost as soon as he arrived at the department.

Part of the problem was that, before either Huang or his boss arrived, Jeffrey E. Garten, chief of the International Trade Administration, already had assigned others to handle China and other large emerging markets. Garten also quickly determined that Huang was not up to speed for such work.

''Garten had an A Team, and Huang wasn't even on the B Team.'' said a Commerce Department official.

As a result, Taiwan was the only Asian country Huang had in his portfolio, and he accompanied Meissner there twice.

Nevertheless, he became an active consumer of U.S. intelligence on Asia. He received from a CIA officer 37 one-on-one, top-

secret, Asia-related briefings—most concerning Taiwan or the People's Republic of China—and he attended 109 meetings at which classified intelligence information may have been discussed, the Commerce Department acknowledges.

Huang also received at least one previously undisclosed CIA briefing on Vietnam that a senior Commerce official said he could not explain because Huang ''had no policy role on Vienam at all.'' Huang did not have to inform anyone about the intelligence he got from the CIA, officials added.

But Huang also had other access to classified materials. In 1994 and 1995, he attended 109 meetings at which classified information may have been discussed. He also may have received classified intelligence information at interagency meetings at the White House, Commerce Department officials said.

Huang visited the White House 93 times during Clinton's first term, Secret Service records show, seeing the president 15 times.

Meanwhile, Huang maintained contact with his former employer. According to his phone logs, he called Lippo Bank in Los Angeles 70 times during his 17 months at Commerce. He also placed 49 calls to C. Joseph Giroir, a Little Rock attorney who works closely with the Riady family, records show.

On at least one occasion. Huang called Lippo the day he received classified documents. The Lippo Group has extensive financial interests in China and minor holdings in Taiwan, and it has sought business opportunities in Vietnam.

By mid-1995, a frustrated Huang wanted to leave the Commerce Department. That Sept. 13, accompanied by James Riady and Giroir, Huang told Clinton during an Oval Office visit that he wanted to move to the Democratic National Committee to raise money for the president's reelection effort.

Also present was senior White House advisor Bruce R. Lindsay, who subsequently met with Huang before sending him to Harold M. Ickes, the top White House aide overseeing the campaign. Ickes notes show that they discussed whether the administration might ''retain [Huang] as an unpaid consultant'' when he moved to the national committee.

Knowledgeable sources said that Huang requested the consultant post but did not mention his desire to retain a security clearance. Lanny J. Davis, a White House special counsel, said that, 'as far as Bruce Lindsay recalls, the issue of Huang's consulting status or security clearance did not come up in the White House and was not discussed between him and anybody else at Commerce.''

Nonetheless, by December 1995, as Huang was about to move to his party job, Meissner tried to help him obtain a consultant position. But Tim Hauser, a deputy undersecretary for administration, rejected the request because he thought it improper for a Democratic Party fund-raiser to be Commerce consultant, department officials said.

Meissner persisted, sources said, and tried to make an ''end run'' by raising the issue with William Ginsberg, chief of staff for then-Commerce Secretary Ronald H. Brown. Ginsberg agreed with Hauser that the idea was ''politically insensitive'' and asked Meissner why Huang wanted to remain a Commerce consultant while working for the party, sources familiar with the conversation said. One reason, Meissner said, was so Huang could retain his security clearance.

HUANG KEPT HIS SECURITY CLEARANCE

Meissner failed to get Huang a consulting contract. But, in one of the saga's most curious chapters, Huang did get the same top-secret security clearance given to the department's contractors after Meissner had his secretary file the paperwork.

Without running a background check on Huang or confirming that he had a consulting contract, the Pentagon's Defense Industrial Security Clearance Office granted Huang a ''consultant top-secret'' clearance on Dec. 12, 1995, a spokeswoman for the office said. That was nine days after Huang left the Commerce Department and a week after he started at the national committee.

The clearance remained in effect for a year—while Huang raised millions of dollars for the Democratic Party—until Dec. 9, 1996, when embarrassed Commerce officials discovered it amid the fallout from the fund-raising controversy.

Commerce officials described the episode as a bureaucratic snafu and said they found no indications that Huang used his clearance after he left the department—or that he knew he had it.

But Meissner's interest in helping Huang obtain a contractor's security clearance remains a mystery. He died along with Brown and 32 others in a plane crash in Croatia in April 1996.

''Unfortunately, the people who were most involved in this are not here now,'' observed Commerce Department Press Secretary Maria Cardona.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Sunday, June 1, 1997, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 24

9:30 a.m.
Energy and Natural Resources
To meet to further discuss proposals to advance the goals of deregulation and competition in the electric power industry.
SD–366

Small Business
To hold hearings on proposed legislation authorizing funds for the Small Business Administration.
SR–428A

10:00 a.m.
Appropriations
To hold hearings with the Committee on Governmental Affairs on the implementation of the Government Performance and Results Act.
SD–192

Governmental Affairs
To hold hearings with the Committee on Appropriations on the implementation of the Government Performance and Results Act.
SD–192

Judiciary
To hold hearings to examine the Rand report relating to punitive damages in financial injury cases.
SD–226

JUNE 25

9:30 a.m.
Labor and Human Resources
Business meeting, to consider pending calendar business.
SD–430

Rules and Administration
To hold hearings to examine campaign financing, focusing on whether political contributions are voluntary.
SR–301

Indian Affairs
To hold oversight hearings on the Administration's proposal to restructure Indian gaming fee assessments.
SD–562

10:00 a.m.
Appropriations
District of Columbia Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the District of Columbia.
SD–192

Judiciary
To hold hearings to examine encryption, key recovery, and privacy protection in the information age.
SD–226

JUNE 26

9:30 a.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 783, to increase the accessibility of the Boundary Waters Canoe Area Wilderness.
SD–366

Environment and Public Works
Clean Air, Wetlands, Private Property, and Nuclear Safety Subcommittee
To hold oversight hearings on recent administrative changes and judicial decisions relating to Section 404 of the Federal Water Pollution Control Act.
SD–406

Labor and Human Resources
Children and Families Subcommittee
To hold oversight hearings on the implementation of the Family and Medical Leave Act.
SD–430

2:00 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 308, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, and S. 360, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area.
SD–366

Judiciary
Immigration Subcommittee
To hold hearings on proposals to extend the Visa Waiver Pilot Program, including S. 290, to establish a visa waiver pilot program for nationals of Korea who are traveling in tour groups to the United States.
SD–226

JULY 10

2:00 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold oversight hearings to review the preliminary findings of the General Accounting Office concerning a study on the health, condition, and viability of the range and wildlife populations in Yellowstone National Park.
SD–366

JULY 23

9:00 a.m.
Finance
International Trade Subcommittee
To hold hearings with the Caucus on International Narcotics Control on the threat to U.S. trade and finance from drug trafficking and international organized crime.
SD–215

JULY 30

9:00 a.m.
Finance
International Trade Subcommittee
To resume hearings with the Caucus on International Narcotics Control on the threat to U.S. trade and finance from drug trafficking and international organized crime.
SD–215

CANCELLATIONS

JUNE 5

10:00 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on NASA's international space station program.
SR–253

Judiciary
Business meeting, to consider pending calendar business.
SD–226

POSTPONEMENTS

JUNE 10

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense.
SD–192

2:00 p.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine instances of gambling over the Internet.
SD–226

JUNE 12

9:30 a.m.
Environment and Public Works
Clean Air, Wetlands, Private Property, and Nuclear Safety Subcommittee
To hold hearings on recent administrative and judicial changes to Section 404 of the Federal Water Pollution Control Act.
SD–406

Daily Digest

HIGHLIGHTS

House Committees ordered reported 17 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S5893–S5949

Measures Introduced: Eight bills and one resolution, as follows: S. 929–936, and S. Res. 102. **Pages S5926–27**

Measures Reported: Reports were made as follows:

S. 797, to amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements. (S. Rept. No. 105–30)

S. 858, to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

S. 936, to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. **Page S5926**

Measures Passed:

Denial of Veterans' Benefits: Committee on Veterans' Affairs was discharged from further consideration of S. 923, to deny veterans benefits to persons convicted of Federal capital offenses and, by a unanimous vote of 98 yeas (Vote No. 106), the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S5922–24**

Specter Amendment No. 414, to limit convictions to Federal capital offenses. **Pages S5922–24**

Drug-Free Communities Act: Senate passed 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, clearing the measure for the President. **Pages S5945–47**

Nominations Received: Senate received the following nominations:

Frank M. Hull, of Georgia, to be United States Circuit Judge for the Eleventh Circuit. **Page S5949**

Messages From the House: **Pages S5925–26**

Measures Referred: **Page S5926**

Measures Placed on Calendar: **Page S5926**

Communications: **Page S5926**

Executive Reports of Committees: **Page S5926**

Statements on Introduced Bills: **Pages S5927–35**

Additional Cosponsors: **Pages S5935–36**

Amendments Submitted: **Page S5936**

Authority for Committees: **Pages S5936–37**

Additional Statements: **Page S5937**

Record Votes: One record vote was taken today. (Total—106) **Page S5924**

Adjournment: Senate convened at 10 a.m., and recessed at 6:24 p.m., until 10 a.m., on Thursday, June 19, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5947.)

Committee Meetings

(Committees not listed did not meet)

U.S. AGRICULTURAL EXPORT POLICY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine United States agricultural trade policy issues and the importance of trade to U.S. economic prosperity, after receiving testimony from Daniel R. Glickman, Secretary of Agriculture; and Charlene Barshefsky, United States Trade Representative.

APPROPRIATIONS—FOREIGN ASSISTANCE

Committee on Appropriations: Subcommittee on Foreign Operations approved for full committee consideration

an original bill making appropriations for foreign assistance programs for the fiscal year ending September 30, 1998.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the following bills:

An original bill (S. 936) authorizing funds for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces; and

S. 858, authorizing funds for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

RECONCILIATION

Committee on Banking, Housing, and Urban Affairs: Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 84, establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, and agreed on recommendations which it will make thereon to the Committee on the Budget.

CHINA-UNITED STATES TRADE

Committee on Commerce, Science, and Transportation: Committee resumed hearings to examine emerging trade issues in China, focusing on United States-China trade imbalances and the renewal of China's Most-Favored-Nation status, receiving testimony from Stuart E. Eizenstat, Under Secretary of State for Economic Affairs; and Robert B. Zoellick, Fannie Mae, and Alan Tonelson, United States Business and Industrial Council, both of Washington, D.C.

Hearings were recessed subject to call.

INTERNATIONAL SPACE STATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings to examine the current status and goals of the International Space Station program of the National Aeronautics and Space Administration, after receiving testimony from Daniel S. Goldin, Administrator, and Malcolm L. Peterson, Comptroller, both of the National Aeronautics and Space Administration; Thomas J. Schulz, Associate Director, Defense Acquisition Issues, National Security and International Affairs Division, General Accounting Office; Marcia S. Smith, Specialist in Aerospace and Telecommunications Policy, Science Policy Research Division, Congressional Research Service, Library of Congress; and Lawrence J. DeLucas, University of Alabama, Birmingham.

LAND EXCHANGE AND BOUNDARY ADJUSTMENTS

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded hearings on S. 587, to provide for an exchange of lands located in Hinsdale County, Colorado, S. 588, to provide for the expansion of the Eagles Nest Wilderness within the Arapaho National Forest and the White River National Forest in Colorado, to include land known as the State Creek Addition, S. 589, to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest in Colorado, to correct the effects of earlier erroneous land surveys, S. 590, to provide for a land exchange within the Routt National Forest in Colorado, S. 591, to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in Colorado, S. 541, to provide for an exchange of lands with the city of Greeley, Colorado, and the Water Supply and Storage Company to eliminate private inholdings in wilderness areas, S. 750, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, S. 785, to convey certain land to the city of Grants Pass, Oregon, and S. 881, to provide for a land exchange involving the Warner Canyon Ski Area and other land in Oregon, after receiving testimony from Senator Allard; Mat Millenbach, Deputy Director, Bureau of Land Management, Department of the Interior; Robert C. Joslin, Deputy Chief, National Forest Systems, and Ellie Towns, Director of Lands, both of the Forest Service, Department of Agriculture; Mayor Vern Nelson, Greeley, Colorado; Paul Schray, City of Grants Pass, Oregon; and Richard Domingue, Trout Unlimited, Morrison, Colorado.

RECONCILIATION/NOMINATIONS

Committee on Finance: Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 84, establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, and agreed on recommendations which it will make thereon to the Committee on the Budget.

Also, committee ordered favorably reported the nominations of Kevin L. Thurm, of New York, to be Deputy Secretary, and Richard J. Tarplin, of New

York, to be Assistant Secretary, both of the Department of Health and Human Services.

GOVERNMENT CONTRACTING

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia concluded hearings on S. 314, to require the Federal Government to procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, after receiving testimony from Senator Thomas; Representative Duncan; John A. Koskinen, Deputy Director, Office of Management and Budget; L. Nye Stevens, Director, Federal Management and Workforce Issues, General Government Division, General Accounting Office; Capt. Burton Streicher, CEC, USN, Director, Navy Outsourcing Support Office; Charles S. Davis III, Chamberlain, Davis, Rutan & Valk, Grosse Pointe, Michigan, former Associate Administrator for Operations, General Services Administration; Samuel D. Klienman, Center for Naval Analyses, Alexandria, Virginia; and John N. Sturdivant, AFL–CIO, Washington, D.C.

HUMAN RIGHTS IN CHINA

Committee on the Judiciary: Subcommittee on Immigration concluded hearings to examine the scope of human rights violations in China and the United States response to these abuses, including proposed changes in U.S. immigration law and related provisions of S. 810, proposed China Sanctions and Human Rights Advancement Act, after receiving testimony from James R. Lilley, University of Maryland, College Park; and Wu Xuecan, China Strategic Institute, T. Kumar, Amnesty International USA, and Kim R. Holmes, Heritage Foundation, all of Washington, D.C.

FDA REFORM

Committee on Labor and Human Resources: Committee ordered favorably reported, S. 830, to improve the regulation of food, drugs, devices, and biological products, and to authorize funds for prescription drug user fees, with an amendment in the nature of a substitute.

House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 1950–1958; 1 private bill, H.R. 1959; and 2 resolutions, H. Con. Res. 100 and H. Res. 168, were introduced.

Pages H3923–24

Reports Filed: Reports were filed as follows:

H.R. 1316, to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits, amended (H. Rept. 105–134);

H.R. 1775, to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account and the Central Intelligence Agency Retirement and Disability System, amended (H. Rept. 105–135 Part I);

H.R. 858, to direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities, amended (H. Rept. 105–136 Part I); and

H. Res. 169, providing for consideration of H.R. 1119, to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999 (H. Rept. 105–137). **Page H3923**

Journal Vote: By a recorded vote of 355 ayes to 50 noes, Roll No. 209, agreed to the speaker's approval of the Journal of Tuesday, June 18. **Page H3889**

National Sea Grant College Authorization: By a yea-and-nay vote of 422 yeas to 3 nays, Roll No. 208, the House passed H.R. 437, to reauthorize the National Sea Grant College Program Act.

Pages H3872–89

Agreed to the Committee amendment in the nature of a substitute, made in order by the rule, as amended. **Pages H3883–88**

Agreed to:

The Farr amendment that authorizes the Sea Grant International Program through FY 2000;

Pages H3884–86

The Tauzin amendment that provides up to $3 million in competitive grants for university research

on oyster diseases and oyster-related human health risks; and **Page H3886**

The Traficant amendment that requires the compliance with the Buy American Act; expresses the sense of Congress that entities receiving assistance should purchase only American-made equipment and products; and requires that in providing this assistance the Secretary of Commerce shall provide each recipient a notice describing compliance with sections 2 through 4 of the Buy American Act.

Pages H3886–87

A point of order was sustained against the Shadegg amendment that sought to include a section entitled the Government Shutdown Prevention Act that provides a continuation of spending through the end of the fiscal year in the absence of regular appropriations. **Pages H3887–88**

Agreed to H. Res. 164, the rule that provided for consideration of H.R. 437, by a voice vote.

Pages H3871–72

Recess: The House recessed at 5:43 p.m. and reconvened at 12:45 a.m. on Thursday, June 19.

Page H3921

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of the House today and appear on pages H3888–89 and H3889. There were no quorum calls.

Adjournment: Met at 10:00 a.m. and adjourned at 12:47 a.m. on Thursday, June 19.

Committee Meetings

AGRICULTURAL RESEARCH—PUBLIC AND PRIVATE PARTNERSHIP EFFORTS

Committee on Agriculture: Subcommittee on Forestry, Resource Conservation, and Research held a hearing on public and private partnership efforts in agricultural research. Testimony was heard from the following officials of the USDA: Robert E. Armstrong, Acting Executive Director, Alternative Agricultural Research and Commercialization Corporation; Bob Robinson, Administrator, Cooperative State Research, Education and Extension Service; and Peter Johnson, Director, National Center for Agricultural Utilization Research; and public witnesses.

BUDGET ALLOCATION

Committee on Appropriations: Approved a Section 602(b) budget allocation report for fiscal year 1998.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction approved for full Committee action the Military Construction appropriation for fiscal year 1998.

FINANCIAL MODERNIZATION

Committee on Banking and Financial Services: Continued markup of Financial Modernization legislation.

Will continue tomorrow.

TRANSPORTATION-RELATED AIR QUALITY IMPROVEMENT PROGRAMS REAUTHORIZATION

Committee on Commerce: Subcommittee on Health and Environment held a hearing on Reauthorizaton of Transportation-Related Air Quality Improvement Programs. Testimony was heard from David M. Gardiner, Assistant Administrator, Policy, Planning and Evaluation, EPA; Kevin Heanue, Director, Office of Environment and Planning, Federal Highway Administration, Department of Transportation; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Ordered reported amended H.R. 1818, Juvenile Crime Control and Delinquency Prevention Act of 1997.

The Committee also began markup of H. Res. 139, expressing the sense of the House of Representatives that the Department of Education, States, and local education agencies should spend a greater percentage of Federal education tax dollars in our children's classrooms.

COMMITTEE RULES

Committee on Government Reform and Oversight: Amended Committee rules regarding deposition authority.

OVERSIGHT—ELECTRONIC FUNDS TRANSFER

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held a hearing on Oversight of Electronic Funds Transfer. Testimony was heard from Jerry Hawke, Under Secretary, Domestic Finance, Department of the Treasury; Marty Wagner, Associate Administrator, GSA; Mark D. Catlett, Chief Financial Officer, Department of Veterans Affairs; and public witnesses.

AFRICA'S EMERGING CAPITAL MARKETS

Committee on International Relations: Subcommittee on Africa held a hearing on Africa's Emerging Capital Markets. Testimony was heard from public witnesses.

U.S.-VIETNAM RELATIONS

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on the U.S.-Vietnam Relations. Testimony was heard from Jeffrey

Bader, Deputy Assistant Secretary, East Asian and Pacific Affairs, Department of State; Susan G. Esserman, General Counsel, Office of the U.S. Trade Representative; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H.R. 1866, Need-Based Educational Aid Antitrust Protection Act of 1997; H.R. 1901, Federal Tort Claims Act Clarification Act; H.R. 1086, amended, to codify without substantive change laws related to transportation and to improve the United States Code; H.R. 103, Private Security Officer Quality Assurance Act of 1997; H.R. 1847, amended, Telemarketing Fraud Prevention Act of 1997; H.R. 748, amended. Prohibition on Financial Transactions With Countries Supporting Terrorism Act of 1997; H.R. 1532, amended, Veterans' Cemetery Protection Act of 1997; H. Res. 154, expressing the sense of the House that the Nation's children are its most valuable assets and that their protection should be the Nation's highest priority; H. Con. Res. 75, expressing the sense of the Congress that States should work more aggressively to attack the problem of violent crimes committed by repeat offenders and criminals serving abbreviated sentences; H.R. 1840, Law Enforcement Technology Advertisement Clarification Act of 1997; H.R. 567, Madrid Protocol Implementation Act; H.R. 1661, amended, Trademark Law Treaty Implementation Act; H.R. 1581, to reauthorize the program established under chapter 44 of title 28, United States Code, relating to arbitration; and H.R. 1898, Juvenile Rape in Prison Protection Act of 1997.

VOLUNTEERS FOR WILDLIFE ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 1856, Volunteers for Wildlife Act of 1997. Testimony was heard from Robert Streeter, Assistant Director, Refuges and Wildlife, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

SPECIAL INVESTIGATIVE AUTHORITIES—COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Committee on Rules: Held a hearing on H. Res. 167, providing special investigative authorities for the Committee on Government Reform and Oversight. Testimony was heard from Chairman Burton and Representative Waxman.

NATIONAL DEFENSE AUTHORIZATION ACT

Committee on Rules: Granted, by a vote of 9 to 4, a structured rule on H.R. 1119, National Defense Authorization Act for Fiscal Years 1998 and 1999 providing two hours of general debate equally divided between the chairman and ranking minority member of the Committee on National Security. The rule waives all points of order against consideration of the bill. The rule provides for consideration of the committee amendment in the nature of a substitute now printed in the bill as an original bill for the purposes of amendment and all points of order are waived against the amendment in the nature of a substitute. The rule makes in order only those amendments printed in the report of the Committee on Rules and the amendments en bloc described in section 3 of the resolution. The rule provides that, except as specified in section 5 of the resolution, amendments will be considered only in the order and manner specified in the report. Except as otherwise provided in the report, amendments shall be debatable for 10 minutes divided between a proponent and an opponent. Amendments shall be considered as read and are not amendable (except for pro forma amendments offered by the Chairman and ranking minority member of the National Security Committee). All points of order are waived against the amendments printed in the report and those described in section 3 of this resolution. The rule provides for an extra 60 minutes of debate on Bosnia, equally divided between the chairman and ranking minority member of the Committee on National Security. The rule authorizes the Chairman of the National Security Committee or his designee to offer amendments en bloc consisting of amendments in part 2 of the report or germane modifications thereto, which shall be considered as read except that modifications shall be reported, shall be debatable for 20 minutes divided between the Chairman and ranking member of the National Security Committee or their designees and which shall not be subject to amendment or demand for division of the question. The rule provides that, for the purposes of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the dispositions of the en bloc amendments. The rule permits the Chairman of the Committee of the Whole to postpone votes on any amendment and to reduce to 5 minutes the time for voting after the first of a series of votes provided that the first vote is not less than 15 minutes. The rule also permits the Chairman of the Committee of the Whole to recognize for consideration of any amendment printed in the report out of the order in which printed,

but not sooner than one hour after the Chairman of the Committee on National Security or a designee announces from the floor a request to the effect. The rule provides one motion to recommit, with or without instructions. Finally, the rule provides that House Resolutions 161, 162, and 165 are laid on the table. Testimony was heard from Chairman Spence, and Representatives Weldon of Pennsylvania, Hefley, Saxton, Buyer, Everett, Bartlett, Watts of Oklahoma, Jones, Hilleary, Gilman, Bereuter, Oxley, Kasich, Dan Schaefer of Colorado, Shays, Stearns, Bachus, Mica, Foley, Forbes, Fox of Pennsylvania, Frelinghuysen, Wamp, Metcalf, Brady, Thune, Dellums, Skelton, Spratt, Pickett, Evans, McHale, Taylor of Mississippi, Harman, McHale, Kennedy of Rhode Island, Blagojevich, Rodriguez, Markey, Mink of Hawaii, Dicks, Frank of Massachusetts, Hoyer, Traficant, Pallone, Condit, Faleomavaega, Nadler, Moran of Virginia, Roemer, Sanders, Maloney of New York, Jackson-Lee of Texas, Woolsey, Farr of California, Luther, Millender-McDonald, and Lofgren.

COMMERCIAL SPACE ACT

Committee on Science: Ordered reported amended H.R. 1702, Commercial Space Act of 1997.

CHINA'S MFN STATUS

Committee on Ways and Means: Adversely ordered reported H.J. Res. 79, disapproving the extension of nondiscriminatory treatment, most-favored-nation treatment, to the products of the People's Republic of China.

Joint Meetings

INDIAN CHILD WELFARE AMENDMENTS

Joint Hearing: Senate Committee on Indian Affairs concluded joint hearings with the House Committee on Resources on S. 569 and H.R. 1082, bills to amend the Indian Child Welfare Act of 1978 to provide for retention by an Indian tribe of exclusive jurisdiction over child custody proceedings involving Indian children and other related requirements, after receiving testimony from Representative Pryce; Ada E. Deer, Assistant Secretary of the Interior for Indian Affairs; Thomas L. LeClaire, Director, Office of Tribal Justice, Department of Justice; Deborah J. Doxtator, Oneida Nation of Wisconsin, Oneida, Wisconsin; Thomas E. Atcitty, Navajo Nation, Window Rock, Arizona; W. Ron Allen, Jamestown S'Klallam Tribe, Sequim, Washington, on behalf of the National Congress of American Indians; Jane A. Gorman, Tustin, California, on behalf of the American Academy of Adoption Attorneys; and Michael J. Walleri, Tanana Chiefs Conference, Inc., Fairbanks, Alaska.

COMMITTEE MEETINGS FOR THURSDAY, JUNE 19, 1997

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Treasury, Postal Service, and General Government, to hold hearings on proposed budget estimates for fiscal year 1998 for the Internal Revenue Service, Department of the Treasury, 9:30 a.m., SD–124.

Full Committee, business meeting, to consider 602(b) subcommittee allocations of budget outlays and new budget authority allocated to the committee in H. Con. Res. 84, establishing the congressional budget for the United States Government for the fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, and to mark up proposed legislation making appropriations for fiscal year 1998 for foreign assistance programs, 2 p.m., S–128, Capitol.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine cancer research priorities and physician practice expense regulation issues, 2:30 p.m., SD–124.

Committee on Commerce, Science, and Transportation, business meeting, to consider pending calendar business, 9:30 a.m., SR–253.

Subcommittee on Aviation, to hold hearings to examine United States-Japan aviation relations, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources, Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on entrance and special use fees for units of the National Park System and the status of the Fee Demonstration Program implemented by the National Park Service in 1996, 2 p.m., SD–366.

Committee on Foreign Relations, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine issues to be discussed at the upcoming global climate change negotiations to be held in Kyoto, Japan, 9:30 a.m., SD–419.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see page E1256 in today's Record.

House

Committee on Agriculture, hearing on forest ecosystem health in the Inland West and Northeast, 10 a.m., 1300 Longworth.

Committee on Banking and Financial Services, to continue markup of Financial Modernization legislation, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Energy and Power, hearing on Electricity: Reliability and Competition, 10 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Continued Management Concerns at the National Institutes of Health, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Postsecondary Education, Training and Life-Long

Learning, to continue hearings on H.R. 6, Higher Education Act Amendments of 1998, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on the District of Columbia, to mark up the National Capital Revitalization and Self-Government Improvement Act of 1997, 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing and markup of H.R. 1596, Bankruptcy Judgeship Act of 1997; followed by markup of the following bills: H.R. 865, to provide that Kentucky may not tax compensation paid to a resident of Tennessee for services as a Federal employee at Fort Campbell, Kentucky; H.R. 874, to provide that Oregon may not tax compensation paid to a resident of Washington for services as a Federal employee at a Federal hydroelectric facility located on the Columbia River; and H.R. 764, Bankruptcy Amendments of 1996, 10 a.m., 2237 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, oversight hearing on Bureau of Lane Management's hard rock mining bonding regulations, 1 p.m., 1334 Longworth.

Subcommittee on National Parks and Public Lands, to mark up the following bills: H.R. 882, to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, WA; H.R. 951, to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado; H.R. 960, to validate certain conveyances in the city of Tulare, Tulare County, California; H.R. 1110, Sudbury, Asssabet, and Concord Wild and Scenic Rivers Act; and H.R. 1198, to direct the Secretary of the Interior to convey land to the City of Grants Pass, Oregon, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H. Res. 167, providing special investigative authorities for the Committee on Government Reform and Oversight, 1 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Technology, hearing on Computer Security Enhancement Act of 1997, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Public Buildings and Economic Development, hearing to review the Budget scoring rules as they relate to real estate transactions, 9 a.m., 2253 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on the VA's provision of treatment for Persian Gulf War veterans with difficult to diagnose and ill-defined conditions, 9:30 a.m., 334 Cannon.

Next Meeting of the SENATE

10 a.m., Thursday, June 19

Senate Chamber

Program for Thursday: After the recognition of three Senators for speeches and the transaction of any morning business (not to extend beyond 1 p.m.), Senate may consider S. 936, DOD Authorizations, or S. 858, Intelligence Authorizations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, June 19

House Chamber

Program for Thursday: Consideration of H.R. 1119, National Defense Authorization Act for Fiscal Years 1998 and 1999 (structured rule, 2 hours of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE
Campbell, Tom, Calif., –E1248
Clay, William (Bill), Mo., –E1251
Ewing, Thomas W., Ill., –E1252
Forbes, Michael P., N.Y., –E1250
Frank, Barney, Mass., –E1244
Franks, Bob, N.J., –E1253
Gilman, Benjamin A., N.Y., –E1250
Hall, Tony P., Ohio, –E1251
Hamilton, Lee H., Ind., –E1245
Hobson, David L., Ohio, –E1243
Kucinich, Dennis J., Ohio, –E1252
Lewis, Jerry, Calif., –E1243, E1247
McCarthy, Karen, Mo., –E1249
Maloney, Carolyn B., N.Y., –E1248
Moran, James P., Va., –E1251
Olver, John W., Mass., –E1252
Packard, Ron, Calif., –E1244
Poshard, Glenn, Ill., –E1251
Quinn, Jack, N.Y., –E1249
Sanders, Bernard, Vt., –E1243, E1247, E1249
Solomon, Gerald B.H., N.Y., –E1253
Stokes, Louis, Ohio, –E1253
Stupak, Bart, Mich., –E1250
Thompson, Bennie G., Miss., –E1252
Underwood, Robert A., Guam, –E1245
Weller, Jerry, Ill., –E1244

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