

On October 6, 1997, the President struck 38 projects from the Military Construction Appropriations Act for fiscal year 1998. This occasion marked the third time the President exercised the authority granted in the Line-Item Veto Act and the single largest use of that power to date. Of all 72 line-item veto transmissions, it is these 38 items which have caused the largest cry of concern from Congress. Failure to override these vetoes could erode the readiness or quality of life of our military personnel.

The concern that has come from Congress does not deal with the concept of the line-item veto. The concern instead stems from the seemingly haphazard manner in which it was applied to this bill. The President identified three new criteria establishing the worthiness of military construction projects that had never been used in the appropriations process.

The first criterion the President established was that the project must be in the President's budget. Over 85 percent of the canceled projects are actually in the administration's defense plan and each project was carefully screened by the authorizing committee. This criterion also attempts to invalidate Congress' role in the defense of our Nation. Each year Congress must address shortfalls in the President's budget for areas such as military housing and National Guard construction. Failure to correct these annual shortfalls could damage the capability of our military forces.

The President's second criterion was more of a moving target. The second requirement initially was that the program must have completed all design specifications. Congress has historically used a 35 percent design completion criterion for inclusion in the appropriations process. This historical precedent was ignored by the President without consultation with or notification of Congress. When the administration realized appropriations typically include the funding for design completion, the criterion was changed to require that the ability to begin work on the project happen in the same fiscal year as appropriated. Again, the administration erred in judgment. In testimony before the House National Security Committee, Chairman HEFLEY indicated that each of the 38 canceled items could begin work in fiscal year 1998. This further highlights the folly of any of the 38 line-item vetoes.

The final criterion, that the project must impact quality of life, is not only the most ambiguous, but also the most widely ignored. There were few, if any, projects that did not in some way impact the quality of life for our service personnel. Some of the projects were required for training and readiness, others for the operation and maintenance of military equipment, others yet for mitigating dangerous working conditions that existed at military facilities around the Nation.

The President vetoed construction modifications to a dining hall in Montana where the current facility fails State health inspections. A facility at White Sands Missile Range in New Mexico was slated to have renovations completed with funds from the bill. This facility suffers documented safety hazards and is infested with rats. Despite these conditions, the President deleted the renovations from the bill. In my own State of South Dakota, the President's pen struck a hanger facility for an air ambulance squadron of the National Guard. The administration's actions would leave these helicopters and Guardsmen exposed to the

same harsh weather that prompted three successive disaster declarations in the past year. Each of these projects are examples of mistakes caused by the President's new criteria.

These criteria were not only confusing to the authorizing and appropriating committees, but also to the administration and Pentagon officials that advised the President. This became evident when stories appeared in the press—and were later confirmed by the administration—that several projects had been vetoed by mistake. Originally it was believed only a few projects were cut by mistake, but that number quickly rose to 11. Then it escalated to 18. And now the Senate has indicated up to 28 projects were errantly vetoed. This problem is compounded by the Office of Management and Budget's inability to provide Congress with an exact accounting of errors that were made.

Should the President choose to reprogram funds this year to cover the mistakes, Government spending would not be reduced. The dollars Congress appropriated to the 38 vetoed items would go toward deficit reduction. At the same time, the President would fund those items with dollars taken from other worthy projects. Should the President instead decide to make these items a part of the fiscal year 1999 budget, the funds Congress appropriated for these items in fiscal year 1998 would still be spent on deficit reduction. The, next year, we would have to pay for them again. If we wait for the President to take action, the taxpayers would not save a dime. In fact, we run the risk of either taking funds from other valuable national security projects or having to pay for these 38 projects twice.

Congress has a tool to correct these mistakes. That tool is H.R. 2631. This disapproval resolution is not a referendum on the line-item veto. Instead, we are using the process the line-item veto law provides. If the legislative branch does not agree with the rationale for a veto, it is the body's obligation to let that be known. The disapproval resolution ensures that Congress maintains an active voice in the appropriations process.

This is a bill that is important for our military forces. Our service men and women support our Nation every day, putting their lives on the line in the defense of our Nation. They do not deserve to work in cramped facilities or to repair aircraft in subzero wind chills. Without this bill, that is what will happen. We need to support our military personnel.

It is important to reiterate that this is not a referendum on the line-item veto law. It is not a referendum on the administration. A vote in favor of H.R. 2631 is however a vote for fiscal common sense and for correcting admitted mistakes. I urge my colleagues to support this resolution and support our Nation's military personnel.

#### SUPPORTING THE CORPORATION FOR PUBLIC BROADCASTING

SPEECH OF

**HON. XAVIER BECERRA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 7, 1997*

Mr. BECERRA. Mr. Speaker, I rise today to add my voice to the already loud chorus of Members supporting the \$300 million funding

level included in this year's Labor, Health and Human Services and Education appropriation bill for the Corporation for Public Broadcasting [CPB] for fiscal year 2000. This sum represents a \$50 million increase over last year, but unfortunately an amount that only partially offsets the consecutive 3-year reduction in recent years.

However, while I am elated that the Congress has once again come to recognize the important role public broadcasting plays in our American life, we have neglected to properly and adequately fund programming dedicated to celebrating our multicultural country. In 1994, CPB committed to creating a formal partnership between the National Minority Public Broadcasting Consortia, television stations and other public broadcasting organizations to achieve this end, included in this effort is CPB's initiative Diversity 2000. Unfortunately, our goal has not yet been realized.

My sincerest hope is that this year's additional funding will enable CPB to endeavor toward creating the type of multicultural partnerships envisioned in the 1994 agreement. As our Nation changes, grows, and develops, public broadcasters, above all others, have a responsibility to mirror back to us our progress, our achievements, and our shortcomings. This effort can only be successful if broadcasters allow us to view the full panorama of our Nation and its cultures.

#### IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1997

SPEECH OF

**HON. JANE HARMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 12, 1997*

Ms. HARMAN. Mr. Speaker, I am pleased that last evening H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997 introduced by my colleagues Mr. GILMAN and Mr. BERMAN, passed on the consent calendar. This legislation addresses a severely destabilizing development in the Middle East region: the acquisition by Iran of long-range missile capabilities—capabilities that threaten U.S. forces in the region, Israel, our NATO ally Turkey, and territory as distant as Central Europe.

H.R. 2709 takes a step beyond the concurrent resolution which passed last week in both bodies. That resolution urged the Administration to impose sanctions on Russian entities proliferating to Iran. As its author in this body, I believe that measure sent an immediate signal that continued cooperation between Russian entities and Iran in ballistic missile technology would not be tolerated.

This legislation does more. It adds a requirement that the President submit periodic reports to Congress identifying the entities providing Iran with missile technology. In so doing, the bill establishes an incontrovertible basis for imposing sanctions.

H.R. 2709 also allows the President to waive sanctions if there is subsequent evidence that an identified case of trade with Iran did not assist Iran's missile program. And, the legislation grants the President authority to waive sanctions if he determines that doing so is essential to U.S. national security.

Thus, this legislation is the logical next step to the resolution adopted by both houses of