

Matsui  
McDermott  
Meehan  
Meek  
Mfume  
Miller (CA)  
Mineta  
Mink  
Moran  
Morella  
Nadler  
Olver  
Owens  
Pallone  
Pastor  
Payne (NJ)

Felosi  
Rahall  
Reed  
Richardson  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Schumer  
Serrano  
Shays  
Skaggs  
Stark  
Stokes  
Studds  
Synar

Torres  
Torrice  
Towns  
Unsoeld  
Velazquez  
Vento  
Viselovsky  
Washington  
Waters  
Watt  
Waxman  
Wheat  
Woolsey  
Yates

Hobson  
Hochbrueckner  
Houghton  
Hoyer  
Hughes  
Inslee  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (GA)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kantor  
Kennedy  
Kildee  
Klozka

Meyers  
Mfume  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Molohan  
Moran  
Morella  
Murtha  
Nadler  
Natcher  
Neal (MA)  
Neal (NC)  
Oberstar  
Obey  
Ortiz  
Orton  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)

Sharp  
Shays  
Shepherd  
Skaggs  
Skelton  
Slaughter  
Smith (IA)  
Smith (NJ)  
Snowe  
Spratt  
Stark  
Stokes  
Strickland  
Studds  
Stupak  
Sweat  
Swift  
Synar  
Tanner  
Tausin  
Taylor (NC)  
Tejeda  
Thompson  
Thorton  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traffant  
Tuck  
Unsoeld  
Valentine  
Velazquez  
Vento  
Viselovsky  
Volkmer  
Washington  
Waters  
Watt  
Waxman  
Weiden  
Wheat  
Whitman  
Williams  
Wilson  
Wise  
Woolsey  
Wyden  
Wynn  
Yates  
Zimmer

Paxon  
Penny  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Portman  
Poshard  
Pryce (OH)  
Quillen  
Quinn  
Ridge  
Roberts  
Rogers

Rohrabacher  
Roth  
Rowland  
Royce  
Schaefer  
Sensenbrenner  
Shaw  
Shuster  
Siskiy  
Skeen  
Siattery  
Smith (MI)  
Smith (OR)  
Smith (TX)  
Solomon  
Spence  
Stearns  
Stenholm  
Stump  
Sundquist  
Talent  
Taylor (MS)  
Thomas (CA)  
Thomas (WY)  
Upton  
Vucanovich  
Walker  
Walsh  
Wolf  
Young (AK)  
Young (FL)  
Zeliff

NOT VOTING—14  
Berman  
Blackwell  
Brown (CA)  
Dickey  
Gephardt  
Hoekstra  
Horn  
Kennedy  
McDade  
Porter  
Rose  
Rostenkowski  
Tucker

□ 1714

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). 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 SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be 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 yeas appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 255, nays 165, not voting 13, as follows:

[Roll No. 530]

YEAS—255

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (NJ)  
Andrews (TX)  
Bacchus (FL)  
Baesler  
Barca  
Barrett (WI)  
Becerra  
Bellenson  
Bereuter  
Billbray  
Bishop  
Blute  
Boehart  
Bontor  
Borski  
Boucher  
Brooks  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Cantwell  
Cardin  
Castle  
Chapman  
Clay  
Clayton  
Clement  
Clyburn

Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Cooper  
Coppersmith  
Coyne  
Daner  
Darden  
de la Garza  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dicks  
Dixon  
Dooley  
Durbin  
Edwards (CA)  
Engel  
English (AZ)  
Eshoo  
Evans  
Farr  
Fawell  
Fazio  
Fields (LA)  
Fliner  
Fingerhut  
Fish

Allard  
Applegate  
Archer  
Army  
Bachus (AL)  
Baker (CA)  
Baker (LA)  
Ballenger  
Barcia  
Barlow  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bentley  
Bevil  
Billrakis  
Billey  
Boehner  
Bonilla  
Brewster  
Browder  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Carr  
Clinger  
Coble  
Collins (GA)  
Combest  
Condit  
Costello  
Cox  
Cramer  
Crane

NAYS—165

Crapo  
Cunningham  
Deal  
DeLay  
Dickey  
Dingell  
Doolittle  
Dorman  
Dreier  
Duncan  
Dunn  
Edwards (TX)  
Emerson  
English (OK)  
Everett  
Ewing  
Field (TX)  
Fowler  
Gallegly  
Gekas  
Geren  
Gingrich  
Goodlatte  
Goodling  
Goss  
Grams  
Hall (TX)  
Hancock  
Hansen  
Hastert  
Hefley  
Herger  
Hoke  
Holden  
Huffington  
Hunter  
Hutchinson  
Hutto  
Hyde

Inglis  
Inhofe  
Istook  
Johnson, Sam  
Kasich  
Kim  
King  
Kingston  
Klinski  
Knollenberg  
Kolbe  
Kyl  
Lambert  
Levy  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Linder  
Livingston  
Lloyd  
Manzullo  
McCandless  
McCollum  
McCrary  
McCoy  
McHugh  
McInnis  
McKeon  
Mica  
Michel  
Miller (FL)  
Molinari  
Montgomery  
Moorhead  
Murphy  
Myers  
Nussle  
Oxley  
Packard  
Parker

NOT VOTING—13  
Berman  
Blackwell  
Brown (CA)  
Ford (TN)  
Gephardt  
Hoekstra  
Horn  
Kennedy  
Lehman  
McDade  
Porter  
Rose  
Rostenkowski

□ 1732

Mr. POMBO changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. PORTER. Mr. Speaker, I was absent from the House due to severe illness. I missed five votes during the day. Had I been present, I would have voted yea on adoption of the conference report on H.R. 2445, the fiscal year 1994 Energy and Water appropriations bill; yea on the Bevil motion to recede and concur in the Senate amendment No. 33 to H.R. 2445 with an amendment; yea on passage of H.R. 1845, the National Biological Survey Act; aye on the Taylor amendment to H.R. 1845, regarding written permission of landowners; and no on the Tausin amendment to H.R. 1845 regarding volunteers.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Haller, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2403) "An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes."

## HOUR OF MEETING ON TOMORROW

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

REPORT ON RESOLUTION WAITING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2492, DISTRICT OF COLUMBIA SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-308) on the resolution (H. Res. 283) waiving points of order against the conference report to accompany the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes which was referred to the House Calendar and ordered to be printed.

NATIONAL HEALTH INFORMATION MANAGEMENT WEEK

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 205) designating the week beginning October 31, 1993, as "National Health Information Management Week" and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I yield to the gentleman from Tennessee [Mr. DUNCAN] who is the chief sponsor of this bill.

Mr. DUNCAN. Mr. Speaker, as the sponsor of House Joint Resolution 205, I rise in support of this resolution which designates the week beginning October 31, 1993, as "National Health Information Management Week."

The purpose of this resolution is to help bring recognition to the critical importance of the health information management professions across the Nation.

America's 35,000 health information management leaders have a tradition of commitment to and expertise in high quality information management which has become an increasingly important component of our Nation's health care delivery system.

At the heart of the profession's information responsibilities are medical records, both computer-based and paper, of individuals' health care.

The professional orchestrates the collection of many kinds of documentation from a variety of source, monitors the integrity of the information, and ensures appropriate access to the individual record.

The health information management professional also collects health care data by abstracting and encoding information, by using computer programs

to interpret data, and by putting in place quality controls to ensure the data's validity.

The professional designs and improves systems, both computerized and manual, to manage large amounts of health care data. And, as with the individual patient record, the professional balances patients' privacy rights with legitimate uses of data.

Throughout the ongoing health care reform discussions, there has been a significant amount of consensus on the need to lessen the bureaucracy of our Nation's current health care delivery system and to streamline administrative operations.

During this important time in our Nation's history, health information management professionals are key players in reforming health care.

These professionals are working hard to foster advancements toward a computerized patient record—and away from a paper medical record—to reduce health care costs by decreasing the amount of paperwork confronting hospitals and other health facilities.

I encourage all Members to join me in support of House Joint Resolution 205, declaring the week beginning October 31, 1993, as "National Health Information Management Week," so that we can demonstrate our support for these dedicated Americans.

Mr. BURTON of Indiana. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.R. RES. 205

Whereas accurate, timely, and complete medical records and related health information are vital in planning and providing for quality health care for the people of the United States;

Whereas such records and information are vital to providing health care to an individual beginning at the birth of the individual and continuing throughout the life of the individual;

Whereas public concern about the quality, appropriateness, and effectiveness of health care is escalating;

Whereas specific skills in evaluating and reporting the results of health care are required to provide public accountability;

Whereas equitable third-party reimbursement for health care is dependent on health information that is collected, analyzed, classified, verified, and disseminated;

Whereas public awareness of patient rights, including the right of a patient to access the patient's own medical information, is increasing;

Whereas the needs and requirements for health information of the health care industry and the use of the information by the industry are changing rapidly;

Whereas the rate of such changes will continue to increase as new health care technology is used and new health care reform policies are promulgated;

Whereas the 35,000 members of the American Health Information Management Asso-

ciation are the health information leaders of the United States; and

Whereas such members have demonstrated commitment to, and expertise in, health information management: Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning October 31, 1993, is designated as "National Health Information Management Week", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 178) designating October 1993 and October 1994 as "National Domestic Violence Awareness Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I yield to the gentleman from New York [Ms. SLAUGHTER], who is the chief sponsor of House Joint Resolution 178.

Ms. SLAUGHTER. Mr. Speaker, according to the FBI, in the next minute, four women will be battered by their husbands or boyfriends. In fact, domestic violence seriously injures more women in this country each year than car crashes, rapes, and muggings, put together.

In my own district of Rochester, NY, an organization called Alternatives for Battered Women served 2,361 new callers last year through its hotline number. In addition, the program continued working on more than 6,000 other ongoing cases.

These statistics are staggering. But, there is hopeful news on the horizon. After more than a decade of efforts to publicize this national crisis, people's attitudes are beginning to change. Now, these tragic numbers are met with angry calls to action instead of stubborn disbelief. Now, according to a study by the Family Violence Prevention Fund, nearly 9 in 10 Americans believe that domestic violence is a serious problem facing many families. And more than 8 in 10 think something can be done to reduce the amount of violence women face in their homes.

This increased awareness of domestic abuse is an encouraging sign. But much more needs to be done. Many professionals who work in our emergency

rooms, our police departments, and our legal system still are not taking this epidemic as seriously as we need them to. For instance, a study of California hospitals this summer found that as few as one in five hospitals are in compliance with professional standards on dealing with domestic violence. Fewer than one-quarter have trained their emergency room doctors to spot and treat spouse or partner abuse.

Because of the continued need for increased awareness, I introduced House Joint Resolution 178, which is before us this evening. The resolution declares October 1993 and October 1994 National Domestic Violence Awareness Month. We here in Congress must stand up and acknowledge the magnitude of this national tragedy. We must voice our support for the dedicated people who devote their lives to stopping domestic violence. And we must help to educate all Americans about domestic violence.

I hope all of you will take this opportunity to help your constituents understand this problem, through events back in your districts or mailings sent back home. Only with widespread awareness of domestic violence can we move forward, toward a lasting solution. Professional intervention and tougher laws are certainly necessary tools to stop family violence. But, only with changed attitudes about appropriate behavior can we work to eradicate domestic violence for good.

I would like to thank my colleagues for their support.

□ 1740

Mr. BURTON of Indiana. Mr. Speaker, continuing my reservation, I would like to thank the gentlewoman for bringing this up. When I was about 5 years old I had a brother and sister who were both very small like myself, and I can remember my father attacking my mother and beating on her in the middle of the night. It is a terrible thing for a child to wake up at 1 o'clock in the morning hearing that kind of screaming and that violence, and your mother throwing a lamp through the window trying to get the attention of the neighbors so the police will come. If there is anything we ought to be concerned with, it is child abuse and this kind of domestic violence, because it has a tremendous impact on young people for the rest of their lives. Sometimes it causes them to, like a record player, replay that in their life and cause the same kind of thing to happen. So I congratulate the gentlewoman for bringing this to the floor. I really personally appreciate it.

Mr. Speaker, continuing my reservation, I yield to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I rise in support of this domestic violence awareness resolution. For many American women, real terror is not being out alone at night on a dark street;

real terror is being home alone, home alone with loved ones.

Mr. Speaker, the statistics are startling. Every 15 seconds a woman is battered by her spouse or by her special friend. Every year 4 to 6 million women, it is estimated, are battered by their spouses or by their boyfriends. Every year 4,000 women are battered to death. Every year 3.3 million children are watching this.

We worry about violence in our society. Well, for many the home is not the safe haven. Many people feel like they are hostages in their own home.

Mr. Speaker, I am pleased that the Congress, as the Nation, as law enforcement, as our judicial system, as neighbors and friends, are finally recognizing that this is a crisis of tremendous proportion and that we all can do something about it. Not look the other way, not have people be victimized in the courts that are there to help to protect them. And we in Congress have a responsibility.

Mr. Speaker, yes, I am pleased that we have been able to pass the bill to consider spousal abuse and child custody cases. I am pleased that there was a TV movie on that particular resolution which did a lot to make people aware of domestic violence's affect on children in our society. We have a domestic violence hotline bill coming up which will really help to give help and relief to people who have no relief in sight, who need the confidentiality, who need the resources to learn about the kind of help that they can get or the kind of escape that they can get.

Mr. Speaker, we have a Violence Against Women Act which I hope will be coming up soon. We have a Battered Women's Acknowledgement Act, and also the Fair Trial Act. So we do have legislation before us that we in Congress can pass. The medical profession has a responsibility in this, and all of us have a responsibility to not turn the other way.

So I hope that this resolution designating October as Domestic Violence Awareness Month will really make people aware that they have a responsibility. As Mr. Rabin said at that very historic time, "Enough violence and bloodshed." And we say enough violence and bloodshed in one's own home.

Mr. BURTON of Indiana. Mr. Speaker, continuing my reservation of objection, I wish to commend the gentlewoman from Maryland [Mrs. MORELLA] for her contributions with the hotline and other things. For anyone who has experienced this kind of trauma in their formative years and seen their mothers experience it, we all have a special place in our hearts for people like the gentlewoman for taking the time to do that.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the

request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 178

Whereas it is estimated that a woman is battered every 15 seconds in America;

Whereas domestic violence is the single largest cause of injury to women in the United States, affecting 6,000,000 women;

Whereas rural and urban women of all racial, social, religious, ethnic, and economic groups of all ages, physical abilities and lifestyles are affected by domestic violence;

Whereas increasing evidence indicates that there are large numbers of immigrant women trapped in violent homes, isolated by abusive spouses who use the threat of deportation to maintain power and control over them;

Whereas violence escalates in both frequency and severity over time, becoming greatest at and after separation, when women are 75 percent more likely to be killed;

Whereas 40 percent of female homicide victims in 1991 were killed by their husbands or boyfriends;

Whereas in 1991, at least 21,000 domestic crimes against women were reported to the police each week;

Whereas one-fifth of all reported aggravated assaults—assaults where the victim suffered serious bodily injury—occur in domestic violence situations;

Whereas 74 percent of employed battered women are harassed by their abusive partners at work, causing 54 percent to miss at least 3 full days of work a month and 20 percent to lose their jobs;

Whereas 35 percent of medical emergency visits by women are the result of domestic violence, and 25-45 percent of all battered women are battered during pregnancy;

Whereas one-third of the domestic violence incidents involve felonies such as rape, robbery, and aggravated assault;

Whereas in 50 percent of families where the wife is being abused, the children of that family are also being abused;

Whereas some individuals in our law enforcement, medical, religious, mental health, and judicial systems continue to think of spousal abuse as a "private" matter and are hesitant to intervene and treat domestic assault as a crime;

Whereas in 1991 over 450,000 women, plus their children, were provided emergency shelter in domestic violence shelters and safehomes;

Whereas 40 percent of women in need of shelter may be turned away due to lack of shelter space;

Whereas the nationwide efforts to help the victims of domestic violence need to be expanded and coordinated;

Whereas there is a need to increase the public awareness and understanding of domestic violence and the needs of battered women and their children; and

Whereas the dedication and successes of those working to end domestic violence and the strength of the survivors of domestic violence should be recognized: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the months October 1993 and October 1994 is designated as "National Domestic Violence Awareness Month". The President is authorized and requested to issue a proclamation calling on

national radio and television that he controls. That would be fair and that would give the Russian public a chance to assess the various parties and their leaders. But, if numerous pro-democratic political parties take to the field and spend much of their time criticizing each other and Yeltsin as well as the hard-liners, and if the hard-liners are represented by a few moderate sounding parties, this could also work in their favor and against the reformers.

There are feasible, open and relatively inexpensive actions that the Clinton Administration can and should take immediately to encourage and assist the pro-democracy movements within Russia. First, it is important to identify the five or so leading pro-democratic parties and come to understand their programs and leadership. Second, pro-democratic political parties which request it should be given practical assistance so that they can become more effective in conducting a political campaign throughout Russia. Such assistance might include training, communications equipment, funding, assistance with modern campaign and fund raising techniques, and help in preparing themselves to play a significant role in monitoring the election process and vote counting.

Every election can be unfairly rigged at any one of three stages—during the campaign, during the actual voting process, or during the vote counting and tallying. The Clinton Administration should respond to the invitation of the Russian government and immediately establish a credible monitoring group from the United States and other democracies that would have enough people, expertise, resources and mobility to support and monitor all three phases of the coming election for a new Russian legislature. The U.S. has a great deal of experience in conducting activities of this kind and this is the time for President Clinton to match his support for democracy with a rapid and competent response to the need and opportunity presented by the next phase of the dramatic competition for the future of Russia.

In December 1992 there were elections for the national legislature in Serbia. The communist dictator, Milosevic, fully intended to use the entrenched powers of his party and regime to control the outcome, but he did permit pro-democratic parties to compete. The West should have given those pro-democratic parties encouragement and practical assistance in sufficient quantity and time to have helped them campaign effectively. If that had been done, the democratic parties might well have won the election and brought about an end to the tragedy of the conflict in the former Yugoslavia. There is still time for a rapid response between now and the December 1993 Russian election is very short but with leadership by President Clinton, there could be a program of practical political assistance that could help the democratic parties in Russia turn the tide.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 7, 1993.

Hon. BILL CLINTON,  
The President, The White House, Washington,  
DC.

DEAR MR. PRESIDENT: We are writing to request your immediate attention to the issue of the parliamentary elections scheduled for December in Russia.

We believe that the election of a truly representative parliament through free, fair and competitive elections is absolutely critical to the future of Russian democracy. Further,

we believe that such a vote would produce a Russian parliament that is far more democratic and friendly to the West than the just-disbanded Supreme Soviet. Hence, these elections have a direct bearing on our national security.

The problem, however, is that the democratic forces in Russia are poorly organized and have extremely limited means. The anti-democratic forces, on the other hand, retain much of the organizational ability of the former Communist Party and are in control of most of the local and regional legislatures in the country. There is a very real danger that they will be able to stifle competition and even rig the vote to produce another reactionary parliament. The democrats are in desperate need of outside assistance. We believe it is imperative for the West to provide as much assistance as possible to democratic candidates in Russia and to facilitate a smooth, fair electoral process through monitoring, etc.

There are of course, many organizations, such as NED, IRI, NDI and the newly-created Committee to Support Russian Democracy, that are already involved in these types of activities in Russia and which have fielded monitoring teams in the past. Also, there are several indigenous groups in Russia which are working along the same lines. We believe that immediate, direct assistance to these various groups would greatly enhance the chances of the December elections being free and fair.

We strongly urge you to make the December elections a top foreign policy priority and to divert from existing programs whatever resources necessary to achieve the objective of ensuring a free, fair and competitive process. Other foreign aid programs, both for other countries and within Russia, may indeed have merit. But ensuring democracy in Russia through truly democratic parliamentary elections is surely of the utmost urgency and should be treated as such.

We stand ready to lend our support to this process and thank you for your time and attention.

Sincerely,

GERALD B. SOLOMON,  
Member of Congress.  
TOM DELAY,  
Member of Congress.  
JAN MEYERS,  
Member of Congress.

#### OPPOSITION TO NAFTA

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1993

Mr. QUINN. Mr. Speaker, I rise today to state my serious concerns and opposition to the North American Free-Trade Agreement [NAFTA].

President Clinton has reaffirmed his administration's support for ratifying the treaty which was signed last December. Along with many of my colleagues in the House I am concerned that provisions in the agreement would encourage the migration of American manufacturing jobs to Mexico.

The Mexican labor system is vastly different from the United States system. Government control of organized labor forces wage controls and exerts pressure on the market to keep wages low, while state-of-the-art infrastructure fosters first-rate productivity.

The arguments made by NAFTA proponents are predicated upon an open market economy where Adam Smith's invisible hand guides wages. There is no invisible hand in Mexico, rather a very visible hand of governmental control over the economy, a hand that represses wages, independent labor unions, and standards of living.

Our country exports large amounts of capital goods—materials to build infrastructure to export goods back to the United States. In addition, the United States exports materials which are assembled into final products in Mexico and exported back to the United States. Large portions of these United States exports are actually materials sent to Mexico to complete finished products using cheap labor—and shipped back into our country for our consumption.

The economy of Mexico is 4 percent of the size of the United States economy—but labor costs represent only one-seventh of labor costs in the United States. How can NAFTA expect to expand United States exports to Mexico when there is such a low-paid work force, in a small economy, that is pressured by the hand of governmental control to attract international investment?

Examine the investment criteria developed by AmeriMex investors. You will find that 5.9 million U.S. manufacturing jobs are vulnerable under NAFTA. New York would be the fifth hardest hit State in the Nation in terms of job losses.

In my district in western New York you only need look at the TRICO plant in Buffalo, or IBM in Rochester or Smith-Corona in Cortland, NY. NAFTA will open the floodgates for American businesses with labor intensive aspects to expand or move to Mexico.

Furthermore, the labor side agreements do not address these concerns. These agreements exclude industrial relations issues such as the right to strike or organize independent labor unions from the possibility of fines or sanctions. The side agreements simply ensure the enforcement of domestic labor laws.

Mr. Speaker, I support free trade—but only when it's fair and on a level playing field—I call that smart trade. The United States-Canadian Free-Trade Agreement is an excellent example of how free trade can and should work on a fair and level playing field.

I support the idea that expanded trade offers considerable investment and economic opportunities for the United States—however, a trade agreement that ignores, jobs, income levels, and the environment is not the answer. To achieve true economic expansion and integration among the NAFTA countries, we need effective, independent mechanisms that address inadequate labor and environmental standards and force upward harmonization—to U.S. standards.

#### INTRODUCING THE FEDERAL COGENERATION ACT OF 1993

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 26, 1993

Mr. SWETT. Mr. Speaker, today I am introducing the Federal Cogeneration Act of 1993,

would lead to a shift in investment, trade, and jobs from Asia to North America.

The report's bottom line, that NAFTA will stimulate economic growth and create jobs in America at the expense of Japan and other countries in Asia.

Closer to home, Jean Chretien, Canada's newly elected Liberal Party leader has inferred that NAFTA should be renegotiated.

I reject this suggestion. Furthermore, I believe the Canadian Government should withhold comment on this issue until the United States Congress has had the opportunity to vote up or down on NAFTA.

NAFTA, after all, was an agreement negotiated on a government-to-government basis and in good faith.

It is a good agreement, one that will benefit the economies of the United States, and Canada. If this were not the case, why is Japan so worried?

Accordingly, this Congress should not permit outside forces to dictate what is the best interest of the American people. Ultimately, we must do what is right for America and secure passage of NAFTA.

#### WHAT HAPPENED TO REINVENTING GOVERNMENT?

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

Mr. SENSENBRENNER. Mr. Speaker, in Vice President GORE's Reinventing Government Report, one recommendation to save tax dollars was to merge the DEA into the FBI. At least that's what we thought the report said.

Last week, I asked Deputy Attorney General Philip Heymann why Justice had backed away from this important recommendation. I was told it was a "printer's mistake" to use the term "merger" in the executive summary, and that neither Vice President GORE nor Justice intended to propose a merger.

Mr. Speaker, the word "merge," used four times in one paragraph of the summary, is now dismissed as a printer's mistake. If that's the case, why didn't someone let us know before? We were told Attorney General Reno had reservations about the proposal—but the proposal itself was never repudiated, until now.

The Justice Department does stand by the words "to transfer law enforcement functions of the DEA and the BATF to the FBI", but these apparently don't mean the same thing as a merger. Neither do the terms "integrate", "consolidate", and "combine" used elsewhere in the report.

Next time the administration sends a bunch of budget cutting proposals to Congress, I suggest they also send a copy of Justice's New Congressional Dictionary. Or Justice Department witnesses appearing before Congress could use the good old fashioned word "flip-flop."

Mr. Speaker, I include the relevant parts of the report of the National Performance Review executive summary, and the transcript of the testimony of Deputy Attorney General Philip Heymann, as follows:

Unofficial transcript of questions and answers between Representative Jim Sensenbrenner and Deputy Attorney General Philip Heymann from C-SPAN coverage

HEARING OF THE HOUSE JUDICIARY SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE REGARDING THE 1993 CRIME BILL

FJS: Mr. Heymann, let me say that I am deeply disappointed that the Justice Department has turned its back on the Gore Commission's recommendations to merge the FBI, the DEA, and the ATF. And, in my opinion, your explanation, and while you don't add someone else at the top to umpire these interagency disputes, you set up a bureaucracy of taking people away from direct law enforcement as you've just explained to do precisely that. And I think that the lack of training between the agencies, the lack of coordination between the agencies, the fact that they don't share each other's intelligence as well as the result that one agency conducts sting operations on the other agency's informants was proof positive that the Vice President was right the first time. And I'm afraid that this is the beginning of an eroding of the recommendations the Vice President has made to make government more efficient, save some money, and give the taxpayers more for their dollar. That's not why I was here to ask a question.

P.H.: Could I say just a word about that, Mr. Sensenbrenner?

FJS: You certainly can.

P.H.: It's almost impossible for me to convince people of what the truth is here about the Vice President and the Attorney General. The truth is that there is a type. . .

FJS: Mr. Heymann, I'm having a little bit of difficulty figuring out what this administration wants. The Vice President says one thing, the Attorney General says the other thing—do we need a road map to find out where this administration is going?

P.H.: Please let me explain. As unusual as it is for anything to foul up in government, there was a printing foul-up after the Vice President and the Attorney General had discussed what they wanted to say about an FBI/DEA merger in, towards the first day of September. They agreed that they would say that there would be, that they both thought there should be major structural changes to deal with the problem that you've said, just described. Having agreed on that, an earlier version of the Vice President's recommendations was printed as the executive summary and as the heading. It said "merger" it, the Vice President, as I understand it was angry, put out, it was a mistake, a printer's mistake. The Attorney General the next day said, "No, no, I haven't made up my mind on merger." As a matter of fact, she had already talked with the Vice President, and they had agreed that anything in what I called the three and four area would be fine with them. They have never. . .

FJS: In other words, what the Congress, the press, and the public receives from the administration is not to be considered as being written on stone tablets, that, you know, it's subject to modification and reconsideration, and all of that.

P.H.: No, no, it's simply that, all I'm really trying to say is I honestly know of no occasion on which the, since late August or when I started knowing about it, where the Attor-

ney General and Vice President have been in policy disagreement on this issue.

FJS: Perhaps that's why the Vice President has decided using a little bit more recycled paper for recycled ideas. But, the reason that I wanted to ask you some questions was not this particular issue, Mr. Schumer brought it up.

[From: Report of National Performance Review Executive Summary]

ACTION: TRANSFER LAW ENFORCEMENT FUNCTIONS OF THE DRUG ENFORCEMENT ADMINISTRATION AND THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS TO THE FEDERAL BUREAU OF INVESTIGATION

The first step will be to merge DEA into the FBI. When this merger has been successfully accomplished, we will move toward merging the enforcement functions of the BATF into the FBI and merging BATF's regulatory and revenue functions into the IRS.

[From: Report of National Performance Review]

ACTION: TRANSFER LAW ENFORCEMENT FUNCTIONS OF THE DRUG ENFORCEMENT ADMINISTRATION AND THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS TO THE FEDERAL BUREAU OF INVESTIGATION

More than 140 federal agencies are responsible for enforcing 4,100 federal criminal laws. Most federal crimes involve violations of several laws and fall under the jurisdiction of several agencies; a drug case may involve violations of financial, firearms, immigration and customs laws, as well as drug statutes. Unfortunately, too many cooks spoil the broth. Agencies squabble over turf, fail to cooperate, or delay matters while attempting to agree on common policies.

The first step in consolidating law enforcement efforts will be major structural changes to integrate drug enforcement efforts of the DEA and FBI. This will create savings in administrative and support functions such as laboratories, legal services, training facilities, and administration. Most important, the federal government will get a much more powerful weapon in its fight against crime.

When this has been successfully accomplished, we will move toward combining the enforcement functions of the Bureau of Alcohol, Tobacco and Firearms (BATF) into the FBI and merge BATF's regulatory and revenue functions into the IRS. BATF was originally created as a revenue collection agency but, as the war on drugs escalated, it was drafted into the law enforcement business. We believe that war would be waged most successfully under the auspices of a single federal agency.

#### IN SUPPORT OF CALLING OUT THE NATIONAL GUARD

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

Mr. MICA. Mr. Speaker, this morning the Statue of Freedom that we replaced Saturday atop the dome of the U.S. Capitol must have wept when she learned that President Clinton turned his back on our Nation's Capitol.

As Commander in Chief, he turned his back on permitting Mayor Kelly's request to use the National Guard to stem the murder, violence, and genocide taking place in our streets.

He turned his back on the scores of District mothers and fathers who have buried their slain sons and daughters.

He turned his back on the thousands of hard-working and law-abiding citizens who struggle each day to survive in this crime-infested jungle.

How can the President spend billions to send our military to separate warring factions in Somalia and Macedonia and not act now to save the dying youth in the streets of our Nation's Capital?

Today I am placing in the CONGRESSIONAL RECORD the 1,286 names of those tragically murdered in the District in just 3 years. Not included in this list is Debra McManus, 39, Calvin Adams, 23, and George Hill, 16, listed in this morning's news as the latest District murder victims.

President Clinton has turned his back on Mayor Kelly and the people—this Congress cannot do the same.

Mr. Speaker, I include the following list of victims killed in Washington in 3 years, 1988 through 1990, as follows:

[From the Washington Post, Oct. 24, 1993]

OF 1,286 SLAYING CASES, 1 IN 4 ENDS IN CONVICTION

#### THE VICTIMS

1,286 people were killed in Washington in three years: Jan. 1, 1988, to Dec. 30, 1990. Their names are below, in chronological order.

Michael Saunders Jr., Tommy Brown, Osahon S. Emovon, Gwendolyn Scott, Duane S. Barnes, Jerome C. Barnes, Thomas E. Arnold, Curtis Brisco, Levee Cannady, Ricardo Washington, John Clem, Judson Boyd, Clifford E. Jackson, Tell Rudolph Maninat, Unknown (male), Bernard E. Smith, Joseph Williams, Reginald A. Adams, Steven Davis, Benton Johnson, Beverly Thompson, Richard C. Cole, Horrace L. Pinnock, George Pringle, Harold E. Alveranga, Larry D. Elliott, Elijah Carter, William F. Caffee, Jarrett Jones, Ralph W. Bailey, William L. Goins Rafael Mena-Alfra, Kermit Hutchins, Trever Stephenson, unknown (female), John Parris, Reginald Smalls, unknown (male) Leroy Simms Jr., Antonio K. Askew, Antonio J. Campos, Ivan Evans, Arturo Clair Garvin Ian Smith, Bobby L. Parker, Charles E. Russell, Walter Thompson.

William L. Miller, Charles Perry, Janice D. Spain, Sharden Britt, Urcella O'Connor, James Singleton, Alton E. Wilkinson, Leon Ray Wright, Leon Hanston, Maude Brooks, David James Dickerson, Herbert R. Purdie, Lonnie Watkins, Marco A. Guerreo, Silas E. Davis, Harold G. Williams, Gao Bao Zhou, William J. Graham, Lionel R. Harris, Calvin B. Heath, Darlene Jenkins, Clayton Gray Jr., Warren Burns, Norman Gross, Robert Ellis Ronald Jackson Lionell K. Jackson, unknow (male), Shavon Mayo, Joel Mays, Kenneth R. Taylor, Gary A. Frank, Michael L. King, Donald Hill, Rufus McDowney, Keith Bennett, Griffin D. Smith, Jeffery Truesdale, Cornell R. Twiley, Wayne K. Harris, Larry Mathis, Kristina Calne, Daniel E. Dent, Eric R. Hill, Thomas A. Williams, Charles Mansfield, Larry Hicks, Ronald C. Proctor.

Joyce A. Haywood, Milton L. Ball, Jose D. Chicas, Ernest Workman, Beverly J. Harris Jacquelines Dyson, Darrell A. Carson, Kevin Spriggs, Frank Tyler, James A. Hall Michael W. McMillian, Robert E. Bishop, Alfreda E. Miller, Charles Whittington, Norman V.

James Vernon Greene, Kridikorn Satamarn, Preston Bankhead, Douglas L. Vaughn, Robert Lee Rogers, Osborn W. Williams, Dawn D. Fost, Milton Mills Jr., Janelle Hughes, Anthony Mosee Curtis Wilson, Allan Lufsey, Keith A. Price, Cheryl A. Dykes, Jerry Pickens, James Hewlin, unknown (male), Anthony L. Roney, Anthony Warner, James Crawford, Ian Harris, Leonard Scoggins Jr., Ralph Aiken, Anthony D. Thomas, Leslie Wheeler, Robert N. Thompson, Rickey Railey, Gui Chao Zhang, Sean D. Shorts, Dryck Whitney, Hilton Gordon, Carrie Williams, Keith Anderson.

Neil A. Bess, Vernon Montgomery, Terry Moore, Brandon Jerrell, Hee Young Yoo, Marion Bethel, Sandy P. Carey, Reginald Childs, Ella Starks, Patrick Cook, Von McKinley, James Clements, Annie Mai Frierson, Ricky Melson, Michael Young, Avadis Jones, Roy Lee Moore, Gwendolyn Sumpter, James Fludd Jr., Cyrus Gray, Woo C. Song, Devon Darden, William Hines, Kenneth E. Washington, Andrew K. Atkinson, Marguerite Edmonds, Leroy A. Ferrell, Louis H. Knight, Timothy A. Bright, Gregory Gibson, Roosevelt Roberts, Maurice Matthews, Anthony T. McRae, Tony Evans, John Wayne, Leroy W. Bolden, Christopher Southerlin, Joyce Gale Brame, Johnnie F. Person, Robert Miller, Jr., Willie R. Wilson, Derrick Clark, Susan S. Evans, Edward L. Hancock, Gregory Queen, Deborah A. Parson, Gary S. Stanley.

Elmer H. Thompson, Gerald K. Curry, Kathryn DeParman, Patricia A. Jones, Marvin J. Alston, Gary C. Brown, Brian Grant, Casper Grant, Alvin Jetter, Thomas Edward Kaufman, Lawanda Scott, Herbert Stevens, Darren Taylor, Debra White, Wallace Monroe, Wendell Simmons, Reginald Bennett, unknown (male), Samuel Zackery, Gary Harrison, Jerry Lee Thomas, George Broadnax Jr., Douglas Baker, Eric Lee Carter, Anthony Nash, Walter M. Mabry, Darrell E. Young, Morris Brown, Robert Dent, Robert Shingler, Tawanda Wicker, Richard A. Garcia, Sinyieu Wondong, Charlton Smith, Larry Roberts, Ronald E. Boulware, unknown (female), Victor Garcia, Anthony S. Thompson, Raymond Cobb, Samuel Brisson, Clarence E. Guy, Desmond E. Ray, Thomas Stevenson, Calvin Bradley, Leon E. Broadus, Lonnie Colter.

Said Ashab, Stanley W. Carter, Calvin G. Resper, Charles P. Forde, Griffin Murphy Jr., Reginald L. Simpson, Kenneth Wilson, Charles Younger, Odarryl Mace, Myron S. Riley, Jose Benitez-Rios, unknown (male), Robert M. Melton, Brian K. Workman, Gloria J. Carter, Benjamin H. Williams, Gregory W. Cain, Ronald Curry, George W. Harris, Floyd Perkins, Rashid K. Hembah, Rocky Peters, James A. Bell, Tahnee M. Clark, Michael E. Johnson, Gene Autry Leak, Michael A. McGirt, Dianne Arthur, Jacqueline Gaut, Loretta P. Finch, Patrick A. Richards, Charles Jackson, Alan D. Williams, Kenneth Duwall, Vincent E. Bell, Clarence Brooks, Stewart A. Brown, Garlon J. Baucorn, Argray W. Newsome, Donald R. Birdine, David E. Golden, Nathaniel Smith, Moses M. Tate, Antonio Williams, Riveryone Marbley, Eugene A. Ware.

Barbara G. Johnson, Joseph E. Queen, Barbara Byars, Richard E. Davis, Aaron Settles, Vondalia R. Robinson, Oscar D. Romero, Kevin O. Curtis, Anthony Smith, Basil C. Dorsey, Andre R. Stewart, Terence D. Banks, John Stokes Jr., Luis Francis Jimenez, Brian K. Bell, Donnell Birdine, Damon Blango, Ernestine Pannell, Langston S. Wright, Carl Louis Cooper, William Johnson, Rex W. Brown, Antonio Jacobs, Devon Mor-

ris, Gregory Sligh, Steven M. Bazemore, Lawrence Marshall, Keith C. Wasnusz, Deanna E. Pannell, Adrian Fleming, Andre Anderson, John Tate, Curtis Coates, Fred Sellers, Ary Jamin, Daniel Perez, Fleming Anderson, Avery E. Bourn, Rosemary Stevens, Sean Herbert, David McBride, Ricardo Clifford, Harold L. Carter, John Haggins, Vincent Shaw, Marvin Dove Jr., unknown (female), Chitrenda Eades.

Samson Hunter, Xavier Johnson, Linda Ray, Johnathan Allen, Andrew Johnson, Patrick Marshall, Melvin Anderson Jr., Louis McDonald, unknown (female), Michele T. Niem, Mark D. Smoots, Theodore Taylor, Herman R. Washington, Raymond Bridges, Farrell R. Gardner, Gilbert T. Brown, Antonne Luna, Ricky Earl Richardson, Sadie E. Murphy, Shirley A. Hazel, Leroy A. Jackson, Robert A. West, unknown (male), Audrey V. Lawrence, Eric Price, Yero Dorsey, Tyrone G. Greenwell, Tony King, Henry Hunter, Clarence Mitchell, unknown (male), Kevin Bennett, Lawrence Woodland, Robert Steptoe, Kevin D. Neal, Willard E. Jones, Louis W. Geiman, Donnie Michaels, John Arnosti, Christopher Jones, Ernest P. McQueen, Mattie Dorsey, Paul M. Berg, Jimmy Blade, Anthony E. Wright, Wesley S. Gorham, James A. Mingo, Darryl Johnson, Mary Arseneault, Thomas W. Moore, Larry A. Rawles, Anthony L. Stappy, Tanya D. Barnes.

Paul A. Frazier, Robert Lee Hill, Anne Bueford, Norman Okorum, Julio Perryman, Reginald K. Peters, Michael R. Robinson, Joseph Tyron Sams, Norman Brown, Robin L. Coleman, William Craig Haley, Floyd Payne, Linden S. Ault, Thomas Brown Jr., Terrance Sealey, Jamie Banker, Eric N. Butler, Bob Gerald Trever, Kenneth Jones, Raymond Campbell, Raymond C. Davidson, Corinne W. Sweet, Demitrus Coleman, David Williams, Maurice W. Crutchfield, Eugene M. Artis, Cassius C. Keys, Michael A. Olds, Mawu Robinson, Mona Shiferaw, Tesfay Shiferaw, Anthony T. Tate, Vernon A. Mitchell, Steven West, unknown (male), Robert E. Lewis, Keith Mayo, Thomas Winniefred, Kevin A. Clements, Christopher Conley.

Lawrence Monroe, Franklin Smith, Lonnie O. Hutchinson, Warren Harris, Carmen Del Cotten, Ronald K. Thompson, Sheila Lynn Green, William C. Johnson, William A. Best, Frederick Glenn, Rene C. Sanchez, Julian Timberlake, Anthony F. Bailey, Derrick W. Bell, Habib Mathis, Darnell Wells, Richard Lewis Clark, Julius Robinson, Derrick Chase, Cecil R. Curry, Carlton Earl Dickens, Lee Oliver Williams, Gary Hickman, Donald Bolton, Leonard Allen Morrison, Zachery J. Ray, Dwight George, Judith Crunklin, Eddie Neil Martin, Tauchious J. Owens, Reginald Duckett, Reginald Lewis, James Harris Brooks, Lonnie Hart Jr., Warren Morgan, Stanley Whaley, Steven L. Parker, Corry Hines, Albert Thomas, Emory Lewis Trawick, Reginald Walker, Larry McCaspling, Earline Thompson, Alvin Winstock, Steven Maxwell, Melvin Douglas Brown, Anthony Paul Heslop, Darryl W. Murchison, David Lewis Hodge, Samuel A. Mack.

Michael McCurdy, Kevin Eans, William Arthur Wilson, Johnnie Lee Green, Wade Malone, Victor Osborn Tatum, Albert E. Webb, Bobby Workman, Charles Brandon Jr., Kevin Antonio Henson, Hughie Dyer, James C. Davis, Marcus Herring, Kenneth Earl Harden, Reginald Elliott, Socorro Torres, Leon Burke, Daniel Ely Jordan, Jose Miguel Lanza, Mary Ellen Sullenberger, Charles Johnson, Gerald Bailey, Derek Lee Wilson, Lesser Eugene McCoy, George Collins, Joseph Easton, Charles Hammond, Edward

Dujua Pelham, Anthony Settlers, Yusuf Belton, William Edward Howard, unknown (male), Warren Jackson, Aldo Martin, Hector Colon, Bruce Lee Parks, Shonie Clatterback, Al Johnson, David Kevin Lee, Sean Raymon Martin, Denise Tyler, Gregory Jones, Francis Scrivner, Walter Alan Chinkscales, Elbert R. Crawley, John Bryson, Ralph Milton Stookhausen, Virginius Williams, Ola Shehu Ahmad, Herbert J. Dorsey, Bobby Nest.

Raymond A. Subhan, Willie Bulluck, Nathaniel Greene, Austin Neal Hiett, Tyrone Queen, Baby Girl Howard, Alvin N. Henson, Larry Eugene Hill, Reginald Durham, David Julien, Marx V. Brown, Donald Johnson, Alonzo D. Allen, Debra Bullock, David A. Stamper Jr., Stephan P. Smith, Ernest E. Young, Helen Cleo Chappelle, Johnetta McLean, Martin Freeman, Faith Selina Mobley, Neil Abbie Thompson, Michael Graham, Darren A. Alston, Wayne Huff, Gary Wayne Peleger, Terry Eugene Squirrel, Donnell P. Winley, Curtis Daniels, Nisa Abdul-Samad, Edward W. Hairston, Donnell Perry, Carlos M. Cuff, Willie Dixon, Larchonda Wages, James Thomas Bryant, unknown (male), James W. Mosley, Charles J. Thomas, Ronald Cook, Percy Lee Davis, Randall N. Sloane, Nathaniel Thomas Jr., Fitzalbert Thompson.

Holly Janet Kincaide, Kristian Kincaide, Russell Goins, James E. Smith, Lawrence L. Nunn, Jessie David Miser, Karen Booker, Milford Best, Kermit E. Ferguson, Carlton B. Allen, Jose Landaverde, Jerry Mack, Angela B. Jones, James McKinnon, Thomas A. Wooden, Larry Wright, Daryl Dixon, Eugene Larry Anderson, Calvin Moore, Charles Tilghman, Dilante T. Cuette, Aaron Newman, Jimmy Parker, Darrell, Artis, Lewis Ford, Clifton Wooden, Devon Lykes, Tyrone White, Oscar Graham, Alvin Lee Howard, Won Bin Lee, Anthony J. Reed, Rhonda Lynn Anthony, Shirley Gaskin Agustus Logan Jr., Brenda Y. Taylor, Paul Willis, Manuel Flores-Romer, Oscar Holmes Jr., Daniel Hotz, Charles D. Carr, Derrick L. Conner, Aaron Johnson Jr., Lawrence Harris, Anthony Robinson, Henry Robert Huggans, Ronnie Johnson, Gipson F. Woolfolk, Rafael Farra, Kenneth Ray Lee, Anthony T. Eason, Leonard R. Obrey, Todd Craig Johnson.

Leon A. Lipford, Theodore Williams, Cooper Gibson III, Kelvin F. Moore, William A. Smith, Jim Coy, Melvin L. Henderson, Eddie L. Sanders, Cheryl R. Fantroy, Eric Demond King, Winston L. Staton, Robert Gamlden, Johnny Small, Benston W. Wright, Ronald R. Nivens, Charles A. Brooks, Woodrow Cureton Jr., Cori Louise Jones, Antonio M. Watson, Franklin A. Ball, Charles E. Yates, Jerry Butler, Donald M. Lee, Gerald P. Barnes, David A. Muschetta, Wallace Gunther, Gregory Jackson, William E. Brown, Michael A. Coach, Darnell Sears, Chester Blevins, Anthony D. Thompson, Waveland Starkes, Cranston L. Colbert, Turner Monk, Michael Nelson, Tawana Sams, John Wayne Tucker, Anthony Stewart, David Lee Simmons, David Lewis, Knowle Watkins, John Woodland, Chung Su Im, Ronald Johnson, Tyrone McKay.

Loveron M. Harris, Harvey Brewton, Tyrone R. Carrington, Lee Jackson Jordan, Clifford Smith, Lisa Candace Carter, Lamar A. Jenkins, Keith Mason, Linwood Booker, Kenneth A. Charles, Earl S. Manning, Kenneth W. Robinson, Eugene Banks, Kenneth McSwain, Jesse Wade, James R. Fielding Jr., Craig Allen Williams, James Shunk, Theodore Washington, Basil A. French, Larry Mercer, Darryl A. Banner, Anthony Funderburk, Kevin Butler, Marlon J. Robin-

son, Xavier R. McGill, William A. Fletcher, Paul Jones, David Pettaway, Edgar Fleming, Eddie Archie, unknown (male), Roxanne L. Johnson, Benjamin Saxton, Alfred Fields, George Myrant, Ray Clay Coppock, Calvin Lee Logan, Errel I. Roberts, Carol Whitfield, Derrick Julian, Desi F. Avery, Michael Durant, Michael Lee DeJarnett, Wanda R. Hampton, William Moore Jr.

Odel Thomas, Taza Taylor, Timothy Finklea, Benjamin T. Corbett, Nathaniel Davis, Leroy Johnson, Jose Trejo Pineda, Neal Digiovanni, Sheldon Grayson, Billy Faison, Alfred C. Jordan, Victor J. Walker, Larry Dale Dunston, Michael A. Brown, Jose Ortiz, William L. Broome, Brenda Sams, Keaena S. Sams, Timothy S. Divers, "Oliver, first name unknown", Aaron E. Walker, Alton D. Wynne, Antonio D. Dinkins, Timothy Johnson, Keith J. Swepton, Nicole L. Wilkerson, Marvin Lee Harper, Stanley Lewis, Kimberly Hunter, William E. Smith, Harrison Thompson, Troy Weeks, Juan N. Chavarria, Herman Coleman Jr., Christopher Johnson, Leroy A. Williams, Sherry E. Wheeler, Roger Abrams, Tyrone W. Sutton, Lloyd W. Thomas III.

Morris E. Dixon, Ernest C. Roach, Stephen A. Briscoe, unknown (male), Gregory Matthews, Darrell Banks, Milton McCoy Squire, Darriek E. Vincent, Luther Garvin, Henderson D. Holiday, Terry A. Johnson, Barrett S. Paige, Rene Rosales, Cynthia Fitts, Eddie Scarborough, Dorothy A. Blanton, Matthew N. Blake, Robert Harris, Vernon L. Smith, Ridgley C. Ballard, Dionne Taylor, Taushtar Allen, Ricardo Hayes, Frank Lewis Payne, James McCallum, Fred Birikorahg, Gary Diggins, Maurice Hallman, Leonard Hyson, Milton C. Lewis, Tucson Gray, Ephraim O. Nelson, Martin B. Wolfe, Richard Lee Becton, "Chase, first name unknown", Nelson L. Hernandez, Nathan D. Jackson, Malcolm L. Stewart, Rojs Pelay, John Nelson Coleman, John Coppedge, Leon Dawes, Deneatress Seabury, David Rowel, Lashaun Davis.

Ronald Seabrook, Charles Brunson, unknown (female), Jeffrey J. Anderson, Reginald A. Fenwick, James C. Jordan, Jr., Albert N. Norman, Richard Rhoden, Charles Carey, Melvin Gonzales, Keith B. Jacobs, Tony Moseby, Gerald Thompson, Michael Broome, Melvin Knight, Anne Synder, James Lee Coates, Mustafa Fereshevadi, George Lindsay, Maurice Glenmore, Chet Harrison, Melvin D. Newkirk, Samuel H. Unger, Wendell Wilkerson, Archie Adams, William B. Brigmon, Ricky Magnus, Michael Warren, Charles Wheeler, Michael D. Bryant, William Gavins, Samuel C. Glen, William T. Holmes, William R. Nelson, Robert J. Taylor, Deborah A. Jones, Joyce Marie Jones, Frank Green, Coretta C. Logan, Michael K. Branch, Derrick L. Steele, William A. Kemp, Luis A. Alvarado, Rafael Martinez, Evelyn Spanos, Paula Adams, Henry L. Finch, Margaret Brown, James Clay Davis, Herbert Potter, Darnell E. Christian, Leroy Johnson, Gary Mosely, Kim Javon Wilson, Sadiqa Bay, unknown (male), Lawrence Burnell, Linda Rodgers.

Robert Williams, Marshalleck Ellis, Jamie Ferguson, Michael Harris, Richard Jackson, Nathaniel Wright, Stanley E. Hamlet, Paul L. Hogue, III, George Leon Adams, Reginald J. Francis, Treavor Thomas, Anthony Coates, Gregory Johnson, Morris I. Shelton, Arlton D. Clark, Bernard Ferrell, Linda Miliner, John Alexander Jr., Victor Burton, Dameron White, Russell Baits, James D. Etheredge, Michael T. Lee, Carlita L. Lewis, Robert Lee Posey, Ricky V. Jett, Michael Jones, George Miller, Robert Lee Walker,

George A. Young, Daniel Byam, Ivory Brevard, Darrey D. Hubbard, Christopher Taylor, Waverly S. Washington, Kenneth Adams, Walter Jones, Paul McPadden, Raul Velazques, Ethel Mae Boyd, Antrea D. Bryant.

Vernice A. Douglas, Neda Hill, Donnell Smith, Howard Choate, Gene McFariand, Renaldo Padre Platter, Steven James Crawford, Terry Gary, Angel Santos, Fedor Diaz Sotolongo, Lamont Simms, Marvin A. Kearney, Clarence L. Bailey, Nelson G. Shackelford, Fredrick Smith, Ricardo Tejada, Joseph Thompson, Pamela Washington, Reginald Watson, Pamela Flowers, James Carter Lane, Ernest Sheppard, Grace Daniel, Daryle Kevin Edwards, Homer Bryant, Avis Tyrone Jones, Charles C. Haupt, Norman L. Rich, Antonio B. Griffin, Darren Ford, Vance McIlwain, Kenneth E. Murray, Alan Simon Gray, Marvin D. Holton, Augusta Galbreath, Kenneth A. Hull, Lakeysha Small, James Ali, David Ellis Burkett, Mohamed Ahd Rage, Annis Williams, Willie Hunter, Kevin Beynum, Herby C. Warfield, Stella D. Covington, Rhoos Griner, William A. Hall, Danny Stepp Perdo, Stanley Washington, Seth B. Wilder, Ulysses Orr Jr., Ellis R. Smith, Leondos Wilkins, Bobby Blumfield, Ernest G. Stover, Augustas Thomas, Michael A. Agnew.

Charles B. Coates, James O. Spruill, Vincent E. Dash, Kevin G. Hunt, Tyrone D. Bush, William L. Ware, Horace Gary, Joseph D. Gwynn, Michael Wilson, Wendell A. Brooks, James Hinson, Gary Endicot Gaylor, Jacqueline James, Keith Otis, James Thomas Brawner, Michael English, Ghirmai R. Tessema, Albert O. Thompson, Antonio D. Brady, Ronald E. Elus, Thomas Jackson, Onas A. Orestes, Leonard Blytner, Pyzon Wade, Quintin D. Williams, Willie Buckmon Jr., Anthony J. Lowery, Curtis I. Marshall, Timothy Brandon, Alvin Breland, James Thomas Fields, Tito Fullen, Ricky Murphy, Lloyd Nathan Copeland, Franklin D. Monroe, unknown (male), William Harris, Anthony M. Anderson, Clarence Washington, Eric Ashely, Darnell J. Monroe, Lester L. Presson, Keith Barnes, Ron Coleman, Bernard E. Johnson, Timothy E. Lewis.

William Tyson, Mark Murphy Jr., Nathaniel Williams, Cedric Francis, Sinclair Green, Eric B. Jones, Derrick Ben McKnight, Nguyen Tran, Michael Campbell, Billy Everett, Mahandee Persaud, Jerry Scott, Jose A. Cruz, Larry Fuller, Anthony Butler, Cornelius Hill, Cornell L. Thomas, George Hemphill, Troy Bush, Richard A. Taylor, Michelle Logan, Sean Maurice Kornegay, Russell Savoy, Michael Tuck, Michael T. Harvey, Kevin Percel McNair, Douglas Jay Linder, Erika L. Riggins, Philip Barocas, Patricia Drew, Tamonthy Johnson, Norman G. Price, Ethel Simmons, Albert King, John Smith, Larry Glenn, Terry Eugene Owens, Ronald A. Robinson, Roberto Lopez, Lisa Marie Ward, Katherine P. Russell, Alvin Cummings.

Marcus Lee, Paul Anthony Moore, Anthony E. Morrisey, John Edwards, Cary Jackson, Ronald Jones, Orlando Stinson, Sylvia Howard, Antoine Ruffin, James Frazier, Michael McQueen, Clayton Montgomery, James Dukes, Arnaz Rubio Mitchell, John W. Shields, Nathan Canada, Jose Jenero, Abarham Holmes, Cory Nelson, unknown (male), Dexter Fields, Curtis Pugh, Chamel Williams, Warren Kingsbury, Bamitale Williams, Robert Earl Johnson, Charles Williams Jr., Varron K. Carter, Deborah Ann Davis, Kevin Koonce, Leon Anthony Porter, Lina Sanchez, Bernard Anderson, Tony Maurice Dublin, Curtis C. Harmon.

Maxie Lamont Wright, Kiran Pandey, Norman Shields, David Henderson, Kerry Lann McClend, Norman R. Mizell, Donnell Luckett, George Rawlings, Ralph W. Asante, Darvis A. Dozier, William Jones, Booker T. Daniels, Calvert Davis, Donald C. Gambin, Bernard E. Queen, Richard Smith Jr., Unknown (Female), Rinnie Stewart, Stephen E. Leight, James C. Quattrochi, Cheeri D. Rhymer, Keith A. Wiggins, Cary Cain, Lionel Harris, Robert A. Austin, Donnell Burroughs, Michael T. Crowder, Milton M. Jones, Jason Rufus, Jonah Denson, Marvin James Murphy, Coley Young, Lawrence Brown, Jeffrey D. Rowland, unknown (male), Anthony Roland, Wayne Anderson, Robert Dawson, Cedric L. Boyd, Marcus Cleo Thompkins, Jean C. Gassaway, Willie Young Jr., James Allen Long, Tommis D. Mackall, Abdul B. D. Raheem, Joseph Green.

Vernon Dale Page, George Adams White, Gregory C. Rogers, Norman K. Jackson, Kevin M. Jackson, Andre L. Lee, Jowell David Brookenberry, George Reid, Sharon Benson, Francisco Manzand, Jaqueline Garnett, Willie Spann Jr. Juan Jose Alvarez, Michael Mayo, Stanley Lee Mack, Dean Hicks, Charles West, Terrence S. Harris, Dante Kennedy, Emmett Pugh Jr., Anthony G. Robinson, Paul Washington, Sibley E. Hammonds, Dale Hegwood, Reginald Lott, Jeffery L. Wilkins, Chester T. Davis, Mildred Johns, Joan William, Ricky Eric Lewis, Augustus Frazier, Fay Sureena Murray, Stanley B. Morgan, Walter H. Thompson, Eric L. Mason, Lemuel Adam Conic, Michael J. Hall, Anthony Lee Dent, unknown (female), Tyrone Wells, Antonio R. Pigatt, Gerald Bazel, Onyrie Kingsley, Patrick E. Manning, Jose Sanchez Sr.

Vernon V. Blake, Leon L. Coachman, Billy Hopkins, Luis Roberto King, Ruel St. M. McPherson, Franklin M. Mendez, Marco White, Maurice Curtis, Charles L. Phillips, Charles L. Sanders, Beyond J.X. Edwards, Eric Michael Hunter, Ronald A. Overby, John Patrick Winston, Wanda Young, Michael T. Dozier, Carl Anthony Green, Demetrius Lake, Eric Williams, Cheryl J. Robinson, Solomon Roziner, Cleveland G. Boddie, Edward Eric Burke, John Leonard Fenwick, James Jacob Richardson, Leonard M. Payton, Norman L. Mason, James C. Murray, Henrietta Washington, Reginald B. Riley, Ronald Lee Gilliam, Billy Ray Tolbert, James Robert Wood, Michael Todd Branch, Anasdzia Neumann, Daniel B. Williams, Michael Jennifer, James Kimball, Robert W. Parks, John Parker, Sophia Jones, Billy Auvis Shelton, Darwin C. Pratt, Tyrone Mills Hamilton, Carl Dupree Sr., Douglas E. Spencer, Murphy Wright Jr., Todd Louis Allan, Terry Andre Goodwin, Keith E. Jenkins, Nikita F. Morris, Maurice A. Robinson, Thomas Leory Gross, Eric Stanley Robinson, Ronald Jay Shelby, David N. Vick, Ricardo C. Minnis, Leonard A. Phelps, Dwayne C. Taylor, Angela White, Sameer P. Bhatt, Andre Hinkle, Mary M. Smith, Darryl D. Waldrop, Michael Barnwell, Frederick Beavers, Phillip A. Parks, Reginald J. Cobb, unknown (male), Tanya McKnight, Walter C. Veney, Derrick B. Crestwell, Clarine M. Collier, Nevel James, Felman M. Hampton, Frank Seth Gibson, Andre Reese Jr., Michael J. Porter, Robert S. Webb, Catherine Kirksey, Gwendolyn Allen, John Eugene Dunkin, Keith Winters, unknown (male), Herman Allen Guy, Verlee Jackson, Derrick N. Williams, Margaret M. Smith, George Wright, Okeyia S. Kelly, Lawrence W. Anderson, unknown (male), Arthur Tate, Vincent S. Parker, Khan Anthony Daley, Vincent S. Green.

Muhammad A. Rabbani, Leyvonne Hickman, Eric Wendell Noland, Andrea Alston, unknown (male) Donna Bigesby, Timothy Borum, Keith Willie Brandon, Corey Lamont Johnson, Jamil Milton Thrash, Rahsaan Folks, Michael J. Gathers, Janet Lynn Dixon, Timothy L. Paire Jr., Steven Ray Sturgis, Andre James Jennings, Sun Sop Sung, Edgar Edward Barnes, Edwin Merino, Michael A. Charles, Darryl T. Morgan.

□ 1750

#### TRANSPOSITION OF SPECIAL ORDER TIME

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent that the special order on October 26, 1993, for the gentleman from Michigan [Mr. BONIOR] be transposed with the special order for the gentlewoman from Hawaii [Mrs. MINK].

The SPEAKER pro tempore (Mr. GUTIERREZ). Is there objection to the request of the gentlewoman from California?

There was no objection.

#### ILLINOIS REMEMBERS ZEKE GIORGI, DEAN OF THE GENERAL ASSEMBLY

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

Mr. MANZULLO. Mr. Speaker, Illinois is mourning the loss of Edolo "Zeke" Giorgi, the dean of the Illinois General Assembly, who served Rockford and his State for nearly 30 years, and who died on Sunday morning, October 24, 1993.

This was truly a public servant.

Zeke's main objective in life—personally and legislatively—was to help people. Party labels mattered not to Zeke: Whenever a person had a problem, it was not a party issue; it was a person issue.

A young lady called upon Zeke one day and told him she could not afford to buy her kidney medicine without quitting her job and going on public aid. Zeke called the pharmaceutical company and arranged to have her placed on its indigent program. She never had to go on public aid. Zeke helped her keep her self-esteem.

On another occasion, Zeke paid the motel room for a homeless, legless man. Zeke raised money for an airline ticket to fly a constituent to Seattle for the funeral of the man's brother. He also arranged other flights for constituents and somehow raised the money.

Zeke walked the extra mile that serves as the example of how a legislator should act. Zeke helped several seniors—in fact, at one time a total of eight—kept their checkbooks and served as their designated payees so that their Social Security money would stretch.

A family had its furniture in storage and had no place to live. Zeke found them housing, personally paid for the storage rent and truck, and then personally helped move their furniture.

Mr. Speaker, there are very few Zeke Giorgis in this world. If there were, it would be a better place. I am sure Zeke's name will be inscribed on some public building, and that is most appropriate, but his legend has already been inscribed on the hearts of the people he loved and served. Very few people can leave that legacy—Zeke did.

Well done, good and faithful servant. We will all miss you.

#### ESCALATING VIOLENCE BY THE IRA AND PROTESTANT EXTREMIST GROUPS

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

Mr. McCLOSKEY. Mr. Speaker, it is a dire day again when escalating violence by the IRA and Protestant extremist groups threatens to extinguish the strand of hope radiating from the Hume/Adams peace initiative.

As chairman of the Friends of Ireland, I rise to absolutely condemn the Irish Republican Army bombing in Belfast which killed 10 and wounded over 50.

In response, Protestant extremist groups have struck against the Catholic community in Northern Ireland, killing four thus far.

Innocent victims range from a 7-year-old Protestant girl, killed by the IRA bomb, to an elderly Catholic man who was killed after being brutally beaten.

Protestant extremist groups like the Ulster Freedom Fighters and the Ulster Volunteer Force have vowed more retaliatory killings. This unfortunately threatens to encourage yet another cycle in the spiral of sectarian violence in Northern Ireland which has claimed close to 3,100 lives in almost a quarter century.

Catholic and Protestant extremists are clearly attempting to scuttle the Hume/Adams initiative. The true tragedy is that they may have succeeded. It is crucial, however, that efforts to find a lasting peace continue.

John Hume and Gerry Adams both have demonstrated personal courage in developing their initiative. I am not saying it was perfect or even that ultimately it would have necessarily succeeded.

However, it did represent a possible peaceful resolution to the troubles. Now terrorists who profit from the violence and instability are indiscriminately killing innocent Protestants and Catholics.

Yet again, a flickering flame of hope in Northern Ireland may be extinguished by bombs and a hail of bullets.

The Friends of Ireland includes almost a quarter of the Members of Congress, representing Irish-American constituencies of both Catholic and Protestant heritage.

In the last decade, great strides have been made in bringing together political leaders in Northern Ireland, England, and Ireland. From the Anglo-Irish Accord, to the Three Strand Talks, to the latest Hume/Adams initiative, imaginative and daring proposals have come forth in the name of peace in that troubled region.

Now, in this time of renewed violence, I urge that the small tentative steps toward a lasting peace not be obliterated by senseless violence by thugs. As chairman of the Friends, I believe the United States stands willing to facilitate genuine reconciliation.

But outside concern will not end the violence. True reconciliation and peace must come from the communities in Northern Ireland.

I urge the political leaders in Northern Ireland, the British Government, and the Irish Government not to give in to the brutal killers of 7-year-old girls and old men. I urge them to continue their dialogs and not abandon the hope of peace.

#### RESOLUTION REGARDING POLLY KLAAS

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

Ms. WOOLSEY. Mr. Speaker, today I am introducing a resolution of great importance that could mean the difference in the search for a missing child.

As many people throughout the Nation already know, Polly Klaas was kidnapped at knifepoint from her home in Petaluma, CA, the night of October 1, 1993, while her mother slept in a nearby room. Since the night of Polly's disappearance, her family, the Petaluma Police Department, the FBI, and hundreds of volunteers have been working nonstop to find Polly. Despite their tireless efforts, Polly Klaas has not yet been found.

The resolution that I am introducing today, will provide much needed, additional support to the search for Polly. It will urge the Attorney General and the Director of the FBI to cooperate with the U.S. Postal Service and the Polly Klaas Search Center to disseminate information nationwide about the abduction of Polly Klaas. And, it will emphasize doing so as quickly as possible.

The widespread distribution of Polly's picture and the sketch of her suspected abductor could mean the difference, Mr. Speaker, in the search for Polly, because kidnaped children oftentimes are recovered as a direct result of the circulation of photographs. With

additional information distributed nationwide, someone may recognize Polly, from her picture, and be able to provide the information that leads to her safe return.

This resolution also commends the numerous volunteers for all of their hard work to help locate Polly. Practically overnight, the people of Petaluma transformed an empty storefront into a sophisticated search operation. The Polly Klaas Search Center has been run by hundreds of generous volunteers who have donated their time, energy, and funds. As a result of their kind donations, over 7 million flyers with Polly's picture, and the picture of her suspected abductor, have been distributed around the country.

The major problem, however, for the Polly Klaas Search Center and the Klaas family, as they work to find Polly, has been the high cost of postage. The U.S. Postal Service is prohibited by law from offering free postage, except to military personnel in times of war. Well, Mr. Speaker, I believe that this is a war—a war against our children, and one that we cannot afford to lose.

Polly's parents, Eve Nichol and Mark Klaas, told me that they believe this resolution is important to their battle to bring Polly home. Mark and Eve have sent a letter to all the Members of Congress asking them support this resolution for the sake of their daughter. I would like to read part of this letter. And, I quote:

From the moment the town heard about this unspeakable horror, they mounted an unprecedented volunteer effort. A Polly Klaas Center was set up, and thousands of people from all over have joined the effort to search for her and distribute fliers throughout the country. Local companies have donated \$1 million dollars worth of paper, printing, and supplies. But to date, we have spent in excess of \$200,000 for stamps, and we continue to spend thousands more each day, just for postage \* \* \* Our ultimate goal is that families in this situation in the future won't have to lose precious time raising funds for postage \* \* \* Today, we ask you to help in our effort to find Polly now. Please help us.

Mr. Speaker, this tragedy has grabbed the attention of the national media. Stories about Polly have appeared on "America's Most Wanted," "CBS This Morning," and "CNN," as well as, in the Washington Post, the New York Times, and People Magazine. It is clear that this real life nightmare has sent shock waves throughout America. Parents in every community are wondering how such a thing could have happened, and if it could happen to them.

Mr. Speaker, we cannot sit idly by and watch our Nation's families be consumed by fear. We must act, and we must act now.

I urge my colleagues to show American families that they won't let their concerns go unnoticed. By cosponsoring this important resolution we show

that the Federal Government can, and will, mobilize and do its part to help a family, and an entire community, fight back against one of the most hurtful and tragic crimes imaginable—the kidnapping of a young child.

Mr. Speaker, I would like to once again call on my colleagues to include information about Polly, as I have done, in the newsletters that they send to their districts. This could also make a crucial difference in the battle to find Polly. We all must do our part to aid in the search. My office has the necessary information available, and will assist any Member of Congress who wishes to participate in this effort.

Mr. Speaker, I ask my colleagues to please join me to help bring Polly Klaas home.

Thank you, Mr. Speaker, I yield back the remainder of my time.

□ 1800

#### VACATION OF SPECIAL ORDER AND REQUEST FOR SPECIAL ORDER

Mr. DORNAN. Mr. Speaker, I ask unanimous consent to vacate my 60-minute special order and to be granted a 5-minute special order.

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

There was no objection.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 166

Mr. DORNAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Concurrent Resolution 166.

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

There was no objection.

#### A VISIT WITH RANGERS AND SPECIAL OPERATIONS FORCES AT WALTER REED ARMY MEDICAL CENTER

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

Mr. DORNAN. Mr. Speaker, I spent a couple of hours this afternoon up at Walter Reed visiting with some of the Rangers and Special Ops men who were wounded on the night of October 3 and October 4 in Mogadishu, or the afternoon of the 3d. What they told me was not a 7-hour fire fight or a 9-hour fire fight, or now it is up in some journals to an 11-hour fire fight. They said it was 15 hours.

What they described to me in their own words I have no argument with. They said it was the hottest, the most

ferocious fire fight since World War II. That is saying something, from experienced senior sergeants and one officer.

The impression that our men were sniped off during the night is not exactly correct. Most of the fire was AK-47's on automatic, constantly, and hundreds of them, a staccato, they said, that went on for the first 3 or 4 hours that was deafening. One young Ranger with bad leg wounds said his humvee, which is a light wheeled vehicle, the same one that Nieman Marcus has, a red color, for sale, the one Arnold Schwarzenegger drives around, they said it was like cardboard, even though it was described as an armored humvee. His was hit with three RPG's and a hand mine at the same time.

I turned to the colonel who was with me from Liaison and I said, "Did you know that, Colonel?" He said, "No, I didn't. I am learning something here."

The President went to see these people on Sunday. The Secretary of Defense went to see them on Monday. We are all going over to see them, but what are we going to learn from this? I told them I would like to come back. They said, "Absolutely." They want to talk about Haiti, about Bosnia, about using our military as an instrument of foreign policy under the United Nations, or sending Rangers in August after we had already lost a dozen men, to use as the sheriff's posse to go after Aided.

Now we do not know if Aided, Mohamed Farah Aided, is part of a negotiating process. There is the smell in the air that a deal was cut: "Get the Rangers out of town, and we will give you back Warrant Officer Michael Durant." No proof of that, it is just a strange juxtaposition of events.

We are going to put 3,600 Marines in there, some of them on the ground in tents, 10 years younger than the average age of the Rangers, and some other special ops guys from Fort Bragg, to do a job that they almost came close to doing in six or seven raids, and then were jerked out.

The whole thing makes me focus on Haiti. I will do a special order, ask for one later in the week, on Haiti, Bosnia, and bring in some color blown-up photographs, 3 by 2 feet, that I took from the skies, over the skies of Mogadishu.

Then I will do another special order later in the week or the first of next week on why I believe Morton Halperin, as a created position under Secretary of State for Peacekeeping and Democratic Affairs, why he should not be approved by the Senate as a civilian overseer of our excellent military forces.

All the general forces, officers, all the field grade officers, company grade, and all the enlisted men I have seen in the Air Force, Marines, and particularly in the Army and our Rangers and others specially trained men that have been fighting in Somalia, I just cannot

conceive of better people ever being in uniform at any time in the history of our Nation.

Ronald Reagan confused a great fiction film from James Michener's book, "The Bridges of Toko-Ri" with a real story that he had heard somewhere. The fictitious ending, with Frederick March playing Admiral Tarrant in that great story, "The Bridges of Toko-Ri," came out a long time ago, in 1954.

At the end of that film, the admiral is on the bridge. He says:

Where do we get such men? Where do we get such men? They go out, they do their job, they come back and they find this pitching deck on these rough seas. How is America lucky enough to have such men?

Even though it is fiction, it certainly applies to these tough, handsome young guys with their bodies being put back together up there at Walter Reed, and at the hospital at Fort Benning and Fort Campbell and Fort Bragg and all of the Marines that came back with wounds. This is a tough story, Somalia. I do not think yet in this Congress or in the executive mansion we have the answers to their sons, daughters, wives, fathers, and mothers, many of the fathers veterans of Korea and Vietnam, and in one case a survivor of both wars, we today do not have stories for their brothers or sisters, uncles, aunts, all the people who love them as close family, to explain to them precisely what our foreign policy is, what our use of the military is, how we are going to put 25,000 people into Bosnia or why we are defending a crazed, defrocked, drugged-up priest to be inserted back into Haiti.

□ 1810

#### RUSSIAN OCEAN DUMPING OF NUCLEAR WASTE

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

Mr. WELDON. Mr. Speaker, I rise today to extend some further information on a 1-minute speech I did this morning on the floor regarding the terrible condition in our oceans relative to the Soviet Union dumping radioactive waste from its nuclear-powered submarines and ships, as well as from its nuclear installations.

It was just several weeks ago that I asked the Subcommittee on Oceanography, on which I am the ranking member, to convene a hearing on the practices that the Soviet Union has undertaken for the last 20 years in illegally dumping nuclear waste in our oceans, and especially in the Arctic Ocean. I want to put things into perspective, Mr. Speaker, and relate the amount of dumping to the one major incident we see in this country involving nuclear contamination. Three Mile

Island was a nuclear accident that occurred at a powerplant in my home State several years ago, which received international notoriety. During the entire duration of the Three Mile Island there was a total of 15 curies of radioactivity released into the atmosphere, 15 curies. In a study that was released this past spring called the Avlakov report, by a commission under Boris Yeltsin, the Russians now admitted that over 2½ million curies of radioactive contamination have been discharged into the oceans of the world.

Following up on that in hearings we held September 30 we have now found out there is currently 10 million curies of radioactive waste sitting in ships in Murmansk harbor because the Russians do not know what to do with this waste. They do not know how to dispose of it, they do not know whether to sink these ships, as they have done in the past, or whether to make some other efforts.

Mr. Speaker, this is becoming a scary situation nationwide. I was very cautious during the hearings that I not sound like an alarmist, and I said that during the hearings to which Dr. Ned Ostenso, Assistant Administrator for NOAA responded to me:

Congressman, I am not sure what the difference is between an alarmist and a realist, because what you are saying is in fact reality.

In fact, we have this terrible problem worldwide of totally uncontrolled dumping of nuclear waste, primarily by the former Soviet Union, by Russia.

The most recent incident was the sinking 4 years ago of the Russian submarine, the Komsomolets, which sank in the Arctic Ocean. Dr. Tengig Borisov, chairman of the Russian commission that was recently established to deal with radioactive pollution in the seas, was asked what would happen if this submarine somehow broke apart and the contamination then impacted the waterways, and here is what he said: "If there is a leak, fishing will be impossible in the Norwegian Sea for between 600 and 700 years."

Now this is from one ship. The Russians, as we now are finding out through the efforts of Boris Yeltsin, have literally hundreds of ships that have both been deliberately and accidentally sunk in the oceans of the world.

Mr. Speaker, we have a real global tragedy on our hands, and unfortunately we are not doing enough about it.

I recently wrote to President Clinton and asked him in upcoming discussions that are going to take place at the International Maritime Organization meetings in London, that we support the effort of the Danish Government to put into place a complete ban on the illegal dumping of both low-level and other nuclear waste in the oceans of the world. I would urge my colleagues

to join in this effort, and to also use whatever resources we have available to use to assist the Russian Government in attempting to deal with this problem of the 10 million curies currently sitting in ships in Murmansk harbors, as well as the nuclear-powered installations they have throughout the former Soviet Union. As a matter of fact, Mr. Speaker, the same problem exists whether with their nuclear reactor plants, and there is a terrible problem waiting in the wings for us in terms of Russia doing away with these plants.

As a matter of fact, the Navy disclosed to us that entire nuclear reactor plants have been disposed of in both the Kara and the Barents Seas. In fact, they list 18 nuclear reactor plants, 7 of them fueled, dumped in those seas, 13 submarine reactor plants, 4 of them fueled, 3 reactor plants from the icebreaker Lenin, one of them fueled, and one entire submarine with 2 reactor plants, both of them fueled. All of these were dumped in the Kara and Barents Seas.

Mr. Speaker, we must as a nation ignite the interest of the world community in coming to grips with this problem. It is severe, it is real, and it requires the attention of this country and all nations because of the potential damage this will do environmentally to the waters and seas, especially the Arctic seas that have been impacted by the illegal dumping by the former Soviet regime.

Fortunately, President Boris Yeltsin has been very cooperative in attempting to establish a relationship with us and the other nations of the world to deal with this problem. We must follow through and assist him in these efforts.

#### COMMERCE SECRETARY BROWN'S INVOLVEMENT IN NORMALIZATION OF RELATIONS WITH VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, some time ago my colleagues were informed about possibility that our Secretary of Commerce, Mr. Brown, received a \$700,000 bribe from the Vietnamese Government in order to assist them in having relations with our Government normalized. There had been a longstanding commitment to the families of the POW-MIA's in this country that until there was a full accounting of those who were missing in Vietnam, the 2,200, until that was completed, there would be no normalization of relationships with that country.

Well, Mr. Brown allegedly, before he became Secretary of Commerce, met with a gentleman named Mr. Hao, who was a representative of the Vietnamese Government, and he met with Mr. Hao

not once but three times, the third time being after he was confirmed as Commerce Secretary, and in his office at the Commerce Department. And Mr. Hao was the conduit between the Vietnamese Government and Mr. Brown, and allegedly arranged a \$700,000 downpayment to Mr. Brown to try to get relations between our two countries normalized.

The Clinton administration in July and in September took two giant steps toward normalizing relations with Vietnam, and that has caused a lot of consternation and concern among a number of Members of the Congress of the United States, especially in view of the fact that the man who has made these accusations, a man named Mr. Binh Ly, successfully passed a lie-detector test that was 6 hours long, given to him by the FBI. Since Mr. Binh Ly took this lie-detector test, there has been a grand jury paneled in Miami, FL, and the grand jury is currently conducting an investigation to find out whether or not Mr. Brown should be indicted.

I just found out that the FBI has intensified their investigation at the request of the grand jury in Miami over the last 2 weeks to try to expedite this as quickly as possible. I also found out today that although Mr. Brown said he had never met Mr. Hao, and he said this I understand to the chief political correspondent, Mr. Howard Fineman, of Newsweek, personally he told him he never met Mr. Hao, he then later recanted, and his press secretary and his attorney said that he not only met with Mr. Hao once, but three times, the third time being after he was confirmed, as I said before, as Secretary of Commerce, at the Commerce Department.

We also found out today that Mr. Hao met with Mr. Brown in Miami the first time, and there was an associate from the DNC, the Democrat National Committee, with Mr. Brown at that first meeting. The man's name is Mr. Bill Morton, and he is now an official of some type at the Commerce Department.

All of this needs to be investigated very thoroughly, and that is the reason why on September 30 I wrote a letter to the President of the United States, Mr. Clinton asking him to give us any information he could about the problems involving Mr. Brown, and he try to freeze the normalization process with Vietnam until the whole issue had been resolved. Specifically I requested that because the POW-MIA families are very concerned about not having a full accounting about their loved ones who were left behind.

Second, on October 13 I wrote a letter to the President also asking that there not be any steps taken to lift this embargo. And we have not yet heard from the President on either one of these two letters.

On October 19 we wrote a letter to Janet Reno. She had said publicly that she was concerned, and I quote: "If I appoint a person or select a person to be special prosecutor you, meaning the press, are still going to question the conflict of interest as long as I'm involved in that process."

Again she went on to say, "For me to appoint somebody who will be asking me, well, that person has a conflict too because you appointed them."

□ 1820

Both quotes are taken from the Washington Post of October 1.

The Republican leadership of the House, the gentleman from Illinois [Mr. MICHEL], the gentleman from Georgia [Mr. GINGRICH], the gentleman from Texas [Mr. ARMEY], and the gentleman from Illinois [Mr. HYDE], and myself wrote a letter to the Attorney General, Janet Reno, giving her a list of eight former attorneys general and prosecutors, special prosecutors, from which to pick a special prosecutor to investigate this case. All of these people have impeccable credentials and are above reproach.

We have not yet heard from her. We are hoping to hear in the not too near future that she has decided to select one of these to be a special prosecutor to investigate this case.

Finally, today we have written a letter to the President once again, signed by about 25 Members of the House, asking that Secretary Brown recuse himself from any involvement or any negotiations with the administration involving possible normalization of relations with Vietnam. We do not believe while he is under investigation by a grand jury in Miami or while he is under investigation by Members of the Congress of the United States he should be involved in any way in any possible activities involving the normalization of relations with Vietnam. We have not yet heard back from the administration or Ms. Reno on any of these issues or any of these letters that have been written.

I understand also today that the ranking Republican on the Committee on Government Operations, the gentleman from Pennsylvania [Mr. CLINGER] sent a letter to the White House asking for logs, telephone logs, travel documents, and other things that would give us a better handle on this, so that we could as a Congress find out what happened and possibly avoid a full-fledged investigation.

Today or yesterday he got a letter, which was totally inadequate, from the Secretary of Commerce. They called down to the Commerce Department to ask a spokesman for Mr. Brown if Mr. Brown had in fact recused himself from any involvement in Vietnam, and the answer was "no."

So Mr. Brown is still involved as Secretary of Commerce in possible negotiations with them. I think that is

wholly inappropriate, since that investigation is taking place not only in Miami with the grand jury down there but also by the Committee on Government Operations in this House.

If we do not hear from the President, Mr. Brown, or Ms. Reno in the relatively near future, we will have no choice but to have a motion of inquiry, a resolution of inquiry filed here in the House to try to force the issue.

I think it is extremely important because there are clouds hanging over the Clinton administration right now that these questions be answered very, very quickly; it is extremely important. We do not have a complete count of the POW-MIA's, in fact we do not even have a cursory accounting of the POW-MIA's. Two thousand two hundred of their families are still concerned about that, No. 1; No. 2, the Clinton administration took two giant steps toward normalizing relations with them by asking the World Bank and the IMF to go ahead with loan agreements with the Government of Vietnam. The second step was taken in September to allow American industry and businesses to go over there and, where World Bank or IMF loans have been approved, to allow them to bid on that business.

This created all kinds of questions. I would just like to say, Mr. Speaker, that the President ought to answer these questions as quickly as possible, give us a complete accounting; Ms. Reno should appoint a special prosecutor as quickly as possible; and Mr. Brown should recuse himself from any involvement in the negotiations on Vietnam until this issue is resolved.

With that, Mr. Speaker, I will conclude my remarks on this issue.

SITUATION RE: ILLEGAL ALIENS IN CALIFORNIA IN PARTICULAR AND IN THE UNITED STATES IN GENERAL

Mr. Speaker, I would like to talk about one other issue along with my colleague, the gentleman from California [Mr. GALLEGLY], who has been working for some time on the immigration problem, the illegal immigration problem that we face with Mexico and other countries.

Right now we have before this body and the other body what is called NAFTA. The NAFTA agreement will have a tremendous impact on the people of this country and the economy of this country one way or the other, depending on your point of view.

One of the big problems or stumbling blocks with NAFTA is the problem of illegal aliens or illegal immigrants. I would like to tell my colleagues that the estimated cost to the taxpayers of this country from illegal aliens coming into the United States is at least \$11.9 billion a year. To give you some breakdown of that, we have a gentleman named Huddle of Rice University, who did an analysis of the overall costs. My colleague from California who com-

piled this information will want to participate in a moment or two. He said it costs, Mr. Huddle said it costs \$11.9 billion to the taxpayers, net, in 1992. In California the estimates of net direct costs, including job displacement, range from \$3 billion to \$5 billion. Over the next decade, if nothing is done, Mr. Huddle estimates that the total net cost will be an incredible \$186.4 billion a year.

Now here are some specific areas: He estimates that last year for welfare we spent \$819.9 million in AFDC payments; \$290 million in housing assistance; \$2 billion in uncompensated medical care and other county health/welfare programs nationwide.

Next year MediCal—that is, California's version of Medicaid—expects to pay \$1 billion for illegal aliens' health care. Four years ago it was only \$187 million. So it has gone up over four times in just the last 4 years.

California counties spend millions of dollars in addition to this every year.

L.A. County reports 25 percent of the patients in its public hospital beds, 25 percent of the patients are illegal aliens. Illegal aliens in California alone receive \$278 million per year in AFDC payments. The gentleman from California told me that last year there were 37,000 or 39,000 illegal alien babies born in that county alone. Is that correct? I yield to the gentleman.

Mr. GALLEGLY. In Los Angeles County last year, according to the chief administrative officer for the county of Los Angeles, over two-thirds of all the births in L.A. County-operated hospitals, the mother did not have a legal right to be in the United States. That number was right around 37,300. In fact, the Los Angeles County-operated hospitals could not handle the total demand, and we are subcontracting out to private hospitals at, of course, a much higher cost to the taxpayer.

Mr. BURTON of Indiana. I think the gentleman also told me that the AFDC payments alone, not including health care costs or education costs or anything else, AFDC payments alone were running around \$25 million alone per month just for that county.

Mr. GALLEGLY. Just for Los Angeles County alone.

Mr. BURTON of Indiana. These costs nationwide are unbelievable. Just to give you a few more facts that the gentleman supplied to me—and I appreciate this: The Immigration and Naturalization Service reports its verification system detected 10,837 illegals who applied for food stamps during 1991 and 1992, which I guess will cost the taxpayers \$14.5 million just for that.

Mr. GALLEGLY. If the gentleman will yield, the interesting part about that is that just the few that they caught who had actually applied in that almost 11,000, and we have very little or no policing in that area. That

is one of the problems that we have with the fraud in welfare and public assistance, public housing, so on and so forth; almost no policing at all.

Mr. BURTON of Indiana. Then you get into education, and you find Mr. Huddle estimates the total nationwide cost for kindergarten through 12, college and special-education programs for illegal aliens was \$5.32 billion last year, and in California there are as many as 300,000 illegal aliens in the public schools, costing \$2 billion a year to that educational system.

With respect to crime, nationwide he estimates the cost is \$1 billion a year for illegals. In our Federal prisons, 25 percent of the total Federal prison population are illegal aliens.

By next year—this is not the Federal prisons, as I understand it—but by next year in California the State prisons, in addition to the 25 percent that are in the Federal prisons, there is going to be 16,392 in your State prisons over and above the costs we just talked about.

Mr. GALLEGLY. The gentleman is correct. At issue, the number is closer to 27 percent, which was provided to us by Janet Reno, the Attorney General of the United States. At a time when we are faced with tremendous overcrowding in our prisons, at a time we are letting people out on the street who are absolutely a threat to society, this is an issue that is absolutely beyond belief when we take a look at those numbers.

Mr. BURTON of Indiana. Did the gentleman not tell me that there were 741,000 Americans who have lost their jobs or have been displaced because of the illegal aliens coming in and taking their jobs?

Mr. GALLEGLY. According to Professor Huddle at Rice University, who did a very comprehensive study which took a couple of years to put together, in his survey he has determined in a most conservative estimate 741,000 Americans have been displaced in jobs taken by those who have no legal right to be in the country.

I think it is very important to point out the fact that we all too often hear an argument that illegal immigrants in this country take only the jobs of those that American citizens or legal residents would not otherwise take.

□ 1830

That is absolutely untrue. In fact, in my own district in Oxnard, CA, recently we had an INS raid at a local manufacturer that made plumbing fixtures, a company that was employing people at \$10 or \$12 an hour. They arrested 52 individuals and deported them.

The interesting thing about it, within 2 days when the story hit the paper, there were over 250 citizens or legal residents of the city of Oxnard who were in line waiting to apply for those jobs that they had read about in the paper.

Mr. BURTON of Indiana. I was reading here that it said some of the people where they found illegal aliens had the job were getting \$15 an hour, or about \$31,200 a year. I think a lot of Americans would like to have that kind of a wage.

Mr. GALLEGLY. That was an incident I believe in the State of Nevada where they found working in casinos or some related business in the State of Nevada.

I think it is important to point out, the issue we are talking about here is not immigration. The issue we are talking about here is illegal immigration. I know my good friend, the gentleman from Indiana, is a strong supporter of immigration. We all recognize that immigration is the thing that has made this country the great country that it is. In fact, there are probably not many folks in this Chamber who cannot track their immigration roots back more than three or four generations, some even less than that; but the issue we are talking about is illegal immigration.

We every year allow more people to legally immigrate to this country than all the rest of the countries in the world combined, about 800,000 who legally immigrate to this country.

This is not only something that we have the right to do, we have a responsibility to control our borders.

In southern California, we have over 1,200,000 people illegally entering our country at the international border at San Diego, a 12-mile stretch from Otay Mesa to the Pacific Ocean. That is about 4,000 who illegally cross that border every night of the week, 365 days out of the year.

Mr. BURTON of Indiana. The gentleman might tell our colleagues what it looks like down on the border. It is kind of a big party, is it not, every night?

Mr. GALLEGLY. Well, you know, it is interesting because they have staging areas where they have vendors who come and sell food and other products during the day.

Mr. BURTON of Indiana. T-shirts and other products.

Mr. GALLEGLY. It looks kind of like a tailgate party, and they prepare for the sunset for their crossings.

Some of the interesting ways they will do it, they will send a group across that will draw the attention of the Border Patrol, and then two other groups in other positions will strategically run across.

On a best case basis, the Border Patrol—and I certainly have nothing but praise for the young men and women who are serving in our U.S. Border Patrol; they are doing an incredible job—but with the odds that they have against them by sheer numbers, solving illegal immigration with the number of people that we have on the border would be like trying to catch a B-

1 bomber with a butterfly net. You just are not going to do it.

On a best case basis, they are interdicting maybe 25 percent. They stop them and interdict them. They take them across the border and before they get the papers out, they are back in the United States.

Mr. BURTON of Indiana. Before we get into this issue of how we think this ought to be handled and what kind of a hearing it has on NAFTA, I would like to give my colleagues just a few more of the gentleman's statistics that he compiled.

The total criminal justice cost in California is almost \$500 million a year. That is State funds; is that correct?

Mr. GALLEGLY. That is State prisons, right.

Mr. BURTON of Indiana. And many illegals who serve time and are deported, returned quickly, as the gentleman just alluded to.

There was a study that said 40 percent of those who were rearrested in the United States within 12 months—in other words, they are arrested and deported and they are back here in 12 months and rearrested.

Mr. GALLEGLY. Mr. Speaker, if the gentleman will yield further, actually that was from the Los Angeles County Sheriff's Department. The L.A. County sheriff runs the county jail in Los Angeles.

In 1992, of all those who had been convicted of a crime—I am talking about a crime against personal property, not an immigration violation—but who have been convicted of a crime, served their time, that were in the country illegally and after they had served their time, they were deported, of all those who were deported 44 percent of them were back in jail after a conviction of another crime in less than 12 months. That shows you that deportation in and of itself is not working at all.

Mr. BURTON of Indiana. Something else that is very interesting along that line is that I understand there were 1,000 illegals who were arrested during the L.A. riots. I mean, my gosh, that was a tremendous part of the problem. I mean, billions of dollars were destroyed in that city that taxpayers around the country are going to be paying for, and 1,000 of those rioters were illegal aliens.

Mr. GALLEGLY. You know, this is an issue that really hits close to home for me as a kid who grew up in south central Los Angeles, who lived in the middle of the curfew zone in the 1965 Watts riots and what a tragic event that was. My job was inside the curfew zone. My home was there.

What happened in 1985 and what happened last year was not the same situation. During these riots, over 1,100 of those arrested for looting, rioting, burning, and so on and so forth, were illegal aliens.

I submit to you, and I have yet to hear anyone who really challenges this, these people who were arrested, very few of them were out defending the honor of Rodney King. In fact, I doubt seriously if they even knew who Rodney King was.

Mr. BURTON of Indiana. I hope our colleagues at least have some flavor for this and I hope that the gentleman and I can go into this in more detail at some point in the future, but what I would like to dwell on for the remainder of the time we have here is solutions to these problems.

The gentleman and I have written a letter to the President, along with about 22 other Members, talking to him about some things that ought to be added to the NAFTA agreement to help solve these problems.

One of those things was to send illegal aliens who are in our Federal penitentiaries and State penitentiaries back for executive of sentence.

The gentleman has some information on that.

Mr. GALLEGLY. There are a couple things that we were doing. One of the issues—it is not limited to Mexico and the NAFTA agreement, for instance. We are dealing with our friends to the north as well as our friends to the south, but it would be that anyone convicted of a crime in our country—that would be a part of this agreement—this is obviously something we cannot do unilaterally from a legislative standpoint, legislating the laws of other countries, but from a collective-bargaining standpoint during the course of the NAFTA negotiations, it is something that we could do and probably one of the few opportunities that we would have to have an agreement with Mexico and with Canada that anyone incarcerated in our country for a crime against another person or property, the other Government would agree to incarcerate them in their jails in their country and, of course, that is something we are working very aggressively on, and I still have not received a response back on that or the other elements from the President.

Mr. BURTON of Indiana. When you think that it is going to cost anywhere from \$25,000 to \$30,000 a year for each inmate, and you have over 16,000 in your California State institutions, not to mention the 25 percent in our Federal penitentiaries.

Mr. GALLEGLY. And that does not include those incarcerated in county jails.

Mr. BURTON of Indiana. Which is another few thousand probably, you are talking about hundreds of millions of dollars nationwide, or I think it was billions that we are paying for that.

It seems to me—and I know the gentleman concurs with this—that there are a number of steps that need to be taken. We need to do something in this body to try to help beef up our Border

Patrol people and the people in DEA who are dealing with these problems on a regular basis down there on the border.

I also have felt, I do not know how the gentleman feels about this, that with the closure of our military bases it might be a good idea to try to figure out some way as an adjunct to our Border Patrol guards to use our military to assist them in patrolling those borders, because we are having such a tremendous amount.

The gentleman said that in that 12-mile stretch, you are getting what, over a million a year?

Mr. GALLEGLY. Over 4,000 per day.

Mr. BURTON of Indiana. If you look at the whole border, the 1,980-mile border between us and Mexico, the Embassy down there told me and the gentleman from Tennessee [Mr. DUNCAN] that there are 2.3 million coming across the border and about 1.3 million stay here. So this is something we have to address. We need the assistance not only of our Government in giving more support to our border guards down there—that is, the military—but also the military side.

Mr. GALLEGLY. I think beefing up our Border Patrol is absolutely essential.

In fact, I have a bill that would provide for increasing the Border Patrol by an additional 2,500 members, giving first priority to the young men and women who are being mustered out of the military. You know, we are having tremendous cutbacks in our military today and we have a lot of young men and women who have served their country well, and for those who would meet the profile of a Border Patrol agent, No. 1 to reward them for having served their country with a job and a job that is much needed in this country and, of course, much of that training has already been borne by the taxpayers, but I think that we really have to look at this issue beyond the Border Patrol, because you could have the greatest increase in the Border Patrol humanly possible, and as far as I am concerned that in itself is not going to stop the flow of illegal immigration.

□ 1840

I think it is also important to point out that I do not blame those that are coming into this country. They are not the ones to blame that are, for the most part, economically depressed, trying to either survive or provide a better lifestyle for their families. But I blame the United States of America, this body, the Congress, for providing the incentives, the carrots, the magnets, if my colleagues will, to encourage them to come here illegally by the welfare that we are providing, public housing, and more important than that are the jobs.

Mr. BURTON of Indiana. I wish that our colleagues were all down here to

see that that is a forged ID card that they are able to get, that illegal aliens are getting to show that they are—

Mr. GALLEGLY. For about \$35 to \$40, on almost any street corner in many of the cities, certainly Los Angeles and many other cities in southern California, San Diego, they can purchase a card with their picture that is so perfect from detection that 90 percent of immigration experts cannot detect it. This complies the employer sanctions, IRCA, the 1986 Immigration Reform Act, and I have a bill that would eliminate this, along with the 28 other types of cards more commonly referred to as green cards, with 1 card that would be virtually counterfeit-proof. If we can protect a K-Mart from a \$3.20 charge with a Master Card, or Visa or whatever, we certainly ought to be able to do the same as it relates to millions of jobs in this country, along with the other benefits. But until we stop the access to jobs and other public services there is no way we are going to be able to stop this increasingly large number of people from illegally entering this country.

Mr. BURTON of Indiana. One thing that will bring this to a conclusion here pretty quickly, but one thing that was very interesting to me, was when the gentleman gave me the pamphlet from the MediCal system in California which says that, "If you're an illegal alien, and you come in to get a child, have a child or have hospital care, you will not be reported to immigration officials," and it says that about three times in there, and they not only print that in English, they print it in Spanish and are passing them out down along the border, I understand, which is almost like an invitation saying, "Come on across the border, and you can have your baby here in the United States which will immediately become a citizen, and there will be no repercussions."

Mr. GALLEGLY. And of course the minute that takes place, then the child is, or I should say the parent, the legal guardian, is eligible for AFDC, health care, housing, and all the other benefits, and that amounts to well over a thousand dollars a month. And that incentive, we could be using that money, I think, a lot more wisely in trying to help discourage by finding areas to improve the economy, the countries that are particularly Mexico, but, as the gentleman knows, I know we are kind of short on time here, but there is one point I really want to make before we wrap up:

If we are going to really be intellectually honest on this issue, I think we have got to take a look at really who is being hurt by illegal immigration. Through the grace of God the gentleman and I, and most of the Members of this Congress and others that are probably listening that have a job, can provide for their families, and a couple

of square meals a day, and buy a pair of shoes when the kids need them, but those that are dependent upon public health care, those that are dependent on public housing, those that are dependent on that entry-level job, the minorities in the ghettos that are trying to get that first job, that labored job, that unskilled job, so they can pick themselves up by the bootstraps and work their way out of the ghetto, try to strive for the American dream and the middle class, they are the ones that are being shoved to the back of the line. They are the ones that are competing for the jobs against those that do not have a legal right to.

So, if we are going to be intellectually honest, the people that are being hurt the most by illegal immigration are those that afford to be hurt the least.

Mr. BURTON of Indiana. Americans. Mr. GALLEGLY. Right.

Mr. BURTON of Indiana. Let me ask one more question of the gentleman:

As I understand it, in California you have some hospitals where Americans have to wait to be taken care of because of the overcrowdedness created by these illegal aliens that are there.

Mr. GALLEGLY. Well, Los Angeles, L.A. County hospitals, are certainly a classic example of that, and I would welcome any and all of our colleagues that have any interest to take a visit there with me, look at it firsthand and see who is hurting, see who is hurting.

Mr. BURTON of Indiana. Well, I want to thank the gentleman from California [Mr. GALLEGLY] very much for all his work. I am a cosponsor of his bills, and I will continue to work with the gentleman to try to solve these problems.

I say to the gentleman, You are to be congratulated. If everybody in this body would take the time to research this like ELTON GALLEGLY of California, we would get this problem solved.

Mr. GALLEGLY. I say to the gentleman, DANNY, I appreciate your doing this special order tonight. I think you know we have worked together for many years. This is my fourth term, and in the four terms I have served here, this is the first special order I have done. I don't come here on a regular basis. In fact, this is the first special order I've done. I feel very firmly, strongly, that this is a very important issue affecting all Americans, not just those that live in the border States because all American taxpayers are paying the bill even though you may not have the presence in your neighborhood.

Mr. BURTON of Indiana. I hope our colleagues will take what the gentleman has said to heart, and I really appreciate his hard work.

#### TRIBUTE TO LEON SHULL

The SPEAKER pro tempore (Mr. GUTIERREZ). Under a previous order of

the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 60 minutes.

Mrs. MINK. Mr. Speaker, I take this time this evening in a special order in order to pay special tribute to a very dear friend and colleague with whom I have worked for a number of years, and this individual is a person of quite rare abilities, and his talents and experiences are very extensive, and we here tonight would like to pay special tribute to him, not only because he is celebrating his 80th birthday soon, but because it often does not get recognized when an individual has contributed so much.

Mr. Speaker, I came to the Congress in 1965 during my first tenure here, and this remarkable individual was director of the Americans for Democratic Action at that time. So, I have known him for a long time, and he has made a tremendous contribution toward the debate that engages this House, and I think it is quite appropriate, therefore, since he spent most of his time here in Washington engaging the Congress, and raising our level of perception and serving as the conscience of America, that we take time tonight to recognize his service and to wish him a very hearty happy birthday on his 80th year.

I would like to at this time yield to my colleague, the gentleman from California [Mr. EDWARDS], who has some words to say about Leon particularly because he served as national president of ADA when Leon was here.

Mr. EDWARDS of California. Mr. Speaker, I thank the gentlewoman from Hawaii [Mrs. MINK] for arranging for this special order tonight. It is really a wonderful event because Leon Shull and his wife are great people and were great people when I was so intimate with them many years ago. I was the national president of ADA from 1965 to 1967, and I was lucky because Leon had come aboard as director in 1965, although he had become the director in 1964, and these were very exciting days because they were the first part of the Great Society of Lyndon Johnson, and we made great progress in those exciting years.

For example, Mr. Speaker, the poverty rate in the United States in 3 years went from 19 percent of the population to 12 percent. We enacted programs like Medicare, Medicaid, aid to elementary and lower education, food stamps and, of course, the Voting Rights Act of 1965 where Leon and I had the partnership of that great, great civil rights lawyer and dear friend who is not with us anymore, Joe Rauh. It was a terribly exciting and creative period of time, and unfortunately it sort of ran out of gas when the Vietnam war sort of took the country by storm. It was an interesting era in other ways because Joe Rauh and Leon Shull were not the least bit shy about getting into some real exciting and controversial issues.

Mr. Speaker, in those days we were being bullied nationwide by the House Un-American Activities Committee. It would go up and down the country holding kangaroo courts that ruined the lives of a lot of people in Hollywood and elsewhere, and so Leon kind of pushed ADA, and me and others into trying to get rid of HUAC, the House Un-American Activities Committee, and I remember that the first big effort we made was in 1965, and we got 24 votes.

□ 1850

The year before that I think we had six votes. It did not bother them a bit, those of us who voted against their HUAC's appropriation, who had to go home and face another election. But we found out that we could survive, and survived to this day.

To the former chairman, Father Bob Drinan, a great Jesuit priest and national chairman of ADA, he and I were the ones in 1973 who put the nail in the coffin of HUAC by making a motion to send its jurisdiction to the Committee on the Judiciary, where it has rested ever since, I am sure very uneasily, in my subcommittee.

As I said, the Vietnam war as it escalated cast a shadow on the Great Society programs that meant so much to our country. We had a new era of red baiting and fear of communism. J. Edgar Hoover went on the air and said that any protester, college protester, should not be allowed to stay in college and was a dupe of the Communists.

We had the old ploy of people wanting to make it a felony to burn their draft card, so it became quite a thing, of course, for American young people to burn their draft cards.

They wanted to pass a bill to kick protesters out of college. Of course, that failed. Then there was a strong movement to make it a felony to burn the American flag, which, of course, failed because it was a violation of the first amendment of the U.S. Constitution.

But the war kept getting bigger and bigger. In 1965 it went from 20,000 to 40,000. Then the chairman of the Committee on Armed Services at that time, a gentleman from a very deep Southern State, called for bombing China. That created quite a sensation, because he said China and Vietnam were both Communist; therefore, they were friends; therefore, they should be bombed. That was the kind of mania we had in those days. ADA was fighting very hard against that sort of thing.

Finally, in 1967 the troops in Vietnam got up to 625,000 and Gene McCarthy came along and rode his horse into the arena to run for President. ADA backed him 100 percent. Leon Shull steered us in the right direction, and ADA endorsed Gene McCarthy, and we had a great time.

These were turbulent times. ADA was right in the midst of all of them, and

Leon Shull was our executive director and one of our leaders. Joe Rauh and Leon were really a pair, and I feel very lucky to have known them both. I feel lucky to have known to this day as a dear friend Leon Shull. So I just think it is very suitable that we are here tonight to honor him on his 80th birthday. I cannot believe he is 80. He will always seem 35 to me.

Mr. Speaker, I now yield back to the gentlewoman from Hawaii [Mrs. MINK], and thank her very much for allowing me this time.

Mrs. MINK. Mr. Speaker, I thank the gentleman for reminding us about those turbulent years. I recall coming to the House in 1965 and you put us to the task very early, I believe it was my first day coming to the floor here, having to vote on a resolution on the House Un-American Activities Committee. So I fully recall those days. Certainly without the advice and direction and wisdom and philosophy and expression of principle that we got from Leon Shull, many of us would have floundered in those very, very difficult days. So I credit my survival in this institution, and really my return, to the lessons I learned from this great individual. So I am very proud to call on a very dear friend and someone who should be remembered by all the generations that he has affected.

It is my pleasure now to yield to the distinguished deputy majority whip, the Honorable JOHN LEWIS, who has served this body with great distinction. One of the ways in which he has helped us, not merely here on the floor and in the complicated business of legislating, is by serving as president of the Americans for Democratic Action. So I am really honored to have the gentleman here joining us tonight.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to pay tribute to a great American, Leon Shull. I want to take a moment to honor this man—a man to whom I and countless numbers of others are greatly indebted. For more than 50 years, Leon Shull has been in the forefront of the struggle for civil and human rights in America. Leon Shull personifies the very best in the American tradition. He has dedicated his life to fighting for social justice and equal rights.

Shull's efforts as an activist has helped to empower hundreds of thousands of people. The accomplishments of Leon Shull are many. His leadership is unequalled. His devotion to human and civil rights is complete.

I have known of this man for more than 30 years. He is a good and decent man. He is a leader in the truest sense of the word. He is a crusader for social justice.

For 20 years, he was the national director of Americans for Democratic Action. As national director of ADA, Shull presided over the organization's greatest periods of growth and influence. Under Shull's leadership, ADA

spearheaded numerous initiatives, including full employment legislation, opposition to the Vietnam war, campaign finance reform, and numerous other issues.

In the 1940's and 1950's, Shull led efforts in Philadelphia and southeastern Pennsylvania to ensure fair treatment of minority and women workers. He fought and helped defeat political corruption in the State of Pennsylvania during those years.

Leon Shull was able to organize the unorganized. He gave many hope in a time of hopelessness. His work and his cause enhanced the dignity of humanity everywhere.

Leon Shull is persistent and consistent. He has had a vision of a new America, a better America. He had had a dream of what America could become. He has kept his eyes on the prize.

Men and women such as Leon Shull, Dr. Martin Luther King, Jr., A. Phillip Randolph, Hubert Humphrey, Thurgood Marshall, Fannie Lou Hamer, Robert Kennedy, and Walter Reuther have inspired me and thousands of others with their leadership and dedication. These men and women brought us through one of the most difficult times in modern American history, the civil rights movement of the 1950's and 1960's.

I came of age during the civil rights movement. It was a period in which I found my own courage to try and make a difference in this society. I was inspired by individuals such as Shull. I drew strength from his examples of leadership, commitment, and dedication.

Tonight, Mr. Speaker, we salute and pay tribute to a great American—Leon Shull.

Mrs. MINK. I thank you very much, our leader, for those inspiring words. I know that Leon deserves every bit of your comments, and I know that he will appreciate it very, very much. I am grateful that you were here tonight to share those words.

□ 1900

I think the fact that you are the head of the organization and are leading the troops at this critical time is also a tribute to the kind of path and channels that Leon Shull created for us. To make it possible for such leading Members in the Congress of the United States to serve in the capacity as president of ADA is largely a tribute to Leon Shull. There are many others who served as national president in addition to our colleague here, the gentleman from Georgia [Mr. LEWIS]. The gentleman from California, DON EDWARDS, as I said earlier; Don Fraser, who was before my time, currently, I believe, still mayor of the Twin Cities in Minneapolis. We have our deceased member, our late colleague Ted Weiss, who also served as president of ADA, and many, many others.

I was just speaking to my colleague here from Massachusetts, and he re-

minded me of the service of Father Drinan in this body, who preceded him here, and Father Drinan also served as president of ADA.

Mr. Speaker, at this time I yield to my colleague, the gentleman from Massachusetts, BARNEY FRANK. To have him participate in this special order is a point of high privilege.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman from Hawaii for organizing this and giving us the chance to do this. I want to use a phrase that we often use in a negative context in what seems to me an appropriate, positive context. For many of us this is payback time. It is payback time to a man, Leon Shull, who has been as selfless and as dedicated and as committed to a logical and consistent conception of the public good as anyone I know.

The great role that Leon Shull has played during the time that I have been here and before, throughout a very active and productive life, but he continues to be, at the age of 80, a dedicated activist, the important contribution he makes is to show people how to be a very levelheaded fanatic.

We, too often in our society, oppose two different versions of political activity, one a kind of cool, almost manipulative approach, misnamed pragmatic, in which you are known for your skills at accomplishing things, your ability to read a situation and propose strategies and tactics that will carry out a goal. On the other hand, we talk about people who burn with a zeal to change things, to accomplish things. And they are the ones we call idealistic. And strangely, we often juxtapose idealism and pragmatism as if they were somehow logically contradictory.

In fact, they are, sadly, often in fact contradictory. People who care very deeply, very passionately about a set of issues often do not take the time and the trouble and show the discipline to think about how best to get those issues accomplished.

Leon Shull, in his career, demonstrates that this is a false juxtaposition, and he makes it clear, in fact, that those who are the most pragmatic, those who have the levelled head, those who are willing to do the hard work of studying political situations, understanding the forces at work and devising strategies to try and change those forces are, in fact, the supreme idealists. They are the ones who carry the ideals into action.

Leon Shull's career simply belies the argument that being knowledgeable about and skillful at political realities somehow makes you less than pure in your idealism. He has been both. He has had a career. Given Leon Shull's talents, his ability, he could have made a lot more money than he ever made, by orders of magnitude, probably, more than he has made. But because he had a commitment to a world in which so-

cial justice and fairness and compassion reigned true, because he was revolted by racial discrimination and sex discrimination, discrimination based on sexual orientation, discrimination against people on any irrelevant grounds, because he did not think children ought to be born poor and stay poor and not be given opportunities, because he cared about peace in the world, for all of those reasons he eschewed careers that could have been for him much more profitable and, instead, has been a dedicated and skillful and determined activist.

And he has done it with skill and with success. And precisely because of his willingness to become as skillful a political strategist as I have had the pleasure of working with, he, therefore, can claim more achievements on behalf of poor people, people discriminated against, peace in the world, than many, many, many others.

Personally for me, he was, when I first came to Congress, one of the people who helped me understand what the reality was and how best to take the issues that I cared about, because I shared the values that he has so well exemplified, and how to translate them through an effective assault on the reality that we felt needed changing.

It is not surprising that so many of us who have served here in the House have joined Leon Shull in ADA, because we found in him a perfect ally in our fights.

I said before that at the age of 80, he continues to be an activist. Last week I had a meeting. It was a meeting in which we were trying to embody the principle of majority rule. The principle of majority rule, we believe, is present everywhere in American Government. But in fact, it is not. There is one place in American Government where majority rule is not followed. But I cannot mention it, because of the rules of the House.

However, we had a meeting to talk about implementing majority rule in that unmentionable place. And Leon Shull was one of the first we asked to come and join us, as we strategized about how to call to the attention of the public the absence of democracy somewhere in this city where people think it ought to be there.

Leon Shull understands how that absence of democracy somewhere in this city retards our ability to carry out the basic progressive principles. And as Leon Shull has helped others destroy stereotypes from which they have suffered, stereotypes about people based on their race or their sex or their physical conditions, now at the age of 80 he is helping to destroy another very disabling stereotype, one that says that as you reach a certain age you are no longer able to be useful.

He continues to be a vibrant contributor to the coalition of people who are determined to bring social justice to

America and who understand that bringing social justice to America in no way contradicts our goal of increasing the prosperity of the country as a whole but, in fact, complements it.

I am delighted to be able to pay tribute to Leon Shull, and I am grateful to our colleague from Hawaii for giving us a chance to do so.

Mrs. MINK. Mr. Speaker, I thank our colleague for pointing out the fact that while we pay tribute to Leon tonight, on the occasion of his 80th birthday, this individual is still very vigorous and very much involved in many of the issues that we confront every day on the Hill. And as we discuss important subjects like filibuster and how to organize the Congress and how to prioritize our issues and what strategies to engage in, we always find that Leon Shull has been called upon to give us advice.

I am very pleased now to yield to my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE], who is here. He and I came together in my second round to Congress. I appreciate very much his taking time to join us in this special order.

Mr. Speaker, I yield to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, next month will see the 80th birthday of one of the most distinguished Americans of our time. Leon Shull, who served for two decades as national director of the Americans for Democratic Action, has earned a place among the great men and women who have shaped this Nation.

Leon Shull sought—and still seeks—nothing less than honoring the promise of the American dream. A steadfast liberal when liberalism was in fashion and out of fashion, he has never wavered in his principles. One of the undying themes of American history is the struggle to extend the rights of full citizenship envisioned by the authors of Declaration of Independence and the Constitution.

Leon Shull has been at the forefront of that fight for close to half a century. He was an early—some would say “premature”—advocate for racial equality and human rights. He understood that change requires engagement in public life. That understanding led Leon Shull to become deeply involved in the campaigns of candidates for every level of public office: municipal, State and Federal. In 1952 he was director of volunteers for Adlai Stevenson. In 1960 he was director of John F. Kennedy's campaign in southeastern Pennsylvania.

But, more than his work for any particular candidate, we honor Leon Shull for his work as national director of Americans for Democratic Action from 1964 to 1984. These decades encompassed some of the momentous years of American history. They saw the emergence of the civil rights movement and the first concerted Federal programs

designed to fight poverty. They also saw the tragedy of Vietnam. Through all of these developments, Leon Shull continued to articulate the commitment of millions of Americans who have remained steadfast in their commitment to equality and justice.

Today, Leon Shull is retired. But one uses that word advisedly when speaking of this remarkable man. He continues to speak out, to organize, to advise, to help guide the course of American liberalism. Happy birthday, Leon, and may we have the benefit of your counsel and encouragement for many years to come.

□ 1910

Mrs. MINK. Mr. Speaker, I thank my colleague, the gentleman from Hawaii, very much. I appreciate those words very, very much.

To wind up our tribute tonight to Leon, I would like to call on a colleague who has more than his own individual experiences to relate to us, but he advised me that his father was very much involved in ADA and has very, very intimate stories to tell about Leon Shull. It is my privilege now to yield to our distinguished colleague, the gentleman from California, Bob FILNER.

Mr. FILNER. Mr. Speaker, I thank the gentlewoman from Hawaii. We are so appreciative of her efforts to allow us to pay tribute to Leon Shull on his 80th birthday.

Most of us have been influenced by Leon, Mr. Speaker, because of his 20 years as national director of ADA, the Americans for Democratic Action, which he presided over for those years, which saw unprecedented growth and unmatched influence for the Nation's oldest and largest political action and lobbying organization devoted to progressive ideals. He was a pivotal figure, as the Members have heard from our previous speakers, in all the major issues of the last 30 years.

Just reading off those events and causes that he so influenced can tire one out: nuclear arms control, the fights against Carswell and Hainsworth in the Supreme Court, the creation of ADA PAC's to support the campaigns of Progressives running for Congress, campaign finance reform, the reform of political parties, civil rights, human rights, at home and abroad, the Impeach Nixon campaign, post-Watergate reform efforts, youth empowerment, realigning the Federal budget priorities, tax reform, full employment, opposition to the war in Vietnam, passage of the Humphrey-Hawkins Full Employment Act, on and on. These are the issues on which Leon gave guidance, support, and victory, many times.

As the gentlewoman from Hawaii [Mrs. MINK] mentioned, my father was involved over a long period of time with the ADA National Board. I knew

long before I met Leon that he was and is the font of all knowledge when it comes to progressive issues, past, present, and future.

I first met him when I came to Washington nearly 20 years ago, when I was a legislative assistant to Senator Hubert Humphrey and Congressman Don Fraser, both long-time members and leaders of ADA. Leon educated me, as he had so many others, in the art of a practical politics, but as the gentleman from Massachusetts [Mr. FRANK] said, a practical politics defined by a true commitment to progressive ideals.

He schooled me and others in this vision in meetings and conferences, and in enormously stimulating dinner parties hosted by he and his partner in life, Anne Shull. I went back to San Diego, and as elected members of the San Diego Board of Education and the city council, I could always call on Leon to help put a national perspective on the issues we were dealing with locally, whether they were education reform, defense spending, economic conversion, you name it.

When I returned to Congress as a freshman Member, he was still there, as he is for all those who might call, to help prepare us for the battles in this arena, to show us a road map of Capitol Hill and the pitfalls and opportunities that a Member of Congress may face.

Like everyone, I sometimes disagree with Leon, but I know I can always get an honest and incisive assessment of the issue involved. Leon and Anne, we love you, we thank you for your years of activism, your years of mentorship, your years of commitment to a world of peace and economic and social justice.

I thank the gentlewoman from Hawaii [Mrs. MINK] for allowing all of us to share our debt and our country's debt to Leon Shull.

Mrs. MINK. Mr. Speaker, I thank the gentleman for his contribution. There were many other Members who would have wished to be able to join us tonight. One of them is our colleague, the gentleman from New York [Mr. RANGEL], who was here earlier but had to leave. He also served as president of the Americans for Democratic Action.

Mr. Speaker, to sum up our feelings about Leon, I think it would be accurate to say that this individual was a remarkable person who was able to combine not only a wit and sense of humor but an enormous, incredible ability of trying to synthesize some very complicated issues and being able to, in a few words, command the attention of the people to whom the words were being directed; namely, Members of Congress, people who were in the policy arena.

□ 1920

And he had this marvelous talent of being able to provoke your intellect and your conscience to do the right

thing. And I think that his contributions have to be acclaimed, and his skill and his ability as a person who could come to the Hill, describe the content of legislation and the enormous need for this legislation in order to help the people of this country.

No matter what the issue, whether it was the environment, or consumers, or people who were ill, or in need of housing, or food, or the hungry, or whether it was a civil rights issue, or war and peace, or whatever the matter at hand, a defense appropriation for moneys he felt were being wasted on unneeded projects where the funds could be used in other areas, he was a champion of the social and economic needs of this country. And he spent his lifetime arguing and debating and formulating these issues so that we, in arenas like this in the Congress, could better focus our energies and accomplish these things in the name of what is good for our country.

Not very often do you find a national organization that almost is parallel to our political parties like the Democratic Party or the Republican Party. The ADA had its own platform. It had people coming to the Hill to lobby on legislation. It had its own convention in which it endorsed nominees that ran for office both at the national level and sometimes at the local level for governor. It set about mobilizing a grassroots organization because that is where the strength of ADA lay, and as national director for 20 years, Leon Shull presided over all of these very, very extensive and important activities. He was out there mobilizing the grassroots at the country level and the State level, moving across the country, talking about issues of importance and why people ought to care.

That is not to say that there were not other important organizations, ones committed to the environment, some to social issues, civil rights, the housing alliance or women's groups, the labor unions, each one targeting a narrow portion of our national agenda and working vigorously in that area. But for Leon Shull, he took the whole panorama of issues that faced our country, and like the political parties, like the Democrats and the Republicans, fashioned a platform and a form of action to try to accomplish these things in a global and total sense. And he was a master. He devoted his total energies and expertise in organizing and in confronting people who were going to make decisions to make the right decisions.

He served at a critical time. I happened to be here in the Congress during the Vietnam war and during the matters in which we debated the poverty program, and the housing agenda, and the concepts of nondiscrimination in jobs, and the need for full employment, and all of these things that were debated at that time. It is not to say that

they are not central issues today, but the character of the debate has changed somewhat, largely due to the pioneer work of Leon Shull and those who followed in his footsteps who placed the proper agenda and emphasis of this country, and for all of the people who believe in what can be done about these issues. And Leon was a master at doing that.

So I am very proud to have had the opportunity to serve not only in the Congress with him, giving us direction and leadership, but also after I left the Congress to serve as national president of ADA for three terms while he was the national director.

Since he retired in 1984 he has gone on to assume numerous other responsibilities. He has not been in retirement. He simply left the presidency of ADA. He went on to serve as executive director of Citizens for a Just Minimum Wage. Minimum wage is very much an issue that this Congress has to deal with if we are really going to move our country forward and provide people with quality employment. I mean how can we talk about people working a full 40-hour week and still being in poverty based on our national standard? So there he is working mightily as a member of that committee.

He also went on to serve as executive director of Citizens for Workplace Fairness. This has to do with the striker replacement bill. So he is very much in the forefront as an activist and a strategist in order to get that legislation through the Congress.

He served as legislative director of the Full Employment Action Council, because again, as in the early part of his career, he is back to concentrate on the importance of full employment in America. Whether we talk about NAFTA or any of the other issues that provoke this Congress, and which require our action, fundamentally it all comes down to jobs. Whether we are debating an item in a defense budget or social program, we are talking about what impacts it will have on the employment opportunities in this country.

He has returned to the ADA, and that is probably the most remarkable thing. He is our No. 1 volunteer. He is serving in our legislative department. He is giving guidance again to people who come and flock around him for inspiration. He has been a model individual in my life, and he has certainly affected the lives of many people here in Washington.

We pay tribute to Leon for his remarkable career. But alongside him, inseparably and almost joined together in this crusade to make America better has been his wife, Anne, who has worked side by side along with Leon on all of his adventures and all of his projects. And so we cannot really pay tribute to Leon without also recognizing

ing his wife, Anne. His two daughters, Jane and Susan, and son-in-law, Ed, and his granddaughter, Ruth, I know will be coming together shortly in the Capital City to join with Anne and Leon in celebrating his 80th birthday. And so along with my colleagues who were here tonight, and those who were not, I want to extend to Leon the happiest of 80th, and many many more to come. And we will continue to look to you, Leon, for your leadership, and for your challenge for a better America.

Mr. MINETA. Mr. Speaker, I would like to thank our good friend, the gentlewoman from Hawaii [Mrs. MINN], for requesting this time to pay tribute to Leon Shull, on this the occasion of his 80th birthday.

Known to many as Mr. Liberal, Leon Shull has been a driving force in American politics for over 50 years. Without his commitment to the principles of fairness and equality, some of the most important civil rights and employment laws in this Nation would never have been enacted.

The amazing thing about Leon's many achievements is that they came about as a result of grassroots political action that seemed to have little or no chance of winning from the outset.

From his work in reforming Pennsylvania politics in the 1940's, to his opposition to the Vietnam war, to his passionate commitment to progressive political action, Leon's activism springs, not from any quest for power or influence, but from his unshakable dedication to equality and justice.

It is this very integrity that has kept Leon as active in the political process at age 80, as when he first started in politics. While most of us would have long since stopped to smell the roses, Leon continues on as a full-time volunteer at ADA where he serves as the legislative and grass-roots coordinator for ADA's efforts to enact a single-payer health plan, bring about full employment, and realign our national budget priorities.

On top of all this, Leon continues to reach out to younger ADA staff and volunteers, teaching them about the power of grassroots political action and instilling in them a drive to continue the tradition of activism he started at ADA.

Leon's principled dedication and commitment are respected across the political spectrum, even among those who disagree with his positions on the issues. His activism represents the embodiment of the basic ideals of American Government: that a free people are capable of governing themselves and that, despite the cynicism of our times, one person can make a difference.

I'm proud to join my colleagues in wishing him a well-deserved Happy Birthday.

#### NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have taken out this time this evening to

talk about the North American Free-Trade Agreement. We know that it is a package that is being strongly supported by President Clinton. It is being supported by all of the living former Presidents. This morning a letter was circulated from all 10 living former Secretaries of Commerce supporting the North American Free-Trade Agreement for a very simple and basic reason. They have all come to the conclusion that the North American Free-Trade Agreement is in the best interest of the United States of America.

One of the things that has happened over the past several weeks and months is that the people have been led to believe that implementing the North American Free-Trade Agreement is somehow a sellout of U.S. interests. Mr. Speaker, actually nothing could be further from the truth. In fact, the opposite is the case when one looks at NAFTA.

I happen to believe that as we look at the challenge of the future, NAFTA is in our best interest. In fact, as we listen to people who regularly stand here on the floor of the Congress, we listen to people out there in the country debating on television and radio programs the North American Free-Trade Agreement, we regularly hear horror stories about Mexico, about the flow of United States jobs from the United States to Mexico.

□ 1930

We hear about problems that exist on the border, we hear about the problem of illegal immigration which certainly affects my State of California. Our taxpayers in my State have to shoulder a \$3 billion annual cost for illegal immigration. We hear about the wage situation that exists in Mexico, we hear about human rights violations in Mexico, we hear about a lack of political pluralism in Mexico. We hear all these things and one would conclude that every one of these problems is taking place. Why? Because of NAFTA? Well, Mr. Speaker, NAFTA does not exist. NAFTA is an agreement which will be struck among the three countries, Canada, the United States, and Mexico, and is proposed to go into effect January 1, 1994, and be phased in over a 15-year period. So as we listen to the horror stories of United States jobs going to Mexico, as we listen to the horror stories of environmental problems on the border, as we listen to the horror stories of human rights violations which have taken place in Mexico, as we listen to all these problems, illegal immigration and all, we have to realize that all these things have happened not because of NAFTA, because there is no NAFTA. I happen to believe that while every single one of these problems does exist, the best way for us to counter these is by implementing NAFTA.

So basically the conclusion that I have drawn is that the North American

Free-Trade Agreement is about the future and not the past.

What we need to do is realize that we have some very serious economic problems right here in the United States. I am privileged to be able to represent part of Los Angeles County here. The unemployment rate in Los Angeles County is between 9 and 10 percent; the unemployment rate statewide in California is right around 9 percent. I happen to believe that the North American Free-Trade Agreement is not just in the best interests of the State which I am privileged to represent here in the Congress, it is in the best interests of this country. Why? Because we desperately want to create job opportunities here in the United States all over the country. The best way for us to do that is to realize that finding new markets for U.S.-manufactured goods and services is the best way to do that.

How do we do that? By breaking down tariff barriers, and that is what NAFTA is all about.

You know, those who oppose the North American Free-Trade Agreement do not offer a job-creation strategy. Oh, yes, they say things with which I agree that we should reduce the capital gains tax rate here in the United States, to create a business friendly Government outlook here; but we have this great opportunity 3 weeks from tomorrow when on November 17 we cast our vote on the North American Free-Trade Agreement.

Frankly, if we pass this opportunity—and there are many who have predicted defeat of the North American Free-Trade Agreement—I think we have a great chance to narrowly win it. I have said many times that if this were a secret ballot it would probably win by 75 votes. Why? Because as I have talked to colleagues on both sides of the aisle, Democrats and Republicans, they say they know it is in the best interest of the United States of America to pass NAFTA. But they feel political pressure at home and for other reasons they do not think they can vote for it. In fact more than a few, Mr. Speaker, have said to me they hope it passes but they feel they do not want to vote in support of it.

So clearly we have to look at the consequences of a potential defeat of NAFTA.

Let me tell you basically what happens: There is no doubt whatsoever that someone will export products like cars, computers, medical equipment, telecommunications to Mexico. With NAFTA if we put it into place it will be the United States of America. We will be the ones manufacturing automobiles, telecommunications, medical equipment, computers, other things to send into Mexico. Without NAFTA it will just as likely be Japan and the European Community.

I have said many times, Mr. Speaker, that I am not one who likes to engage

in bashing Japan or the European Community, but I am the first to acknowledge that Japan and the European Community have benefited greatly since we played a role in rebuilding their economies, their societies in the postwar world. And what has happened is they would very much like to have the chance to get into the Mexican economy.

There are 88 million consumers in Mexico and if we defeat NAFTA they will have in Mexico little choice other than to look toward Japan, the Pacific rim, and the European Community for opportunities to trade. Why? Because the United States will have said to the neighbor, their neighbor with which they share a 2,000-mile border to the north, the United States will have said, "Forget it. We don't want to do this."

Now I have always said that as my friends talk about, "Not this NAFTA, we want to create another North American Free-Trade Agreement," I believe that is slightly disingenuous. Why? Because while this is a 2,000-page agreement and I do not like every aspect of it and I am supporting NAFTA in spite of, not because of the side agreements, I am convinced they do not jeopardize U.S. sovereignty as some have said; but as we look at this package, that is phased in over a 15-year period—and the reason it is so long is that the tariff structure is so great today that we need to work to bring it down—but as we look at those who say, "Not this NAFTA, we need to negotiate another NAFTA," I say: "Strike an agreement that will have the support of Ross Perot and Pat Buchanan, Jesse Jackson, Jerry Brown, Lyndon LaRouche, Ralph Nader. These people who came out and opposed NAFTA said there should be another NAFTA. The AFL-CIO, I am hard-pressed to believe that an agreement could be struck that would have all of the support of the AFL-CIO and Pat Buchanan and at the same time Jesse Jackson.

So the fact of the matter is while it is not perfect, and I realize, I am the first to admit there is going to be some job displacement—that is what happens with free markets, the free flow of goods and services. That is the way it works. I am convinced while this one is not perfect it clearly is far superior to the status quo and it does create an opportunity for the United States of America to have a tremendous, tremendous advantage over the Japanese and the European Community.

Let me explain why: First of all we look at the tariff structure that exists today. I would like to ask you, Mr. Speaker, to focus on these charts right here so that our colleagues, most of whom are not here but I realize they may be seeing this in some other spot, the tariff structure that exists today as a tariff that ranges between 10 and 20 percent for chemicals, United States-manufactured chemicals going into

Mexico. Where the United States tariff on chemicals from Mexico is between zero and 4 percent.

Under NAFTA for the United States and Canada that tariff will be completely eliminated. What we will see is we will see this tariff barrier of 10 to 20 percent maintained, not for the United States, Mr. Speaker, but for the Japanese and the European Community.

Look at pharmaceuticals: On an average a 15-percent Mexican tariff is charged on United States-manufactured goods going into Mexico. The average tariff that we impose on Mexican pharmaceuticals coming into the United States is only 3.5 percent. Under NAFTA that is totally eliminated, brought down to zero. But for the Japanese and the European Communities it is still a 15-percent average tariff barrier that wall will still be up giving the United States a greater advantage over our friends in Japan and the European Community.

In the textiles and apparels area, 14 to 20 percent on average, the Mexican tariff that is charged—a tax basically on United States textiles and apparel going into Mexico—6 percent is the average tariff that we have on Mexican textiles and apparel coming into the United States. This 14- to 20-percent average tariff remains for Japan and the European Community. But it comes down for the United States creating an opportunity for us to gain access to those 88 million consumers creating a chance for us to create jobs here in the United States and expand export opportunities for us.

So it seems to me we need to realize that NAFTA is clearly in the best interests of the United States.

Let us go further: Industrial machinery. On average a 10- to 17-percent Mexican tariff on United States-produced industrial machinery going into Mexico, zero to 2 percent is the United States tariff on Mexican-manufactured industrial machinery coming into the United States. What happens under NAFTA if NAFTA is implemented? both sides are brought down to zero. But remember Japanese and European Community manufacturers of industrial machinery will still face this 10- to 17-percent Mexican tariff.

Household appliances on average 17.1 percent is the Mexican tariff on United States-manufactured household appliances going into Mexico. Less than 1 percent, 0.8 percent is the average tariff charged on household appliances manufactured in Mexico coming into the United States. Under NAFTA a total elimination of these barriers but 17.1 percent average tariff will be maintained for the Japanese and the European Community.

Steelmill products: On average 10- to 15-percent Mexican tariff on steelmill products coming from the United States into Mexico; 4 percent is our average tariff charged for Mexican-manu-

factured steelmill products coming into the United States. Under NAFTA totally eliminated. But the 10- to 15-percent Mexican tariff will be maintained for the Japanese producers and the European Community.

□ 1940

Flat glass: The average tariff is 20 percent on flat glass coming from the United States into Mexico. The tariff that the United States charges on Mexican-manufactured flat glass coming in is three-tenths of 1 percent, this tariff brought down to zero, totally eliminated except for the Japanese and the European community, that 20 percent tariff is maintained. So the United States creates a tremendous advantage over the Japanese and the European communities.

Bearings, 12 percent Mexican tariff, 7 percent the average United States tariff, goes down to zero under NAFTA. And what happens, maintained at 12 percent for the Japanese and the European community.

Machine tools: Thirteen percent average Mexican tariff that is charged on United States-manufactured machine tools going into Mexico, 2 percent is the average United States tariff on Mexican machine tools coming into the United States. Under NAFTA, it comes down to zero. Free trade, yet the 13 percent average is maintained for Japan and the European community.

Look at automobiles, which is the item that is often discussed here, and for the life of me, as my friend, the gentleman from Florida [Mr. SAM GIBBONS], chairman of the Trade Subcommittee says regularly, he cannot understand why auto manufacturers and the workers would not support NAFTA.

Why? The tariff that Mexico charges for United States-manufactured automobiles, a tax imposed on us to get our cars into Mexico is 20 percent.

The United States tariff charged for manufacture of automobiles in Mexico coming into the United States is only 2.2 percent. Under NAFTA, it comes down to zero.

Projections from the big three automakers are that we will see a 60 fold increase in the first year. Right now we export 1,000 automobiles from the United States into Mexico. Under NAFTA, the projections are that in the first year we will see an increase of 60,000 automobiles manufactured.

Why? Because of the dramatic production that takes place, and ultimately that tariff will be down to zero.

But Mr. Speaker, the 20 percent tariff right here that Mexico charges for automobiles coming in will be maintained for automobiles manufactured in Japan, for automobiles manufactured in Germany, for automobiles manufactured in Italy, or France, or other countries, but for the United States of America and Canada, under

the North American Free-Trade Agreement it will be zero, so we will have a tremendous opportunity, which is much greater than Japan or Germany to sell United States-manufactured automobiles to the 88 million consumers in Mexico.

Light trucks, again 20 percent tariff that Mexico charges. Right now for the United States to send light trucks into Mexico, our average again, our tariff is 2.2 percent that we impose on Mexican light trucks coming into the United States. Under NAFTA, it comes down to zero. Free trade, dramatic increase in our opportunity to export from the United States into Mexico, but the 20 percent tariff is maintained for Japan and the European Community.

Auto parts, 13.1 percent tariff is what the Mexicans charge for United States-manufactured auto parts going into Mexico; four-tenths of 1 percent, you can see here, is what is charged for Mexican-manufactured auto parts coming into the United States.

Under NAFTA, it comes down to zero, but for Japan and the European community, it remains at 13.1 percent for auto parts.

So with these figures, you can see very clearly, Mr. Speaker, that there is a tremendous benefit that is accrued to the United States worker which will enhance opportunities for us to have this grand strategy of creating jobs.

Let us look at computers. I have often pointed to this and said, as I will say again this evening, that computers is something that is of great concern in my State of California. We have a 10-percent figure here, but actually the tariff on computers manufactured in the United States going into Mexico goes up to 20 percent. It is 10 to 20 percent, and the United States tariff on Mexican-made computers coming into this country is between 3.7 and 3.9 percent, as you can see on this chart, Mr. Speaker.

Well, what happens is under NAFTA we bring that tariff down to zero, a great big zero, nada; but the tariff of 10 to 20 percent remains for Japan and the European community.

Now, the specific example that I have cited in the area of computers, Mr. Speaker, I would like to share again. As we talk to the people in the computer industry, the chief executive officer of IBM, the International Business Machines, has said that if NAFTA is defeated, IBM will have no choice other than to move operations to Mexico.

Why? Because it is the only way that they can gain access to those 88 million consumers in America; but if we put the North American Free-Trade Agreement in place, we can keep the jobs right here in the United States.

Why? Because under NAFTA the tariff will come down to zero, so that United States workers can continue to manufacture computer systems products, software, and export into Mexico tariff free under NAFTA.

So I would like to see IBM keep its jobs here in the United States, and with a zero tariff export into Mexico.

Now, if we pass NAFTA, remember that 10 to 20 percent tariff on computers which will be eliminated under NAFTA if we pass it will be maintained for computers coming from Japan and the Far East, other countries in the world, the European Community.

So what happens? The North American Free-Trade Agreement is a great boost for the United States of America, the U.S. worker, and it will clearly create more job opportunities for us here.

Computer chips, 10 percent, right now we have zero tariff, no tariff on computer chips from Mexico coming into the United States. They charge us 10 percent, that tariff, that 10 percent tax on the U.S. worker going in.

Under NAFTA, both will be eliminated. You can see there is obviously a humongous difference that exists today. We have no tariff and they have a 10 percent tariff. It goes down to zero.

Computer chips from the United States will go in. IBM, Tandy, other operations will not have to shift from the United States, and open up their manufacturing operations in Mexico.

But, and once again this 10 percent tariff that is there for computer chips is maintained for Japan, the European Community and other countries throughout the world.

In the area of electronics, 2.6 percent average tariff on electronics that they charge on our goods coming in, 2.4 percent on Mexican-manufactured electronics equipment coming into the United States. It will go down to zero. That 2.6 percent average will be maintained for Taiwan, Singapore, Hong Kong, Korea and Japan and other countries, which would desperately like to have access to the Mexican market. They would love to get to Mexico so that they could use it for a staging ground, an export platform, if you will, to send goods into the United States; but Mr. Speaker, I believe that we in this hemisphere should unite together, recognizing that the wave of the future is to reduce barriers.

Now, let us look at the export industry here in the United States. We found that on average workers here in the United States who manufacture items for export earn 17 percent more than workers here in the United States. The workers here in the United States are compensated for items that are simply for domestic consumption here in the United States.

So it is a 17-percent wage improvement for those people who are in the export industries.

We also know that contrary to the argument that we regularly hear that the poor Mexican people cannot afford to buy United States goods, the middle income wage earner in Mexico, there are 20 million of them, almost the entire population of Canada, and these

are the people who are desperately seeking the opportunity to purchase United States-manufactured goods and services.

So it seems to me, Mr. Speaker, that we need to do everything we possibly can to expand these opportunities for us to create jobs right here in the United States.

Now, as we look, I mentioned a few minutes ago the people who oppose the North American Free-Trade Agreement. It consists of, I mentioned all the defeated Presidential candidates, Ross Perot, Pat Buchanan, Jesse Jackson, Jerry Brown, Ralph Nader, Lyndon LaRouche, all these people have run for President of the United States and they strongly oppose the North American trade agreement.

Let us look for a moment at the people who support the North American Free-Trade Agreement. Last month, actually on September 1, all 12 of the living American Nobel Laureate economists joined with 264 other economists in sending a letter to President Clinton. In that letter, the likes of Paul Samuelson, Milton Friedman and others, Robert Solow and James Tobin, who have received the Nobel Laureate in Economics, strongly supported the North American Free-Trade Agreement.

□ 1950

In their letter, and I have got it here, it says, and I quote, "Specifically the assertions that the North American Free-Trade Agreement will spur an exodus of United States jobs to Mexico are without basis," and I think that the points that I have made with these charts, Mr. Speaker, point to that.

Now I should explain that. Let me say that, as we look at other support, I remember when we went to the White House and President Clinton had former President Ford, former President Bush, and former President Carter join in a ceremony with him. He stood up and he talked about his experiences as a Governor. He had told me on other occasions that, as a Governor, he knew of people that, under the present situation, had seen their jobs go to Mexico, and he said that as a former Governor he knows that every single person who lives in a Governor's mansion, of the 50 in this country, wakes up in the morning, and the first thing he or she thinks of is, how am I going to create jobs for the people in my State?

Mr. Speaker, people expect their Governors to create jobs for them in their States, and that is really their top priority, and, Mr. Speaker, 41 of the 50 Governors in this country, Democrats and Republicans, support the North American Free-Trade Agreement, and I think that as those who are out there here in Washington, Members of Congress, talking about how jobs are going to be lost, one cannot help but ask the question, Why is it

that 41 of 50 Governors, all of whom have as their top priority every morning when they wake up, creating jobs for their States, why is it that 41 of the 50 strongly support the North American Free-Trade Agreement?

The reason is very simply that they know that NAFTA is going to create jobs in their States, and I say to my colleagues, if you look at the past several years, exports for all but two States in the Union have increased from between 100 and 300 percent already, even with the tariff structure that exists, and that is how we have been able to go from what was a nearly \$6 billion trade deficit in 1986, to what we had last year, a \$5.4 billion trade surplus. The Mexican consumers were buying \$5.4 billion more in goods from us than we from them.

Now, Mr. Speaker, I know that opponents say that so many of these goods simply go down to Mexico, and then are manufactured, and then turn around and come back to the United States, but 83 percent of the items which go from the United States to Mexico stay in Mexico, and they are there for the Mexican consumer.

I mentioned the fact that all 10 of the living Commerce Secretaries who, here at the Federal level, have as their responsibility economic growth, creating jobs, spurring on the economy; all 10 living former Commerce Secretaries have today signed this letter which strongly supports NAFTA, Democrats and Republicans. So, as we look at this issue, it is clear that we need to do everything that we possibly can to expand these opportunities.

Mr. Speaker, Mexico is our third largest export market, and it is the 13th largest economy on the face of the Earth, and it is one of the fastest growing, and we need to realize that, while we have had slow economic growth in many parts of the United States, Mexico's economy is growing, and so are the economies of other countries in Latin America.

Mr. Speaker, the other countries in Latin America desperately want to see us pass the North American Free-Trade Agreement, and I believe that, if we try to stick our heads in the sand and simply say that the United States of America can stand alone, that we will actually be hurting ourselves more than anyone can imagine. There are some very dire predictions as to what might happen if we do not pass the North American Free-Trade Agreement, and the best one, I believe, is that which I was referring to with these charts.

We extend an invitation to Japan and the European Community to come to Mexico and utilize Mexico as an export platform to embark on free-trade agreements with other countries in South America. They ultimately want to join with us, and I think that, as we look at the cause of freedom and the

fact that during the past 15 years we have seen incredible advances in technology, we have seen incredible advances in our ability to communicate worldwide, the natural step is to work to reduce barriers to the free flow of goods and services.

Mr. Speaker, I say regularly that I do not believe that I, as a Member of the U.S. Congress, have a right to say to the people whom I represent in California, "You can't buy the best quality product at the lowest possible price." I think that we should be able to do that. I believe that we should do everything that we can to increase U.S. productivity. I am convinced that the American worker is by far the most productive.

Mr. Speaker, it was United States productivity that led General Motors and the United Auto Workers to make a decision to move a plant from Mexico back to Lansing, MI, creating a thousand jobs right here in the United States. Why? Because the United States auto worker is actually nine times more productive than the Mexican auto worker.

So, as we look at these issues which are of concern, I hope very much that our colleagues will do everything that they possibly can to look at the details and the facts on this.

I recognize that it is a tough political issue. Out in southern California, Mr. Speaker, I suppose I enhance their efforts by saying this, but there are more than a couple of people, many of whom are not actually constituents of mine, but know that I have been in strong support of reducing trade barriers, trying to increase export opportunities for the United States, but these people have gone out and picketed and protested almost daily in front of my office in Los Angeles, and I certainly welcome them. I mean, I know that some of the people in my office may not welcome them, but I support their first amendment rights, their right to free speech. They have a right to stand there and voice their opinions on this.

But I believe that, as we look at the facts on this, Mr. Speaker, that it is in the best interests of the United States to look toward the future and not the past, and that is what I am trying to do, and I hope that 3 weeks from tomorrow, on November 17, that a majority of our colleagues in the U.S. House of Representatives will join with a majority of our colleagues in the U.S. Senate and pass the North American Free-Trade Agreement.

#### 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. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. MCCANDLESS, for 60 minutes, on October 27.

Mr. MANZULLO, for 5 minutes, today.

Mr. GILLMOR, for 5 minutes, on October 27.

Mr. GOSS, for 5 minutes, on October 27.

Mr. WELDON, for 5 minutes, today.

Mr. DORNAN, for 60 minutes, today.

Mr. BILIRAKIS, for 5 minutes each day, on November 3 and 4.

Mr. BARTLETT of Maryland, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. MCCLOSKEY, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Miss COLLINS of Michigan, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. UNDERWOOD, for 30 minutes, today.

Mr. FALEOMAVAEGA, for 60 minutes, today.

Mrs. MINK, for 60 minutes, on October 27.

Mr. STUPAK, for 10 minutes, on November 3.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BURTON of Indiana) and to include extraneous matter:)

Mr. FISH.

Mr. GILMAN.

Mr. BAKER of California.

Mr. ALLARD.

Mr. LAZIO.

Mr. GRAMS.

Mr. SMITH of New Jersey.

Mr. SAXTON.

Mr. HOKE.

Mr. DORNAN in two instances.

Mr. GALLEGLY in three instances.

Mr. BURTON of Indiana.

Mr. CLINGER.

Mr. SOLOMON in three instances.

Mr. WALKER.

Mr. QUINN.

(The following Members (at the request of Ms. WOOLSEY) and to include extraneous matter:)

Ms. MEEK.

Mr. PETERSON of Florida.

Mr. BLACKWELL in three instances.

Mr. DIXON in three instances.

Mr. ACKERMAN.

Mr. LEHMAN in three instances.

Mr. CLAY.

Mr. STARK in five instances.

Mr. FOGLIETTA.

Mr. MONTGOMERY.

Mrs. MALONEY in two instances.

Mr. MINETA.

Mr. SWETT.

Mr. NEAL of Massachusetts.

Mr. BROOKS.

Ms. DELAURO.

Mrs. THURMAN.

Mr. MANN in two instances.

Mr. SLATTERY.

Mr. RANGEL.

Miss COLLINS of Michigan.

Mr. KREIDLER.

Mr. STENHOLM.

Mr. RICHARDSON.

Mr. MARTINEZ.

(The following Members (at the request of Mr. DREIER) and to include extraneous matter:)

Mr. LEWIS of Georgia.

Mr. SCHUMER.

Mr. PORTER.

Mr. TOWNS.

Mr. MAZZOLI.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 328. An act to direct the Secretary of Agriculture to convey certain lands to the town of Taos, NM.

H.R. 2491. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2519. An act making appropriations for the Department of Commerce, Justice, and State, and judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2750. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

H.J. Res. 228. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of Romania.

H.J. Res. 281. Joint resolution making further continuing appropriations for the fiscal year 1994, and for other purposes.

#### A BILL PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2685. An act to amend title V, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 27, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2054. A letter from the Administrator, Energy Information Administration, transmitting the Energy Information Administration report "Emissions of Greenhouse Gases in the United States, 1985-1990," pursuant to section 1605(a) of the Energy Policy Act of 1992; to the Committee on Energy and Commerce.

2055. A letter from the Chairman, Federal Trade Commission, transmitting a report on the need for, and the desirability of, having a uniform national label on devices used to dispense automotive fuel to consumers, pursuant to Public Law 102-486, section 1503(c) (106 Stat. 2999); to the Committee on Energy and Commerce.

2056. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

2057. A letter from the Chairman, Federal Election Commission, transmitting proposed regulations governing "Best Efforts" to obtain and report contribution information, pursuant to 2 U.S.C. 430(d)(1); to the Committee on House Administration.

2058. A letter from the Comptroller of the Department of Defense, transmitting a report pursuant to sections 8007, 8006, and 9006 of the Department of Defense Appropriations Acts for fiscal year 1991, fiscal year 1992, and fiscal year 1993, respectively, and sections 1401, 1001, and 1001 of the Department of Defense Authorization Act for those same years; jointly, to the Committees on Appropriations and Armed Services.

2059. A letter from the Chairman, Competitiveness Policy Council, transmitting a report to the President and Congress entitled "Enhancing American Competitiveness: A Progress Report to the President and Congress," pursuant to Public Law 100-418, section 5204(b) (102 Stat. 1456; jointly, to the Committees on Education and Labor, Banking, Finance and Urban Affairs, Science, Space, and Technology, Energy and Commerce, and Ways and Means.

2060. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to designate defense acquisition pilot programs in accordance with the National Defense Authorization Act for fiscal year 1991, and for other purposes; jointly, to the Committees on Armed Services, Government Operations, Small Business, Ways and Means, Foreign Affairs, the Judiciary, Merchant Marine and Fisheries, Public Works and Transportation, and Energy and Commerce.

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. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 1250. A bill to amend the coastwise trade laws to clarify their application to certain passenger vessels; with an amendment (Rept. 103-307). Referred to the Committee of Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. House Resolution 283. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-306). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS (for himself and Mr. SCHUMER):

H.R. 3350. A bill to establish a program of residential substance abuse treatment within Federal prisons; to the Committee on the Judiciary.

H.R. 3351. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself, Mr. MATSUI, Mr. ANDREWS of Texas, Mr. KOPETSKI, Mr. JEFFERSON, Mr. RICHARDSON, Mr. COLEMAN, Mr. CHAPMAN, and Mr. BAESLER):

H.R. 3352. A bill to establish a transitional program of adjustment assistance to workers adversely affected by the implementation of the North American Free-Trade Agreement, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS (for himself and Mr. SCHUMER):

H.R. 3353. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking; to the Committee on the Judiciary.

H.R. 3354. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within State's correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment; to the Committee on the Judiciary.

H.R. 3355. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety; to the Committee on the Judiciary.

By Mr. HAYES:

H.R. 3356. A bill to designate the U.S. courthouse under construction at 611 Broad Street, in Lake Charles, LA, as the "Edwin Ford Hunter, Jr., United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. GOSS:

H.R. 3357. A bill to prohibit travel by Members, officers, and employees of the House of Representatives at lobbyist expense; to the Committee on House Administration.

By Mr. HOBSON:

H.R. 3358. A bill to suspend until January 1, 1999, the duty on straining cloth of

nonwoven, needletacked web composed of fibers made from polypropylene electret charged, fibrillated film, with or without scrim, such scrim being composed of spun bond fibers of polypropylene; to the Committee on Ways and Means.

By Mr. HOKE (for himself and Mr. DERRICK):

H.R. 3359. A bill to amend the Federal Deposit Insurance Act to establish a lifetime limit of \$100,000 on the amount of deposit insurance any person may obtain; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LIPINSKI (for himself, Mr. TAUZIN, Mr. MANTON, Mr. STUPAK, and Mr. LAFALCE):

H.R. 3360. A bill to direct the Secretary of Transportation to demonstrate on vessels ballast water management technologies and practices, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in U.S. waters; to the Committee on Merchant Marine and Fisheries.

By Mr. MACHTLEY:

H.R. 3361. A bill to provide revenues for the revitalization of the U.S. merchant marine by increasing the excise tax on the transportation of passengers by water for vessels having a capacity of at least 150 passengers, and for other purposes; to the Committee on Ways and Means.

By Mr. MAZZOLI:

H.R. 3362. A bill to amend the Immigration and Nationality Act to strengthen sanctions relating to employment of unauthorized aliens; to the Committee on the Judiciary.

By Mr. MAZZOLI (for himself, Mr. SCHUMER, and Mr. MCCOLLUM):

H.R. 3363. A bill to amend the Immigration and Nationality Act to improve immigration enforcement and antimuggling activities, to reform the asylum law, and to authorize appropriations for the Immigration and Naturalization Service; to the Committee on the Judiciary.

By Mrs. MEEK:

H.R. 3364. A bill to provide for adjustment of immigration status for certain Haitian children; to the Committee on the Judiciary.

By Mr. MORAN (for himself, Mr. FRANK of Massachusetts, Ms. FELOSÌ, Mr. TOWNS, Mr. SCOTT, Ms. BYRNE, and Mrs. MORELLA):

H.R. 3365. A bill to amend title 18, United States Code, to protect the personal privacy and safety of licensed drivers, taking into account the legitimate needs of government and business; to the Committee on the Judiciary.

By Mr. ORTON (for himself, and Mrs. SCHROEDER):

H.R. 3366. A bill to amend title 18, United States Code, to provide penalties for child endangerment and abuse in the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. OXLEY (for himself and Mr. MICHEL):

H.R. 3367. A bill to provide restitution to crime victims; to the Committee on the Judiciary.

By Mr. PETERSON of Florida:

H.R. 3368. A bill to provide that each State may furnish one additional Statute for placement in National Statuary Hall in the Capitol, and for other purposes, to the Committee on House Administration.

By Mr. RANGEL:

H.R. 3369. A bill to amend the Internal Revenue Code of 1986 to exempt certain Small Business Administration financing from the

provisions of section 514 of such code; to the Committee on Ways and Means.

By Mr. SANDERS:

H.R. 3370. A bill to amend the Agricultural Act of 1949 to provide for the establishment of a multiple-tier price support program for milk to achieve a closer correlation between annual milk production and consumption while assuring sufficient low-cost dairy products for nutrition assistance programs; to the Committee on Agriculture.

By Mr. SWETT:

H.R. 3371. A bill to authorize Federal departments and agencies to sell energy from cogeneration facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UNDERWOOD (for himself, Mr. ABERCROMBIE, Mr. DE LUGO, Mr. EDWARDS of California, Mr. FALCOMAVEGA, Mr. FROST, Mr. GALLEGLY, Ms. NORTON, Mr. KING, Mr. LIPINSKI, Mrs. MEEK, Mrs. MINK, Mr. MURPHY, and Mr. SERRANO):

H.R. 3372. A bill to provide for the minting of coins in commemoration of the 50th anniversary of the liberation of Guam and the Northern Mariana Islands, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ZIMMER (for himself, Mr. SAXTON, and Mrs. JOHNSON of Connecticut):

H.R. 3373. A bill to amend the Internal Revenue Code of 1986 to allow a credit against the estate tax for certain transfers of real property for conservation purposes; to the Committee on Ways and Means.

H.R. 3374. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain bargain sales; to the Committee on Ways and Means.

By Mr. GILLMOR:

H.J. Res. 282. Joint resolution proposing an amendment to the Constitution of the United States regarding federally mandated expenditures; to the Committee on the Judiciary.

By Mr. BLACKWELL:

H. Res. 284. Resolution expressing the sense of the House of Representatives that the Third College at the University of California at San Diego should be renamed the "Thurgood Marshall College" in honor of Justice Thurgood Marshall; to the Committee on Education and Labor.

By Ms. WOOLSEY:

H. Res. 285. Resolution expressing the sense of the House of Representatives that the Attorney General and the Director of the Federal Bureau of Investigation should cooperate with the U.S. Postal Service and the Polly Klaas Search Center to disseminate information regarding the kidnapping of Polly Klaas; jointly, to the Committee on the Judiciary and Post Office and Civil Service.

#### MEMORIALS

Under clause 4 of rule XXII,  
263. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to having Congress take appropriate measures to have the National Railroad Passenger Corporation rescind the recently announced service reduction within the Keystone Corridor; to the Committee on Energy and Commerce.

#### ADDITIONAL SPONSORS.

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. GILCHRIST.  
H.R. 140: Mr. GUNDERSON and Mr. ROTH.  
H.R. 323: Mr. INGLIS of South Carolina, Mr. GREENWOOD, Mr. MCKEON, and Mr. TALENT.  
H.R. 417: Mr. MANZULLO, Mr. FAWELL, Mr. GOODLATTE, and Mr. COX.  
H.R. 419: Ms. BYRNE.  
H.R. 455: Ms. FURSE and Ms. BROWN of Florida.  
H.R. 467: Ms. SLAUGHTER, Mrs. LLOYD, and Mr. ENGEL.  
H.R. 658: Mr. GIBBONS.  
H.R. 688: Mr. GRAMS and Mr. JEFFERSON.  
H.R. 760: Mr. FISH and Mr. SENSENBRENNER.  
H.R. 769: Mr. SKEEN.  
H.R. 830: Mr. PRICE of North Carolina, Mr. INSLEE, Ms. SLAUGHTER, and Mr. TAYLOR of Mississippi.  
H.R. 886: Mr. EWING, Mr. CASTLE, Mr. DEAL, and Mr. MCDADE.  
H.R. 894: Mr. SOLOMON.  
H.R. 911: Mr. VISLOSKEY.  
H.R. 935: Mr. DELLUMS.  
H.R. 972: Mr. KOPETSKI and Mr. ENGEL.  
H.R. 1082: Mr. MINETA.  
H.R. 1295: Mr. FRANKS of New Jersey, Mr. TEJEDA, Ms. FURSE, Mr. LAZIO, and Mr. WILLIAMS.  
H.R. 1332: Ms. SLAUGHTER.  
H.R. 1355: Mr. BATEMAN.  
H.R. 1438: Mr. MCINNIS.  
H.R. 1593: Mr. ZIMMER.  
H.R. 1808: Mr. BROOKS, Mr. DURBIN, Mr. GIBBONS, Mr. STOKES, and Mr. WASHINGTON.  
H.R. 1627: Mr. WOLF, Mr. SLATTERY, and Mr. BARLOW.  
H.R. 1671: Mr. WYNN and Mr. DIAZ-BALART.  
H.R. 1709: Mr. MCKEON, Mr. FIELDS of Texas, Mrs. MALONEY, Ms. ENGLISH of Arizona, Mr. SANTORUM, Mr. COOPER, Ms. HARMAN, Mr. STENHOLM, Mr. GALLEGLY, and Mr. HUNTER.  
H.R. 1718: Ms. MCKINNEY.  
H.R. 1738: Mr. MILLER of Florida.  
H.R. 1787: Mr. GORDON.  
H.R. 1796: Mr. EVANS, Mr. ANDREWS of Maine, Mr. GENE GREEN of Texas, Mr. ENGLISH of Oklahoma, Mr. REGULA, Mr. TEJEDA, Mr. GUTIERREZ, Mr. SANTORUM, Mr. MOAKLEY, Mr. WYDEN, and Mr. RIDGE.  
H.R. 1801: Mr. GENE GREEN of Texas.  
H.R. 1814: Mr. BISHOP and Mr. MACHTLEY.  
H.R. 1933: Mr. MANTON.  
H.R. 1985: Mr. YATES, Mr. PICKETT, and Mr. JOHNSON of South Dakota.  
H.R. 2033: Mr. MCHALE.  
H.R. 2042: Mr. UPTON, Mr. HOEKSTRA, Mr. WOLF, Mr. STUMP, and Mr. LEWIS of Florida.  
H.R. 2092: Mr. SISISKY, Mr. KOPETSKI, Mr. FISH, Mr. GUTIERREZ, and Mr. DELLUMS.  
H.R. 2171: Mr. RAMSTAD and Mr. KOPETSKI.  
H.R. 2292: Mr. BROWN of Ohio, Mr. MACHTLEY, and Mrs. FOWLER.  
H.R. 2307: Mr. MCCREERY.  
H.R. 2375: Mr. BACCHUS of Florida, Mr. HOCHBRUECKNER, Mrs. MALONEY, Mr. BOUCHER, Ms. PELOSI, Ms. SNOWE, and Mr. LIPINSKI.  
H.R. 2414: Ms. WOOLSEY.  
H.R. 2438: Mr. VISLOSKEY.  
H.R. 2462: Mr. JACOBS.  
H.R. 2602: Mr. JOHNSON of South Dakota and Mr. GRAMS.  
H.R. 2612: Mr. MINETA.  
H.R. 2706: Mr. BARCA of Wisconsin, Mr. HUGHES, Mr. RANGEL, Mrs. MEEK, Mr. BOUCHER, Mrs. MALONEY, Mr. FINGERRUT, and Mr. KENNEDY.  
H.R. 2712: Mr. BLACKWELL and Mr. BREWSTER.  
H.R. 2720: Mr. WYNN, Mr. KINGSTON, Mr. BISHOP, Mr. BUYER, Mr. BERUTER, and Mrs. ROUKEMA.  
H.R. 2722: Mr. REYNOLDS, Mr. KILDEE, Mr. MCDERMOTT, Mr. GILLMOR, Mr. ENGEL, Mr.

CUNNINGHAM, Mr. PALLONE, Mr. TORKILDSEN, Mrs. ROUKEMA, Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Mr. HOEKSTRA, Mr. ANDREWS of New Jersey, and Mr. RAMSTAD.

H.R. 2787: Mr. HINCHEY.  
H.R. 2834: Ms. BYRNE, Mr. JOHNSON of South Dakota, Mr. BARCA of Wisconsin, and Mr. MEEHAN.

H.R. 2864: Mr. ROMERO-BARCELO, Mr. REED, Mr. MYERS of Indiana, and Mr. MEEHAN.

H.R. 2867: Mrs. SCHROEDER, Mr. JEFFERSON, Mr. THOMPSON, Mrs. MEEK, Mr. BERMAN, Mr. HILLIARD, Mr. DEUTSCH, Mr. FRANK of Massachusetts, Mr. JOHNSTON of Florida, Mr. EVANS, and Mr. WATT.

H.R. 2872: Mr. PAXON, Mr. HOUGHTON, Mr. BOUCHER, Mr. THOMAS of Wyoming, and Mr. BACCHUS of Alabama.

H.R. 2884: Mr. EVANS.  
H.R. 2916: Mr. FROST, Mr. SMITH of New Jersey, and Mr. MACHTLEY.

H.R. 2975: Mr. MCHUGH.  
H.R. 2985: Mr. CONDIT and Mr. PRICE of North Carolina.

H.R. 2997: Mr. REED.  
H.R. 3012: Mr. LEACH.  
H.R. 3017: Mr. GIBBONS.  
H.R. 3021: Mr. THOMAS of Wyoming and Mr. HUGHES.

H.R. 3030: Mr. TALENT.  
H.R. 3031: Mr. MOORHEAD.  
H.R. 3039: Mr. GUNDERSON, Mr. TALENT, and Mr. ROHRBACHER.

H.R. 3041: Mr. WILSON and Mr. LIPINSKI.  
H.R. 3078: Mr. PARKER.  
H.R. 3096: Mr. ABERCROMBIE.

H.R. 3098: Ms. ENGLISH of Arizona, Mr. SHAYS, Mr. KLUG, Mr. VISLOSKEY, Mr. MANTON, Mr. HOUGHTON and Mr. MARKEY.  
H.R. 3100: Mr. BELLENSON, Mr. BERMAN, Mr. FILNER, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. HUGHES, Mr. JEFFERSON, Mrs. MINK, and Mrs. UNSOELD.

H.R. 3109: Mr. HANSEN, Mr. KLUG, and Mr. KLECZKA.

H.R. 3122: Mr. EVERETT.  
H.R. 3129: Mr. FRANK of Massachusetts.  
H.R. 3146: Mr. ZELIFF.

H.R. 3182: Mr. BLACKWELL and Mr. DEUTSCH.

H.R. 3203: Mr. MACHTLEY, Mr. MCHUGH, Mr. NEAL of North Carolina, Mr. EDWARDS of California, and Mr. JEFFERSON.

H.R. 3205: Mr. PETE GEREN of Texas, Mr. KLEIN, Mr. ANDREWS of Texas, Mr. ENGLISH of Oklahoma, Mr. LANCASTER, Mr. WILSON, Mr. MINGE, and Mr. ZELIFF.

H.R. 3212: Mr. BAKER of Louisiana and Mr. PETRI.  
H.R. 3228: Mr. HUGHES and Mr. SHAW.  
H.R. 3235: Mr. FLAKE, Mr. KANJORSKI, Mr. PICKLE, Ms. VELÁZQUEZ, and Mr. HINCHEY.

H.R. 3250: Mr. ROHRBACHER and Mr. BAKER of Louisiana.  
H.R. 3256: Mr. CRAMER, Mr. FROST, Mr. EMERSON, Mr. WALSH, Mr. KLUG, Mr. MURPHY, and Mr. LIPINSKI.

H.R. 3269: Mrs. UNSOELD, Mr. FILNER, Mr. BOUCHER, Mr. MCHUGH, Mr. LIPINSKI, Mr. JEFFERSON, Mr. GUTIERREZ, and Mr. NEAL of North Carolina.  
H.R. 3272: Mr. MCCOLLUM.

H.R. 3278: Ms. VELÁZQUEZ, Ms. PELOSI, Mr. BLACKWELL, and Mr. LEWIS of Georgia.  
H.R. 3301: Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. NEAL of North Carolina, Mrs. ROUKEMA, Mr. HOCHBRUECKNER, Mr. LEWIS of Georgia, Ms. BYRNE, and Mr. ROMERO-BARCELO.

H.R. 3341: Mr. THORNTON.  
H.J. Res. 79: Mr. BACCHUS of Florida, Mr. BARLOW, Mr. CLINGER, Mr. DEUTSCH, Mr. EVERETT, Mr. HANSEN, Mr. INHOPE, Mr. KILDEE, Mr. KLINK, Mr. LANTOS, Mr. MORAN, Mr.

OXLEY, Mr. PACKARD, Mr. PAYNE of New Jersey, Mr. PASTOR, Ms. PELOSI, Mr. PETRI, Mr. ROBERTS, Mr. ROTH, Mr. RIDGE, Mr. SCHUMER, Mr. SOLOMON, and Mr. SMITH of Iowa.

H.J. Res. 159: Mr. GILMAN, Mr. JOHNSON of South Dakota, Mr. SAXTON, Mr. HUNTER, Mr. WYDEN, Mr. WHEAT, Mr. BONIOR, Mr. PRICE of North Carolina, Mr. MANTON, Mr. ORTON, Mr. KANJORSKI, Mr. PAYNE of New Jersey, Mr. GRAMS, Ms. PELOSI, and Mr. HILLIARD.

H.J. Res. 163: Mr. PETE GEREN of Texas.

H.J. Res. 175: Mr. BARCA of Wisconsin, Mr. CLEMENT, Mr. CONYERS, Mr. VALENTINE, Mr. WHITTEN, Mr. SWETT, Mr. WYNN, Mr. REGULA, Mr. BERMAN, Mr. PARKER, Mr. SKEEN, Mr. SHAYS, Mr. MOAKLEY, Mr. KENNEDY, Mr. PETE GEREN of Texas, and Mr. FRANKS of New Jersey.

H.J. Res. 212: Mr. BOEHLERT and Mr. PAYNE of Virginia.

H.J. Res. 216: Mr. BARLOW, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. MANTON, Mr. BACHUS of Florida, Mr. BARCA of Wisconsin, Mr. PETE GEREN of Texas, and Mr. McCANDLESS.

H.J. Res. 242: Mr. LEWIS of Georgia, Ms. VELÁZQUEZ, Mr. OWENS, Mr. PETE GEREN of Texas, Mr. LEWIS of California, Mr. BOEHLERT, Mr. DIXON, Mr. HOLDEN, Ms. NORTON,

Mr. UNDERWOOD, Mr. QUILLEN, Mr. REYNOLDS, Mr. STOKES, Mr. BILIRAKIS, Mr. HINCHEY, Mr. GALLO, Mr. POMEROY, Mr. KLINK, Mr. QUINN, Mr. HANSEN, Mr. THOMAS of Wyoming, Mr. SISISKY, Mr. SYNAR, Mr. RICHARDSON, Mr. EMERSON, and Mr. CLINGER.

H.J. Res. 246: Mr. BERMAN, Mr. BLILEY, Mr. CLEMENT, Mr. CONYERS, Mr. DREIER, Mr. GONZALEZ, Mr. KLEIN, Mrs. MALONEY, Mrs.

MORELLA, Ms. NORTON, Mr. PASTOR, Mr. PRICE of North Carolina, Mr. ROEMER, and Mr. ROHRBACHER.

H.J. Res. 247: Mr. SCHUMER, Mr. CARDIN, Ms. PELOSI, Mr. HOLDEN, Mrs. LLOYD, Mr. BARCA of Wisconsin, Mr. SCHIFF, Mr. WYNN, Mr. FAWELL, Mr. SCHAEFER, Mr. BISHOP, Mr. JOHNSTON of Florida, Ms. WATERS, Mr. JOHNSON of Georgia, Mr. ROWLAND, Mr. BONIOR, Mr. FROST, Ms. KAPTUR, Mr. FINGERHUT, Mr. MORAN, Mr. EDWARDS of California, Mr. BROWN of Ohio, Mr. EVANS, Mr. HOEKSTRA,

Mr. TALENT, Mr. BARRETT of Wisconsin, Mr. KILDEE, Mr. BLILEY, Mr. OLVER, Mr. WASHINGTON, Mr. MANN, Mr. TORILDSEN, Mrs. BENTLEY, Mr. DELLUMS, Mr. ROMERO-BARCELO, Mr. RICHARDSON, Mr. GINGRICH, Mr. GALLEGLY, Mr. GUNDERSON, and Mrs. JOHNSON of Connecticut.

H.J. Res. 264: Mr. MOAKLEY, Mr. HUGHES, Mr. BONIOR, Mr. PORTER, Ms. PELOSI, and Mr. HEPNER.

H.J. Res. 266: Mr. BATEMAN and Mr. MARTINEZ.

H.J. Res. 274: Mr. FROST and Mr. McDERMOTT.

H.J. Res. 278: Ms. BYRNE and Mr. SARPALUIS.

H. Con. Res. 20: Mr. KREIDLER.

H. Con. Res. 103: Mrs. MEEK.

H. Con. Res. 122: Mr. FARR, Ms. SCHENK, Ms. ESHOO, Mr. LANTOS, Mr. GALLO, Mr. KING, and Mr. MATSUI.

H. Con. Res. 124: Mr. FOGLIETTA, Mr. ROHRBACHER, Mr. FRANK of Massachusetts, Ms. PELOSI, Ms. BYRNE, Mr. BOUCHER, and Mr. PRICE of North Carolina.

H. Con. Res. 126: Mr. EVANS, Mr. McINNIS, Ms. NORTON, and Ms. SHEPHERD.

H. Con. Res. 148: Mr. BURTON of Indiana, Mr. BARTON of Texas, Mr. ARMEY, Ms. ROSLEHTINEN, Mr. DORNAN, Mr. SMITH of Oregon, Mr. KING, Mr. PENNY, Mr. APPELGATE, Mr. GEJDENSON, and Mr. HILLIARD.

H. Con. Res. 159: Mr. FINGERHUT and Mr. WALSH.

H. Res. 122: Mr. SCHIFF, Mr. SANDERS, Mr. TORILDSEN, and Mrs. MEYERS of Kansas.

H. Res. 234: Mr. PAYNE of Virginia, Mr. MONTGOMERY, Mr. HOUGHTON, Mr. HOEKSTRA, Mr. MCCLOSKEY, Mr. HAMILTON, Mr. NEAL of North Carolina, Mr. OXLEY, Mr. ENGEL, Mr. EVANS, Mr. WHITTEN, and Mr. BILBRAY.

H. Res. 277: Mr. BARLOW, Mr. CASTLE, Mr. BAESLER, Mr. POMEROY, Mr. TEJEDA, Mr. BROWDER, Ms. PRYCE of Ohio, Mr. SWETT, Mr. GILMOR, Mr. GUNDERSON, and Mrs. LLOYD.

H. Res. 281: Mr. STEARNS, Mr. GOSS, Mr. COLLINS of Georgia, Mr. SMITH of Texas, Mrs. VUCANOVICH, Mr. RAMSTAD, Mr. COMBEST, Mr. CRANE, Mr. GILMOR, Mr. BLILEY, Mr. PAXON, Mr. KNOLLENBERG, Mr. UPTON, Mr. EWING, Mr. ARMEY, Mr. POMBO, and Mr. BUNNING.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 166: Mr. DORNAN.

## SENATE—Tuesday, October 26, 1993

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Honorable HARRIS WOFFORD, a Senator from the State of Pennsylvania.

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:  
*Love worketh no ill to his neighbour; therefore love is the fulfilling of the law.—Romans 13:10.*

God of perfect love, these words of the Apostle Paul remind us of the place of love in the economy of God. The foundation of Old Testament truth and worship is the word of Moses in the Torah. "Hear, O Israel: The Lord our God is one Lord: And thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might." (Deuteronomy 6:4,5)

Jesus said that all the law and the prophets are summed up in two commandments: " \* \* \* love the Lord thy God \* \* \*," and " \* \* \* love thy neighbour as thyself."

We have reduced love to a feeling, an emotion, a fantasy. In the Bible, love is a command of the Ruler of the universe which comprehends all law and is to be obeyed. Give us grace to hear this truth and respond as we ought.

In the name of Him who is Love Incarnate. Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 26, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRIS WOFFORD, a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. WOFFORD thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. MITCHELL. Mr. President and Members of the Senate, immediately following my remarks on the schedule, the Senate will begin 90 minutes of debate on the pending motion to invoke cloture on the Interior appropriations conference report. The time will be equally divided and under the control of Senators REID and NICKLES, or their designees.

From 10:30 until 11:30 this morning, there will be 1 hour for debate on the motion by Senator HUTCHISON to waive the Budget Act with respect to her amendment to the unemployment insurance bill, with a vote on that motion to waive to occur at 11:30 a.m. That time will be divided 40 minutes under Senator HUTCHISON's control and 20 minutes under my control.

Following the vote on the motion to waive—and that means at approximately 11:50 a.m.—the Senate will begin 1 hour of debate on a point of order to be made against the bill by Senator NICKLES, with a motion to waive the Budget Act to be made by me or my designee. And at the conclusion of that hour, or at approximately 12:50 p.m., the Senate will stand in recess to accommodate the respective conferences.

At 2:30 p.m., the Senate will vote on the motion to waive the Budget Act with respect to the bill. Following that vote, or at approximately 2:50 p.m., there will be 30 minutes additional for debate on the motion to invoke cloture on the Interior appropriations conference report. That time will be equally divided under the control of Senators REID and NICKLES, and approximately 3:20 p.m. the Senate will vote on that motion to invoke cloture.

Following that vote, the Senate will return to the unemployment insurance bill.

Mr. President, we have fallen substantially behind schedule due to the length of consideration of a number of measures that was more than anticipated—primarily the defense appropriations bill. Therefore, I wish to repeat what I said last evening so that all Senators will be aware of it and on notice.

I have been the principal advocate of the Senate adjourning by Thanksgiving. My advocacy has been based upon my expectation that the Senate would complete all of the business required prior to that time. I wish to make very clear to all Senators that if we do not complete that work, then the Senate will continue in session after

Thanksgiving. I will be a principal advocate of that position.

What has happened is that Senators increasingly want it both ways. They want to adjourn by Thanksgiving, but they also do not want to be here during the time between now and Thanksgiving, which is necessary if we are going to complete action on the agenda that remains. I wish to repeat this so there can be no misunderstanding:

Adjournment at Thanksgiving is directly contingent upon completing those measures on which action must be taken prior to then. If we do not do so, then we will be in session after Thanksgiving for as long as it takes to complete action on those measures.

Senators can make a choice. I now make it clear that that choice exists. They can either be present during the week and in the evenings and cooperate in helping us get through this agenda, or they cannot do so, in which event it is assured—it is a certainty, in that event, that we will remain in session after Thanksgiving and for as long as it takes in December to complete action on those required measures.

Mr. President, I yield the floor.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

## CLOTURE MOTION—CONFERENCE REPORT ON H.R. 2520

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the motion to invoke cloture on the conference report accompanying H.R. 2520, which the clerk will report.

The assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the conference report accompanying H.R. 2520, the Interior appropriations bill:

Robert C. Byrd, Wendell Ford, Harry Reid, Claiborne Pell, Russell D. Feingold, J. Lieberman, Paul Simon, Patty Murray, Pat Leahy, D. Pryor, Fritz Hollings, Harris Wofford, Barbara Boxer, Edward M. Kennedy, Paul Sarbanes, Joe Biden, Dan Inouye.

The Senate resumed consideration of the motion.

The ACTING PRESIDENT pro tempore. The time until 10:30 a.m. shall be

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

equally divided and controlled between the Senator from Nevada [Mr. REID] and the Senator from Oklahoma [Mr. NICKLES].

Mr. REID. Mr. President, it is my understanding that the proponents and opponents of this matter have approximately 80 minutes, equally divided.

The ACTING PRESIDENT pro tempore. There are 83 minutes equally divided.

Mr. NICKLES addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I will just make a few comments before turning this over to my colleagues. We are confronted with a very difficult situation on the Interior appropriations bill. I, for one, would like to see us pass this bill. But I also share the frustration and opposition by many of the colleagues that will be speaking this morning, and have spoken last week, in opposition to the provision that was inserted in the bill during the conference report, and that provision was inserted by our colleague and my friend, Senator REID, from Nevada.

This provision was not in the House bill, and it was not in the Senate bill. It was extraneous to the conference. I might mention, in the House bill there was a provision to increase grazing fees. In the Senate bill, we had a provision that had a moratorium on regulations dealing with land management. We did not have the grazing fee increase in the Senate bill. In the conference, one would think that the two items to be decided would be how much would we raise grazing fees, or whether or not they would be raised, and whether or not there would be a moratorium on the regulations proposed by the Secretary of the Interior Bruce Babbitt.

But instead of debating those two items, we had an extraneous provision brought in out of the conference that significantly legislated the land-use policies in detail, 19 pages of detail.

I have been a Senator now for 13 years, but I do not remember or recall legislating in conference. We legislate on appropriations bills all the time. The House does it. The Senate does it. One side prevails. That happens. That is not unfamiliar. It is sometimes against the rules but not uncommon.

But it is uncommon to legislate in conference, to take a significant piece of legislation and to pull it in extraneous to the House bill, extraneous to the Senate bill, and put it in conference. That is very unusual. I cannot recall it happening.

I mentioned that to my colleague, Senator BYRD from West Virginia, who has had experience for far more years than I and a great deal of knowledge about the Senate as an institution. But I could not recall a very significant piece of legislation being put in in conference extraneous to either the House

or Senate bill and to be inserted. I say that in reference so our colleagues will know what we are talking about.

I know that my colleague and friend, Senator WALLOP from Wyoming, as ranking Republican on the Energy Committee, which has jurisdiction over public lands, is offended by the fact that this committee and actually this conference would legislate policy that affects such a significant percentage of the United States and particularly the Western United States.

I happen to share some of his frustrations. I happen to be vigorously opposed to the procedure that happened in the conference committee. I told that and mentioned that to my friend and colleague, the chairman of the subcommittee and full committee, Senator BYRD.

I do think Senators have a very legitimate procedural complaint about the way this process has happened. That is why we are in this real dilemma now. I believe my friends and colleagues, the opponents of this procedure, probably have 41 votes. We will find that out this afternoon.

I know the House is insisting on its position. It is interesting that the House is insisting that this happen. But it was not in the House bill. I have heard, well, Congressman MILLER and others are going to insist that we keep this provision in. But this provision was not in the House bill.

Some say, well, where do we go from here? I really think we should have debate and discussions on grazing fee increases, and I will support some increases in grazing fees. I think we should have a discussion on whether there should be a moratorium or not, and that should be the parameters of the discussion. That is what was in the Senate bill and what was in the House bill. That is, frankly, where we should end up to break this logjam. I hope we can break this logjam.

It is important that we pass this bill. It is important that we pass this bill as soon as possible. I hate to see us continually postponing or not finishing this bill and continuing with the continuing resolutions. That is not a good way to plan or to govern.

Mr. President, I will yield the remaining control of this bill to Senator WALLOP from Wyoming.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. REID addressed the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Nevada.

Mr. REID. Mr. President, I yield to myself such time as I may consume.

I say to my friend from Oklahoma, whom I have had the pleasure of working with in the legislative appropriations bill, he the ranking member for 2 years, and I have the greatest respect and admiration for him.

But I remind him that in the Interior appropriations bill, during the last sev-

eral years we have legislated in the Interior appropriations bill on the spotted owl, on timber on more than one occasion, reauthorization of the arts and humanities in conference and a number of other issues. So this is not anything new or unique. This has happened time and time again on this bill in addition to many other bills.

I also say to my friend from Oklahoma, this is a situation where it is never the right time. It is never the right time to do an increase in the grazing fee and to do some land management reforms. Tomorrow is always better, next week, next month, or next year.

We are faced with a situation in this U.S. Senate this week that today is the right time, that we must do something about this, or the Interior Department could be closed. It is as simple as that. The House by a 3-to-1 vote approved this amendment.

Mr. NICKLES. Mr. President, will my colleague yield for an inquiry or question?

Mr. REID. Sure.

Mr. NICKLES. Mr. President, I appreciate the Senator's yielding.

I want to make sure that the Senator understood that I mentioned, yes, I know that we legislate on appropriations bills. I know that we have legislated in the past on the Interior appropriations bill in other committees which I have served on. So I am not saying we should never ever do that.

I cannot recall an instance where we brought in very significant legislation that was totally extraneous to either the House or the Senate bill. Usually, when we have legislated, one House or the other has passed legislation specifically in their bills, and then we would adopt either the House position or the Senate position.

But this is the first time that I can recall that we have had very significant legislation totally extraneous to either the House or the Senate bill.

Mr. REID. Mr. President, I respond to my friend again that we had a moratorium in the Senate version of this bill which, in effect, stopped all the rule-making procedure from going forward with Secretary Babbitt. All the rule-making procedure was something we talked about here on the Senate floor when the Interior appropriations bill came up. It was not something new and unique. We talked about various aspects of what Secretary Babbitt wanted to do.

I would also say, on the House side they had a significant grazing fee in this bill, as they have had every year in the past number of years. In addition to this, of course, we have brought in the Interior appropriations conference a lot of, as referred to my friend, unique, unusual—I am not finding the right word that he had—but extraneous in their reauthorization of arts and humanities in conference just

a couple years ago. We completely rewrote that. And there was nothing in the House or Senate bill. That is not what we have in this instance.

I also state that it is unique. I have listened to every one of the speeches that Senator BYRD has made regarding the Roman empire and how it relates to the loss of legislative power here in the United States. He compared Rome to the United States, and he can see, as I see, a troubling pattern developing here in this country that the U.S. Congress, the legislative branch of this Government, is giving up its power to the executive branch of Government.

There could be no better illustration than right here with this bill. We are saying, and the people who are trying to invoke filibuster in this instance are saying, we do not want to do anything; we will let the Secretary of the Interior go ahead and make all the rules. I think that is wrong.

Let us not forget that what this amendment does is restrain the Secretary of the Interior from increasing grazing fees up to \$4.28 a year at the end of 2 years and also allows him 25 percent a year increase in addition to that. We have restricted, as a matter of law, his going forward in five different rulemaking procedures that he wanted to do. This is pursuant to requests from people who are now opposing this amendment, who said the Secretary has too much leeway, let us restrict him. And that is what we have done in this instance.

What is happening is that the small guy is going to lose if this amendment is not adopted. The big people can go ahead and file their lawsuits, as we showed last time in this debate. The opponents of this legislation not only threatened gridlock on the floor, they threatened gridlock in the courts. They said: Let Babbitt go forward. Then we can tie it up in the courts.

We need to move forward with this legislation. It is fair. It is appropriate. We should have an up-or-down vote on the amendment and go forward with this legislation. If we did that, in a year, next year at this time, grazing would not even be on the lips of a Member of the U.S. Senate or the House of Representatives. It would be gone and over with.

But, in fact, what we are having is a small minority holding up progress on this legislation, preventing us from going to health care reform, the crime bill, unemployment insurance, NAFTA, all these things that have great significance to the American public.

I believe that this amendment protects Nevada ranchers from Secretary Babbitt. I believe that we should go forward with this. We have 250 million people whose legislation is being held up in this body as a result of 20,000 permittees. It is time we moved forward. It is time we moved forward and got on to the business at hand.

Mr. President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. WALLOP addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. WALLOP. Mr. President, I yield myself 1 minute.

Mr. President, it is not often that I find myself in a position of hoping that perhaps in this instance the executive branch might win.

I am a strong believer in a strong Congress. But when Congress is off track, off the rail, so to speak, then perhaps those of us whose constituency—and I suggest that that constituency is significantly larger than the Senator from Nevada portrays—I suggest that that constituency touches virtually every State. But in our instance, the livelihood of a major portion of our people is about to be seriously affected.

This is, as I have said and have said and have said, not just an issue of ranchers. Apparently, in the State of Nevada, school boards do not derive any income from ad valorem taxes on livestock; apparently, the counties have no particular need for the revenues from those; apparently, the banks in the small towns have no investments in the ranching business; apparently, the purveyors of propane, ranching equipment, shoes, groceries, and other things have no dependency on the livestock industry.

I suspect that is wrong and I suspect that the people whose income is from ranching in the State of Nevada will be as drastically hurt as will those from our other States.

In fact, I have a press release from the Nevada Cattlemen's Association and a letter signed by Demar Dahl.

I will read the letter:

NEVADA CATTLEMEN'S ASSOCIATION,  
Elko, NV, October 25, 1993.

Hon. MALCOLM WALLOP,  
Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR WALLOP: It has come to our attention that our position concerning Senator Reid's amendment has not been made clear, therefore we feel it is important that you understand our feelings regarding Senator Reid's actions. Senator Reid has never asked for our input and has steadfastly ignored our recommendations. He has turned his back on the livestock industry and in our view the entire State of Nevada by his blatant misrepresentation of our best interests.

We view Senator Reid's actions on water rights as a states' rights issue and very therefore damaging to Nevada and the livestock industry. The subleasing paragraph in his amendment will put a number of our ranchers out of business. It also makes it nearly impossible for young families to get started in the livestock business, since Nevada's ranching industry is so dependent upon federal lands with 87% of Nevada federally owned. We are very concerned about the infringement upon our private property rights, i.e., range improvements and water, by Senator Reid's amendment. We view Sen-

ator Reid's amendment as a political maneuver to deny the public, including ranchers, the right to comment on all of the proposed changes. By codifying this into law we are denied our rights that the NEPA process guarantees.

The livestock people of Nevada appreciate your efforts on our behalf and on behalf of all the ranchers in the west. If we can assist you in any way, please don't hesitate to contact us.

Thank you again for your efforts.

Sincerely,

DEMAR DAHL,  
President.

I ask unanimous consent that the text of the press release that accompanied that letter be printed in the RECORD.

There being no objection, the text of the press release was ordered to be printed in the RECORD, as follows:

ELKO, NV.—October 21, 1993—Demar Dahl, President of the Nevada Cattlemen's Association issued the following:

The Nevada Cattlemen's Association today appealed to Senator Bryan asking him to stand up for Nevada and join the filibuster pending in the United States Senate.

"Senator Reid has turned his back on Nevada, the livestock industry, and the communities that depend on that industry," said Demar Dahl, President of NvCA.

"Senator Reid says we have the choice of accepting his amendment or Secretary Babbitt's proposal. That's like choosing between the electric chair and the firing squad," Dahl said.

He also pointed out that Senator Domenici of New Mexico and other western senators are leading the filibuster effort. "They obviously believe there are alternatives other than the Reid amendment or the Babbitt plan," he said.

Senator Reid said in a press release yesterday, "Frankly, it would be easier for me to throw my hands in the air, support a filibuster, and watch Secretary Babbitt go all the way with his reforms, and a \$4.28 fee. In good conscience I cannot do that. I did not walk away from the negotiating table when the going got tough, and I will not walk away from cattlemen now."

"The going got tough at the negotiating table for Reid because he was working against the very people he is supposed to represent," said Dahl. "and yes, he did walk away from the cattlemen."

Mr. REID. Mr. President, might I just ask a brief question? Who was that letter from?

Mr. WALLOP. From Demar Dahl, president of the Nevada Cattlemen's Association. The date of letter is October 25, 1993.

Mr. President, one of the problems that we have is that people do not understand the consequences of this amendment. The Senator from Colorado quite correctly last week spoke to the issue of water. And while the Senator from Arizona denied that it affected any water except on BLM, it is simply not true.

The Forest Service and the BLM are equally affected by the language that exists in the underlying law. We will find that there are areas in the East, perhaps in the State of the occupant of the chair, where municipal water supplies, Mr. President, will be affected by

the provisions in this bill. I know that they will be affected in the State of Alabama, because we have already had contact.

There is another thing which is completely unknown, apparently, to the sponsors of this amendment and to the Secretary of the Interior, neither of whom seems to have any knowledge of the agriculture business that exists in their States, and that is about this issue of subleasing.

Mr. President, subleasing, in most instances, is illegal today, but what they have succeeded in doing is making it impossible for a number of ranch operators to compensate employees in a way which has been normal since the beginning of the ranching business—and, as a matter of fact, most of the ranchers in the West, at one time or another, have been employees of other ranchers—and that is to allow the employee to run some livestock as an additional means of compensation. Now, all of the sudden, because of this bill, that means of compensation will be outlawed.

Mr. President, the land values in the West have declined by a couple of billion dollars since the Secretary of the Interior has come along, and particularly since this language was around.

Let me read a letter from James Webb from Phoenix, AZ, dated October 19, 1993.

PHOENIX, AZ,  
October 19, 1993.

Hon. MALCOLM WALLOP,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WALLOP: The compromise entered into by Secretary Babbitt and Senator Reid is devastating to my community and to my personal operation. My neighbors have sons that work for the county and help on the ranch are faced with the fact that what they have put their life into is now a liability for the family instead of an asset. The tenure of their ranching operation is in jeopardy.

One neighbor who has only about 20% BLM land was in the process of obtaining a loan from the Travelers Life Insurance Co. to pay off an existing debt and pay down his bank debt while rates are low. He was just informed by a Travelers representative that they will not consider any loans on ranches with more than 10% federal land that can not be isolated because of the announced compromise.

In my case, the Arizona State grazing land follows the federal pattern. However we can not obtain a refund if our grazing is unused. When the fee goes up, my state fee will follow and I will be penalized severely, since much of my grazing is seasonal and I must pay in advance. My view of this increase is that my cows don't know the fee has unilaterally increased since they didn't breed up as well due to the hot summer, and the mountain lions are not going to pass up a calf or two so I can pay the increase. There is nothing in my operation that will compensate for the fee increase, except what I have to live on. Since all my money is tied up in the ranch, which is now unsalable, I am in a pretty tight jam if my banker calls my note.

Everyone around here is pretty frustrated because nobody seems to give a damn that

the government is taking our equity, is taking our private property values in the process of this settlement.

Sincerely yours,

JIM WEBB.

Now, this is a letter a legitimate complaint from a rancher. But what it does not tell and what the Senate will not hear is what it does to the country and what it does to the revenues of the United States of America. Those revenues that trickle into the BLM are trickling out at a greater rate from the Internal Revenue Service.

Mr. President, let me read another letter. I would like to display it. It is a handwritten, little letter from a guy in Wyoming.

FARSON, WY,  
October 20, 1993.

DEAR SENATOR WALLOP: I'm writing this letter regarding the Reid Amendment.

I hold no federal grazing permits or even own any land, but the Reid amendment would certainly have a large negative effect on my families quality of life. I am employed by a public lands rancher. Instead of a retirement plan or a benefit package I own cattle that I'm allowed to run right along with my employers cattle. This practice of being able to run some cattle has allowed me to one purchase a new car (the first in 8 yrs) and two to help my two children ages 12 & 13 to build savings accounts for their college education. This practice would certainly be cost prohibitive under Reids amendment. In our small community I know of many other operations that have similar agreements.

I have to ask Congress if America's forefathers, and fighting men made the sacrifices they did just to have the liberties of their descendants stripped from them by a simple yet devastating amendment to an appropriations bill.

Respectfully,

M.A. Moody.

Mr. President, again, here is a legitimate way of compensating people suddenly just wiped out; water rights wiped out. To support this claim somehow under this legislation, under which there has never been a hearing, the Senator from Nevada will show boxes and boxes of hearings, but none about these proposals.

Mr. President, the most interesting part of all of this is that, absent a hearing, none of us can claim to know precisely all the consequences. Absent the normal process of the authorizing committee, this back room deal has denied Americans the chance to comment on it.

Mr. President, I do not know what it takes to persuade the Senate that the provisions on improvements on public lands will deny this country ever the opportunity to have a private industry build a new gas pipeline or a new transmission line.

Mr. President, I yield myself 1 more minute.

This will cost America revenue.

Last, I would just say that there was a claim by the Senator from Nevada on C-SPAN this morning that they have to have this because I would not let it come up in my committee.

Nothing could be farther from the truth. It has never been offered in our committee and the Senator from Arkansas is the chairman of the subcommittee—we have not had a chance to have this thing. The Senator from Colorado and I have a bill in our committee for which we have yet to have a hearing offered to us. It is not we who have stood in the way of this.

Last, let me just remind the Senate that of the 28 Senators in the 14 Western States, only 7 have supported this; not one Governor of the Western States.

This is not the new West. This is a West that is struggling to survive.

Mr. President, I reserve the remainder of our time.

The ACTING PRESIDENT pro tempore. Who yields time? The Senator from Nevada.

Mr. REID. Mr. President, there are a couple of things I want to bring to the attention of the Members of the Senate. The person who wrote the letter from the State of Nevada was my opponent in last year's general election. He was the Republican nominee for the U.S. Senate, Demar Dahl. So I think we have to understand he may be a little biased in his approach.

I have spoken to many cattlemen in the State of Nevada. I got a letter yesterday from the former President of the Nevada Cattlemen's Association who said he thought the amendment was fine. So I think we have to understand who the opposition is from the State of Nevada.

I would also like to refer to a chart to put to rest once and for all this nonsense about what this amendment does regarding the definition of "range improvement."

Under the Code of Federal Regulations which is now in effect it says:

"Range improvement" means a structure, development or treatment used to rehabilitate, protect, or improve the public lands to advance range betterment.

It applies to running cattle and sheep. We go on to more detail, but keep in mind these definitions include the improvements that are associated with ranching, with grazing. Grazing permittees have had the privilege to claim ownership of improvements for 11 years in the entire history of this country, and only on land managed by the Bureau of Land Management. This is the famous "Watt change."

For all this century the Forest Service was treated just like the Bureau of Land Management. Secretary Watt came along and changed it in the Department of the Interior. And we have even recognized that. We have said water rights will be grandfathered in. Those people who proved up on water rights during the 11 years, or range improvements, they can have those. This is certainly fair.

Mr. President, this is a phantom, a straw man someone is trying to chase

that simply does not exist. This amendment that has been approved by the conference and approved by the House by a more than 3-to-1 margin does not change the grazing world at all. It is not going to stop a rancher from buying a vehicle. It is not going to stop some kid from saving money.

It is going to raise grazing fees. If you run 400 head of cattle 12 months a year it would raise the grazing fee, for all 400, total—not 1, all 400 for a year—between \$1,500 and \$2,000 for 400 cattle. I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. CAMPBELL addressed the Chair.

Mr. WALLOP. Mr. President, how much time does the Senator from Colorado require?

Mr. CAMPBELL. Six minutes will be fine.

Mr. WALLOP. I yield 6 minutes to the Senator from Colorado.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. CAMPBELL. Mr. President, I would like to also discuss a letter that was not written by an enemy of my friend from Nevada, Senator REID, but in fact a friend of his, and a huge friend of mine, too, that is the Governor of the State of Colorado, Gov. Roy Romer. I ask unanimous consent to have his complete letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF COLORADO,  
Denver, CO, October 25, 1993.

Hon. BOB DOLE,  
Senate Minority Leader, Hart Senate Office  
Building, Washington, DC.

Hon. GEORGE J. MITCHELL,  
Senate Majority Leader, Russell Senate Office  
Building, Washington, DC.

DEAR SENATORS MITCHELL AND DOLE: I am writing to express serious concerns about the Reid Amendment to the fiscal year 1994 Interior Appropriations bill. This Amendment addresses grazing fee and rangeland management reform issues. I urge members of the Senate to oppose this legislation in its current form.

While I agree that the grazing system should be reformed, the potential long-term consequences of these reforms on Colorado ranchers and the public land resources demand a far more deliberative and constructive process for the formation of rangeland management law than has been used in developing the Reid Amendment.

We need an open and deliberative process to solve this complicated set of issues. The Reid Amendment is not the product of the informed viewpoints of all the constituents whose lives they would affect, including ranchers, water users, environmentalists, western governors, and many others.

I am particularly concerned with the provisions of the Reid Amendment pertaining to water. As written, the Reid Amendment would inject such ambiguity and confusion into the process or allocating water in the West that litigation and uncertainty would prevail for years to come.

For over a century, the allocation and administration of water rights have been the

province of the States. In Colorado, as in other Western states, we have worked hard for decades to remove the cloud of uncertainty created by unknown and unquantified federal reserve rights over state water rights. In that regard, laws have been passed that require the United States to proceed in accordance with State law to obtain rights to water for uses on federal lands. We in Colorado have spent considerable time and money over the past two decades in efforts to quantify the federal water rights on our public lands.

If passed in its present broad and ambiguously worded form, the Reid Amendment could be construed to reserve a federal water right on federal lands not only for grazing but for any other purpose as well. Such an outcome unnecessarily exceeds the scope of rangeland management reform, and could undermine State water allocation laws and the rights created under those laws.

The Reid Amendment would also direct the Secretary of the Interior to incorporate standards and guidelines into permits and leases that, among other objectives, would provide for the "protection and restoration of riparian values, such as healthy wildlife and fish habitat and diverse vegetation." While it is necessary to take steps to improve riparian habitats throughout the West, the Reid Amendment would appear to place undue reliance on the regulatory process of permit issuance to achieve this important goal. Collaborative, voluntary efforts that involve all affected parties are far preferable means to achieve riparian restoration than is unilateral reliance on regulation. In contrast, the Reid Amendment clearly exceeds the appropriate scope of rangeland management reform and seriously erodes the prerogative of the States to protect riparian values within the prior appropriation system.

The Western governors, through the Western Governors' Association, have asserted among other things that if rangeland reform is to succeed, it must result in healthy land and sustainable and economically diverse communities. Most westerners would agree that fees need to be raised in a way that protects the range and the resource; however, a fee increase that drives family ranchers off the land is not practical or acceptable.

We need to develop such important and far reaching laws and policies in the full light of public participation and scrutiny.

Beyond the need for a sound policy making process, rangeland management reform and other efforts to reform federal land policies should be approached in full recognition of the need to protect both rural economic vitality and diversity and the productive ecological systems necessary to sustain rural economies. This fundamental point must be understood and embraced if we are to successfully reform federal land policies.

The grazing fee issue is but one of a number of concerns that affect public lands. We need to do more to examine these impacts and support a comprehensive effort to diversify the economies of the rural west.

Sincerely,

ROY ROMER,  
Governor.

Mr. CAMPBELL. The letter I received was from Governor Romer yesterday morning. He and I both oppose this legislation in its current form.

Governor Romer is particularly concerned about the bill's provisions pertaining to water. He feels that as written:

The Reid Amendment would inject such ambiguity and confusion into the process for

allocating water in the West that litigation and uncertainty would prevail for years to come.

Governor Romer is further concerned that:

For over a century, the allocation and administration of water rights have been the province of the states. In Colorado, as in other Western States, we have worked hard for decades to remove the cloud of uncertainty created by unknown and unquantified federal reserve rights over state rights. In that regard, laws have been passed that require the United States to proceed in accordance with State law to obtain rights to water for uses on federal lands. We in Colorado have spent considerable time and money over the past two decades in efforts to quantify the federal water on our public lands.

The Governor has written that if the language is passed:

\*\*\* in its

\*\*\* in its present and ambiguously worded form, the Reid Amendment could be construed to reserve a federal water right on federal lands not only for grazing but for any other purpose as well. Such an outcome unnecessarily exceeds the scope of rangeland management reform, and could undermine state water allocation laws and the rights created under those laws.

In and of itself, the water language in this bill is bad enough, but read together with the language about national standards and guidelines, the language is certainly an impermissible intrusion into State water matters. As my colleague, Senator BROWN, has already said, the Forest Service has similar authority and is trying to force small communities to transfer their rights to the Federal Government even though these water rights and water projects were specifically recognized in Federal legislation passed in 1865.

In addition, Governor Romer is justifiably concerned that the Reid amendment would place undue reliance on the regulatory process to issue permits to achieve the goal of riparian restoration. This is tragic, as the goal of restoring riparian habitat has been accomplished, so far, through cooperation, rather than regulation.

Collaborative, voluntary efforts that involve all parties are far preferable to unilateral, command and control regulation. Governor Romer feels that the Reid amendment "clearly exceeds the appropriate scope of rangeland management reform and seriously erodes the prerogative of the States to protect riparian values within the prior appropriations system."

The entire Western Governor's Association has also expressed similar concerns and have asserted among other things, that if rangeland reform is to succeed:

It must result in healthier land and economically diverse communities. Most Westerners would agree that fees need to be raised in a way that protects the range and the resource, however, a fee increase that drives family ranchers off the land is not practical or acceptable.

It is my feeling that the so-called reforms in this legislation are neither

reasonable, practical or acceptable and must be rejected.

I believe the unstated objective of these so-called reforms is to remove livestock grazing from Federal land. Few, if any of the proposals, will actually improve range conditions or agency efficiency. In fact, if these proposals are adopted, it is far more likely that range conditions and wildlife habitat will deteriorate, not improve. Range conditions have improved and continue to improve. Wildlife numbers have increased significantly and continue to do so. The case cannot be made that there is a significant need to change the way grazing is managed in the United States.

This proposal will end the era of economically diverse communities. I should not have to remind my colleagues that the average rate of return in the livestock industry is 2½ percent. After factoring in a number of conditions related to grazing and calving on public and private lands, the administration's proposed fee increases equals a reduction in gross receipts of 4 percent. This result will end grazing on public lands.

I think that there are several key objectives in establishing a fair grazing fee formula. First, the fee needs to be based on the value of forage. Second, the value of the grass, or forage, needs to be identified as a percentage of the private land lease rate. Third, an adjustment needs to be made which reflects the lower returns derived from Federal lands compared to private lands, as well as the additional costs of doing business on Federal lands compared to private lands.

In short, the bill I have already introduced, the Federal Forage Fee Formula Act, is based on the private forage market while reflecting the higher operational costs and lower returns derived from ranching on Federal lands. As a result, this formula would promote similar economic opportunity between Federal land and private land livestock producers.

Ranchers are the family farmers of the West. The establishment of a fair and equitable grazing fee formula is necessary to ensure their survival. It may sound redundant, but it is no lie that ranching remains a key component in the rural western economy. Every dollar a rancher spends yields \$5 in economic activity throughout the West. Not only does this add billions to the Nation's economy, in much of the West, it is the single largest source of economic activity and tax revenue.

Every Western ranching job creates as many as four jobs on Main Street. If ranchers go under, so will the tractor, truck, and automobile dealers, the gas, grocery, and feed store owners, the veterinarians, doctors, and dentists, and many others who make up the commercial and social fabric of rural Western towns.

A fee that is not based on sound science and careful study will destabilize the entire livestock industry and the rural Western economic infrastructure it supports. If Congress and the administration want livestock grazing on Federal lands, and the billions of dollars in economic activity it represents, it must consider the Federal Forage Fee Formula Act that has been introduced rather than passing this legislation.

I yield the floor.

Mr. REID. Mr. President, I yield 5 minutes to the Senator from Washington [Mrs. MURRAY].

The ACTING PRESIDENT pro tempore, The Senator from Washington.

Mrs. MURRAY. Mr. President, the people of Washington State and this Nation quite rightly take a great interest in what is happening on the Senate floor day in and day out. They want to know what we are doing to cut spending and create jobs. They are asking tough questions about NAFTA and health care. They are concerned that our troops abroad are deployed judiciously. In short, they want to know we are down here doing our jobs.

This month, people have seen the fiscal year end. They have seen us pass one, then another continuing resolution. For the past several days, they have seen an extremely important appropriations bill held up because a small group has been unwilling—after literally years of debate—to accept a reasonable compromise on grazing. I will remind all of us the language in this bill is a compromise.

There has been pressure for years to increase the grazing fees. I remind my colleagues that before this language came before the Senate, our friend and colleague from Nevada, HARRY REID, was an outspoken critic of efforts within the administration to increase fees. He was first in line to deny funds for the administration to implement its proposals. But given the pressure in the other body, and the position of the administration, Senator REID took up the challenge and negotiated a compromise. This compromise would cut in half the fee increase proposed by Secretary Babbitt, and would include regulatory reforms that largely bring BLM grazing rules into line with the Forest Service.

Senator REID has endured tremendous pressure, and I think he should be commended for doing a terrific job under very difficult circumstances. It may not be a perfect deal for public land grazers, but it is certainly not going to bring the livestock industry to an end and it does reflect an understanding of multiple use of public lands.

Mr. President, the grazing fees today are lower than they were about 10 years ago. Can we simply deny the existence of inflation, or are we going to step up and say the Treasury should

get a fair return on the use of our public lands? This is a perfect example of what the American people do not like to see in Congress: Filibuster means gridlock. In gridlock, everybody loses.

I said it the other day and I will say it again. There are too many things in this bill that are important to my constituents and other Members' States to keep holding it up on this floor. Caught in the middle of this debate are people with historical and cultural ties to the forest products industry in my State. These people have faced years of uncertainty, one lawsuit after another and the frustration of dealing with an indecisive bureaucracy.

Earlier this year, the Government challenged people in the rural Northwest—local leaders, business people, workers—to come up with new ideas and a new vision for the forest products industry. Let me tell you, they have responded with creativity and enthusiasm. People in Port Angeles, Aberdeen, Darrington have flooded my office with all kinds of ideas.

This bill that we are considering today fulfills the commitment to people in my State to help bring these ideas to fruition. They have been waiting for years for someone in the Government to take responsibility for solving a difficult problem. Like the grazing compromise, the forest plan is by no means perfect, but it has given people hope that new opportunities exist. They cannot afford to wait anymore and we should not deny them that hope today.

There is another big issue at stake. There are two runs of Snake River salmon that have been listed under the Endangered Species Act. A petition to add runs on the mid-Columbia is pending. Just last week, another petition was filed to list coho salmon throughout its range from California to the Canadian border. This bill today contains resources to fund a salmon conservation strategy that is vital to the commercial and recreational fisheries and to the forest products industry in my region. If we cannot get this bill passed and stem the decline in salmon stocks in the Northwest, we, the Congress, will be faced with immeasurable costs in the future, costs that place even more pressure on the timber industry, costs that undermine fisheries on the entire west coast, costs that threaten energy production and agriculture. In short, costs to the West will dwarf the grazing issue by comparison.

These issues and many others are at stake because of this filibuster. More often than not, gridlock, as we are seeing now, sets progress back. When a vocal few can succeed in derailing a well-reasoned plan, nothing is accomplished and no one is served. We must move on. We must pass this bill and show the public that we can tend to its business responsibly and that we do care about the people we serve.

Thank you, Mr. President.

Mr. WALLOP addressed the Chair. The ACTING PRESIDENT pro tempore, The Senator from Wyoming.

Mr. WALLOP. I yield myself 1 minute. I say to the Senator from Washington that the Governor of Washington does not seem to be of the same view. As part of the Western Governor's Conference, they have come down heavily against this proposal, and for reasons that are quite simple. It is broader than just the grazing issue, I will say to the Senator from Washington. It is not about gridlock. It is about livelihood.

Let me say to the Senator from Nevada, I direct a question to him if he will give me his attention. I wonder if the Senator is aware that the plain language of his section on range improvements is not limited to range improvements only but applies to any improvements on public lands which includes dams, transmission lines, pipelines, mining structures, et cetera. Let me just read it.

Subject to valid existing rights on the date of enactment of this section, all rights to permanent improvements contained on or in public lands are vested in the United States.

Mr. President, I will say there is absolutely no limit to that.

Mrs. MURRAY addressed the Chair.

Mr. REID. The Senator from Washington is yielded whatever time she needs.

Mrs. MURRAY. If I can just comment on the comment of the Senator from Wyoming on the Governor from Washington, the Governors Association did take a stand on Secretary Babbitt's original proposal. It is my understanding they have not taken a stand on this current proposal in this bill.

Mr. WALLOP. I yield myself 30 seconds. I will say that is incorrect. In fact, a letter has gone to the Senator from Nevada which says:

While we expected the conference committee might very well legislate a fee, we feel strongly that this is not an appropriate process for dealing with broader rangeland reform. Rangeland reform is complex with the potential result of healthier land and sustainable rural communities. It should not be done hastily, opening the door to unintended or undebated results. We believe that governors and those in western grazing communities have expertise and experience that should be tapped through an inclusive process. \* \* \* Therefore, western Governors are not supportive of the process that led to this proposal.

Mr. REID. Mr. President, if I can respond to my friend from Wyoming, I think you will find that letter was not signed by the Governor of Nevada. I talked with him yesterday. He indicated he had not signed the letter. I believe the Senator from Wyoming has the floor.

Mr. WALLOP. I yield 5 minutes to the Senator from Montana.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BURNS. Mr. President, I thank my friend from Wyoming. I just want to remind this body, we have stood here and talked about this issue many times. I am interested in what the Senator from Washington had to say because we stand here on principle today. A year ago, this Congress passed a water bill that affected California. It took 25 percent of the water away from the farmers in the central valley of California.

I had an opportunity to drive through that part of the country. I observed land going back to waste, starting to grow tumbleweeds now, with 40 and 50 percent unemployment in Mendota, Firebaugh—all of these areas where we thought we were doing a very grand thing and doing something about re-allocating that water. Farmers there are finding it hard to understand when you have 150 percent snow pack and yet your water gets cut 25 to 30 percent and your fields burn up.

That is when we said that this is just the first step in an assault on the West. I am interested in the Senator from Washington saying that she does not have any problems with this, but that is what it is. We do not stand here today discussing fees. We are discussing policy, and it has to do with mining, it has to do with timber, it has to do with recreation, it has to do with gas and oil and energy development, it has to do with hunting and fishing, it has to do with everybody that has a use on a public land.

It is new policy that says we do not want things to happen out there. I will tell you right now—and everybody heard this old story about big operators have all these leases—in Montana, we have 3,039 BLM permittees and 1,399 Forest Service. The average AUM's are from 200 to 350 AUM's that run from 6 to 7 months. That does not sound like big operators to me. It sounds like hardworking people who will, by policy, be driven from the land; by policy will be driven from the land because of these new rules and regulations that have never had a hearing in this Congress and with this process.

So I ask my colleagues, if they want to fight for their people, I am going to fight for mine, and I am going to stand on principle. But it is much broader than that. The war has already been declared out there because of the emotional issue of public lands.

Who made it that way? Who improved them? We have more elk, more antelope, more mule deer, more turkey and white tail. We did it because we improved the land through an organization called the Society for Range Management and Range Days that I sponsored since 1980. We could carry more AUM's. Give us a little more rain, and we can carry a lot more. But it is better now than any time in recent history, and I mean since the Great Depression and the drought years of the

thirties, the "dirty thirties." And yet those people who improve those ranges, who make it livable, in a harsh land, now see it taken away from them with an inability to pay for schools, taxes, and to provide all the services that local government is supposed to provide.

But we chase the straw man, range or grazing fees. That is the straw man. The devil is in the fine print and that is the rules and regulations in this bill, that should have been in the authorizing committee.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. BURNS. I urge my colleague to stand on this because there is a lot at stake for the West.

I yield the floor. I thank the Chair.

Mr. WALLOP. Mr. President, I yield 5 minutes to the Senator from Idaho.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, I thank the Senator from Wyoming for yielding on what has become a very important and closely watched debate in the Senate. I say that, Mr. President, because this debate may be about principle; it may be about philosophy; it may be about one Senator's approach toward an issue versus another Senator's. But let me tell you what I believe it is really about. It is really about power.

Our Founding Fathers recognized that an all-central government was a too powerful government, and most of that power ought to reside out in the States. But ever since that day 200-plus years ago through to today, that power, through one effort or another, one legislative vehicle or another, one change in our Constitution or another, has emanated back toward Washington.

In those 17 elusive pages of legislative effort on the part of the Senator from Nevada and the Secretary of Interior, it is all about power. It is about a phenomenal shift of power away from public land States and their representatives toward a central government. That shift of power gets masked in the argument of fees or a battle over this or that or something else. But who controls the water has the power. Who controls access to the public lands has the power. Who controls the policy that designs the human effort and activity on those public lands holds and has the power.

Government is all about power. We know that as Senators. Some have it and some do not, and some are in and some are out. But that is what this debate fundamentally is all about. And power does affect the lives of people.

For a moment let me reflect on the lives of the citizens of my State and how they perceive the power that the Senator from Nevada is jerking out of his State and turning over to Bruce Babbitt as the Secretary of Interior and the Department of Interior and

how it will impact the people of my State.

Here is the vice president of a major regional bank who says, "The profitability and the creditworthiness of a permittee will drastically decrease if the Federal Government insists on maintaining water rights and permittee-financed range improvements." In other words, a shift in power is going to affect the financial credibility of a permittee on our grazing lands. That is First Security Bank in the West, Vice President Curtis H. Eaton.

A CPA talks about the historical relationship of farming and ranching to small agricultural communities. This CPA is in Burley, ID. Burley is not a big place, but a lot of marvelous small businesses reside there, and beautiful families of people. He says it is going to cost that community hundreds of thousands of dollars as small ranchers—not big ranchers, small ranchers, 150- and 200-cow operations, mother, father, son, and daughter operating these—will go out of business because the Senator from Nevada by the policy in this law would assist in putting out of business.

I wish to enter all of these in the RECORD, but the story goes on and on. Power resides in other ways.

Here is a letter from a variety of professors and range management specialists from Colorado State University, and their line in conclusion is, "But our concern is about the fairness in the reallocation of wealth." Not big wealth, little wealth, little wealth having an impact on small people.

Wealth is power. If you control the wealth of Burley, ID, by controlling the access to the public lands, that generates the resource base, that generates the wealth that flows back down main street, you have created a phenomenal power shift.

That is what this legislation does. Instead of those advisory committees where a majority of those who are affected by the policy of this administration would have some say, there is a shift once again in power. So there are a variety of ways of debating this issue.

I ask unanimous consent, Mr. President, that a cross-section of these letters be printed in the RECORD because it is very important Senators understand that Bruce Babbitt and the Senator from Nevada are talking about power at this moment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FIRST SECURITY BANK,  
October 1, 1993.

DIRECTOR (200),  
Bureau of Land Management,  
Washington, DC.

DEAR SIR/MADAM: Thank you for the opportunity to comment on the proposed rule-making by the U.S. Forest Service and Bureau of Land Management. We believe that the proposed increase in grazing fees to the

\$4.28 level and accompanying measures will cause significant disruption to our borrowers.

Livestock ranchers, their families and employees now make up a sizeable percentage of our commercial lending portfolio.

A rancher's ability to acquire financing is based on assets, liabilities and net worth. The proposed grazing fee increases will decrease permit value, thus decreasing the rancher's assets and net worth. In addition, the shortening of the permit term will result in a higher amortization cost and limit marketability and value of said permits.

The profitability and credit worthiness of a permittee will drastically decrease if the federal government insists on maintaining water rights and permittee-financed range improvements. As a lender, it would not be a sound decision to finance improvements that can be amortized. As a result, improvements will most likely not be made and the forage resources of the land will suffer making it less profitable.

The combination of the above effects will result in devastating short-term impacts. The financial viability of the livestock industry will be severely threatened due to increased operating costs, decreased asset marketability and decreased profit margins. This will ultimately result in herd liquidation, lower livestock prices and discontinuance of many family operations. An already fragile western range sheep industry will collapse and the cattle industry will slowly follow!

I strongly urge that fee increases and regulatory measures be carefully thought out and that the many studies that have been submitted dealing with private/public grazing cost comparisons be carefully considered.

Sincerely,

CURTIS H. EATON,  
Vice President, Area Manager.

RAMSEY HEATING & ELECTRIC, INC.,  
Burley, ID, October 11, 1993.

DEAR SIR: Your proposal to increase the grazing fees to a \$4.28 level could have serious effects on cattlemen's financial support of our business. We are in an agricultural, cattle area depending on no other source for income. We believe the range is in good condition, not overgrazed and the ranchers do a good job cooperating and keeping it in control as requested.

We need financial support from owners of the cattle business if our business is to continue successfully.

Please take another look at the increase possible at the rate of inflation.

Thanks,

ROBERT A. RAMSEY,  
Owner.

WM. F. STEVENSON D.V.M. INC.,  
Buellton, CA, September 20, 1993.  
Re range reform '94.  
Hon. DIANNE FEINSTEIN,  
U.S. Senate,  
Washington, DC.

This letter is to provide comments for the United States Department of the Interior—Bureau of Land Management and Department of Agriculture—Forest Service Notice of intent to prepare an Environmental Impact Statement and Proposed Rulemaking as published in the Federal Register, Vol. 58, No. 155, Friday, August 13, 1993, pps. 43202-43206, 43208-43213 and 43234-43237.

Please do NOT support the current administration proposal for a 130% increase in grazing fees and severe land-use restrictions. This increase and the changes in land-use

policies established under the Public Rangelands Improvement Act (PRIA) will severely hurt many of the family-owned ranch operations. These people are obviously a minority and their lifestyles and values as conservationists of the land should be protected. Please study the cases of privately managed lands vs. publicly managed lands and I think you will see the folly behind this socialized new proposed policy.

Thank you for your time and support.

Sincerely,

BILL STEVENSON, D.V.M.

OSTERHOUT POPE PHILLIPS & Co.,  
Burley, ID, October 11, 1993.

DEAR GENTLEMEN: I would like to comment on the proposed changes in the rules and regulations pertaining to federal land users. I believe that the proposed increases in grazing fees, and the resulting decrease in value in the associated permits will cause a significant decrease in the profitability of our local ranchers and a significant decrease in my business.

I practice as a certified public accountant in Burley, Idaho. Agriculture represents a major portion of my business, both directly and indirectly. A majority of my business is in the preparation of income tax returns with its related write-up work. The proposed increase in grazing fees would adversely affect a material portion of my clients and result in an estimated contraction of my business of approximately 10-20%.

Historically farming and ranching has operated on a very small operating profit. Any profit produced has been reinvested in the business, except for that needed for living expenses. Because of low net profit amounts, any additional cost of the rancher will make a large difference in the net profit of the ranchers. For example, an increase in grazing fees of \$5,000.00 may not seem like much in an operating budget of \$100,000.00. However, when it is considered that there is only a \$10,000.00 profit, an additional \$5,000.00 expense does make a big difference.

I also believe that the ranching industry has been taking good care of our ranges. They have been managing the ranges for sixty years. If they had been exploiting these ranges, the ranges would not have lasted this long. One reason why ranchers have taken care of the ranges is because their range leases are proprietary in nature. It is my understanding that some of the new regulations reduce or limit the proprietary nature of the leases. If this is the case, then I do believe that the incentive for the rancher to maintain the range will be less and the government costs to maintain the range will increase substantially. If the ranchers are not there, who will manage the range. Will it be the bureaucrats from Washington, D.C.? I suppose they will do as good a job as they have previously done. A good example of the government's management skill is found in Yellowstone Park. In Yellowstone Park the range has been destroyed with an over population of diseased animals. However the government is not able to make the decisions necessary to properly manage the animals. It is a mess. I predict that all the federal range land will look like Yellowstone if the government assumes management duties.

You bureaucrats claim that the rancher is not paying the cost of maintaining the range. Well, what happens if the ranchers leave the range? Then there will be no revenues. However, the naturalists, conservationists, and recreationalists, will require more and more from the government. It appears to me that the government will have

increased expenditures and decreased revenues. Where is the benefit in this? If you don't believe this is true, then who is presently demanding the government spend more money on the public lands. It is not the ranchers.

In Idaho the government owns 64% of the land. Over 80% of the cattle in Idaho will spend some time on government land. Changes in government policy regarding public lands have a big impact on Idaho's economy. A 132% increase in lease rates will have an enormous impact on Idaho's economy and future. The average age of farmers and ranchers is over 50 years. If this is such a profitable industry why aren't more young people involved? It is not because there is no interest, it is because it is not economically possible. Increased fees and decreased proprietary interest in the leases will further reduce the number of young people who can begin to farm.

One final comment, all the government programs are instituted for one reason and one reason only. That being to provide inexpensive food to our citizen's. Generally that has been accomplished. The American citizen's percent of revenue that is spent for food is the lowest in the world. We have been able to accomplish this by maintaining a large number of small farmers who have been unable as a group to limit supply and drive prices up. If the government is successful in driving the western cattlemen from the ranges, the supply of beef will decrease substantially and the cost to the consumer will increase proportionately.

You people should consider the sayings which are found on grain storage facilities in Cassia County:

"Don't complain about agriculture with your mouth full."

"If you eat, you are involved in agriculture."

Sincerely,

CURTIS B. POPE,  
Certified Public Accountant.

COLORADO STATE UNIVERSITY,  
Fort Collins, CO, August 27, 1993.

MICHAEL J. PENFOLD,  
Assistant Director, Land & Renewable Resources, U.S. Department of the Interior, Bureau of Land Management, Washington, DC.

DEAR MIKE: As the outside (University) authors of the Grazing Fee Task Group Report (GFTG) we read with interest Rangeland Reform '94. We were especially interested in the reference to the GFTG Report and the support our analysis lends to the fee proposal. We agree with the interpretation of our study findings but feel the brief synopsis provided in Rangeland Reform '94 does not explain or even mention one of the major concerns highlighted in our report. As we summarized in the Executive Summary of our report (Incentive-Based Grazing Fee System, Part I, pp. i-ii):

"The government is not collecting the full market value for grazing public lands, but ranchers are paying full value through the current fee, non-fee grazing costs, and investments in grazing permits. Past grazing fee policy has contributed to the value of grazing permits and current ranchers have paid this cost. Some of the value of public land grazing has been capitalized into the value of public land ranches and is bought and sold in the ranch real estate market. Legal precedent says permit value need not be considered in setting grazing fee policy, but the allocation of permit value remains a central issue in the grazing fee debate.

There is a strong theoretical linkage between grazing fees and permit value. As fees go up, permit values should erode and wealth will be transferred from ranchers to the government. This is the dilemma that policy makers face. The GFTG does not imply that this transfer is right or wrong, but the concern about the fairness of reallocating wealth is obvious."

Our assessment that the value of public land grazing was worth between \$3 and \$5 per AUM relied heavily on what ranchers have paid to purchase grazing permits. In most instances, a total cost comparison between private and public leases did not support the \$3 to \$5/AUM recommendation. In fact, the cost comparison for Forest Service and all sheep allotments resulted in negative forage values. In many cases, ranchers are paying more to graze public lands because of the lack of alternatives and/or the complementary between their deeded lands and associated federal permits. Utilizing the permit value approach allowed us to quantify some of these intrinsic values associated with the use of public lands.

The allocation of permit value is a key issue to be addressed in setting grazing fee policy. By proposing a base value of \$3.96/AUM the implication is that the value of public land grazing permits belongs to the government and will be reallocated from ranchers to the government. We feel it is important that those setting grazing fee policy, and the general public, realize that a reallocation of value will result from higher grazing fees.

We hope that as federal grazing fees are debated, recognition will be given to the permit value issue. We do not take a position as to who is entitled to permit value. Ranchers took a risk that policies might change when buying the grazing permit. We point out, however, that public land ranchers are paying full market value for grazing public lands when higher non-fee grazing costs and investments in grazing permits are considered. The issue is whether recognition should be given to the investment cost current holder of grazing permits have. To exclude this point from the proposed policy statement and from the synopsis of what we found is misleading.

Sincerely,

E.T. BARTLETT,  
Professor, Department of Rangeland Ecosystem Science, Colorado State University.

NELI RIMBRY,  
Extension Professor, Range Economist, University of Idaho.

L. ALLEN TORELL,  
Professor, Dept. of Agric Economics, New Mexico State University.

LARRY VAN TASSELL,  
Assoc. Professor, Agric Economics, Univ. of Wyoming.

JOINT SCHOOL DISTRICT NO. 365,  
Grand View, ID, October 4, 1993.

DIRECTOR (200),  
Bureau of Land Management,  
Washington, DC.

DEAR SIR/MADAM: As a public school district with a tax base reliant on agriculture, we are extremely worried about your recent proposals. We believe the proposed increase in grazing fees to the \$4.28 level and the ex-

pected loss or elimination of permit value which would accompany this increase will cause significant hardship to our school district.

Ranching families and employees now make up 25% of our total school district enrollment. Our school district would suffer without the presence and diversity of ranching students.

In addition, livestock ranchers, their families and employees now pay approximately 33% of our total school district tax assessments. Without this financing, we cannot pay teacher salaries, repair facilities, purchase text books and supplies, and might possibly have to close schools all together.

Approximately 4100 of the 5200 square miles which make up our school district are federally owned. These federal grazing permits must continue to remain, along with the deeded land to which they have been historically attached, with Idaho ranchers so that we can rely on a consistent tax base to allow us to provide for the education needs of our community.

The cattle business is not only the largest agricultural commodity in Idaho, it is an important part of our school district. The ranching lifestyle produces students that we want in our schools, they are responsible and hard-working!

This proposal along with the proposed endangered species listing of the Bruneau Hot Springs Snail, would be disastrous to our school district.

Sincerely,

RALPH HATCH,  
Superintendent.

EMMETT, ID,  
October 14, 1993.

DIRECTOR (200),  
Bureau of Land Management,  
Washington, DC.

DEAR SIR: Please accept the following remarks on the proposed Rangeland Reform.

First, let me give you a little background on my agriculture experience. My family has been in the livestock business for over a hundred years. My grandfather started out in the sheep business and my father expanded into cattle. We are primarily in the cattle business now, although I still have an interest in the family sheep business.

There are several issues in the proposal that need to be addressed. We have had for at least 20 years, a rest rotation system for our grazing lands. We have done this with the full cooperation of the BLM and Forest Service. With the program, even in the severe drought years that we have experienced in the last few years, our cattle have not had to be held off of the land for any reason, much less for any deterioration. We are good stewards of our land, both private and public. A raise in the grazing fees will greatly hurt our ability to stay in business. I feel we would be punished for our taking care of the land.

Something that does not seem to be addressed in the proposal is the fact that we, in agriculture business, are feeding not only the United States but several other nations with the beef and other products that we, as an industry produce. We in the United States have probably the cheapest food prices in the world, and with the increase in the fees, along with so many restrictions and regulations on us, cattle producers will go out of business. When these producers, like myself, go out of business, the price is going to do nothing but go up, the supply is going to do down and the consumer is going to yell.

As for the disbanding of the grazing advisory boards and re-appointing of the new

board, this is a very strange proposal. Would you appreciate paying rent on property, for the use of the property for your business, then have someone with no expertise or experience in your business, be put in charge of telling you how to run your business? We pay rent for the privilege of using this land and the preservationists and recreationists do not and yet they will be able to tell us how to run our business? If this is allowed to happen, it would be very unfair to the livestock producer and the citizens of the U.S.

63.8 percent of the State of Idaho is federally owned. We, the tax payers of Idaho, survive on this type of tax base. By raising the grazing fees, the economy of the state will be greatly impacted. The impact on the local counties and communities will be even more impacted. The most current figures that I have seen say that for each person that is employed on a ranch or farm, 5 people in the surrounding communities are kept employed. The sale of cattle in Idaho generated \$721.4 million in 1992. Eighty percent of these cattle graze on public land. Our industry accounted for 25.6 percent of the total Idaho agricultural receipts last year. Don't strafe this important part of our economy.

The main reason most of the Federal lands are Federal lands in the Western United States is because this land is not usable for any other purpose. The rancher has developed water for livestock, which wildlife, the hunters, and the recreationists, among others, use and benefit from year round. I feel that taking away the ownership of the these improvements will cause the incentive to maintain these to deteriorate. The right to have the water rights is a very important part of this process. Without these rights, all users of the land will be affected.

To make such general restrictive regulations for the totally different kinds of terrain there are in the West, not just here in Idaho, is ludicrous. Any regulatory changes need to be regionalized, not nationalized.

Thank you for considering these remarks.

Sincerely,

JUDY AND RON WOODIE,  
Haw Creek Ranch.

HOUSE OF REPRESENTATIVES,  
STATE OF IDAHO,  
October 14, 1993.

DIRECTOR,  
Bureau of Land Management,  
Washington, DC.

DEAR SIR: As a state legislator knowledgeable in the day to day hardships of family ranch operations in southern Idaho, I can state with full confidence that the proposed grazing fee increase from \$1.86 to \$4.23 over a three year period is too much-too fast. Even the current Senate/House compromise proposal of \$3.45 exceeds realistic economic considerations. Especially in light of the fact that rangeland reform regulations and standards are apparently included in the compromise language. The two in combination constitute a double-whammy economic impact that is poorly conceived and ill advised. The cause célèbre is that this package is for the taxpayer, the forgotten in grazing debates. I disagree. Like the emperor who wore no clothes, the federal government has surrounded itself with its own gown of logic; logic developed in the ethereal atmosphere of absolute right that so often prevails within the Washington D.C. beltway.

It is not really logical when a land grant university such as the University of Idaho prepares a detailed research paper on comparative grazing costs on federal, state and private land only to have deferral bureau-

crats reject that study on the basis of other studies which purport to show something else. My experience in Washington D.C. was that in research and development I could always find studies to support any thesis. Sort of the antithesis of the scientific thought process.

In all probability, the University Idaho study has a good handle on grazing conditions and cost as they relate to Idaho. As such, the grazing fee increases and rangeland reform package currently under consideration will adversely impact the economic stability of Idaho's family ranches. When these families cut back operations or fold operations, the state's economic base is disrupted, taxes from income and sales will decrease and additional taxes will have to be collected to maintain existing levels of state funding. Since this will also adversely impact most Idaho taxpayers, how much has the "forgotten taxpayer" really been helped?

On a more national scale, larger corporations who engage in livestock operations often use cattle as a profit/loss control to advantage the corporation in reducing taxes. With the increased grazing fees proposed, it is very likely that the national treasury will actually see five year average losses resulting from just such corporate manipulations. Therefore, large corporations which also include cattle operations will probably not be too heavily impacted. However, the "forgotten taxpayer" will still be wondering when his ship is going to come in.

Large livestock operations will have a cut in their economic base which will again impact state income and sales taxes. They will survive either because of their economic base, or because they are able to acquire additional range grazing rights from those who yield their rights back to the federal government. This forced cannibalism on the part of the federal government will reduce jobs. Will the federal treasury see the benefit? Perhaps—but only perhaps. States are matched by the federal government on an approximately 70/30 basis for health and education costs of the unemployed or dysfunctional. The costs of these programs, to the extent that ranch families are displaced, could significantly reduce the net return to the federal government.

Finally, even the Idaho Land Board has taken note of economic pressure on livestock operators as evidenced by the recent reduction of the Idaho grazing fee from \$4.99 to \$4.53. It is the reduction that establishes the precedent. The point often made that the Idaho grazing fee is as high as rates considered for federal lands is largely negated by the fact that environmental regulations and operational mandates on federal lands are generally more extensive than on Idaho lands.

Are there winners in this package. Yes. But the taxpayer rallying call is a smoke-screen. As recently pointed out by Senator Larry E. Craig, the issue is environmental and the purpose is to reduce livestock on federal land. The recent elimination of BLM grazing advisory boards is clear evidence of a planned shift in grazing representation on federal boards. That being the case, every "forgotten taxpayer" in the United States had better remember that when the livestock go, the costs for federal land maintenance will transition to the user—that's the general public now calling for the reduction. And in this area, the rate of increase in abuse of federal lands but the general public far transcends anything in the livestock industry over the past one hundred years.

Sincerely,

JIM D. KEMPTON.

NEVADA CATTLEMEN'S ASSOCIATION,  
Elko, NV.

Contact: Betsy Macfarlan  
Phone: 702-738-9214

FOR IMMEDIATE RELEASE

Elko, Nevada—October 21, 1993—Demar Dahl, President of the Nevada Cattlemen's Association issued the following:

The Nevada Cattlemen's Association today appealed to Senator Bryan asking him to stand up for Nevada and join the filibuster pending in the United States Senate.

"Senator Reid has turned his back on Nevada, the livestock industry, and the communities that depend on that industry," said Demar Dahl, President of NVCA.

"Senator Reid says we have the choice of accepting his amendment or Secretary Babbitt's proposal. That's like choosing between the electric chair and the firing squad," Dahl said.

He also pointed out that Senator Dominic of New Mexico and other western senators are leading the filibuster effort. "They obviously believe there are alternatives other than the Reid amendment or the Babbitt plan," he said.

Senator Reid said in a press release yesterday, "Frankly, it would be easier for me to throw my hands in the air, support a filibuster, and watch Secretary Babbitt go all the way with his reforms, and a \$4.28 fee. In good conscience I cannot do that. I did not walk away from the negotiating table when the going got tough, and I will not walk away from cattlemen now."

"The going got tough at the negotiating table for Reid because he was working against the very people he is supposed to represent," said Dahl, "and yes, he did walk away from the cattlemen."

NEVADA CATTLEMEN'S ASSOCIATION,  
Elko, NV, October 25, 1993.

Hon. LARRY CRAIG,  
Hart Senate Office Building,  
Washington D.C.

DEAR SENATOR CRAIG: It has come to our attention that our position concerning Senator Reid's amendment has not been made clear, therefore we feel it is important that you understand our feelings regarding Senator Reid's actions. Senator Reid has never asked for our input and has steadfastly ignored our recommendations. He has turned his back on the livestock industry and in our view the entire state of Nevada by his blatant misrepresentation of our best interests.

We view Senator Reid's actions on water rights as a states' rights issue and very therefore damaging to Nevada and the livestock industry. The subleasing paragraph in his amendment will put a number of our ranchers out of business. It also makes it nearly impossible for young families to get started in the livestock business, since Nevada's ranching industry is so dependent upon federal lands with 87% of Nevada federally owned. We are very concerned about the infringement upon our private property rights, i.e. range improvements and water, by Senator Reid's amendment. We view Senator Reid's amendment as a political maneuver to deny the public, including ranchers, the right to comment on all of the proposed changes. By codifying this into law we are denied our rights that the NEPA process guarantees.

The livestock people of Nevada appreciate your efforts on our behalf and on behalf of all the ranchers in the west. If we can assist you in any way, please don't hesitate to contact us.

Thank you again for your efforts.  
Sincerely,

DEMAR DAHL,  
President.

NEVADA CATTLEMEN'S ASSOCIATION,  
October 25, 1993.

BILL MYERS,  
Public Lands Council,  
Washington, DC.

DEAR MR. MEYERS: I have read many quotes from Senator Reid in several papers, saying he is representing the livestock industry and that he consulted with ranchers who are semi-agreeing with him.

I am here to tell you that is not the truth. I myself talked to him at length on the phone, and then faxed him the enclosed letter. Senator Reid is absolutely not working for the Nevada Cattlemen. He has not spoken with the Nevada Cattlemen's Association or any person authorized to speak for us, and he does not echo the true beliefs of the State of Nevada, the State with the most public land. He has sold us out in favor of lining up with Democrats and the Administration.

It is imperative at this time that we either stick with the moratorium for a year or let the Administration move administratively. We cannot allow any of the Reform 94 package to be codified into law. Issues such as this should not be codified into law in a committee without a public hearing, and should be done pursuant to the Administrative Procedure Act and the Taylor Grazing Act.

As Chairman of the Federal Lands Committee for the Nevada Cattlemen's Association, I believe I am in much better communication with the federal lands ranchers in this State and can speak for them more accurately than can Senator Reid. The ranchers in Nevada do not support the Reid Compromise or Rangeland Reform 94.

Sincerely,

JOHN L. FALEN,  
Chairman, Public Lands.

OROVADA, NV,  
October 5, 1993.

Senator REID,  
U.S. Senate.

DEAR SENATOR: Please excuse the hand written note. I talked to you on the phone earlier today—

I know you've been convinced that we must reach a compromise—Sir—we just can't compromise any more. We have been compromising ourselves out of business for the last several years—don't give away the store! To further prove my point about the endangered species and other similar laws, taking our country over do me and yourself a favor.

Please get the September 1993 issue of the Readers Digest and read "When a Law Goes Haywire." It starts on page 49 and is only four pages long—surely you have enough time to read that, it's really important. Take it to the committee meeting with you.

Tell them this is where we're heading—stand up and be tough. If you take a hard line, Nevada will be proud of you.

The compromise you are talking about is going to do us in anyway. If it has to be, let them do it and don't be a party to our own demise.

Thank you,

JOHN L. FALEN,  
Chairman,  
Nevada Federal Lands Committee.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. CRAIG. That is one of the bottom lines of the debate in this issue.

Mr. REID addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. I yield myself 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, in the West there are stories of important heritage, good guys in white hats, bad guys in black hats. We have had shootouts at all kinds of corrals, but the most famous is the one at OK Corral; Federal marshals like Matt Dillon, who single-handedly stopped train robberies and found murderers in the most interesting places.

Let us understand, as I have explained before, I am from the Western part of the United States, was born there. I understand western heritage and stories about the train robbers and marshals and all kinds of things like that. These stories are good when they are not falsehoods or they are not built upon myths.

But we have heard some myths in this debate from those who propose locking up Government, stopping Government from moving forward. I believe they do a disservice to the West and westerners.

We have heard about this so-called war on the West. But let us look, Mr. President, at the facts. Take, for example, the State of Montana. In the State of Montana, like all Federal lands, the grazing fee is \$1.86. That is what it is now. If you want to graze on State lands in the State of Montana, it is \$4.03. If you want to graze on private land, it is almost \$12.

Is \$1.86 increased by a few cents over the next 3 years outrageous? Of course not. Secretary Babbitt's proposal is much higher than what I have recommended in my amendment. But one of the myths being propounded around here is that the \$1.86 is fair and should not be increased at all.

Look at private lands all over this country—Oregon, \$9.28; Washington, \$10.69; Wyoming, \$9.93, and in Wyoming the legislature just passed a law and State lands will be \$3.50. So that is what we are talking about in the way of myths.

It is not often, Mr. President, that you get the National Taxpayers Union, environmental groups, and editorial support from all over the country. When I was here last week, I could only talk about editorial support from Reno, Las Vegas, Sacramento, Casper, Denver. Now we even today have an editorial supporting what should happen on this bill in the Washington Post. The support is growing, not weakening.

Since I was born and grew up in Searchlight, NV, Mr. President, the population of Nevada has increased 650 percent. In Alaska, 350 percent; Colorado, 150 percent; State of Washington, over 100 percent; Utah, 150 percent; Oregon, about 100 percent; Idaho, 700 percent; Montana, Wyoming 65 percent.

Mr. President, overall, western populations have grown nearly 200 percent in my lifetime. The population growth has brought pressure on public lands. These lands that are public are owned by the public, are intended for multiple use. And our growing population is using these lands.

Look at our national parks. During the last 10 years visitors to the Grand Canyon have increased 50 percent—4 million people a year visit Grand Canyon. Zion National Park in Utah, really kind of a small park, has increased the same period of time 50 percent—2 million visitors. I told you about Grand Canyon having 4 million visitors. Lake Mead had 9 million—9 million people. There is tremendous growth in the wanting of people to visit our parks. Yosemite, 4 million. The population has strained our resources, our urban centers are becoming crowded, our lands are used by many. We must recognize new reality. This reality is about progress and it is about change.

My friends on the other side do not want change. There is not a thing that we can do to make them happy. "Change this, we do not like that." "Stop Babbitt from going forward, restricting by statute, that is not good enough." We did that. The grazing fee is still too high, \$3.45, still too high. They want gridlock. That is what has stopped this country from going forward is gridlock. We cannot do anything to make them happy.

Today's West is different. This debate is about a new West. We talked about gridlock last week, gridlock not only in the Senate, but in the courts, we have been threatened with in the courts. I believe that we must again understand that what we are talking about here, Mr. President, is giving the ranchers of the Western part of the United States a break from what Secretary Babbitt wanted to do, lower grazing fees, less increase after 3 years and restricting what he can do and what he can move forward on.

The compromise allows room for the ranching families that are part of our history. The vast majority of ranching families will not be affected by these changes. They will retain ownership of range improvements during this 10-year period, they will retain the water rights that they have proven up, they will not be penalized if they care for the land.

This compromise, I again suggest to the President, has been endorsed by the National Taxpayers Union. Conservation groups, the environmental groups, say this proposal is watered down. It is a compromise but it is a step forward and they support it. The House does not like it. Secretary Babbitt does not like it. But it is the best we could do. Again, what the opponents have offered is gridlock and more gridlock. I believe we should allow this to come to a vote, vote it up or down, and move forward with something else.

Mr. President, we are now in the world of gridlock No. 2. We have moved from last week to gridlock No. 1; we are now at gridlock No. 2. I think we should move on to something more constructive.

The PRESIDING OFFICER (Mr. DORGAN). The Chair advises the Senator from Wyoming has 8 minutes 30 seconds remaining; the Senator from Nevada controls 18 minutes and 30 seconds.

Mr. REID. I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. DECONCINI. Mr. President, we find ourselves back again with the same arguments, the same talking. Everybody wants to project themselves out here as representing the West, those of us who are at least speaking. I will say this to my friends from Wyoming, Idaho, and New Mexico. You all represent the West. I understand that. I represent the West. I hope you understand that.

I have been here long enough and I know the issues well enough in my State to realize what is important to the ranching industry there. My family, though not ranchers, were farmers and we know the land, we know what water is all about, and the importance of it. What we are faced with today is a decision, in my judgment, of whether or not we are going to put an end to this constant yearly battle as to what ranchers are going to pay. We know they are going to pay for it, what rights they are going to have, as it relates to the Bureau of Land Management land, and when doing that, you have to be realistic.

Sure, we like it our way. We have had it our way. And this particular Reid compromise that is before us is still our way. It is still beneficial to the ranchers. The costs, for instance, do not cover the exact cost of administering the program. That is a benefit to our ranchers. And in Arizona, two-thirds of the ranchers' lands are leased from the Forest Service. The standards that are imposed here in this legislation are those same standards that are already adopted by the Forest Service. I do not know how it is in other States.

Amazingly enough, we seem to reach an agreement here on this floor when, in fact, we have reached agreement with the House of Representatives. The fee no longer appears to be the primary bone of contention based on the arguments that are here. Even the opponents of the Reid compromise seem to propose that their own fee increase of \$3.45 focuses now on the policy questions involving this compromise.

I would like to address a subject that has been raised by those in opposition to the Reid compromise before us; that is, private property rights. It is being presented that this proposal will in some way have an effect on present private property rights.

This Senator has always been a strong defender of the property rights of individuals. On many occasions, I have risen and voted to defend attacks on private property rights when the issue has come before the Senate.

A fundamental question before us today is what rights do the grazing permittees have now and how, if at all, will these rights change after this proposal is adopted.

The Federal Land Policy and Management Act—section 402—directs the Secretaries of the Interior and Agriculture to issue permits and leases for a period of 10 years subject to terms and conditions deemed appropriate and consistent with the law. Recognition of the value of the permittee's contribution to the permanent improvements is noted.

The State governments have established water laws which grant rights to water. The Federal Government has long recognized the States' right to regulate water. In the past century, tens of thousands of water filings have been processed and granted by the States in the West. Clearly water rights exist on the public land.

What would this proposal do to change these existing water rights? Nothing. This proposal recognizes and maintains existing water rights. Future water rights only will be vested in the United States so that the Federal Government can ensure that protection of public water supplies are maintained.

To fully understand the importance of the water issue, I would like to provide an example of what happens when a water right on the public lands is granted to an individual and then removed from multiple-use management.

I would like to describe Dripping Spring in northwest Arizona. This spring, on public land within the Mount Nutt Wilderness Area, is managed by the BLM and is the only water source for miles. It was the water source for desert bighorn sheep, birds, deer, wild burros, small mammals, and livestock.

The water rights granted by the State included the entire flow of the spring. The State granted Water Right No. 713 in 1930 for 15,000 gallons per day. This 15,000 gallons per day permit was issued on a spring that flows 3 gallons per minute. The actual flow amounts to less than one-third of the permitted amount.

An adjoining private landowner has piped the water to use on his private land several miles away. It is reported that over 15 families currently use the water for domestic use even though the State permit is for livestock use only. Additionally, State law does not require that sufficient water be left at the source to serve the ecosystem that is dependent upon the water. This is not an isolated example. I have several other examples of these types of actions.

I ask my colleagues, how can you manage the public lands, especially in desert ecosystem, if you do not have water? Entire ecosystems can be changed and species displaced and the land can be damaged immeasurably for future grazing. Water is the most critical resource in the desert ecosystem. While past policies have allowed this to occur, it is time to make the correction. We should not penalize those who abide by the law but we need to maintain the entire ecosystem, not pieces for the benefit of maintaining the ecosystem for livestock. Several of my colleagues have tried to redirect the argument and scare people by saying that these changes will affect water rights all over the West. It will not affect the allocation on the Colorado River. It will not affect the city of Boulder's water supply. The changes are clearly directed at the BLM range, and it is so clear in the law that it irks this Senator to see that continuously argued, that the central Arizona project is going to be affected. It is not.

Range improvement ownership is another issue where past policies need correction. While it is suggested that you must have title to range improvements before money is invested, this view is flawed. The Forest Service has, since its very formation in 1906, not allowed ownership of range improvements.

Livestock grazing on the national forest has occurred for over 80 years under this policy. Investments have been made, transfer of permits undertaken, and bank loans have been granted. I do not remember a single piece of legislation introduced to change the Forest Service policy. It must be working.

I ask my colleagues, if you were a business person and you leased land to someone else and they made improvements in order to conduct their business, would you give them title to the improvements? I venture to say no. The lessee made those improvements with full plans to amortize them during the period of the lease. This is why permit tenure for 10-year leases is so important to the industry. Adequate time needs to be allowed to make investments and amortize their value. The Reid compromise protects permit tenure.

Many of the range improvements have multiple use values and need to be the responsibility of the BLM to ensure they are used in that manner. The springs I described before are used in that manner. The springs I described before are examples of that. In addition, in other locations livestock corals and fences are also used in wild horse and burro roundups or management.

While past BLM policy allowed the ownership of range improvements, it is time for change. Again, what is the impact of the change on existing ownership of range improvements? Nothing!

The proposal recognizes existing ownership. Future permanent range improvements will have title vested in the United States.

Mr. President, let me also remind my colleagues that there are other things at stake in this bill. If this bill does not pass, funding for timber harvest, which is vital to my State and to the States of many who are opposing this measure, will be unavailable; funding for important national park projects—which are already experiencing a tremendous backlog—will be unavailable; critical funding for native American schools, hospitals and water projects will be unavailable; and so on.

The State of Arizona has the largest on reservation Native American population in the United States. Everyone here has heard me speak of the destitution and poverty in the Bennett Freeze Area on the Navajo Reservation. Well, Mr. President, there is money—no where near what is necessary—but there is funding to start to provide sewer lines and home repairs for U.S. citizens who are living in third world conditions.

I am not prepared, and I hope my colleagues would not be either, to jeopardize programs critical to the health and well-being of a number of Americans.

Mr. President, I have long supported the livestock industry. I feel this proposal is the best compromise that can be achieved. I think this bill should be passed and I ask my colleagues to support the Reid compromise. I yield the floor.

I wish we had more time because this is an important issue that needs to be resolved, and we need to do it now. This is going to bring certainty to the capability of ranchers to finance their ranching enterprises. And it is time that we put it to rest and stop all of the misinformation that is being put out here. Nobody here who is proposing this that I know of says it is a wonderful, wonderful thing. How many times have my friends on the other side had to propose legislation that was not absolutely perfect?

So, Mr. President, in closing, I hope that the Senate will impose cloture and get on with it. Failure to do that this afternoon, means that the Interior Department could close down, in effect, really all of Arizona. We must not let something like this keep us from doing what is right for the entire west and what is right for the ranchers.

Mr. WALLOP. Mr. President, I yield 30 seconds to myself.

I say to the Senator from Arizona that the western State water engineers feel that he is flat wrong. Maybe he is right and they are wrong, but one thing is certain: Nobody had a chance to find out, because a back-room deal denied them the ability to have a hearing.

I yield to the Senator from Idaho.

Mr. CRAIG. I thank the Senator. The Senator from Arizona is right. There

may be myths in this, but we do know there is a great deal of uncertainty. Why?

First, new section 406 (i)(2) of the conference report states:

The United States shall assert its claims and exercise its rights to water development on public lands to benefit the public lands and resources thereon.

I take it to mean that the water currently used for hydroelectric power generation is to be subordinated for use for "the public lands and resources thereon"—even if that water has been used for the past 50 years to produce electricity at a hydroelectric dam.

Hydroelectric projects on BLM lands in Arkansas, 8; Alabama, 5; California, 32; Idaho, 30; Colorado 3; Minnesota, 7; New Mexico, 1; Missouri, 2; Montana, 2; Utah, 9; Washington, 2; Wyoming, 10; Nevada, 0. Is that a coincidence? I do not know, but I do know what it appears that the conference report says, and the Senator from Arizona will not really know, unless we have full public hearings and bring in the experts to apply that language.

Second, new section 406(1) authorizes the Secretary of the Interior to cancel or suspend permits and leases if there is any violation of Federal or state law concerning conservation, protection of natural or cultural resources, and the protection of environmental quality. There are a half-dozen or so Federal and State authorizations necessary to build a hydroelectric powerplant. Plus there are untold State laws on these issues. Thus, the conference report gives the Secretary of the Interior nearly unbridled power to rescind a hydroelectric license.

The PRESIDING OFFICER. There are 7 minutes remaining for the Senator from Wyoming. The Senator from Nevada has 9 minutes.

Mr. WALLOP. Mr. President, I yield myself the remainder of our time.

If this debate contains any other information for a public confused by having one side say one thing and another side counter it, and the other side deny it, it is that nobody can say for a certainty what is contained in the language of these back-room deals. I will say this—and it is the belief of the Senator from Wyoming—that the thoughts propounded by the Senator from Arizona are absolutely wrong. Water is affected. Range improvements are affected. The language of the bill on range improvements does not confine range improvements to just those for livestock usage. There is no definition and language which says "all improvements."

Mr. President, all improvements is a lot more than just the ranching issue. Let me just say once again that the livestock industry has accepted the fact that there will be a rise in grazing fees, and they have authorized the Senator from Colorado and the Senator from Wyoming—a bipartisan,

nongridlock twosome—to introduce legislation to raise those fees. And we have not been able to have a hearing, because the back-room deals with the Secretary of the Interior were on the way down.

The issue of costs was raised by the Senator from Arizona and is absolutely fraudulent. The BLM figures produced by the Secretary of Interior, Mr. Babbitt, assume that all costs of range-lands are attributable solely to grazing, as though if you eliminated all of the livestock, there would be no more need for BLM employees, range experts, forest experts, hydrologists or anything else. Mr. President, that is not fair to the people whose honest living comes from this.

There is also a very disturbing thing that the Senator from Arizona brings up: Subject to valid existing rights. My friends from the west know, and most other people who have ever been in private business know, the determiner of valid existing rights is the U.S. Government and the Secretary of the Interior, who seeks to take them. That is who the determiner is. There is nothing in the back-room deal that says this is subject or pursuant to State law. Secretary Babbitt, over the weekend, managed to make it clear that he does not believe that State law or compensation for the loss of property is an obligation of the United States.

Mr. President, let me talk just a minute about one other thing. The Senator from Nevada said the Forest Service has had these regulations for many years. Let me just make clear that the Forest Service with regard to these has had some, not all, similar regulations—and the key word, Mr. President is "regulations"—over the years. They have not had the Forest Service law, and many of those regulations have been and are being tested in jurisprudence. That distinction is critical. Forest Service regulations are not laws, and the Senator from Nevada and the back-room dealers are putting them into law. Why? It is our belief that the Secretary of the Interior does not have the statutory authority for most of the Executive order. And so how better to get it than to put it in a back-room deal, and then authorize the Secretary to issue regulations pursuant to what is now law and has not been before—only Executive order.

Mr. President, there is something really very unsettling about that.

I say again this Congress managed to say that ordinary people in America are not entitled to their expenses for raising issues of direct concern to this Congress. Lobbying is no longer deductible even though it is a perfectly legitimate pastime for a rancher from Rawlins, WY, to come and see the Senator from Wyoming. He cannot do that. The big corporations, the favorites on the left, are able to write that off as legal fees.

Ranchers were not even allowed to come here at their own expense for a hearing, and why not? Because a hearing would have disclosed the very troubling events that are here.

Mr. President, I have a series of statements on the economic effects of this. But let me just say it is ironic that the Republican staff of the Joint Economic Committee just last week released a study finding that State budgets will experience a \$33.8 billion shortfall over the next 5 years because of the tax bill just passed.

This is a big-time shortfall for those of us whose lands lie in Federal hands. It is very easy from somebody from Iowa, or Oklahoma, or some other place, to not worry about that because they do not have the same circumstance. Their land is all deeded in the hands of citizens and of the State. It is not true in Wyoming, Nevada, Arizona, or Idaho, or the rest of the 14 States that are covered by it.

This Congress, without having so much as a whim of conscience, can impose on the 28 of us from the western land States its will because they do not have any constituents affected by it. They do not have any State government affected by it. They do not have any county government affected by it. The loss of revenues are of some consequence to them except when the revenue from income tax begins to flow next year and the outflow will be complete.

Mr. President, I see no reason to mince any words with respect to the consideration of the conference report on the Interior appropriations measure. I still do not understand how the Senate conferees managed to go from an overwhelming vote in the Senate to place a moratorium on the Secretary of the Interior's proposed rulemaking on range management to enactment of the very regulations which the Senate decided should not go forward.

The situation is simply unbelievable. Not only did the Appropriations Committee disregard the vote of the Senate, it also ignored the authorizing committee. Even more unbelievable, once they had decided that the authorizing committee was irrelevant, they ignored the only legislation pending in the Senate, which had been introduced by Senator CAMPBELL and myself.

I do not understand how we got to where we are. I do not understand how an overwhelming vote in the Senate not to engage in rulemaking turns into the enactment of something which is so terrible that no Senator would even introduce it. Just so my colleagues understand the situation, the Senate voted 59 to 40 to place a moratorium on the proposed rulemaking by the Secretary of the Interior. There was legislation pending before the Senate Committee on Energy and Natural Resources, which was bipartisan, and the Senate acted to protect its rights as an

institution against the executive branch which had chosen to end run the Congress. That was the mandate of the Senate which the Appropriations Committee took into conference.

The House, on the other hand, had no provisions in their bill, although they later manufactured a vote to instruct their conferees. The issue before the conference was whether to have a moratorium. It would have been understandable, although regrettable, if the Senate conferees had simply caved to the House and deleted the moratorium. What the Senate conferees did was to adopt virtually all of the Secretary's proposals and enact them into law. How in the name of reason did the conferees decide to do that?

Mr. President, doing nothing would have been far more preferable to what the conferees brought back. There are portions of the Secretary's proposed regulations which simply have no basis in law and would fall under court challenge. The conferees would have us enact those provisions. As I stated earlier, there is legislation pending before the authorizing committee which would raise grazing fees and make other changes. Apparently the Appropriations Committee considers endrugging the authorizing committees to be a problem only when a point of order might be raised on initial consideration. It does not seem to be a problem when the authorizing committee can be ignored in the dark of a conference room.

I will go through this travesty line by line to demonstrate why it should not be enacted. But I resent having to engage in that debate. If any Member of the Senate thought this proposal was a good idea, they could have introduced it and had it referred to the Committee on Energy and Natural Resources. If the administration had wanted to involve the legislature branch in its assault on the West, the Secretary could have submitted a bill and had it introduced by request. Both Senator CAMPBELL and I would be happy to put our legislation as well as this outrage to the test of public hearings and committee consideration.

That is not the route which the administration and its minions on the Hill chose. No public hearings, no public scrutiny, no consultation with the sponsors of the only legislation pending in committee, no concern, no thought. I am bitterly disappointed in my colleagues who voted to accept this proposal in the conference. This proposal would have fallen under a point of order had it been offered honestly in the Senate when we originally considered the interior appropriations bill. There is no excuse or justification for what the conference did.

I hope that my colleagues will stand up for the legislative process and the rights of the authorizing committee. I hope that my colleagues will stand up

for the rights of the Senate of the United States to have major measures debated fully in accordance with the rules and procedures of the Senate.

The conferees took a simple moratorium into conference and came back with 19 pages of substantive law. The conferees took a moratorium into conference and came back with legislation to reverse over a century of deference to State water law. The conferees took a moratorium into conference and came back with legislation which seizes all improvements on public lands, from highways to mines to canals to homes, in the name of the United States. The conferees took a moratorium into conference and came back with a provision which makes every water right and every permanent improvement on public lands subject to an undefined Federal validity determination. The conferees took a moratorium into conference and came back with a blanket assertion of Federal ownership of all water developed on public lands, not just for grazing, but also for hospitals, schools, rural communities, mining, and all other uses.

Most outrageous of all, the conferees made major life decisions for thousands of family ranchers, and hundreds of western communities without their knowledge or counsel.

Mr. President, I have been flooded with letters which clearly and painfully detail the real life drama created by fear of what this Congress proposes to do to our Western Federal lands and to the communities they support. There is something terribly wrong with the process that has brought us to this point.

Mr. President, I ask unanimous consent that the several statements, several letters, and others relating to these topics be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SUBLEASING

Under the Reid amendment, most all ranches would be negatively impacted by his new subleasing language.

The Reid language will make what is now a customary business practice for all types of businesses,—wholesale beverage dealers, oil field service equipment businesses, grocery stores, big game outfitters—to name just a few—and will add not only an intolerable financial burden, but will make a legal and widely accepted business practice illegal.

#### SUBLEASING SITUATIONS UNDER REID'S PROPOSAL

Scenario #1=20% subleasing surcharge: Base property leased, permit held.  
Scenario #2=20% subleasing surcharge: Permit leased, base property owned.  
Scenario #3=50% subleasing surcharge: Livestock not owned by permittee.  
Scenario #4=70% subleasing surcharge: Base property leased, permit held (or leased??) and livestock not owned by permittee nebulous language as to whether permit is held or leased.

## SUBLEASING EXAMPLES FOR SCENARIOS

Scenario #1: A young couple entering into the ranching business with only enough assets to purchase livestock but wish to lease base property and acquire permits.

Scenario #2: Existing operator faced with a temporary reduction in forage on private or public lands due to drought, fire, etc. that needs additional forage to avoid overgrazing.

Scenario #3: (a) A rancher is willing to allow a son, daughter or employee to run individually owned livestock on the ranch permit as compensation for work performed.

(b) Permits held by various Grassland associations are grazed by livestock owned by individual association members.

Scenario #4: A rancher forced to retire by age or health wishes to lease the ranch and livestock until a child is prepared to take on operation.

## ECONOMIC ARGUMENTS

Environmental groups and the media have portrayed the grazing fee issue as a deficit reduction measure. But we can't look at the revenue issue in a vacuum. Didn't we learn anything from the luxury tax debacle? Increasing grazing fees isn't going to increase federal revenue—it's going to lead to lost jobs, lost cash and lost net worth—all of which translate into lost federal and state tax dollars.

## Loss of Net Cash Income

An increase in grazing fees will significantly reduce the net cash flow of a ranch.

One study, prepared by Texas A&M and associated groups including the Department of Agriculture, looked at the economic impact of the proposed higher grazing fees on five representative ranches in Montana, Wyoming, Colorado and New Mexico.

The study found that net cash income could decline by as much as \$6,000/year for low debt ranches that depend on federal grazing for 50% of its needs, and by as much as \$6,400 for similar high debt ranches.

In Wyoming, a comparison of small and large livestock operations reveals a reduction in average annual income of \$3000 for large ranches and \$6600 for small ranches.

Let's put these figures into perspective.

In Wyoming, the average annual income for large family livestock operations is only \$22,271. For small family livestock operations it is only \$19,548. A \$3,000-\$6,600 reduction in income to these farms represents a decline of 14 to 34 percent of their total net income.

For many, it means the difference between continuing to operate or having to shut down their ranching business.

What does this mean to the federal government? The proposed fee increases will directly reduce economic activity in public land states by over \$1 billion. Using the oft-quoted multiplier that \$1 of ranch income generates between \$5 and \$10 times that income to the economy, a reduction of \$1 billion could lead to more than \$5 billion in lost economic activity.

This lost revenue will trigger an irreversible decline in the economies of rural communities who rely on this economic activity to generate sales tax revenues.

For example, Ken Kerns, Chairman of the Board of County Commissioners, Sheridan County, Wyoming wrote that "rural communities, such as ours, must have economic diversity. The soundness of that profit-driven agriculture base is a valued piece of that diversity. The next downturn in our sales tax revenues could be inflicted by a squeezing of local business profits. If the grazing fee on public lands, along with other factors of pro-

duction costs, are increased beyond the point of profitability, then that portion of profit now being spent on our main streets, which generates sales tax dollars, will be absorbed in the federal treasury which is a long way from our community."

Isn't it ironic that the Republican staff of the Joint Economic Committee just last week released a study finding that state budgets will experience a \$33.8 billion shortfall over the next five years because of the tax bill just passed?

Why? Because citizens forced to send additional monies to Washington are not spending that money on taxable items on which states collect sales tax.

Now the government wants to take away even more state revenues through increased grazing fees.

In rural communities, the sales tax revenues may be the only source of funding, along with property taxes, available to sustain the economy of these small towns. Ranching towns could soon go the way of the boarded up mining towns of the old West.

Equally as important, the economic activity that will be lost to the community will also result in a decline in federal tax revenues—in the form of income and other taxes—that could exceed the \$12 million gain from the increased fees.

But for those of you in the East who think we're wrong, I remind you of the luxury tax and the impact that it had on your industries—we were forced to repeal that law this year because of the number of jobs that were lost. Grazing fees will be no different.

## Loss of Net Worth

Besides decreasing federal income taxes, higher grazing fees and rangeland reform will result in a devaluation in land values that could result in a total loss of equity in the West of almost \$1 billion.

Today, lending institutions, local governments and the IRS all treat permits as capital assets. Banks include the value of the permits in the total value of the ranch when issuing loans and credit. Local governments assess property taxes based on the total value of the ranch, including the permit values. The IRS considers, and the tax court has ruled, that permits are property interests subject to inheritance taxes.

If the changes proposed by Reid are enacted, permits will have a greatly diminished value. The loss of net income and the lack of security and loss of stability in the traditional relationship between western landowners and the government results in a zero permit value.

Because appraisers are no longer willing to value these permits, banks find themselves "over-loaned" on properties. The result is no different from the savings and loans crisis which occurred because of decline in real estate values—except for one critical factor—the federal government is now solely responsible for the devaluation of property in the West.

Banks will no longer issue credit to ranchers. And what happened in the 1990's will happen again in the West—foreclosure and bankruptcy will become a way of life.

Eliminating the equity value of a permit and thus a rancher's equity, also decreases federal inheritance and estate taxes. If the government is so concerned about the amount of revenue that will be generated by this fee increase, why have they not considered the amount of revenue that will be lost because of a decline in property value? A \$1 billion dollar loss in equity could mean a lot of estate tax income to the federal fisc.

And at a time when state and local governments struggle to find necessary revenue, a

decrease in property values will also severely reduce the property tax income available to localities. How will counties who depend heavily upon their property tax base fund schools, law enforcement, and fire protection?

## Balance of Trade

An increase in the grazing fees could also affect the balance of trade for American beef exports by reducing the supply of feedlot cattle. For example:

A reduction in the supply of feedlot cattle could result in an increase in price, making U.S. beef exports less competitive overseas;

A reduction in supply means that we may become an unreliable supplier unable to meet contracts and commitments.

A reduction in domestic supply could also lead to an increase in imports to meet this demand, cutting into a \$4 billion trade surplus. With all of the bellyaching over the U.S. trade deficit, why would we erode one of the few industry surpluses we have?

LANDER, WY.  
October 19, 1993.

Hon. MALCOLM WALLOP,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WALLOP: During the Senate filibuster, please ask your opponents to consider the following:

1. Rep. Synar says he wants to give ranchers a dose of free enterprise. Where else can we go? Do we tell ski areas to get a hill on private land?

2. Improvements—Will Federal Land permits, other than ranchers have their future improvements become Gov't property? What about a ski lift, warming hut, or an outfitters lodge?

3. Fees—The proposed fee of \$3.45 is 9% of gross on a \$450.00 calf. Ski areas are 2.4% of gross; outfitters 3% of gross.

The proposed fees and regulations will increase our operating expenses beyond what we can make raising livestock and grass. We are due for our annual meeting with the bank loan officer to plan our operating loan for 1994. This constant threat of ever higher fees and expensive regulations has all our loans in jeopardy.

With these fees and regulations in the Reid amendment as law, our ranch will change from a viable economic cattle ranch to a real estate development. We plan to sell out before and if we cannot pay the mortgages and notes raising livestock.

Thank you for everything.

Sincerely,

ROB and MARTHA HELLYER.

OCTOBER 20, 1993.

DEAR SIR: It is rare for most small ranch and farm operations to pay income tax and if they do it is only in the three figure region, this should tell you that we can't afford a raise in anything. Many of us would have to go out of business if this fee is increased, then all these lands would be taken over by industry, residential or large corporations running our ranches. Right now we have a serious problem with unemployment numbers, if you consider the fee increase you will have many more numbers to add to your unemployment figures. It seems to us as if we need to work together to improve our economic situation for all of us not just a few bureaucrats.

You want to take over the management of this land and water, right now we take care of all this, and do well as this is our livelihood. So why change something that is working well. We know that we have to work

24 hours a day, 7 days a week at times to keep things running for the benefit of our livestock, is the government going to be able to do this?

Ranching is an economic necessity in Wyoming and the United States, lets do our best to keep this viable resource instead of destroying our economic backbone.

Sincerely yours,  
RALPH & SHIRLEY DELAMBERT,  
Eden, WY.

—  
OCTOBER 20, 1993.

Senator MALCOLM WALLOP,  
U.S. Senate, Washington, DC.

DEAR MALCOLM: In reference to the Rangeland Reform Proposal. It would completely eliminate me from the use of public lands. The effect of the increased fee, non-fee costs, governmental intervention and control of both public and private property rights together with the uncertain livestock prices, it would be too costly to operate.

Our ranch is one of the oldest ranches in this area, with territorial rights and has been operating all that time successfully. With the rangeland reform which is being proposed, the margin between profit and loss would narrow and it would result in a complete loss for me in this area and one more blow to the economy of our nation.

Sincerely,  
DON KORTES,  
Rancher.

—  
J. DOUGLAS AND GLYNDA S. SHEEHAN,  
Dixon, WY, October 20, 1993.

Re: Grazing Fee Bill  
Senator MALCOLM WALLOP,  
U.S. Senate, Washington, DC.

DEAR SENATOR WALLOP: Thank you for the support that you are giving to the Western states and the people in them who are fighting the grazing fee bill. No matter the outcome, we feel that you have done your best to represent us.

My wife and I are members of a small community in Southern Wyoming, and we live on the ranch that was homesteaded by my grandparents. My wife works in the accounting office that is supported by the ranching and mineral industry, and local businesses. If the grazing fee bill passes as it stands, this could mean that the economic community will have a difficult time surviving. This will not only rock the stability of the community, but also the state and ultimately the nation.

We strongly support the filibuster and hope to see some local hearings on the issue. It is our opinion that the survival of this nation depends on the livestock, mineral, and lumber industries of the West.

Thank you for your support,  
J. DOUGLAS AND GLYNDA S. SHEEHAN.

—  
RIVERTON, WY, October 19, 1993.  
Hon. MALCOLM WALLOP,  
U.S. Senate, Washington, DC.

DEAR SENATOR WALLOP: We elect our congressmen to go to Washington to keep our State on an economic flow to support our livelihood and our future for our children and grandchildren. What are we getting? A movement to completely destroy our future in all our western states.

1. Our congressmen have let the environmental pressures almost completely cut off our timber industry that gave employment for many workers to support our economy.

2. Raising of the grazing fees will no doubt put many of our ranchers out of business. Many now are just getting by on poverty level profits. The ranchers using public land

have to spend more money for maintaining livestock due to predator loss. Livestock losses are far greater than on private lands.

3. Grizzly bears are now becoming a problem for the livestock permittees and fast becoming a problem for the hunters. Congress should push for delisting of the grizzly so they can be controlled by the Game & Fish. This is another environment push to lock up public land from logging and gas, oil & mineral use.

4. Wolves—a movement that will only help decrease our economy by future depletion of our big game population and depletion of our livestock on forest range.

A lock-out of use of public land is inevitable if the current trend continues.

I only hope Congress will review the 70,000 signatures that were obtained at the Yellowstone Park booth asking tourists if they would like to see wolves in Yellowstone. You will find a big percentage of these are out of state and foreign signatures. Please let these issued by decided by the people it will affect the most, i.e., Wyoming, Montana and Idaho citizens.

5. Now is the time to stop all of the idiotic decisions and work to help the western states survive all this political nonsense to please the environmentalists.

It is rapidly becoming impossible for our young people to stay in Wyoming and survive.

Sincerely,  
VAN PARKHURST,  
Riverton Businessman.

—  
J-B CATTLE CO.,  
Roosevelt, AR, October 21, 1993.

Hon. MALCOLM WALLOP,  
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: I am writing to beg for your help in maintaining the West as we know it here in Arizona. Our entire way of life and that of our community is at stake.

We have worked all our lives with the dream in mind of buying a ranch. All else has been sacrificed to that end. Our children have given up the normal things teenagers do so that we all might buy our ranch. We have owned it since 1989 and have added many waters to the area to spread out the cattle and to help maintain wildlife. The land is better for our having been here.

I feel that people who do not know this terrain or anything about cattle grazing are trying to determine the future of my family, our town and our Western country. As the cattle that go into feed lots for Eastern buyers come off federal lands this action will affect the food supply for the whole country. Even those who are not directly hurt by this action will find the result from these uninformed senators and will remember who to hold responsible.

Sincerely,  
LINDA BRAKE.

—  
RALPH S. DuBOIS III,  
Kearny, AZ.

DEAR HONORABLE JOHN MCCAIN: I am writing you in regard to the proposed changes in the federal grazing leases. These proposals have no merit and must be stopped. While others pay lip service to Environmental problems, the rancher is the only one who must work full-time to preserve the environment or he will perish.

I have been in the cattle industry all my life, 31 years. My family has held government grazing leases for 46 years, and I have held government leases for 12 years. If these proposals are adopted it will be the end of my way of life, as well as thousands of other cattlemen.

I am able to stay in the cattle business, by only a small profit margin. With grazing fees at \$1.86 per AUM, the cost of improvements, feed, everyday living etc., etc, it costs me around \$14.00 per AUM to raise my cattle. A rate increase of 2 or 3 dollars per AUM would make it impossible to stay in business. I would soon join the ranks of the unemployed.

The adverse effects of these proposals will cost the American people a huge amount of money, unemployment, and the loss of concerned caretakers of the land.

Thank you,  
RALPH S. DuBOIS III.

—  
Members of the Congressional Research Service:

On behalf of Elected County Commissioners Garey Ketcham, Eunice McEwan, and myself, we welcome you to our Sheridan Rural Community.

Sheridan County, with a base of 27% federally-owned land, is a typical rural western community of 23,562 residents with a tradition of cultural spirit and a possession of heritage pride.

This heritage is steeped in the traditional spirit of the pioneer who believed in the "American Dream" and moved west with their families to develop a culture of family-owned and operated ranches entwined within federal and private land.

Those family ranches and ranchers, though dwindling in number, are no less spirited today than those who settled the west in the late 1800's. They value their life quality with reverence and are an integrated part of the area's socio-economic base.

My name is Ken Kerns, a third-generation family rancher who is permitted to graze 1136 animal units per month upon public lands located in the Bighorn National Forest.

I tell you this so as the economic data I am prepared to present to you will not appear biased by self-interest but will be objective from the platform of local government.

Sheridan County is one of four counties who commissioned the University of Wyoming to do an in-depth economic analysis of the economic impact of federal lands in relation to our counties' tax revenues (Economic Contributions of Federal Lands Within the Big Horn Mountain Area prepared by Fletcher, Taylor, Moline, and Borden). This objective data allows local governments to better interpret and plan for the tax-supported local governmental services provided to our residents. A copy of the area-wide data is provided for your reference.

I will attempt to briefly explain to you how an increase in grazing fees may affect every resident within Sheridan County.

Family-owned and operated ranches who use federal lands as a supplement to other grazing resources are profit-driven. This profit motive is no different in grassland ranching than it is in any other enterprise—gross income minus operating expenses equals profit.

These profits are spent in local stores which collect sales taxes from those profits spent. These sales taxes are the highest single-revenue source for the operation of Sheridan County government.

Big Horn Mountain Country's current economy is driven by a diversity of an export base which is related to federal lands. That diversity is mining, renewable resource harvesting, and tourism. These sectors contribute 40.5% of our local base economy. Profits from these sectors are essential for the local retail sector, a direct relation to Sheridan County's and the State of Wyoming's sales tax collections.

I have prepared a graph (Exhibit A) showing a relationship of one sector of that diversity—grazing—as it relates to the collection of sales taxes within Sheridan County. This graph is not intended to credit all sales tax collections to the price of feeder calves which reflects profitability, but to show how that sector may influence those collections.

Grazing fees are an integrated part of the operational expenses which affect profits of our grassland ranches.

As operating costs for our grassland ranchers increase, unless there is an off-setting increase of revenues, the profit margin of our family ranches may diminish until there is no choice but a liquidation of assets.

The mid-eighties saw a dramatic liquidation of those assets. That liquidation was not because of increased grazing fees but a combination of factors eliminating the profit picture. However, the graphic picture of livestock values, which reflects profits of our grassland livestock producers, parallels our local government sales tax revenues.

I am not so naive as to believe that the dramatic shift in our sales tax revenues is a direct result of a profitable grassland agriculture community, but the graph certainly makes that suggestion.

Rural communities, such as ours, must have economic diversity. The soundness of that profit-driven agriculture base is a valued piece of that diversity. The next downturn in our sales tax revenues could be inflicted by a squeezing of local business profits.

If the grazing fee on public lands, along with other factors of production costs, are increased beyond the point of profitability, then that portion of profit now being spent on our main streets, which generates sales tax dollars, will be absorbed in the federal treasury which is a long way from our community.

According to the referenced Economic Contributions of Federal Lands, for every animal-unit-month loss, for whatever reason, the four counties of Big Horn Mountain Country will have a total economic loss of \$63.67. Of that loss, local governments within Big Horn Mountain Country will lose \$2.23 in sales and property taxes.

As you mull this issue, I urge you to review the referenced study. It is based upon economic data, not emotional rhetoric.

It appears that a grazing fee increase by the present administration is forthcoming. Hopefully, the data gathered by you in your fact-finding tour will guide the parameters of that increase.

KENNETH D. KERNS,  
Chairman,  
Board of County Commissioners.  
SHERIDAN COUNTY, WY, June 23, 1993.

Mrs. MURRAY. Mr. President, there have been numerous references in this debate to the Western Governors' Association and its position on grazing reform. I would just like to clarify that the Governor of Washington, who is a member of the association, was asked to sign the WGA letter mentioned by the Senator from Wyoming. Not only did the Governor of Washington decline to sign the letter, but neither he nor his staff took part in drafting the letter. I have been in contact with him about this; I can assure all my colleagues that he shares my very strong view that it's inappropriate to continue delaying passage of the Interior appropriations conference report.

To underscore the Senator from Nevada's point regarding the disposition of the other body on this question, I also note that Members from Washington voted 7 to 1 in favor of the motion by the ranking member of the House committee to instruct conferees. This motion passed September 29 by vote of 314 to 109.

Mr. President, with those clarifications in mind, I want to restate my concern about the constructiveness of this filibuster and urge my colleagues to vote to invoke cloture.

The PRESIDING OFFICER. The time has expired.

The Chair recognizes the Senator from Nevada who has 9 minutes remaining.

Mr. REID. Mr. President, my five children are now away. Two are married and three of them are in college.

One of the things I miss with my children being out of the house is Halloween. I look back with great almost melancholy of how much fun it was to go with my kids trick or treating.

Now Halloween is being brought to us today in the Senate Chamber. I am being reminded of my escapades with my children here on the Senate floor today because Halloween, which is just a few days hence, is being brought to us in the form of ghosts and goblins, about things that do not exist. This is Halloween. This is an attempt to stop the bill from going forward, the Interior appropriations bill, by magic, by bringing up ghosts here and goblins there and hidden doors and hidden windows. It simply does not exist.

As an example, they talk about sweeping changes. Mr. President, there is not a sweeping change in this. There is not a thing that is in this amendment that the Forest Service has not done for decades. In fact, we have stopped Secretary Babbitt from having the BLM do some of the things the Forest Service has done. We have done that by law. Sweeping changes are part of the ghosts and goblins here before this body.

This letter the western Governors signed was signed by two Governors. There was no meeting held. It was not signed by the Governor of the State of Washington, Senator MURRAY's State. It was not signed by the Governor of the State of Nevada. It was signed by two Governors.

Also, as to water engineers—Secretary Babbitt held hearings all over the West; he got thousands of comments, most of them in favor of his changes—but not a single comment from a water engineer anywhere in the West. So let us get real. Let us not have this Halloween a few days early.

Mr. President, this compromise is fair. Ranch families do not need the threat of looming fee hikes. This stabilizes and gives certainty. This compromise will end gridlock.

In fact, this proposal still subsidizes the use of public lands, and I am will-

ing to do that because I think the increases have come for many, many years. I think they should be moderate. I am willing to do that because I think ranchers contribute to the western part of this country.

I have scaled back Secretary Babbitt's fee by about 40 percent. Under this proposal ranchers can now obtain loans, buy and sell property. I know because they told me that is the reason they wanted property rights and water rights protected. The BLM regulations, I repeat, are inconsistent with the Forest Service regulations. It is simple as that.

There are some in this Chamber there is no way we can please no matter what we did. There is not anything we could do to please them. It is a partisan issue, an effort to embarrass the President of the United States.

Mr. President, let us talk specifics about some of the things that have been talked about here today. As to no hearings on the grazing fees, I have here two of many boxes that I have where we have studies, reports, from the General Accounting Office, from all kinds of Government agencies, from private institutions, from universities all over the country. We also have had congressional hearings averaging about 2 a year for the last 15 years. These studies have been on every aspect of grazing, economics, ranch land ecosystems, policies and program administration. I think it is time to recognize that is not a good argument.

As far as there being a back-room deal, I guess this is to divert attention from the fact that we have had all these hearings, all these studies, and western Senators met with Secretary Babbitt. Secretary Babbitt held hearings all over the western part of the United States. Thousands of comments were received. The negotiations that started with the House involved a number of Senators.

The amendment was offered by a Republican in the conference. RALPH REGULA from Ohio offered the amendment.

As to water rights, the change undoes the change made unilaterally by James Watt a decade ago.

All we are doing is making the Bureau of Land Management like the Forest Service like it always had been until the Watt years in an effort to protect those ranchers who in good faith relied on the Watt changes. We grandfather water rights and range improvements saying they are yours to use. You can sell them, give them away, transfer them at inheritance, do what you want with the water rights and ranch improvements.

In the future they will be treated exactly like the Forest Service. That does not sound too unreasonable.

Also you must understand what Secretary Watt did had a tremendous impact on the nonranchers, on other people who had some use for that water. We have accepted his changes.

I would also suggest that the argument about ranch improvements is not valid. It is part of the ghosts and goblins we are faced with.

In the Code of Federal Regulations I put up here today what ranch improvements need. The proposed change that Babbitt issued also applies to ranch improvements.

So I submit that property values will not be adversely affected. In fact, they will be able to be stabilized and go up. People will be able to borrow money. They will be able to sell ranches because there will be some certainty. Remember we are talking about public land, land that belongs to all Americans.

There is going to come a time in the next few days when a decision will have to be made by those who favor gridlock as to whether they are going to allow gridlock to continue and close the Interior Department. Those who are saying all we want are some modifications are again celebrating Halloween early. The House is going to accept no changes. They by a 3-to-1 margin approved this amendment. So are we going to close Interior?

We did a great job for Native Americans this year especially with Indian health services. If we close the Interior, they get nothing. If we have to go for a CR, they will go back to last year's levels.

What we have done with the park system I think is a good improvement over last year, and on and on.

We should not have gridlock either in the Senate or in the courts. We should move forward, have a vote up or down on the merits and, as the President pro tempore of the Senate said last Thursday, take it like a man; walk away; go to something else.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada yields back the remainder of his time. All time has expired under the 1-hour time limit for debate

#### UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3167, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes.

The Senate resumed the consideration of the bill.

Pending:  
(1) Hutchison amendment No. 1081, to repeal the retroactive application of the income, estate, and gift tax rates made by the Budget Reconciliation Act and reduce administrative expenses for agencies by

\$3,000,000,000 for each of the fiscal years 1994, 1995, and 1996.

MOTION TO WAIVE CONGRESSIONAL BUDGET ACT

The PRESIDING OFFICER. There will now be 1 hour of debate remaining on the Hutchison motion to waive the Budget Act with respect to her amendment, the time to be divided, with 40 minutes under the control of the Senator from Texas [Mrs. HUTCHISON] and 20 minutes under the control of the Senator from Maine [Mr. MITCHELL].

Who yields time?  
Mr. WALLOP. Mr. President, I suggest the absence of a quorum with no time to be charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.  
The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. 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. GREGG. Mr. President, I ask unanimous consent to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. The Chair advises the Senator from New Hampshire, the Senator does not control time. The time is controlled by Senator MOYNIHAN, on behalf of the Senator from Maine, and Senator HUTCHISON. The Senator from New Hampshire would have to seek time from Senator HUTCHISON or ask consent of the Senate.

Mr. MOYNIHAN. Will the Senator yield for a question? May I ask how much time he requires?

Mr. GREGG. I would like to get 15 minutes; 7½ from each side?

Mr. MOYNIHAN. That might be difficult at this point.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. There has been a unanimous-consent request. Is there objection?

Mr. MOYNIHAN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from New York reserves the right to object.

Will the Senator restate his unanimous consent request?

Mr. GREGG. I ask unanimous consent to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

Mr. GREGG. I thank the Senators for their courtesies.

#### HEALTH CARE REFORM

Mr. GREGG. Mr. President, I want to talk a little bit about the health care program which has been proposed by the President.

Whatever else you can say, good or bad, about programs recommended by

the Clinton administration, one characteristic shines through. The Clinton administration has made a commitment to move social authority from the marketplace and the States into the firm control of the Federal Government.

George Will said it well when he called Clintonism an "ideology demanding a vast expansion of government power."

President Clinton has said that the role of Government was too cramped during the recent Republican administrations of George Bush and Ronald Reagan. He has worked hard to remedy that. Just look at the list of proposals that have been proposed or passed under this administration:

- The Motor Voter Act;
- Liberalization of the Hatch Act;
- Campaign reform, which would expand the role of the Federal Government in financing elections;
- Federalization of the student loan program;
- Federalization of immunizations; and
- The family leave bill.

Nowhere else does the Clinton centralization plan become more obvious than in his proposal to systematize health care in this country. The administration has understandably been reluctant to come right out and say that they want to nationalize our health care system. Their pollsters have told them, accurately, that Americans are deeply suspicious of the Federal Government.

In her testimony before the Senate Labor Committee on September 29, Mrs. Clinton said some very nice things about State flexibility. She said that the States would have the power to make their own choices, and to do what they think is right for their State. Then she said that it would take a bizarre combination of reasons for a State not to want to do this.

I have tremendous respect for Mrs. Clinton's abilities, but her description of the powers retained by the States under the Clinton plan were just not accurate. Under the Clinton plan, the States do not have the authority to do what they think is right. While that sounds good, it does not comport with the terms of the written plan. And it is not what the administration has in mind for the States.

Instead, under the Clinton plan, the States have the authority to do one thing—implement the Clinton plan, as approved by the National Health Board. It appears that Mrs. Clinton would view any State's decision to go its own way, rather than do what the Federal Government wishes, as bizarre.

I am sure that my Democratic colleagues in this Chamber will want to argue that the Clinton plan is not centralized at all. They will argue that the States are given great flexibility to execute the plan, to choose the structure of the regional alliances, to choose

to enact a single-payor plan. But I would say to my colleagues: Read the plan. There is no mistaking that this is, indeed, a plan of nationalization, and nothing less.

What do I mean by nationalization? I mean that the Clinton health care plan would give to the Federal Government supreme authority in all matters of health care. The Federal Government does not now have supreme authority to dictate to the States in regard to health care. Under the Clinton plan, the Federal Government would obtain that power explicitly.

Turn to page 46 of the September 9 summary of the Clinton plan, and look at the powers of the new seven-member National Health Board. The Board has virtually absolute power over the States in regard to the design of health care systems within the States. The only power the States are left with is the power to implement the plan.

The National Board would have the power to require the States to submit health care implementation plans for approval. The Board would then have the power to reject the State plan. If a State did not meet the requirements of the Board, the Federal Government could order the withholding from the State of all Federal health appropriations—Medicare, Medicaid, block grants, categorical grants, everything.

I have some experience in this as former Governor. As a practical matter, I can tell you that no State would be able to withstand the withdrawal of all these appropriations. The States have become dependent on them for their very financial existence. The withdrawal of all HHS appropriations from a State would bankrupt the State in a matter of weeks.

And, as if the withdrawal of HHS appropriations from a State were not enough, the Clintons saw to it that no State could escape from the desires of the National Health Board. If a State remained uncooperative, the Federal Government could take over the recalcitrant State's health care system. And it could unilaterally impose a payroll tax in the State.

Thus, because the National Health Board could do these things to a State—to reject its reform plan, to bankrupt it, and to actually take over its health care system—then there can be no question that, under the Clinton plan, Federal power would be supreme in all matters of health care.

Yes, the States would have the power to implement the plan. But the operative question is, Where is the actual authority? Under the Clinton plan, the National Board would have total veto power over the State plans, and the power to set the rules by which the game is played. That is nationalization.

In case you still have any doubt that the Clinton plan is one of nationalization, I say again: Read the plan. Who

would enforce the Clinton employer mandate? The U.S. Department of Labor, based right here in Washington, a few blocks from this Capitol. No doubt the new responsibilities of the Labor Department would require a sizeable expansion of personnel and budget.

Who would decide on changes to the basic benefits package, and whether new treatments should be included? The National Board.

Who would determine the amount to be paid to the regional alliances every year? The National Board. And who would the alliances deal with directly? The National Board.

Who would determine the way in which risks were adjusted for the health plans, to determine risk-adjusted payments? The National Board.

And who would determine the number of training spots for doctors in each region of the country? A branch of the National Board.

Who would determine how national health data was stored and kept private? A branch of the National Board.

The list goes on and on and on; 59 new Federal programs or bureaucracies and the expansion of 20 others.

We in the United States have had a tradition of pride in federalism. The drafters of the Constitution were very suspicious of centralized Federal power, and they took pains to constrain it. The Constitution was supposed to grant limited and enumerated powers to the Federal Government, with the balance of the power retained by the States.

Even James Madison, the defender of the Federal Government, wrote in Federalist Paper No. 45 that, in the balance between the new Federal Government and the State governments, the "State governments will have the advantage \* \* \*." No longer.

He pointed out that the powers delegated by the Constitution to the Federal Government would be "few and defined," while those remaining in the States would be numerous and infinite. He said, "The powers reserved to several States will extend to all the objects, which, in the ordinary course of their affairs, concern the lives, liberties, and properties of the people."

The idea of federalism is that there is a great advantage to having governmental authority split between the State and Federal Governments. In a federalist system, the State governments can do what they know how to do best, being closest to the problems affecting the daily lives of people. The Federal Government can do what it knows how to do best—things the State cannot do, like national defense and protection of individual rights.

Some health care functions need to be centralized. I would never suggest that we have a separate National Institute of Health in each State. I would never suggest we do not need national

health data. I could agree perhaps that we need some national rules for delivery of health care, to improve access and control costs.

But I am a firm believer in federalism. We should never house something within the Federal Government that can be efficiently housed outside, in the marketplace or in the States.

The advocates of the Clinton plan have not thought enough about what we are giving up by placing all authority in the Federal Government. The States are laboratories—they really are—for addressing complex social problems. Nowhere is that more true than in health care. Many States have already undertaken reforms that are superior to what is being proposed here in Washington.

To nationalize health care would be to snuff out the possibility of State experimentation. Under the Clinton plan, the Federal bureaucracy, not the State itself, would decide whether a State plan is adequate.

The important thing is that each State now has the ability to take the kind of action that the people of the State feel is needed. Under the Clinton plan, it would be the Federal Government that decides that.

For example, what if a certain State decides that it does not want to step up to a regional health alliance, that it does not wish to institute a single-payer plan? Maybe the State has a better way of getting cost containment and health care access than President Clinton does. Under the Clinton plan, that poor State would be subject to seizure of its whole health care system and a federally imposed payroll tax.

Whenever you talk about centralization, you have to mention one of the great observers of American life, Alexis De Tocqueville, a great commentator. De Tocqueville said, "However enlightened and skilled a central power may be, it cannot of itself embrace all the details of life of a great nation. Such an achievement exceeds the power of man. And when it attempts unaided to create and set in motion so many complicated springs, it must submit to a very imperfect result and exhaust itself in futile efforts." No, the Clinton plan under the present proposal will not work. The periphery cannot be just an implementer.

Perhaps my viewpoint on this is related to my heritage. In New Hampshire, we have 300 years of tradition of wanting to have local control. In our State, crucial decisions are still made by the villages and towns. That is the way we like it. I think to centralize all authority for health care decisions in the Federal Government would be a great mistake.

How do we know that the seven members of the National Health Board will be wise and caring and fair people? Will their loyalty be to the common good or to politics? We should remember that

these seven people will be appointed bureaucrats, beholden to a political system and to the Presidency for their jobs. They will be a political entity above all else, appointed by the President, whether he be a Democrat or Republican, to carry out his own vision of what health care should be for all of America.

Congress, in its usual paralytic mode, would have a hard time dealing with the complexities of the National Health Board, just as it now really cannot deal even with the FDA.

Under the Clinton plan, benefits and budgets will be determined from Washington. But we have evidence from this country and from foreign countries that centralized economic control does not work.

Staring us in the face is the fall of the classic centralized system, the Soviet system. It produced quotas, it controlled prices, and it did not work. As De Tocqueville said and others have pointed out, a beast like national health care, a concept like national health care, is beyond the capacity of the Government to manage. No national health care board could ever know all that it needs to know in order to run the system from the top.

Under the Clinton plan, many prices would, in effect, be set by a bureaucracy in Washington, but we already know that it will not work. History tells us that it will not work. The bureaucracy needed to administer price controls would be immense. Ira Magaziner said the staff of the National Health Board would be under 100 people. Either he is speaking in technicalities, or ignoring the staff of all the associated boards, commissions, and study groups, or he has not read his own plan. With the tremendous authority of the Board, doing everything from setting prices, to setting quality, to negotiating with the alliances, to setting risk adjustment mechanisms, to distributing medical residencies, the National Board and its subsidiaries will employ thousands. The SEC employs 2,600 people, and if the National Health Board is as described by the Clinton health plan, it could easily employ that number or more.

We know providers have many ways to evade price controls—by increasing volume, by gaming procedure codes, by decreasing quality, and many others. Under the Clinton plan, as under Medicare, each time the Government discovers a new evasion, it would publish a new regulation. The result would be more and more bureaucracy.

When President Nixon instituted price controls in 1971, the regulation started with 4 pages and ended up with 1,534 pages. And we all remember how unsuccessful President Carter's price controls were in 1978.

The Clinton plan is a giant risk for all Americans. The point is we do not need to take a giant risk now as a na-

tion. Nearly 90 percent of Americans are satisfied with their health care. The system is self-correcting, and I think the self-correction we have seen in just the last 12 to 18 months will accelerate. We are in the midst of a sea change. The market is beginning to do the job.

What we must do is take aim at those parts of the health care system that cannot self-correct.

First, start with Federal programs. No market can correct them because they do not exist in the market. Reform the Medicare and Medicaid systems. That is where the primary problems are in health care today.

Second, take steps to provide access to the system for those who lack it. Yes, there should be universal access and we can do much to accomplish that. We also need to address the issue of small market insurance reform, ban medical underwriting, redlining, and preexisting condition clauses. Go to a modified community rating system. Encourage private purchasing pools so that small business can get volume discounts.

Reform the way the Federal tax system treats employer-provided insurance premiums. The way we do that now is a crazy system that causes lack of insurance because high-income workers benefit much more than low-income workers. Reform the tort law and the antitrust law. Yes, experiment with new ways of constructing markets for health insurance and allow the States to go their own way by reforming the ERISA.

But let us not hurt more than we help. We have an excellent health care system in this country. It needs to be fixed in a number of places, but it still delivers high-quality care to a large number of people. If you look around the world, it remains the best system. The worst thing we could do in the process of trying to fix what is wrong with our system is to destroy that which is right. By creating a giant new centralized bureaucracy, as envisioned in the Clinton health care plan, we put at risk not only our health but the health of our children and grandchildren.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MOYNIHAN addressed the Chair. The PRESIDING OFFICER. The Senator from New York.

#### UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1993

The Senate continued with the consideration of the bill.

Mr. MOYNIHAN. Mr. President, I believe the distinguished Senator from Texas has 40 minutes and on our side we have 20. I see my able friend is on the floor. Perhaps she would wish to yield time to whichever of her Senators wish to speak on behalf of her amendment.

The PRESIDING OFFICER. The Chair advises the Senator from New York that the total time has been reduced by the previous unanimous consent request.

Mr. MOYNIHAN. Are we then down to 45 minutes?

The PRESIDING OFFICER. The Chair advises the Senator that the vote was previously scheduled to occur at 11:30. So we have 30 minutes for debate remaining prior to the vote.

#### UNANIMOUS CONSENT AGREEMENT

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the vote be held at a quarter of 12 and that there be 30 minutes on behalf of the Senator from Texas and 15 minutes on behalf of the Senator from Maine.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MOYNIHAN. I thank the Chair. The PRESIDING OFFICER. The Chair recognizes the Senator from Texas, who controls 30 minutes.

Mrs. HUTCHISON. Mr. President, I want to thank the Senator from New York for working with us on this. I appreciate it very much. I do yield now to the Senator from Alabama, who is a cosponsor of my amendment.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, there was a lot of discussion yesterday on the Senate floor about how the Hutchison-Shelby amendment was intended to kill or to delay this bill.

Mr. President, this amendment is not—and I wish to repeat, this amendment is not—about killing or delaying the extension of unemployment benefits for out-of-work Americans, as was stated in this Chamber yesterday. In fact, this amendment is about preventing more Americans from losing their jobs. This amendment is about providing some stability to taxpayers, particularly small businesses, who need some guarantee that they will not be taxed on money they have already budgeted for investment, employee salaries or new equipment.

Mr. President, I supported every one of the unemployment extensions in the past, and I support this one today. That is one reason I believe this amendment is so appropriate. The Hutchison-Shelby amendment is about employment. It is about keeping Americans employed. It is about keeping Americans employed and off of unemployment by putting some security back in the way we run our businesses and budget for our future.

Mr. President, if there is one thing sure to kill jobs, to impede job growth, and to inhibit job creation, it is the economic insecurity caused by the need to hire a fortune teller as a tax adviser.

Our amendment should not be controversial. It is basically a win-win scenario. It provides a tax break for Americans by extending the effective date

on the income, estate, and gift tax increases to August 10, 1993. Everybody will remember that was the day the tax bill was enacted. And it covers the loss of revenues from the repeal by making a direct cut in Government spending.

So: first, the amendment helps taxpayers, particularly small businesses, which are the largest employer and producer of jobs in this country; second, it is budget neutral. It makes direct spending cuts in Government expenses to offset the revenue losses; and third, it removes the singularly most offensive part of the budget passed in August—retroactivity of the taxes.

Mr. President, while we all did not agree on the budget as a whole, we all did agree, I thought, that retroactivity was a mistake. It is offensive to taxpayers. It is wrong. This amendment allows us to responsibly fix that mistake. We still get deficit reduction and we actually make cuts in Government spending. We also preserve jobs and restore stability to business and personal financial planning.

Mr. President, this is a good amendment. It is a timely amendment. Do not let anybody say otherwise. I hope my colleagues will support it.

The PRESIDING OFFICER. Who yields time?

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I yield 8 minutes to Senator ROTH.

Mr. ROTH. I thank the distinguished Senator.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. I rise in support of the Hutchison amendment to eliminate the retroactive tax increase that was passed as part of the President's budget package in August. These tax increases have already impacted upon our economy.

I would like to focus the camera's attention on the chart that I reproduced from the Commerce Department's record and the Wall Street Journal. This chart makes the dramatic point of just how the Nation's economy is responding to the retroactive tax increases—for that matter, all of the Clinton tax increases.

Clearly, economic activity in late 1992 was clipping along at a brisk 5.7 percent. In mid-February, the President released his proposal to increase tax rates on small businesses and others by as much as one-third or more—retroactively, I might add. In fact, these retroactive tax increases reached all the way back to 20 days, 20 days before the time Bill Clinton was even President.

Now, let us look at what happened. The brakes went on our Nation's economy. We went from a growth rate of 5.7 percent to a rate of only 0.8 percent—a very sizable drop.

That is not all. In September, in my State of Delaware, the unemployment rate reached its highest point this year; 20,800 residents had no jobs. Even with a big increase in Government jobs taking place at that time because of the start of the school year, our State continued to lose more jobs than it gained. In fact, the unemployment rate has increased from about 4 percent before the Clinton retroactive taxes passed, to almost 5.5 percent now, an increase of over one-third.

In Delaware, some 341,000 jobs are provided by about 20,000 small businesses. Because the new Clinton economic policy raised tax rates by over 30 percent on small businesses, and because of my State's reliance on small business jobs, we are feeling the pain with higher unemployment.

Clearly, America cannot afford this retroactive tax increase. Our economy has already taken a bullet because of it, and with this as our foundation, it is clear that the Hutchison amendment will help speed the growth of our economy, and reverse the bad effects of the Clinton economic policy.

Personally, I would prefer to repeal the rates for the full 1993 tax year. However, this amendment does effectively move the enactment date to August 10, 1993, making the tax increase prospective only.

Moving that effective date brings me to my next point. If you were to ask the average American on the street whether it is fair for the President and the Congress to pass taxes on a retroactive basis, you would get an overwhelming response that it is not fair.

I believe that out of fairness, Congress must refrain from any attempt to use retroactivity when it comes to taxation. Unfortunately, many of my colleagues will go on record today supporting retroactive taxes with their vote. I want all Americans to know that if you allow this Congress to get away with retroactive taxes this time, you can expect the Congress to come back year after year expanding its powers to pass taxes months, even years, back into history. If Congress fails to end this unfair tax practice, then I can only hope the Supreme Court will strike down retroactive taxes when it decides the Carlton case later this year. This amendment should be passed because we need to relieve the burden of retroactive tax increases on small business.

The National Association of Manufacturers [NAM] has calculated that, at a minimum, at least one-third of the President's tax increases on individuals fall on small businesses, like subchapter S corporations. The National Federation of Independent Businesses [NFIB] has estimated that when you combine the 1990 and 1993 tax increases, the tax rates on our job creating small businesses will have increased 60 percent in only 3 years—60 percent in only

3 years. These small businesses created 171,000 jobs in the first 9 months of 1992, an astounding 4 million net new jobs from 1988 to 1990.

During debate on the tax bill, I offered an amendment to remove these businesses from the tax rate increases. That amendment got a strong vote of 56 Senators. Here is the Senate's chance to act again for the benefit of small businesses, and I hope that we will get the four additional votes necessary this time to pass an amendment for small business.

Let me make one short point about the unemployment bill and arguments that have been made that somehow supporters of this amendment are holding up benefits for Americans in need. Nothing could be farther from the truth. If this amendment should pass in the Senate, it would take no time at all for the House to agree to our amendment and pass this unemployment bill. In fact, if there is a problem of delay here, then it lies in the fact it has taken so long for the Senate to take up this measure.

Benefits for these Americans expired some 3 weeks ago. Yet it has taken the majority this long to bring the bill up.

When George Bush was President, cries rang out for even a single day's delay in passing an extension of these benefits. Now we hear from the opponents of this amendment that we cannot afford the delay in getting benefits to the people because of the Hutchison amendment. This is clearly nothing more than a politically convenient argument.

So let us do what is fair. Let us repeal retroactive tax increases. Let us cut spending. This is what the American taxpayer has asked us to do. And I urge my colleagues to support the Hutchison amendment.

I ask unanimous consent that newspaper articles be printed in the RECORD at the appropriate place.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the News Journal, Oct. 26, 1993]  
DELAWARE JOBLESS RATE UP 3D MONTH IN ROW

(By Eve Tahminciolu)

The number of unemployed Delawareans increased in September for the third consecutive month.

It signifies a weakness in the job market because business owners would rather increase overtime than increase payrolls.

The state Department of Labor said Monday 5.4 percent of Delaware's work force was jobless last month, up from 5 percent in August and 4.8 percent in July. Since June when the unemployment rate fell to a three-year low of 4.0 percent, the number of unemployed Delawareans has jumped by more than 5,000 to 20,800 in September.

"We are going through a period since June where we have virtually no job growth," said Ed Simon, analyst with the Labor Department. "To my knowledge, there haven't been any massive layoffs or plant closings, other than in the chemical industry, but on the

other hand, we're not having the kind of job growth needed to lower the unemployment rate."

"Usually, you can discount month-to-month changes except where you see a trend," said Simon.

Simon said the latest round of cutbacks at the DuPont Co.—1,000 Delaware jobs will be eliminated—did not make a major mark on September figures.

"Basically the underlying cause is concern by employers who are reluctant to expand their work force because of uncertainty over the economy and future of taxes, and health-care reform. In general, there's a fear of what's going to happen," Simon said.

Meanwhile, companies appear more than willing to pay overtime as an alternative to hiring more workers. Among manufacturers, average weekly hours per worker climbed to 42.5 in September, up from 39.4 during the same month last year.

The wholesale and retail trade category was particularly hard hit last month because of seasonal changes such as the winding down of the summer resort season, Simon said.

Construction, which usually sheds jobs in September because of seasonal alterations, lost many more jobs than expected, Simon said.

"Construction employment went down 800 from August, where it usually goes down 200 to 300," he said. "That's something to keep an eye on because it could be an indication of a possible slowdown in that sector," which is a critical gauge of economic activity.

Though some industries reported overall gains in employment last month, Simon said almost every business sector had some trouble.

Simon said he expects Delaware's jobless rate to remain below the nation's.

"There's a possibility the rate could go slightly higher, but I don't think it's going to soar," he said.

As of August, Delaware's jobless rate was the 11th lowest in the nation.

"A lot of states are much worse off than here," Simon said.

[From the Dover (DE) State News, Oct. 26, 1993]

**STATE JOBLESS RATE HITS NEW HIGH FOR '93**  
(By Karen Murtha)

DOVER.—Delaware's unemployment rate for September was the state's highest this year—20,800 residents had no jobs.

That represents a 5.4 percent unemployment rate, a 4 percent increase from August when 19,000 Delawareans were jobless.

"Most companies are trying to do more with less," said Edward L. Simon, labor market analyst for the Delaware Department of Labor.

"The rate of job growth for the first half of 1993 has basically slowed to a halt," he said. "Service industries are even being cautious about hiring."

In specific job sectors, manufacturing jobs decreased by 2,200 for September, while government jobs increased by 2,000, according to a report released Monday by the Delaware Department of Labor.

"There's been a corporate downsizing in manufacturing, which is also occurring nationally," Mr. Simon said.

October figures for manufacturing may not fare much better. The recent layoffs at the Du Pont Co. were not included in September's unemployment rate, Mr. Simon said.

The increase by 2,000 employees in government jobs is primarily due to the opening of the school year, he said.

"College student-workers are counted in the rate," Mr. Simon said. "Teachers who may not be counted during the summer months are also included in September's figures."

Education may have boosted the government rate overall, but September also marked the end of summer tourism, which meant a decrease for some local governments.

"Businesses in Rehoboth, Lewes and Dewey are down because tourists are basically gone," Mr. Simon said. The decline of "parks and recreation employees and summer youth programs also contributed" to the government's rank, he said.

Although September's unemployment rate for Delaware is at its lowest mark, the First State still ranks above most others in the nation for the same month.

"Delaware is still relatively low compared to the U.S. unemployment rate of 6.7 percent," Mr. Simon said.

September's unemployment rate has not yet been nationally compared, but for the month of August, Delaware had the 11th lowest unemployment rate in the U.S., Mr. Simon said.

"We're doing better than other states, but not as good as we'd like," he said.

Mr. ROTH, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MATHEWS). Who yields time?

Mrs. HUTCHISON, Mr. President, if the Senator from New York does not want time right now, I will be happy to yield to the Senator from Utah.

I yield to the Senator from Utah 10 minutes.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH, Mr. President, I thank my dear colleague, Mrs. HUTCHISON.

Mr. President, I think we really ought to honor this great Senator from Texas for being willing to do this today.

Mr. President, I rise today to express my support for the amendment of the Senator from Texas [Mrs. HUTCHISON]. This is an important amendment on an issue that I believe did not have the benefit of a full debate under the strict limitations on debate on the conference report for the Omnibus Budget Reconciliation Act of 1993. It is an issue that deserves more public examination given its adverse consequences for all American families.

Because this body faces many other important issues before we adjourn for the year, there may be some on the other side of the aisle who believe we should just let sleeping dogs lie and not again bring up the issue of retroactive tax increases. But, Mr. President, the Senate should realize just how much harm we have done to the potential growth of the economy by passing huge income tax rate increases earlier this year. We should recognize that instead of just passing bills to extend unemployment benefits, we should be dealing with the underlying cause of unemployment—lack of job creation.

Many Americans were led to believe by the proponents of the 1993 tax in-

creases that only the very wealthiest Americans were hurt by the changes in this year's bill. In fact, I have heard some say that only 1.2 percent of taxpayers were affected by these tax increases. Statements like these are completely misleading for two reasons.

First, although these income tax rate increases were ostensibly aimed at only the wealthy, they will miss their mark and have the hardest impact on middle and lower income individuals—those very individuals who we are trying to help with this unemployment bill today. People who depend on jobs created by those who have the capital to risk in starting businesses will suffer far more than the wealthy, who will simply shift their investments to ones that avoid or defer tax. This is exactly the result we saw after we enacted the ill-conceived luxury taxes in 1990—the same luxury taxes that almost all of my colleagues wanted to repeal once they saw the job loss impact from them.

High marginal tax rates discourage hard work, risk taking, investment, savings, and job creation. Consequently, there will be less capital available to invest in new business formation. The biggest losers will be those who need jobs. This is not a difficult concept, Mr. President. We need employers in order to have employees. It is time we realized that new taxes do not discriminate—they hurt everyone.

Second, most proponents of the 1993 income tax rate increases totally ignored the huge and unfair impact these tax hikes have on this Nation's small businesses. Because more than three-fourths of U.S. businesses are organized as proprietorships, partnerships, or S corporations, and pay their taxes as individuals, there is far more to consider here than just the inaccurate idea that the rich have unfairly benefited from too low taxes and should now pay more. Many of these small business owners pay taxes on income that they never receive. Most small businesses are undercapitalized, and owners find themselves plowing their earnings back into the business to finance growth and expansion. Higher tax rates will simply cut back the ability of many of these businesses to grow and create jobs.

Mr. President, let me share with the Senate part of a letter from a Utah entrepreneur who is already feeling the impact of the new higher tax rates on his ability to grow his business and create jobs. The letter reads in part:

For years, my wife and I dreamed of starting a business we could build together. With her training in health, nutrition and fitness, and my experience in business management, healthy frozen desserts seemed like the perfect venture. Since building retail stores is capital intensive, our first challenge was raising money. In time, we found a small group of investors that believed in our plan and agreed to fund a handful of stores in Utah. Since we only had a few shareholders and we wanted to invest our earnings back

into the company, we incorporated as a subchapter S organization. As you know, shareholders in sub S corporations are required to declare business income as individual income, and pay taxes on it (whether received or not) the year it is earned.

It is important you understand that our objective from the beginning has been to create and operate a model company. We have committed every dollar of profit to growing our business. We have hired one of the top product development specialists in the country. We spend heavily on research, training and concept development. We are committed to build 15 to 20 new units each year, all funded with earnings from our stores. In other words, we are serious about becoming a leader in our industry. Ongoing investment and growth are critical to achieving this objective. Businesses that do not invest in the future cannot develop state-of-the-art products, remain competitive, nor create attractive career opportunities.

It took five years before our cash flow was able to support our growth. Up to then, we raised funds by selling additional shares in the company. Our small group of shareholders, who have been tremendous partners, agreed to forgo distributions so we could grow the business. Their only request was that sufficient funds be distributed each year to cover the personal tax liability created by their ownership in the company. Since they all have significant incomes (that's why they were able to invest in our business in the first place), each dollar earned from their investment in our company has always been taxed at the highest level (31%). The average state tax in the various states we do business in is 8%. Thus, 39% of our income was required to cover shareholder taxes. For every dollar we earned, 39 cents went to taxes and 61 cents went to business development. No one has become rich taking wheelbarrows of money to the bank.

Now that the bill as passed, we are faced with a challenging situation. Since our investors' individual income taxes have increased significantly, it will now require 47.6% of our earnings to cover shareholder taxes—39.6% for federal and an average of 8% for various states. In other words, we have just lost nearly 10% of our income we had planned to use for business development. For every dollar we now earn, 48 cents will go to taxes and 52 cents can go to business growth. This year alone, the amount of income we must distribute to cover these new taxes will cost the company 3 new stores and 36 new jobs.

Mr. President, no one has ever explained it better than this. And, it is disturbing to think that this is just one example of many thousands of lost opportunities throughout our Nation. If we multiply the effect of these new taxes by each of these situations, you can see the impact these new taxes are having on job creation.

Now I realize that the amendment before us will not entirely solve the problem. But it will take the first step in showing the Nation that the Senate recognizes the negative effect these retroactive taxes are having and that we are serious about creating jobs.

So let us take the first step, Mr. President, by passing this amendment. Let us demonstrate to the American people that we want a permanent solution to unemployment—job creation.

Finally, Mr. President, let me just read one other paragraph of this very

interesting letter from this small businessperson and his wife.

It is very discouraging when our greatest threat to survival is not the competition, the Japanese, etc., but our own government. Why are we as entrepreneurs targets of a financially irresponsible government? Shouldn't we be encouraged to create healthy, desirable products? Shouldn't we be applauded when we create new jobs and train the youth of America? Shouldn't we be heroes when we grow our businesses and create net increases in taxes paid to the federal and state governments?

Here is a couple that sacrificed everything they had; kept their other jobs going so they could live while they put everything back in the business to create 1,000 jobs. Now they are finding the survival of their business is threatened, faced with minimum wage increases and all kinds of other mandates from the proposed health care program of this administration, and even more taxes as they go down the pike.

Mr. President, I ask unanimous consent that the letter from which I read be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 29, 1993.

U.S. Congressperson.

MY DEAR REPRESENTATIVE: I was born and raised in the state of Utah. I received Bachelor's and Master's Degrees from the University of Utah and a Ph.D. in Organizational Studies from Purdue University. I have taught MBA students at the University of North Carolina at Greensboro and the University of Petroleum & Minerals in Dhahran, Saudi Arabia.

I have also consulted with numerous organizations, both large and small, in the areas of strategic planning, business restructuring, market research, and management training and development. In 1985, my wife and I returned to Utah and created our company. We now have 70 retail locations and wholesale product distribution throughout the western United States.

I have reviewed my background so you will understand that I know business organizations intimately. I have studied them, taught about them, consulted with them, and created them. Our company has hired well over 1,000 individuals during the past few years alone.

My purpose in writing to you is to inform you of the negative impact the new tax bill has had on our company's ability to grow and create jobs. Since you cast what proved to be a decisive vote, my hope is to persuade you to vote with our business in the future rather than against us. Here is the story of our company.

For years, my wife and I dreamed of starting a business we could build together. With her training in health, nutrition and fitness, and my experience in business management, healthy frozen desserts seemed like the perfect venture. Since building retail stores is capital intensive, our first challenge was raising money. In time, we found a small group of investors that believed in our plan and agreed to fund a handful of stores in Utah. Since we only had a few shareholders and we wanted to invest our earnings back into the company, we incorporated as a subchapter S organization. As you know, shareholders in sub S corporations are required to

declare business income as individual income, and pay taxes on it (whether received or not) the year it is earned. The early years were challenging. Being conservative and desiring to avoid debt, we did not take salaries from the business for nearly three years. This meant I had to maintain a full-time consulting practice to support our family. We often wondered if we had done the right thing—we had created an entity that required all our time and effort, but wasn't able to support us. I admit, there were times when secure government jobs and teaching positions looked awfully attractive. Nonetheless, we were building a dream—we were working together as a couple, we were creating healthy products, we were hiring and training young people in their first jobs, and we were contributing to the state we love.

It is important you understand that our objective from the beginning has been to create and operate a model company. We have committed every dollar of profit to growing our business. We have hired one of the top product development specialists in the country. We spend heavily on research, training and concept development. We are committed to build 15 to 20 new units each year, all funded with earnings from our stores. In other words, we are serious about becoming a leader in our industry. Ongoing investment and growth are critical to achieving this objective. Businesses that do not invest in the future cannot develop state-of-the-art products, remain competitive, nor create attractive career opportunities.

It took five years before our cash flow was able to support our growth. Up to then, we raised funds by selling additional shares in the company. Our small group of shareholders, who have been tremendous partners, agreed to forgo distributions so we could grow the business. Their only request was that sufficient funds be distributed each year to cover the personal tax liability created by their ownership in the company. Since they all have significant incomes (that's why they were able to invest in our business in the first place), each dollar earned from their investment in our company has always been taxed at the highest level (31%). The average state tax in the various states we do business in is 8%. Thus, 39% of our income was required to cover shareholder taxes. For every dollar we earned, \$.39 went to taxes and \$.61 went to business development. No one has become rich taking wheelbarrows of money to the bank.

Now that the bill has passed, due in part to your vote, we are faced with a challenging situation. Since our investors' individual income taxes have increased significantly, it will now require 47.6% of our earnings to cover shareholder taxes—39.6% for federal and an average of 8% for various states. In other words, we have just lost nearly 10% of our income we had planned to use for business development. For every dollar we now earn, \$.48 will go to taxes and \$.52 can go to business growth. This year alone, the amount of income we must distribute to cover these new taxes will cost the company 3 new stores and 36 new jobs.

Though I was discouraged when the bill passed, I hung on to one hope—President Clinton's promise of tax credits for companies willing to invest in themselves. My hope was that credits for buying equipment, developing products and creating jobs would offset the increased taxes our shareholders have incurred. If any small business qualifies for tax credits, certainly ours does. This year we will spend \$800,000 on new equipment, \$200,000 on product research and development, and thousands of dollars on employee

training and development. In addition, we will create approximately 100 new jobs.

After the bill passed, I asked both our controller and our accounting firm to study the summary and advise us on the impact of the new taxes as well as the credits that might be available. Both parties agreed, the new bill essentially asks us to "bend over, grab our ankles, and receive the federal paddle." In other words, this is a tax bill, masquerading as a recovery act. There are no new or significant tax credits for growing companies like ours. Here is their summary:

**Targeted Jobs Tax Credit**—Existed before, was simply extended. Has no new effect on our company.

**Investment in New Equipment**—Amount eligible increased from \$10,000 to \$17,500, but is phased out for companies investing \$200,000 in equipment for any one year. Effect is insignificant in our company since we spend approximately \$800,000 on new equipment each year.

**Research & Development Credit**—Extended retroactively but applies primarily to research of a technological nature. Does not apply to the development of products like ours in a non-technical field.

**Reduction in Capital Gains Tax**—Reduces capital gains by 50% for original owners who sell their original stock. Does not reduce our annual tax burden nor help with our annual growth and development. Applies only to investments made after August 10, 1993.

We are waiting for your "talk, talk, talk" about how we will all be better off because you voted for the bill. However, I am afraid it will be like telling a child you just paddled that the spanking didn't feel that bad. Our company has definitely been hurt by your vote. The analysis of our financial advisors shows the new taxes will cost us 28 new stores and approximately 336 new jobs over the next five years. In addition, all the businesses that support us—contractors, subcontractors, manufacturers, distributors, brokers, etc.—will now have less work. Perhaps most significant, even though tax rates have increased, our company will pay \$500,000 less in state and federal taxes over the next five years because our growth capital has been slashed. This is an important point! We will actually pay less income tax, sales tax, payroll tax, and FICA tax (because our growth has been inhibited by the new taxes) than we would have paid if the bill had failed to pass. Does this sound like economic recovery to you?

Not only will the new taxes affect our company, I believe they will have an impact on business in America in general. As you know, 80% of the jobs in this country are created by small business. Most small businesses are sole proprietorships, partnerships or sub S corporations. All of these forms of business require owners, partners and shareholders to declare business income as individual income. When you raise the taxes of owners and partners who are able to fund and develop businesses, businesses have less capital to grow, develop products and create jobs. In the case of the new bill, the credits offered are not broad enough or significant enough to offset the impact of the new taxes for most small companies that are serious about growth and development.

I believe the greatest tragedy of this tax bill passing is that it shifted the focus from the most serious problem we have in America—the national debt. While promises have been made to reduce the annual deficit, which may reduce the amount by which the debt grows each year, the bill has no impact on the staggering amount of debt currently

existing. Had the bill failed, the message would have been clear—Americans are not willing to pay more taxes until the national debt is seriously addressed. Taxes are not the answer for solving this problem. Congress could raise taxes every year for the next 10 years and it wouldn't make a dent in the national debt. The solution lies in sound financial management (reducing costs, cutting wasteful spending, eliminating programs, etc.) even though it will be painful.

How the government developed this pattern of spending more than it takes in year after year is beyond me. Businesses that follow this pattern go bankrupt. They do not have the luxury of raising prices as will because they choose to spend more money than they make. Of all the companies I have consulted with, the least healthy are those that need most of their earnings to service debt. Even though their concepts and management may be sound, because they lack cash flow they are unable to develop new products and technology, create jobs, and stay competitive. Governments that require a large amount of their revenue to service debt have the same problem; they cannot adequately educate their people, develop their nation, or invest in their future. Shouldn't our government be a model of excellence, efficiency and sound management? Imagine how strong our country could be if the annual budget now required to service debt was spent strengthening education, improving health care, developing technology and cultivating natural resources.

Before concluding there are two issues on which we need your help—health care and the minimum wage. If businesses are asked to bear the burden of these two costs, the health and survival of our company may be threatened. Our business, like most fast-food establishments, is a low-ticket industry. The average purchase in our stores is approximately \$1.50. This means we need a lot of employees to serve a lot of customers who don't spend much money. The vast majority of our employees are 16 to 20 years old, they live at home, they attend high school or college, they work 15 to 25 hours a week for spending money, they are covered by their parents' health plan, and they earn between \$4.25 and \$5.00 per hour.

I realize some people may not value these jobs because they are not "high paying" career positions. However, we take great pride in teaching a young work force, many in their first job, effective work habits and career skills. We view our business as a company school; we provide extensive training in business management, customer service, store cleanliness, inventory control, cash management, and marketing. Once trained, we let our employees run their stores as their own businesses. We share the profits with them and provide cash bonuses for excellent performance. Being a former university professor, it is very rewarding to teach young people important career skills, influence their attitude toward work, and improve their lifetime employability while they are with us. While most stay with our company one to two years (until they graduate, get married, move away, etc.), some do rise to higher paying career positions as team leaders, regional managers, marketing director, etc.

We are in favor of allowing all Americans access to needed health care. Our company provides an attractive health plan for our permanent career employees. The new government plan, however, must make allowances for young, part-time employees who already have coverage through a family plan.

If we are forced to pay a percentage of our payroll into a national health plan for employees who already have access to health care, it will essentially add a new tax to our business. This will contribute one more cost to our financial statement that is beyond our control—a cost that will continue to increase each year, particularly if funding for the plan is based on faulty assumptions about the growth of the economy. I have already outlined how the new recovery package has affected the future growth of our business.

In addition to new health care costs, if the minimum wage is increased for our young workforce (and indexed as some have suggested), we will have yet another item on our financials we cannot control. We are all for paying people a fair wage for skill level and contributions made. Our employees, like most minimum wage earners in America, are teenagers with no dependents learning initial career skills. If this significant cost of doing business is increased, we will have two alternatives available to us, neither of which is attractive for our business: (1) lay off 20% of our workforce and figure out how to provide superb service with smaller crews, or (2) pass the cost on to our consumers by significantly raising prices. Since our product is not a basic staple of life, there is a price point where people stop buying it. We work very hard to keep our costs down so we can keep prices low. In fact, we have not raised our prices for nearly four years because our customers are so value conscious. If we incur additional costs, we may need to raise prices to stay in business. If we do raise prices, we may struggle to stay in business anyway because our sales will be affected. Would you pay \$3.00 for a small cup of yogurt?

In a recent executive planning meeting we all agreed the directions taken by the current administration will require us to pursue two new business strategies: (1) look for ways to increase sales without the need for capital investment, and (2) look for ways to grow the business without the need for employees and human resource costs. Clearly, our business, and I believe many other small businesses in America, will not fare well from the new tax burden nor the incentives offered (perhaps I should say not offered) in the President's plan.

It is very discouraging when our greatest threat to survival is not the competition, the Japanese, etc., but our own government. Why are we as entrepreneurs targets of a financially irresponsible government? Shouldn't we be encouraged to create healthy, desirable products? Shouldn't we be applauded when we create new jobs and train the youth of America? Shouldn't we be heroes when we grow our businesses and create net increases in taxes paid to the federal and state governments?

In conclusion, I have tried to be factual and objective in this letter. My hope is to provide insights that may influence your thinking on future votes in Congress. We need you to vote for us and other small businesses on these critical issues. You represent one of the most conservative districts in the country where citizens are concerned about living and governing responsibly. In addition, small business is the prototype of our state. It will be difficult for you to maintain your office if you vote against small business and the constituency you were elected to represent. Please, vote for programs and bills that allow us to grow, create jobs, and generate long-term revenue for state and federal governments. Vote against programs that burden us with new costs and threaten the

survival of our business—a business we feel has become a Utah tradition!

Mr. HATCH. Mr. President, this amendment may be a small one, but it is an important amendment. It is a strike for freedom. It is striking out to try to get our country under control from the tax standpoint, and it certainly says this retroactive tax increase has not been fair.

So I commend the distinguished Senator from Texas. It takes a lot of guts to stand up here on this floor and try to reverse something that is clearly incredibly bad for the country. So I commend her. I thank her for doing this. I am happy to support her, and I hope all our other fellow Senators will do so as well.

Mr. President, I reserve the remainder of my time and yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, let there be no mistake, this is an amendment that can have only one effect, and that is to deny unemployment benefits to 1 million American workers. It can never become law itself. The House will not consider it. But it can kill extended unemployment benefits.

Mr. President, I yield 5 minutes to the distinguished Senator from California who understands this issue and who would like to speak to it from the vantage point of the Nation's largest State. I believe about a third of a million Californians will receive unemployment benefits under this measure.

That issue is at risk and will be decided in 25 minutes on the floor of the Senate.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. I thank the chairman of the Finance Committee, the Senator from New York.

Mr. President, this legislation is the first Hobson's choice I have had to vote on, being a Member of the U.S. Senate.

I begin by paying my compliments to the Senator from Texas; originally I had wanted to be a participant in this because no more than anyone else do I like the retroactivity. Mr. President, you and I discussed this matter, and I know you do not like the retroactivity. Nonetheless, I am faced with a Hobson's choice because it is my information that if this amendment passes it kills the unemployment compensation extension bill.

Let me ask this of the chairman of the Finance Committee, perhaps the most knowledgeable person in this body:

If this point of order passes, if it gets 60 votes and if this amendment passes, does it, in fact, kill the extension of unemployment insurance?

Mr. MOYNIHAN. I would say to the distinguished and experienced Senator from California, that if this measure passes it kills the Extended Unemploy-

ment Compensation Program and kills the prospects of a third of a million Californians who are entitled to it and will get it instantly. The President will sign this bill tomorrow if it is passed. If not, it is over.

Mrs. FEINSTEIN. I thank the chairman.

Let me explain my Hobson's choice. When the tax package was before this body, I called the Franchise Tax Board of the State of California. I said how many people would be affected both by higher taxes and lower taxes?

What I was told is that in California there are 13 million personal income taxpayers; 300,000 were affected by the higher taxes—in other words, 250,000 were heads of households and families with adjusted gross income of \$140,000 or more, and 50,000 were single taxpayers with adjusted gross incomes of \$115,000 or more.

I was also told that as a product of the budget reconciliation bill, because of the earned income tax credit, taxes for about 2 million people in the State of California would be reduced.

Now, I am looking at an unemployment extension and I want to know how does it affect the State of California? California's unemployment rate is 9.4 percent. The national unemployment rate is 6.7 percent. You clearly see the difference.

Additionally, in the first 7 months of this year, 327,000, nearly 1 out of every 4 unemployed Californians—we have 1.4 million unemployed—327,000 have been out of work more than 6 months. These workers depend on this benefits program.

Let me read a letter that came in from a man in Riverside, and this is the dilemma.

DEAR SENATOR FEINSTEIN: Please extend the Federal jobless benefits program which is due to expire shortly.

Although the Federal Government is pleased that unemployment in the Nation as a whole is under 7 percent, we in California, especially in Riverside County, are not seeing any relief in sight. Our unemployment rate is around 11 percent, and there are very few jobs to be had.

I am a casualty of the cold war victory. I am an aerospace engineer who has been diligently looking for a job for many months with no success. In fact, after responding to approximately 20 want ads relating to my specialty and sending out approximately 100 resumes to Los Angeles area companies, I have done one interview where I was rejected, and no other positive responses; lots of rejections. I am concerned about the people in my situation who need more than the usual 6 months of unemployment benefits to get situated. Please help us by extending the Federal jobless benefit program.

I might say, Mr. President, in California's defense industries we have a one-third payroll diminution to date, way beyond any expectation. The defense outbacks in California have had a much deeper impact than anyone has estimated. That is part of the need for the extension of this unemployment in-

surance; 327,000 people depend on it going ahead.

So, Mr. President, that is my Hobson's choice: Do I vote to eliminate retroactivity for 300,000 of the wealthiest Californians or do I vote to continue unemployment insurance for 327,000 people out of work? It is a terrible choice, but it becomes a clear choice.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MOYNIHAN. Mr. President, may I say to the distinguished and experienced Senator from California, there is, in fact, no choice from her perspective and from that of the people of California.

In no way will this amendment ever become law. Not one person's taxes will be changed in any way. The only thing the success of this amendment could do is to kill extended unemployment benefits for a third of a million Californians, a third of a million like that aerospace engineer from Riverside, who are experienced, capable workers. He is a victim of victory in the cold war. Are we to say to him, "sorry," on a meaningless quest to make a symbolic statement? Are we to say, "we are going to take away what you have left in the way of a livelihood until the economy picks up more?"

Certainly, we are not going to do that, Mr. President. This amendment will fail. It must be defeated.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mrs. HUTCHISON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Texas has 11 minutes, 30 seconds; the Senator from New York has 6 minutes, 51 seconds.

Mrs. HUTCHISON. Mr. President, I yield 2 minutes to the Senator from Mississippi, Senator LOTT.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I thank the distinguished Senator from Texas for showing the leadership she has shown in this particular instance. It sounds to me, from what I have heard this morning and from the debate I heard yesterday, that the whole approach is to distract attention from what is really involved here.

We need to talk about the real issue: What this particular amendment does. It would repeal the unfair job-killing retroactive income, estate and gift taxes from the tax bill we passed earlier this year, the so-called reconciliation package. These retroactive taxes will affect 1.1 million taxpayers in this country this year. Of the total taxpayers affected, 675,000 are small businesses. What do you think this does to a small businessperson who has budgeted a year in advance? The business has no choice but to pay the tax. So, then what do they cut? Jobs. We should