

taken by certain times. First, we will seek a multilateral lifting of the arms embargo; that is preferred by everyone. But, if it does not happen, we should not be bound to support an embargo that is considered by many to be completely illegal in the first place, especially if the Serb Militants continue to refuse to accept a settlement. It gives meat to the comments of Secretary of State Christopher, who noted that we cannot let this go on indefinitely," while innocent people are slaughtered because they cannot defend themselves.

Let me also acknowledge the efforts of the administration for working with the Congress on this issue, and seeking to accommodate the concerns of us who want to see greater action taken in regard to Bosnia-Herzegovina. While I believe some risks are worth taking, I recognize that these risks have to be considered carefully and that we have to work with our friends and allies in Europe and around the world, many of whom hold positions and opinions different from our own.

Mr. Speaker, I would like to say that I hope this report sends an important message—that we have not abandoned our principles and that we must therefore do something more than sit back and watch genocide occur. This language on Bosnia-Herzegovina, at minimum, expresses the view that something more has to be done than what we see now. The clock is ticking.

Mr. STUMP. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. DORNAN], an able member of the committee.

Mr. DORNAN. I thank the distinguished gentleman from Arizona for yielding.

Mr. Speaker, this is "compliment" afternoon for our distinguished chairman, and it is richly deserved. In my 18-year span here, 2 years sitting on the sidelines because of reapportionment, I have served on many committees where there have been great bipartisan relations. It has been the byword of committees like the Committee on Science, Space, and Technology, most of the time with the Committee on Foreign Affairs, and certainly upstairs in the closeted Permanent Select Committee on Intelligence.

But this committee is a tough one to maintain cordial relations. We come at defense from so many different positions, particularly the liberal philosophy and the conservative philosophy. Our chairman has been someone who has kept a steady hand on the tiller and let all sides be heard. I do join in all of those compliments for him today.

I did not expect to be here today. I think most of us did not expect to be here until about 2 weeks ago. I had hoped to be in southern France. It would not have been vacationing, it would have been attending the memo-

rial ceremonies for Operation Dragoon, which had for months been called Operation Anvil. It is where United States forces landed in southern France to begin, with all of our hard fighting forces in the 80-day Battle of Normandy, an end to the reign of terror of Nazi Germany across the face of Europe. And Audie Murphy, a young lieutenant, Medal of Honor winner of the Third Division fame, was taking his exploits from North Africa, Sicily and Italy, up to the coast of southern France. He went with the 45th Thunderbird Division on one side and with the 36th Division, which had more continuous combat time than any division in the United States, on the other side.

They were today, 50 years ago, securing the beach and letting the French forces land. The French had used paratroopers, just as we had at D-day a few weeks before. This is not to forget our men in the South Pacific, where our paratroopers were wrapping up the last Japanese resistance on Noumea Island. In the Marianas, as well as on Guam and Tinian, bloody fighting came to an end.

What wonderful forces we had then. We had a nation with a population of only 130 million-plus people. Here we are today with literally twice that population, 260 million people. Again that dreaded six-letter word is creeping back into those councils at the Pentagon about our military forces. That word is "hollow."

It is only beginning, but the signs are there that we are getting back to those dreaded times after World War I, after World War II, after the Korean war, and after the Vietnam war, when we started ax-cutting our military in order to funnel more money over into domestic programs of an uncertain destiny. And here we go again.

In Mr. DELLUMS' second term, his sophomore year, second year thereof, 1974, we crafted a budget, cutting back drastically for fiscal year 1975, as a result of a defeat inflicted upon ourselves in the Halls of this building, never having lost on the battlefield and totally dominating the seas over the coast of North and South Vietnam. Air supremacy, there wasn't a SAM missile left to be fired at the end of that conflict. But here we were, gutting our military. Yet in the 1975 fiscal year period, we purchased 273 new combat aircraft for our military forces.

Yet what are we doing this year? We are purchasing only one model type, 24 of the superb C and D models of the F-18 Hornet and 24 fighter or attack aircrafts. That is it.

Here are some other indications of the problems we have developed for ourselves. There is good defense staff work here by Andy Ellis. President Clinton campaigned all of 1992 on a promise of \$60 billion in defense cuts, no more. Once in office, as a typical liberal Democrat, doubled it to \$120

million. Then he began to bleed off readiness money into various causes.

This is a recent study that Andy Ellis found by use of the Congressional Research Service. We have quadrupled non-defense spending from fiscal year 1990, which was George Bush's first defense budget that he guided through with our committee's help here and in the Senate in 1989. It has gone from \$3.5 billion in fiscal year 1990 to a projected \$13 billion in fiscal year 1994.

Mr. Speaker, I include for the RECORD the entire report on non-defense DOD spending.

NON-DEFENSE DOD SPENDING: FURTHER COMPOUNDING THE CLINTON CUTS

As the defense budget decreases, the amount of non-defense activities and programs funded out of the defense budget continues to dramatically increase. This practice, historically limited to unrequested Congressional add-ons to the defense budget, has been embraced by the Clinton Administration as a means of furthering domestic and foreign policy goals at the expense of military readiness.

A recent study by the Congressional Research Service (CRS) estimates that non-defense spending by DOD has quadrupled FY 90 from \$3.5 billion in FY 90 to a projected \$13 billion in FY 94.

For example:

The Administration has requested \$300 million in the FY 95 defense budget to pay for the U.S. share of U.N. peacekeeping costs. Heretofore, such costs have always been paid for out of the State Department's budget.

The costs of environmental cleanup have grown from \$1.6 billion in FY 90 to almost \$6 billion in FY 95.

Foreign assistance programs have grown from virtually nothing in FY 90 to over \$500 million in FY 95.

Depending on how it's counted, defense conversion and reinvestment programs have accounted for somewhere between \$2.5 to \$3.4 billion in every Clinton defense budget to date.

DEFENSE JOBS: THE HUMAN COST BEHIND THE CLINTON CUTS

The FY 95 defense budget cuts more than 180,000 active duty, reserve and civilian personnel.

Put in perspective, DOD will cut, on average, 15,000 active duty, reserve and civilian personnel every month in FY 95. This is an increase over the average monthly cut in FY 94 of 12,000 personnel.

The FY 95 defense budget proposes to cut 86,000 active-duty personnel, following on the heels of a 464,000 cut in active duty personnel over the last four years.

By FY 99, DOD will have nearly 1.2 million fewer active, reserve and civilian personnel on the rolls than it did in the mid-1980s.

The Clinton Administration Bureau of Labor Statistics (BLS) estimated last year that defense-related private sector jobs declined by 600,000 as a result of the 1987-92 Bush defense cuts. Under the Clinton-planned defense cuts, BLS estimated the loss of an additional 1.2 million defense-related private sector jobs by 1997.

Put in perspective, this translates to an average loss of private sector defense jobs over a ten-year period of 10,000 per month under President Bush, and 20,000 per month under President Clinton.

The aerospace industry has not employed so few workers since Jimmy Carter was President.

PERSONNEL READINESS AND MORALE: THE MOST IMPORTANT ELEMENT

According to Army Chief of Staff General Gordon Sullivan, "The quality of the Army will surely decline unless something is done about the way soldiers are compensated. Our compensation is considerably eroded. This loss of benefits, coupled with other aspects of downsizing, sends a negative message to our soldiers and their families. Long term readiness will suffer if we allow it to continue."

Last year, the President proposed to deny the military a 2.2% pay raise as required by law. At that time, the gap between military pay and comparable private sector pay was already at 12%. Congress rejected the pay cut proposal and fully funded the pay raise.

This year, the President proposed another military pay cut—requesting a 1.6% COLA instead of the 2.6% COLA endorsed by Congress last year and required by current law. H.R. 4301, as reported out of the Armed Services Committee, categorically rejected the President's proposal and once again fully funded a military pay raise.

According to the Chairman of the Joint Chiefs of Staff, General John Shalikashvili, "Our structure is getting smaller and smaller with each year, but our commitments remain global in scope, and the range of activities we engage in are expanding."

From 1989 through 1993, the number of U.S. military personnel operationally deployed (excluding commitments to Desert Storm, Korea and Europe)—grew from 26,000 to approximately 154,000—nearly a 600 percent increase. At the same time, military end strength dropped 20 percent (from 2.1 million to 1.7 million).

Increased operational commitments result in lengthier and more frequent deployments of personnel.

MODERNIZATION: PASSING THE BUCK

According to the Chairman of the Joint Chiefs of Staff, General John Shalikashvili, "modernization is the key to future readiness."

Unfortunately, the Clinton Administration proposes to spend \$93 billion less than the Bush Administration on modernization (i.e., research, development and procurement) over the next five years. The Clinton modernization cut follows on the heels of a 67 percent real reduction in procurement spending and a 20% real reduction in R&D spending since the mid-1980's.

The Administration's "strategy" actually delays modernization until the next century, increases the costs, and passes the responsibility for building a political consensus and securing the funding on to some future Administration.

This "strategy" does little to maintain a viable defense industrial base and even less for the near-term modernization of our forces.

The FY 95 procurement request is \$12 billion below FY 93 spending levels—a reduction of 22% in just two years.

The FY 95 Research and Development represents a 9% reduction from FY 93 spending levels and request is \$2.4 billion less than last year's FY 94 request.

Moreover, an increasingly large portion of the R&D budget is being spent on non-defense initiatives such as conversion, medical and environmental research.

While DOD procured 20 ships, 511 aircraft, 448 tanks and 175 strategic missiles in FY 90, DOD will procure only 6 ships, 127 aircraft, 0 tanks and 18 strategic missiles in FY 95.

Mr. DORNAN. Mr. Speaker, here are further dissenting views.

It is with great regret that I offer the following views on our work in conference with the Senate on the fiscal year 1995 Defense authorization bill. While there were some very positive steps taken by both the House and Senate Armed Services Committees toward maintaining and even improving U.S. military combat readiness, I fear we in Congress have again lost a golden opportunity to influence the short-sighted policies of this present administration with regards to the U.S. Armed Forces.

The military policies and budget set forth by this administration simply do not make sense. During a time of drastically declining defense resources, when we should be requiring the highest standards of performance and capability from those few retained on active duty, this President has decided to turn the military into a social laboratory. From lifting the ban against homosexuals to opening up combat positions to women to opposing efforts to discharge those who are AIDS/HIV positive and therefore nonworldwide assignable, the President has sought to use our Armed Forces as a domestic political tool rather than even addressing whether or not such policy decisions would improve combat readiness.

In addition to these narrow-minded political decisions, there is a dangerous hypocrisy resulting from a mismatch between the President's vague but growing foreign policy initiatives and continuing cuts to already reduced defense forces. Without clearly defining U.S. national interests or specific military objectives, the President has decided to offer U.S. military forces as the on call 911 forces of the United Nations and the rest of the world. Meanwhile, as the tempo for operations for our military continues to increase, including time away from home and family, the resources devoted to rewarding, training, and equipping these personnel continue to diminish at alarming rates.

This administration supposedly cannot find enough funding within the Federal budget to provide our military with a modest 2.6-percent pay raise; it cannot provide enough dollars for Army tank battalion commanders to exercise units above the platoon level; it cannot buy additional B-2 bombers to replace aging B-52 aircraft. However, in spite of these defense budgetary constraints, the President can find more than enough funding from the Department of Defense for humanitarian assistance, foreign aid, and defense conversion projects. How do these programs directly improve U.S. combat readiness? How do these programs help our forces cope with the ever increasing tempo of operations as a result of increased foreign commitments? If the President wants to use our military forces as instruments of his foreign policy, then he must give them the funding necessary to perform their mission including adequate pay, adequate training, and new and improved weapons systems. If the administration continues to gut the defense budget, then it must not continue to offer the U.S. military as the 911 force of the United Nations and the world.

What then, should our role be here in Congress to correct such shortcomings on the part of the executive branch?

First, we as members of the armed services committees should demand that the adminis-

tration utilize some type of solid criteria before using military force and endangering lives. Any time we send troops abroad, whether it be for peacekeeping, humanitarian assistance, or direct combat, we must anticipate that the result could eventually be armed conflict. While we do not want to prohibit the President from acting as Commander in Chief, we do want to ensure that U.S. troops are not sent into areas where there are no vital interests or specific military objectives, that is Somalia and Haiti. I suggest the following 10 criteria, which I expanded on from a November 28, 1994, speech by then-Secretary of Defense Casper Weinberger, be used as the criteria for use of military force:

CAP WEINBERGER'S/BOB DORNAN'S 10 COMMANDANTS ON COMMITTING U.S. COMBAT FORCES

1. Thou shalt not commit U.S. combat forces unless the situation is vital to U.S. or allied national interests.

2. Thou shalt not commit U.S. combat forces unless all other options already have been used or considered.

3. Thou shalt not commit U.S. combat forces unless there is a clear commitment, including allocated resources, to achieving victory.

4. Thou shalt not commit U.S. combat forces unless there are clearly defined political and military objectives.

5. Thou shalt not commit U.S. combat forces unless our commitment of these forces will change if our objective change.

6. Thou shalt not commit U.S. combat forces unless the American people and Congress support the action.

7. Thou shalt not commit U.S. combat forces unless under the operational command of American commanders or allied commanders under a ratified treaty.

8. Thou shalt not commit U.S. combat forces unless properly equipped, trained and maintained by the Congress.

9. Thou shalt not commit U.S. combat forces unless there is substantial and reliable intelligence information including human intelligence.

10. Thou shalt not commit U.S. combat forces unless the Commander-in-Chief and Congress can explain to the loved ones of any American soldier, sailor, Marine, pilot or aircrewman killed or wounded, why their family member or friend was sent in harm's way.

Next, we must address the growing threat of proliferation of ballistic missiles and nuclear, biological, and chemical [NBC] weapons/warheads. No other weapon can so directly threaten the United States, our allies, and forward deployed forces, as can these devastating weapons of mass destruction. Fortunately, the only direct defense against such weapons is now without our grasp, ballistic missile defense [BMD]. However, both this administration and this Congress have failed to provide funding for even near-term/low-cost BMD systems such as sea-based missile defense. We should immediately provide additional dollars for the handful of promising technologies that could deter, and if necessary defeat, the growing threat of ballistic missile attack from North Korea, Iraq, and elsewhere. Upper-tier sea-based systems on board Navy Aegis ships, Army theater high altitude area defense [THAAD], and Air Force boost phase intercept systems, are all near-term/low-cost technologies that should be developed and deployed now, not later when it may be too late.

in addition, we should immediately seek to repeal the outdated Anti-ballistic Missile [ABM] Treaty—a treaty with an evil empire that no longer exist—which threatens, as an obsolete political document, to limit the capability of even these modest BMD systems.

Finally, we as members of the Armed Services Committees must be more selective in approving which programs will receive scarce defense funds. We should evaluate every defense dollar and policy decision in terms of combat readiness. If a program or proposal does nothing to enhance our military's ability to deploy, fight, win, and survive on the field of battle, we should consider opposing the program. In a tight budgetary period and a rapidly evolving world political environment, we cannot afford nondefense issues or programs to interfere with the much more pressing demands of troop morale, combat training, and weapons modernization. These should be our proper roles as members of the House and Senate Armed Services Committees.

Perhaps George Washington, our first President and first great military leader, said it best: "To be prepared for war is one of the most effectual means of preserving peace."

We in Congress should heed his advice and make sure that every precious defense dollar is used to train, equip, maintain, and prepare our brave soldiers, sailors, airmen, and marines for war.

Mr. DELLUMS. Mr. Speaker, I yield myself 1 minute for the purpose of entering into a colloquy with the distinguished gentleman from Massachusetts [Mr. MOAKLEY].

Mr. MOAKLEY. If the gentleman will yield, I would like to join in the praise for the distinguished gentleman from California [Mr. DELLUMS] for the work he has done as chairman of the Armed Services Committee.

Mr. Speaker, the Navy recently approved Milestone III for the submarine acoustic device countermeasure Mark IV program. The Navy originally intended to include funds for the program in their fiscal year 1995 request but because the Milestone III approval came too late the item was absent from the President's budget request. The approval was made in time, however, for the Armed Services Committee to include full funding, \$12 million, in the House-passed authorization bill.

Funds were provided last year and I believe the Navy will request continuing funds next year. Fiscal year 1995 funding was problematic only because of the timing of the operational evaluation. It is my hope that the necessary funding may be provided in the fiscal year 1995 Appropriation Act and I seek clarification that, if we are successful, there will be no objection from the authorizing committee.

Mr. DELLUMS. I thank my colleague from Massachusetts and would like to reiterate the Armed Services Committee support for the ADC Mark IV program. I agree with the gentleman's account of the legislative history and I would add that if the defense appropriations conference report provides

funds for the ADC Mark IV program, the Armed Services Committee does not object. I will also add that if the funds are appropriated, the item should not be treated as an unauthorized appropriation.

Mr. STUMP. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WELDON], a member of the committee.

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Mr. WELDON. Mr. Speaker, I thank my distinguished colleague, the gentleman from Arizona [Mr. STUMP], for yielding time to me and for his leadership in managing this bill for our side and, once again, to our distinguished chairman for his leadership in a very fair process that has allowed us to reach this point. I will be voting for the bill today, but with grave reservations.

I spoke earlier during the rule and talked about my concerns in terms of where we are going with our defense number. Because I feel our defense should be based on the threat that is out there, not some arbitrary number handed to us. In fact, that is what we were given. We were given an impossible task this year to try to meet the needs that we have around the world with a set number that was given to us by the administration. That, in fact, will cut \$128 billion over 5 years.

Mr. Speaker, a year and half ago we heard a lot of rhetoric in this room and inside the beltway about a word that I have not heard used for the last year. Remember the words "peace dividend"? Remember how the President talked about how we were going to have such a peace dividend that could be used for so many other purposes?

That peace dividend has now come to light in terms of what it is doing to American people. I want to talk about that. Because as we cut defense spending, even though we are committing our troops to more and more places, whether it is Rwanda or Somalia or Haiti or Bosnia or wherever we are going to send them, we are committing our troops at a time when we have less and less resources and also at a time when we are spending more on environmental remediation and more on defense conversion, of much of which I support. But in the end, Mr. Speaker, we have to cut the troops. And we have to cut people. That is happening.

This defense bill on the floor today will cut on a monthly basis 15,000 men and women per month next year from our military. These are men and women who voluntarily signed up to serve our country, and we are saying, "so long, we will see you later," 15,000 a month. But, Mr. Speaker, let us look beyond that. What is the economic impact? And we projected this 1½ years ago.

The Office of Technology Assessment and the Congressional Budget Office

say if we make the cuts Clinton has called for it is going to have a devastating impact on the economy. Mr. Speaker, some would call that the peace dividend.

Let us look at those Americans who can now say that they are benefiting from the peace dividend. McDonnell Douglas, 67,000 Americans out of work, laid off in the last 2 years, *Financial Times*, August 11, 1994. Raytheon Corp., 4,400 workers in March of this year, over the next 2 years an additional cut will be made, *Wall Street Journal*, March 10, 1994. Boeing Corp., 28,000 people going out the door, 17,000 additional laid off in 1993, *Aerospace Daily*, January 20, 1994, 2,200 more in my home State of Pennsylvania the next 2 years.

Westinghouse Electric Corp., 6,000 workers in 1994, *Washington Post*, January 12, 1994. Martin Marietta Corp., 11,500 workers laid off since mid-1993, *Washington Post*, October 1, 1993. Texas Instruments, 11,300 workers from its peak of 24,500, *Aerospace Daily*, August 25, 1993.

General Electric Co., 750, 3,900, and 1,600 workers respectively; another round in 1994 will eliminate 4,000 more jobs, *Aerospace Daily*, August 23, 1994.

Pratt & Whitney Aircraft, they plan to reduce their work force by 38,800 employees and an additional 3,000 coming up next year, *Aerospace Daily*, June 14, 1994.

Hughes Aircraft and General Motors Corp., a subsidiary of GM, 34,000 employees, an additional cut this year of 3,200, *Wall Street Journal*, June 21, 1994. In California alone, the estimate is 200,000 workers, *Wall Street Journal*, June 21, 1994.

Mr. Speaker, this is our peace dividend. None of us have said that we could not cut defense to some extent. We have all said that. But we cannot make these wholesale Draconian cuts that hurt real people. Where are we going to put these people? Are we going to put them in retraining programs selling fast food hamburgers? Are we going to put them into retraining programs developing some new technology we do not have?

Mr. Speaker, this President is leading us down a bad path. Mr. Speaker, my career is as a teacher. I am not a lawyer. I spent my years teaching in the public schools of Pennsylvania, running a chapter 1 program outside of Philadelphia. There is nothing I would rather do than spend all of my money on helping with our domestic problems. But, Mr. Speaker, if we look at the lessons of history, we can never eliminate the Ayatollah Khomeinis, the Mussolinis, the Hitlers the Stalins and all of those other people who have risen to power to threaten our security.

Mr. Speaker, this President does not understand that. He is giving us an internationalist foreign policy with an isolationist defense budget. Cut our

budget by dramatic means, end our resources, cut our readiness, cut our operating accounts but commit our young men and women to Haiti, to Bosnia, to Somalia, to wherever they are needed for U.N. operation.

The two things just do not go hand in hand.

Mr. Speaker, this has got to be the last year of this madness. We as a body have to stand up and say no. We have to stand up and say, let us base our security needs on the threats that are there. When our intelligence resources tell us that there is 70 hot spots around the world, 30 of which could involve this country, we have to be able to respond. We are not doing that at this time.

Mr. STUMP. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. DELLUMS] in return for the fairness that he has shown us.

The SPEAKER pro tempore (Mr. HASTINGS). The gentleman from California [Mr. DELLUMS] has 4 minutes remaining.

Mr. DELLUMS. Mr. Speaker, I yield myself 1 minute.

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

Mr. DELLUMS. I yield to the gentleman from Alabama.

Mr. BROWDER. Mr. Speaker, I rise to engage the chairman in a colloquy, and I will abbreviate my remarks.

Mr. Speaker, in the conference I understand that the conferees recommended a total of \$520 million for the chemical-biological defense program with specific programs to improve our chemical and biological defense.

Is that the gentleman's understanding?

Mr. DELLUMS. Mr. Speaker, yes, the gentleman is correct in his understanding.

Mr. BROWDER. Mr. Speaker, if the gentleman will continue to yield, in our conference we have a pilot program called the reutilization initiative for depot-level activities. Is it the gentleman's understanding that this program will achieve, still achieve the goals of the House language?

Mr. DELLUMS. Mr. Speaker, I thank the gentleman for his question. I would say that the conference committee has included the gentleman's concerns. They have been met to the best of this gentleman's knowledge.

Mr. BROWDER. Mr. Speaker, I thank the gentleman for his leadership and consideration.

Mr. Speaker, in the conference on the fiscal year 1995 Defense authorization bill, I understand that the conferees recommended a total of \$520 million for the chemical-biological defense program; fully funded the budget request for the joint biological defense program by providing \$52.9 million for research, development, test, and evaluation and \$20.4 million in procurement; and recommended an increase of \$16.6 million in Army chemical-bio-

logical defense research and development. I further understand that in accordance with the priorities submitted by the Army and considered by the conferees, the increased funds would be used to complete the upgrade of the Fox NBC reconnaissance vehicle, accelerate the advanced development of chemical warfare agent standoff detection systems, and increase exploratory development in biological and chemical agent detection technology. I also want to commend the conference for its support of a robust chemical-biological warfare defense program for our Armed Forces.

Mr. Speaker, in the House passed bill, there was a provision titled "Reutilization Initiative for Depot-level Activities." This provision directed the Secretary of Defense to carry out a pilot program to encourage commercial firms to enter into partnerships with depot-level activities for the purpose of demonstrating commercial uses that are related to the principal mission of the depots. Some of the major purposes for this program are to preserve employment and many of the unique skills currently in the depots, and provide for reemployment and retraining for employees who become unemployed as the result of downsizing.

It is my understanding that the conference committee agreement on this provision will still achieve the goals that the House intended.

Mr. DELLUMS. Mr. Speaker, the gentleman from Alabama [Mr. BROWDER] is correct in his understanding of the conference action. The conferees also provided additional funds under the counterproliferation technology program for field demonstration of promising and existing technologies for biological agent detectors and alarms, improved chemical-biological decontamination equipment and improved individual chemical-biological protective equipment. The allocation of funds for this latter effort will be determined by the Department of Defense as a part of the overall counterproliferation program.

Mr. Speaker, the conference committee has included language addressing the reutilization initiative for depot-level activities. As many members of the committee know, I, too, have been greatly concerned with finding ways to maintain many of the specialized skills and capabilities of our depot work force during this time of downsizing. The agreement contained in the conference report on this provision expands the original provision to all depot-level activities. I have also been assured by the Department of Defense that they fully support this provision and will take steps quickly to put this program in place.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I rise in strong support of S. 2182, the 1995 Defense Authorization Act. I congratulate Chairman DELLUMS on bringing a bill out of conference that takes great strides toward establishing a blueprint for defense after the cold war. His leadership helped make the negotiations a success, and I was honored to be part of the conference committee.

The collapse of the former Soviet Union and the need to reinvigorate our economy presents an opportunity to reduce defense spending without damage

to our Nation's security. As we set new priorities to reflect the fact that the United States is the only remaining superpower, we must keep in mind that maintaining readiness remains crucial.

The choices will be painful, and we will have to terminate obsolete weapons programs staunchly defended by parochial interests. We have started this process by killing exotic strategic defense systems and designating the bulk of missile defense funds for theater-level programs.

This is a step in the right direction, but as the defense budget continues to shrink, we must be prepared to make more difficult decisions about allocating scarce resources in a way that protects both our economic and national security interests.

Mr. Speaker, I urge my colleagues to support the conference report.

Mr. DELLUMS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Speaker, I rise in support of this conference report.

Mr. Speaker, I rise in support of the National Defense Authorization Act conference report. This report is the result of long hours of work by my colleagues and our staff. Our task in finalizing this legislation has been difficult in these times of diminishing financial resources and growing diversity in situations around the world that require the attention of our Armed Forces. We have compromised, cut, and toiled to come within the budget limits demanded by the citizens of this Nation. At the same time, we have sought to give deserved compensation to our All-Volunteer Force and provide them with the best equipment possible.

In addition, this report continues to support our work in the North Atlantic Treaty Organization, the most successful alliance in history. And that provides us with important opportunities to sustain friendships with our cold war allies and build new alliances with former Soviet bloc countries through NATO's partnership for peace.

This legislation also takes positive steps in addressing servicemembers' needs, such as the program to assist our veterans suffering Persian Gulf syndrome and a provision to protect our servicemembers who report sexual harassment and discrimination. Finally, we have shown our men and women in uniform their service is worthy of the same 2.6-percent pay raise scheduled for Federal civilian employees in January 1995.

Mr. Speaker, I am proud to have worked with the conferees of the House and the Senate to write this legislation. We have succeeded, once again, in providing the United States with the finest Armed Services in the world.

Mr. DELLUMS. Mr. Speaker, I yield 90 seconds to my distinguished colleague, the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the conference report on the DOD authorization bill for fiscal year 1995.

This bill provides the minimum funding for our national security. However,

I would prefer a higher level of funding for defense. I still believe that we have cut too much too fast when the world is still a very dangerous place. I still believe we need 12 army divisions, 22 fighter wings, and 12 operational carriers. We approved the requested end-strengths for all components except for the Naval Reserve and Coast Guard Reserve which we increased slightly. However, the end-strengths of both the active and the reserve components keep going down and any further reductions in future years will impact on our capability to meet our national security requirements. I think we have already made the necessary adjustments for the post-cold war world and a further analysis is needed for the future structure of our military.

Let me talk about some of the good things in this bill. The Reserve Officers Personnel Management Act, also known as ROPMA, is included. This is major revision of how we manage our National Guard and Reserve officers. The House has passed this act three different times and finally the senate has agreed to our bill.

Also included is a charter for the National Guard Bureau which defines the organization and responsibilities of this joint bureau for the management of the National Guard. We included language that freezes the number and the grades of the general and flag officers that manage the reserve components. We modified the mobilization authorization of the President to call up the Guard and the Reserves for a period of up to 270 days.

This should be ample time for National Guard brigades to be mobilized and deployed and not have a repeat of the situation in Desert Storm where these brigades were never used.

In the personnel area we approved a 2.6-percent pay raise, a Conus COLA, a 50-percent increase in the ROTC stipend, and we adjusted the military retiree COLA to take affect at the same time as Federal civilian retirees. We corrected a provision that recouped transition benefits from some of the Guard and Reserve members. We also corrected the law so that enlisted Reserve component members would compute their retired pay the same way as the officers.

Included in this bill is \$510 million in direct procurement of equipment for the National Guard and Reserves. We also included in other accounts an additional \$2.5 million in equipment.

We included extensive legislation to identify and treat veterans of Desert Storm who have been afflicted with Desert Storm illnesses. I totally support this effort. However, I do have a concern that some of the funding of this effort is wrapped up with the DOD-VA cooperative research funding. I don't want the ongoing program of joint medical research to be adversely affected by combining the programs.

I am also concerned about the provisions that transfer M-1 tanks to the Marines. This was done without the analysis and advice of the Joint Chiefs of Staff. It impacts on the Roles and Missions Commission which will be reporting back to the Congress in December. It prematurely decides that there are excess tanks in the Army and that all the National Guard requirements are a lower priority than both components of the Marine Corps. All of this was done without the JCS validating the Marine requirements. I am concerned that the Marines will now want Bradley vehicles, the refueling trucks, the ammo carriers, and the multiple launch rocket systems that normally go along with the Army M-1 tanks in combat. This tank transfer should be the end of this issue. I will oppose any further transfers of combat equipment.

All in all, this is a good compromise bill and I urge my colleagues to support it and vote for final passage.

□ 1730

Mr. Speaker, I want to thank the gentlewoman from Tennessee [Mrs. LLOYD], who is the chairman of the subcommittee. This is the last time she will be handling a conference of that subcommittee, and we commend her for the wonderful job she has done.

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

Mr. Speaker, let me once again express my appreciation to the chairman of the committee, the gentleman from California [Mr. DELLUMS], and also the gentlewoman from Colorado [Mrs. SCHROEDER], the chairman of the Subcommittee on Research and Technology of the Committee on Armed Services. I appreciate all the fairness they have shown me.

Mr. Speaker, a lot has been said about the inadequate funding in this bill today. I have to concur in that. I think one of the trends that disturbs me most was mentioned by the gentleman from California [Mr. DORNAN], and that is spending by the Department of Defense for nondefense purposes, which has grown to an astronomical \$13 billion in 1994. I simply think we should not do this.

This defense budget is not real, the Clinton strategy is not real, it is mostly rhetoric, and we simply cannot provide sufficient resources and people to meet the deployment requirements.

Mr. DELLUMS. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, first, let me, at the conclusion of this debate on the conference report, thank all my colleagues and the staff on both sides of the aisle.

Mr. Speaker, let me finally, on behalf of myself and members of the committee, thank several of my colleagues who will not be returning to this place. This is a point of departure for a number of my colleagues: the gentlewoman from Tennessee [Mrs. LLOYD], the gen-

tleman from Florida [Mr. HUTTO], the gentleman from Oklahoma [Mr. MCCURDY], the gentleman from Maine [Mr. ANDREWS], the gentleman from Rhode Island [Mr. MACHTLEY], the gentleman from Oklahoma [Mr. INHOPE], the gentleman from South Carolina [Mr. RAVENEL], and the gentleman from Arizona [Mr. KYL].

Some of them may be in the other body, Mr. Speaker; some of them may become Governors. Others will seek other vistas and other lives, and move in very different directions.

On behalf of myself and members of the committee, I would like to thank all those colleagues who came this way, who assumed the awesome responsibility and the extraordinary honor of serving their fellow human beings in the life and death issues that we grapple with here on a daily basis. I would say goodbye to them and thank them very much for their services.

Mr. ABERCROMBIE. Mr. Speaker, I am pleased to support the final passage of the National Defense Authorization Act for fiscal year 1995. I believe that this measure moves toward a sensible and flexible defense structure which is necessary as we continue to battle the budget deficit and address a changing world order.

I commend the House Armed Services Committee under assiduous and adept leadership of Chairman DELLUMS for taking the bold step toward ushering in a new era with the end of the cold war. Indeed there are no experts in post-cold-war theory. We must continue to evolve with the changing world situations. Our opportunity to transition toward a defense structure which will provide for the changing roles and missions of the armed services is here and to ignore it would be to live in the past. I also laud the chairman for being a fair leader in hearing the concerns of all members of the committee and for working toward bipartisan cooperation in drafting this measure.

While I feel that we have produced a suitable bill for that we were provided, I do have some concerns. I am delighted to see that this measure provides for a 2.6-percent pay increase for military personnel; however, I am still troubled by the fact that there are many service members living in substandard quarters and subsisting on welfare and food stamps, especially at the junior enlisted level. The men and women of our Nation's armed services deserve to have, at the very least, a decent home and enough money to feed their families. Our priorities need to be shifted from funding redundancy in weapon systems to taking better care of our personnel and their families.

During the past year, my staff was able to tour many of the military facilities in the State of Hawaii. They were appalled to find that the condition of many of the military housing projects would not meet code and were in violation of EPA standards. The base officials indicated that the funding for operations and maintenance did not allow them to make repairs or respond to environmental concerns as required. We have made tremendous investments in these facilities without providing the

funding to maintain them. Our personnel need to become a priority. For this reason, I am very pleased to see that the committees have approved funding for military family housing in Hawaii in excess of the DOD request.

As we draw down our forces, I am also troubled by the substantial cut in the number of Reserve and Guard personnel. I believe that we may be cutting this resource too far, too fast. The Reserve and Guard forces provide us with a cost effective response to future contingencies.

Finally, from a global perspective, consolidating our military bases overseas also merits closer scrutiny. I am especially troubled by the situation in Okinawa, Japan. Okinawa, a prefecture of Japan, makes up less than 1 percent of the total land mass of Japan, but hosts more than 75 percent of all United States military bases in Japan. The people of Okinawa have spoken through my constituents in Hawaii to inform me of their predicament. Although they do not oppose U.S. forces being there, they are in dire need of land to develop their economy. For over 50 years, the people of Okinawa have been tolerant hosts.

I believe that the report requested of the Secretary of Defense in this bill will shed some light on the circumstances in Okinawa. Through this report, the DOD should see that certain key land areas remain underutilized, and that training missions such as the live-firing range which currently utilizes live ammunition to shoot over a densely populated village are hazardous to the health and well-being of the people in the neighboring community and should be relocated. If it would not be allowed in our neighborhoods, we should not be exploiting the goodwill of other countries. While I understand that action of this type requires negotiation with the Government of Japan, I do not see that as an obstruction. Military leaders in the area have assured me that some of the concerns of the Okinawan community can be alleviated without jeopardizing troop readiness or strategic objectives.

I also extend my gratitude to the staff of the House Armed Services Committee for their professionalism in assisting Members with the sundry provisions and initiatives that have come before them in the process of drafting this measure. I look forward to working with my colleagues as we continue down the road of redefining our military force structure and its changing role in the post-cold-war era.

Mr. PORTER. Mr. Speaker, I rise today in support of the conference report on S. 2182, the fiscal year 1995 Defense authorization bill. This legislation contains an important provision to limit spending on the Nation's two existing *Seawolf* submarines. Representative TIM PENNY of Minnesota and I authored similar legislation which passed the House as part of the first en bloc amendment offered to the House version of the legislation before us.

This legislation is vitally important given the recent developments in the *Seawolf* program. When TIM PENNY and I drafted and passed our cost cap, the estimated cost of these vessels was \$4.673 billion, an amount over \$330 million above what these vessels were originally expected to cost. Shortly after passage of our legislation, however, Navy Secretary Dalton revealed in a letter to Senator JOHN MCCAIN that the cost had gone up an addi-

tional \$120 million, to \$4.799 billion. This latest cost overrun—just one of the many problems which have practically defined the *Seawolf* program—will result in further gouging cuts in the budgets of important defense programs both inside and outside the Navy which find themselves today in tight budget straits. In an era of deep and increasing defense cuts, we cannot afford runaway programs like the *Seawolf*.

Mr. Speaker, it is my sincere hope that the legislation contained in the conference report will send a clear message to the Navy and the contractors involved in the *Seawolf* program that they need to improve their performance. If not, they will most certainly face additional interventions from Congress in the future.

I thank Chairman DELLUMS and Ranking Member SPENCE for their support of the Porter-Penny legislation and thank Representative PENNY for his leadership as well.

Mr. LAZIO. Mr. Speaker, I rise today to support the conference report on S. 2182, the fiscal year 1995 Defense authorization bill.

This conference agreement authorizes \$264 billion for programs and weapons systems essential to our Nation's defense. In addition, it authorizes 2.6-percent military personnel pay increase, and directs the Department of Defense to establish programs for veterans suffering from the Persian Gulf syndrome.

However, it is disappointing that the conferees did not include a Senate-passed provision authorizing an additional \$150 million to maintain the B-2 production line through fiscal year 1995.

The dismantling of the B-2 industrial base would leave the United States without strategic bomber production capability for the first time in 70 years. If for some unforeseen reason the United States would need to restart its bomber production, it would require billions of dollars to rebuild.

An ongoing study, requested by Congress, to determine the future role of land-based bombers should be completed early next year by the Commission on Roles and Missions. By preserving the production line for 1 additional year, Congress would be able to make a better informed decision regarding the B-2 industrial base.

Should the study find that it is in our Nation's interests to maintain the B-2 production, it is my hope that Congress will revisit this issue next year.

While I support passage of the fiscal year 1995 Defense authorization conference report, I do not support the exclusion of the \$150 million proposed by the Senate Armed Services Committee.

Mr. GLICKMAN. Mr. Speaker, one of the provisions of the conference agreement authorizes \$100 million for the reactivation of the Air Force's SR-71 surveillance aircraft. The conferees from the Intelligence Committee opposed this provision which represents, in my judgment, an unwise use of resources which will not address reconnaissance deficiencies, but may lengthen the time needed to develop the systems which can.

Nearly 5 years ago, a decision was made by the Congress and the Department of Defense to terminate the SR-71 program. This decision was based on the realization that, while the aircraft was capable of providing

coverage of a wide geographical area in good weather, the information collected could not be transmitted quickly to those who needed it. Commitments were made to develop successor systems which are to combine all-weather broad area coverage with the ability to both stay over a target for an extended period of time and relay images to the ground immediately. Regrettably, an adequate level of support for the successor systems was not provided when needed, ironically as a result of actions taken by some who now argue strongly that the SR-71 needs to be brought back to bridge the gap those actions created. Delays in fielding those systems have resulted but are now being addressed. The fact remains, however, that the limitations which led to the retirement of the SR-71 remain, which perhaps explains why the aircraft was not reactivated for the gulf war, and why officials at the Department of Defense do not support its reactivation now.

The \$100 million authorized by the conference report is a victory for nostalgia but will not provide a reconnaissance platform capable of responding to either current or anticipated intelligence needs. As pressure is applied to meet the high maintenance costs associated with the SR-71 and upgrade its sensors, more and more funds will be diverted from the development and procurement of the satellites and unmanned aerial vehicles which represent the future of airborne reconnaissance. In a time of severe budgetary constraints, it does not make sense to spend money on programs which have so clearly outlived their usefulness.

Ms. SNOWE. Mr. Speaker, while I remain concerned about the future of our Armed Forces, I rise in support of the fiscal year 1995 defense authorization conference report.

The strategy drawn from the Pentagon's 1993 Bottom-Up Review envisioned a much smaller military than the one that existed at the end of the cold war. However, many of us in this body, on both sides of the aisle, have serious concerns that the force structure outlined in the Bottom-Up Review is not sufficient to deal with two simultaneous major regional conflicts. Moreover, there is increasing evidence that the Bottom-Up Review force structure is underfunded. If so, then this seriously threatens the readiness and capability of our Armed Forces.

Yet, there is one thing that we can all agree on—that our military, regardless of its size, should be the best trained and equipped one that this country can field. The finest fighting force in the world requires nothing less, and the security of our Nation depends on it.

I support this conference report because it includes two key programs that are essential not just to national security but to the State of Maine as well.

Two of our military's premier weapons systems are made in Maine—the Aegis destroyer by Bath Iron Works in Bath, and the Mk-19 grenade machine gun by Saco Defense in Saco, ME. These two systems represent the best in Maine quality and craftsmanship, and they are vital to ensuring that our forces retain their technological superiority.

This conference report authorizes the procurement and construction of three new Arleigh Burke-class Aegis destroyers. The

Navy plans to build more than 50 of these versatile warships which will be the backbone of our Navy's surface combatant fleet well into the next century.

The decline of the Soviet threat has created a dangerous and widespread misperception of an equally declining global threat. But the post-cold-war world is turning out to be one of great instability with numerous potential threats to our national interests. The men and women of our Navy will be asked to go in harms way to face those threats, and they deserve to be on the most modern and capable ship that we can build.

Bath Iron Works (BIW), with approximately 8,700 workers, is the largest private employer in the State of Maine and it is only one of two shipyards in the country capable of building these extremely sophisticated warships. These Aegis destroyers are not only important to our national security, they are crucial to BIW's economic security.

The construction of these destroyers is also vital to the health of our Nation's surface shipbuilding industrial base. As we struggle to help our private shipyards become competitive again in the world commercial shipbuilding market, the continued production of these Aegis destroyers ensures that we will preserve our critical shipbuilding skills.

In short, there is not only a national security need for these Aegis destroyers, there is a long-term economic need as well.

The same can be said for the Mk-19 grenade machine gun. The Mk-19 machine gun system has demonstrated its unsurpassed capability in Operation Desert Storm and during the U.S. deployment to Somalia. There is no other weapons system like it in the world. The Mk-19's unmatched versatility permits it to be mounted on a wide variety of Army vehicles, thus significantly enhancing a unit's combat capability.

Saco Defense makes the Mk-19, and it has about 400 employees. Saco Defense is also a world leader in its field.

This conference report recognizes the contribution the Mk-19 makes to modernization and readiness of our ground forces and it acknowledges the importance of preserving our small arms industrial base.

Earlier this year, an independent assessment panel of the Army Science Board completed a report entitled "Preservation of Critical Elements of the Small Arms Industrial Base." That report compared the U.S. Army's small arms inventory to the requirements expressed in the Army acquisition objectives and noted some serious shortages in four types of small arms.

One of these was the Mk-19 machine gun. The Army Science Board's report noted that the end State shortage of Mk-19's will be approximately 13,000 after completion of the planned procurements. This serious shortfall strongly suggested that the administration's fiscal year 1995 request for Mk-19's be re-evaluated and revised. I am pleased that Congress has validated the importance of the Mk-19, and has revised the administration's request accordingly. Our soldiers want and need the Mk-19, because they know that it could mean the difference between defeat and victory on some future battlefield. And Maine's workers need the jobs that these Mk-19's represent.

It is our responsibility as Members of Congress to ensure that when our military forces are deployed overseas that they are adequately trained and equipped. It is imperative that we ensure that these forces are as combat-capable as possible. I urge all of my colleagues to support this conference report.

Ms. MOLINARI. Mr. Speaker, I want to express my sincere disappointment that the conferees of this legislation did not keep the McCloskey-Gilman language to unilaterally lift the arms embargo on Bosnia and Herzegovina.

My colleagues, when this bill was sent to conference last June, the House had overwhelmingly supported requiring the President to end this embargo unilaterally by a vote of 244-178. Since that time, it has become evident that the Bosnian-Serbs are far from stopping their campaign of ethnic cleansing and human rights abuses. Need I remind my colleagues that these same Bosnian-Serb militants continue to kill and terrorize innocent citizens in Sarajevo on a daily basis. Meanwhile, any hopes for a peaceful settlement by the contact group have also been summarily rejected by these militant thugs.

Mr. Speaker, I sincerely hope that the conferees of the Defense appropriations bill—which contains a provision to unilaterally terminate the embargo by November 15 regardless of any action taken by the U.N. Security Council, the Clinton administration, or the Serbs—will follow the clear will of Congress on this issue.

Mr. MINETA. Mr. Speaker, I want to call attention to title XXXIV of the conference agreement on the National Defense Authorization Act for 1995. That title, by repealing the Civil Defense Act of 1950 and placing its authorities in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, transfers jurisdiction over the Federal Emergency Management Agency civil defense program from the House Committee on Armed Services to the House Committee on Public Works and Transportation.

That transfer, initiated by the House Armed Services Committee, means that effective for fiscal year 1995 the Public Works and Transportation Committee will have both legislative jurisdiction and oversight authority over the civil defense program for purposes of rule X, clause 1 of the Standing Rules of the House of Representatives. Thus, all bills dealing with this issue will be referred to our committee exclusively.

Mr. Speaker, I want to commend Chairman DELLUMS for taking the initiative on this matter and for acknowledging our Committee's new role in the future (see Committee Rept. 103-499, pp. 382-383). The conference agreement confirms this and programmatically, given our Committee's current jurisdiction over FEMA's activities, such a transfer makes sense.

Lastly, we will be working with the Armed Services Committee, the Office of Management and Budget, the National Security Council, and the Committee on the Budget to ensure that OMB transfers the non-defense—i.e., civil defense—portions of the FEMA budget out of the OSD budget function and into the appropriate budget account. Again, I thank the distinguished Chair of the Armed Services Committee, Congressman DELLUMS, and the

conferees for their favorable resolution of this issue.

Mr. McCURDY. Mr. Speaker, I have decided, with some reservations, to vote for this defense bill. It contains much that is important to the readiness and fighting ability of our Armed Forces. Our troops need these funds, and it is crucial that we move forward with this legislation.

But I am also here to issue a warning. We must take the actions necessary to preserve a strong defense. We must not cut too far, too fast.

As we all know, the Bottom Up Review simply does not have enough money to support its forces. Estimates place this shortfall at a minimum of \$20 billion over 4 years.

Meanwhile, we continue the practice of front-loading, filling our defense plans with weapons systems without providing sufficient money to procure them when they mature.

And we continue to use the operations and maintenance budget as a cash-cow for everything from budget shortfalls to disaster relief. These extraneous activities are already undermining the readiness and combat ability of our forces.

We cannot cut more from our defense budget if we want to preserve a high-quality military. In fact, I predict that we will soon begin expanding the administration's defense budget requests in Congress rather than reducing them.

Make no mistake: we are reaching the end of the rope on military readiness, quality, and modernization. As a moderate Democrat committed to a strong defense, I have to be clear in my commitment that I will not support future defense bills that continue the present trend of defense cuts.

Ms. FURSE. Mr. Speaker, it is a great privilege to serve with Chairman DELLUMS on the House Armed Services Committee and I commend his visionary leadership as we move into the next century.

This conference report continues the reconfiguration of national security spending priorities called for in the post-cold-war era. There is, however, much more we can do to orient ourselves toward this changed reality. I remain concerned that we have not made the necessary adjustments in force structure and acquisition programs to enable us to respond to today's priorities. I look forward to addressing these issues in the coming years.

I was successful in my effort to require Nuclear Weapons Council approval of DOE study, development, production, and retirement of nuclear warheads and an annual report of those activities to Congress. This will end DOE's authority to unilaterally initiate this R&D and will put more sunshine on these activities.

I am very supportive of the enhancements made to the independent Roles and Missions Commission that was established last year. In their work through the coming year, I am hopeful they will make a comprehensive new analysis that we can use in our policymaking for today's realities, rather than relying on those developed for yesteryear.

One of my priorities this year has been to make sure we get the airlift we need at a price we can afford. The sense of Congress language in this bill regarding the importance of

maintaining our aggregate airlift capacity should be made mandatory next year since our current plan to rely on a C-17-only procurement strategy will cause an airlift deficit for several years as we retire our core airlifter, the C-141.

I have been a strong supporter of efforts toward a comprehensive test ban and was pleased to see the House's language included in this bill urging the Conference on Disarmament to make all possible progress toward a CTB.

International peacekeeping is one key way to share the costs of defense and makes a great deal of sense if the United States does not want to play the role of top cop. If we engage in more international cooperation, we should be able to lower our defense costs. I am disappointed that House conferees refused to include any of the Senate's \$300 million funding for peacekeeping.

Representatives FRANK, SHAYS, and UPTON and I sponsored an amendment in the House requiring increased burdensharing by our European allies that would have saved \$5 to \$10 billion over 5 years. The vote in the House was 268-144, yet this bill only states the goal that NATO allies pay 37.5 percent of non-personnel costs of U.S. presence there by the end of fiscal year 1996. According to DOD's calculations, they pay 36 percent now although their actual cash contributions are only 4 to 6 percent. The U.S. taxpayers are not being well-served by this massive subsidy to nations whose economies are, in many cases, healthier than our own.

The commercial derivative aircraft pilot program included in the bill is important in order to pursue the policy of acquiring nondevelopmental airlift aircraft that is so vital to maintaining adequate airlift. Keeping the cap on the B-2 program at 20 planes as this bill does makes sense, as does putting aside money to study future bomber needs.

Two other prudent steps taken include prohibiting the backfit of Trident II missiles into submarines currently carrying Trident I missiles and a reduction in funding from the administration request for ballistic missile defense.

The language I offered authorizing funding for a battlefield surgical tissue replacement technology was included; this holds tremendous promise for civilian medical applications as well, in cases of trauma wounds.

I am very excited about the potential for sharing with the Department of Justice the nonlethal technologies that have been developed by the Department of Defense. Support for that cooperation is contained in this bill. Law enforcement officials in my district found it very helpful to learn about those technologies at an event I sponsored there earlier this year where representatives of the Departments of Defense and Justice demonstrated some of these items.

There is substantial funding for advanced lithography in the bill even though it was reduced from the House-passed level. This successful cooperation with our private semiconductor industry has helped us regain our competitiveness in the world marketplace.

Our highly capable National Guard was given authority to serve medically underserved areas and a communication and electronics

training facility at Camp Rilea in my district was funded.

I was pleased to see my request included for the Marine Environmental Research and Training Station. It will provide educational and training opportunities in environmental, marine industrial, and maritime studies to help foster regional economic prosperity and environmental integrity.

Funding at near the request level was included for environmental restoration and waste management activities at DOE defense sites. We have a responsibility to clear up after the excesses of the nuclear age.

I was particularly pleased that my amendments were included reauthorizing the Hanford Health Information Network and prohibiting disclosure of information gathered by the network.

I requested language that is in this bill funding market diversification feasibility studies, requiring notice for employees related to adverse budget actions, directing the Secretary to encourage greater participation in the technology reinvestment project by labor organizations, and requiring the Secretary to ensure that job creation resulting from TRP awards accrue to the U.S. economy. I also assisted in gaining loan guarantee assistance for small- and medium-sized defense firms to engage in dual use technologies.

I cosponsored legislation that was included in the bill assuring equity between military and civilian retirees as to when they receive their cost-of-living-adjustments. This restores deserved fairness.

The deadline was extended for a health maintenance organization-type program to be considered under the CHAMPUS reform initiative and several actions were taken to improve DOD's medical treatment of Persian Gulf war veterans.

Funding was added for the Defense Women's Health Program that we established last year. I cosponsored legislation that supports this bill's authorization on a reimbursable basis construction of the Women in Military Service for America Memorial. Programs on discrimination and sexual harassment are enhanced by this bill. As was demonstrated in this year's hearing with victims of sexual harassment, it is imperative that we strengthen those programs; we are losing too many outstanding members of our military forces.

Finally, we did two helpful things for families of Korea/cold war missing. A single point of contact within the Defense POW/MIA Office was established and policies for Vietnam era POW/MIA's regarding information disclosure were extended to Korea/cold war missing.

Mr. DELLUMS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HASTINGS). The question is on the conference report.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 280, nays 137, not voting 17, as follows:

[Roll No. 404]

YEAS—280

Abercrombie	Gejdenson	McKeon
Ackerman	Gephardt	McKinney
Adams	Geroy	McMillan
Andrews (ME)	Gibbons	Meehan
Andrews (NJ)	Gillmor	Meek
Andrews (TX)	Gilchrest	Miller
Applegate	Graham	Menendez
Bacchus (FL)	Gillman	Mfume
Baessler	Glickman	Mica
Barcelo	Gonzalez	Miller (CA)
Barlow	Gordon	Mineta
Barrett (NE)	Green	Mink
Bateman	Greenwood	Moakley
Bellenson	Gutierrez	Mollohan
Bereuter	Hall (OH)	Montgomery
Berman	Hamburg	Moorhead
Bevill	Hamilton	Morella
Bilbray	Harman	Murphy
Bishop	Hastert	Murtha
Blackwell	Hastings	Myers
Bliley	Hayes	Neal (MA)
Blute	Hefner	Neal (NC)
Bonior	Hilliard	Oberstar
Borski	Hinchee	Obey
Boucher	Hoagland	Oliver
Brewster	Hobson	Ortiz
Brooks	Hochbrueckner	Orton
Browder	Hoke	Owens
Brown (GA)	Holden	Oxley
Brown (FL)	Horn	Pallone
Brown (OH)	Houghton	Parker
Bryant	Hoyer	Pastor
Byrne	Hughes	Payne (NJ)
Calvert	Hutto	Payne (VA)
Canady	Hyde	Pelosi
Canwell	Inhofe	Peterson (FL)
Cardin	Insee	Peterson (MN)
Carr	Istook	Pickle
Castle	Jacobs	Pomeroy
Chapman	Jefferson	Porter
Clay	Johnson (CT)	Poshard
Clayton	Johnson (GA)	Price (NC)
Clement	Johnson (SD)	Quillen
Cliburn	Johnson, E. B.	Rahall
Coleman	Kanjorski	Rangel
Collins (GA)	Kaptur	Ravenel
Collins (MI)	Kennedy	Reed
Cooper	Kennelly	Regula
Coppersmith	Kildee	Richardson
Costello	Kim	Ridge
Coyne	Kinzka	Roemer
Cramer	Klein	Rose
Cunningham	Klink	Rostenkowski
Danner	Kopetski	Rowland
Darden	Kreidler	Roybal-Allard
de la Garza	LaFalce	Rush
Deal	Lambert	Sabo
DeLauro	Lancaster	Sangmeister
Dellums	LaRocco	Santorum
Deutsch	Laughlin	Sargallus
Dicks	Lazio	Sawyer
Dingell	Lehman	Schenk
Dixon	Levin	Schumer
Dooley	Lewis (CA)	Scott
Durbin	Lewis (GA)	Serrano
Edwards (TX)	Lewis (KY)	Sharp
Engel	Liptinski	Shepherd
English	Livingston	Shuster
Eshoo	Lloyd	Sisk
Evans	Long	Skaggs
Everett	Lowey	Skeen
Farr	Lucas	Skelton
Fazio	Machtley	Slaughter
Fields (LA)	Mann	Smith (IA)
Flner	Manton	Smith (MI)
Fingerhut	Manzullo	Smith (NJ)
Fish	Markey	Smith (OR)
Foglietta	Martinez	Snowe
Ford (MI)	Matsui	Spratt
Ford (TN)	Mazzone	Stenholm
Fowler	McCloskey	Stokes
Frost	McCurdy	Strickland
Furse	McDermott	Studds
Gallely	McHale	Stupak

Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman

Torres
Torrice
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Viscolsky
Volkmer

Waters
Watt
Weldon
Wheat
Williams
Wilson
Wise
Wynn
Yates

NAYS—137

Allard
Archer
Army
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barca
Barrett (WI)
Bartlett
Barton
Bentley
Billrakis
Boehert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Camp
Clinger
Coble
Collins (IL)
Combest
Condit
Conyers
Crane
Crapo
DeFazio
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards (CA)
Ehlers
Emerson
Ewing
Fawell
Fields (TX)
Frank (MA)
Franks (CT)

Franks (NJ)
Gekas
Gingrich
Goodlatte
Goodling
Goss
Grandy
Gunderson
Hall (TX)
Hancock
Hansen
Hefley
Henger
Hoekstra
Huffington
Hunter
Hutchinson
Ingalls
Johnson, Sam
Johnson
Kasich
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Leach
Levy
Lewis (FL)
Lightfoot
Linder
Maloney
Margolies-
Mezvinsky
McCandless
McCollum
McCrery
McHugh
McInnis
McNulty
Meyers
Miller (FL)
Minge
Molinar
Nadler

Nussle
Packard
Paxon
Cingrich
Penny
Petri
Pickett
Pombo
Portman
Pryce (OH)
Ramstad
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sanders
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Smith (TX)
Solomon
Stark
Stearns
Stump
Talent
Taylor (NC)
Thomas (WY)
Torkildsen
Vento
Vucanovich
Walker
Walsh
Waxman
Wolf
Woolsey
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—17

Becerra
Cox
Derrick
Flake
Gallo
Grams

Lantos
McDade
Michel
Moran
Quinn
Reynolds

Slattery
Spence
Sundquist
Washington
Whitten

□ 1754

The Clerk announced the following pair:

On this vote:

Mr. Quinn for, with Mr. Grams against.

Mrs. ROUKEMA and Mr. GUNDERSON changed their vote from "yea" to "nay."

Mr. BARCIA of Michigan changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING SECRETARY OF THE SENATE TO MAKE CORRECTIONS IN ENROLLMENT OF S. 2182, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995

Mr. DELLUMS. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 285) directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2182, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. STUMP. Mr. Speaker, reserving the right to object, I shall not object and I yield to the gentleman from California [Mr. DELLUMS], chairman of the committee, for an explanation of the concurrent resolution.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman for yielding.

By way of explanation, section 3136, as passed by the House would have prevented the Department of Energy from spending more than 50 percent of its program direction funds for Environmental Restoration and Waste Management until DOE had submitted to Congress the three reports comprising DOE's environmental baseline. Since these reports are due to Congress by March 31, 1995, if DOE delivered the reports on time, this fence on DOE's program direction funds would have had no actual effect.

The Senate bill contained no similar provision, Mr. Speaker.

In conference, the Senate and House agreed to reduce the fence on DOE's program funds from 50 to 20 percent. However, while the Statement of Managers, language reflects this intent, the language of section 3136 itself prohibits DOE from spending more than 20 percent of its program direction funds until it has submitted the reports. What it should say, and what the correcting enrollment does say, is that DOE shall not expend more than 80 percent of its program direction funds until submitting the reports.

Mr. STUMP. Mr. Speaker, I thank the gentleman for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 285

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 2182) to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, the

Secretary of the Senate shall make the following corrections:

(1) In section 3136, strike out "20 percent" and insert in lieu thereof "80 percent".

(2) Amend the title so as to read: "An Act to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

The concurrent resolution was agreed to. A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DELLUMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill, S. 2182, and the conference report thereon.

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

There was no objection.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4603, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995, AND FISCAL YEAR 1994 SUPPLEMENTAL APPROPRIATIONS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-709) on the resolution (H. Res. 523) waiving points of order against the conference report to accompany the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal.

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

RECORDED VOTE

Mrs. BENTLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 228, noes 154, not voting 52, as follows:

(Roll No. 405)

AYES—228

Abercrombie
Ackerman
Andrews (ME)
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Bellenson
Berman
Bevill
Billbray
Blshop
Bontor
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Castle
Chapman
Clement
Clyburn
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cramer
Cunningham
Danner
Darden
de la Garza
Deal
DeLauro
DeLums
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbín
Edwards (TX)
Engel
English
Eshoo
Evans
Everett
Farr
Fazio
Fields (LA)
Flner
Fingerhut
Foglietta
Ford (TN)
Frank (MA)
Frost
Furse
Gephardt
Geren
Gibbons
Gillmor
Gillman
Glickman

Gonzalez
Gordon
Greenwood
Gutiérrez
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Houghton
Hoyer
Hughes
Hutto
Inglis
Inslee
Jefferson
Johnson (GA)
Johnson, E. B.
Johnston
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildée
Kingston
Klein
Klink
Kopetski
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies
Dicks
Markey
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHale
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Myers
Nadler
Neal (MA)
Neal (NC)
Oberstar
Obey

Oliver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pombo
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sarpallus
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sweet
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torres
Torrice
Traficant
Tucker
Unsoeld
Velazquez
Vento
Volkmer
Waters
Watt
Wheat
Wilson
Wise
Woolsey
Wyden
Wynn

NOES—154

Allard
Archer
Army
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barratt (NE)
Bartlett
Barton
Bentley
Bereuter
Billrakis

Billiey
Blute
Boehert
Boehner
Bonilla
Banning
Burton
Buyer
Callahan
Calvert
Camp
Clay
Clayton

Clinger
Coble
Cox
Crane
Crapo
DeFazio
DeJay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan

Dunn
Ehlers
Emerson
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gingrich
Goodlatte
Goodling
Goss
Grandy
Gunderson
Hancock
Hanson
Hastert
Mfume
Hefley
Heger
Hobson
Hoekstra
Hoke
Horn
Hunter
Hyde
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kim
King
Klug
Knollenberg
Kolbe

Kreidler
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lewis (KY)
Lightfoot
Linder
Lucas
Machtley
Manzullo
McCandless
McCollum
McCreey
McHugh
McKeon
McMillan
Meyers
Mfume
Mica
Miller (FL)
Mollinari
Morella
Nussle
Oxley
Packard
Paxon
Porter
Portman
Pryce (OH)
Quillen
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers

NOT VOTING—52

Andrews (NJ)
Andrews (TX)
Applegate
Beccerra
Blackwell
Brown (CA)
Spratt
Coleman
Coyne
Derrick
Edwards (CA)
Fish
Flake
Ford (MI)
Callo
Cejdenson
Grams
Green

Hall (OH)
Hayes
Heiner
Huffington
Hutchinson
Johnson (SD)
Klecza
Lantos
Livingston
McCurdy
McDade
Michel
Moorhead
Moran
Murphy
Murtha
Petri
Quinn

Reynolds
Sangmeister
Schaefer
Siskiy
Skaggs
Slattery
Smith (OR)
Spence
Sunquist
Valentine
Viscosky
Washington
Waxman
Whitten
Williams
Yates

□ 1822

Mr. GILCHREST and Mr. KIM changed their vote from "aye" to "no." So the Journal was approved. The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 140

Mr. ZIMMER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 140.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SENTELLE PANEL FAILED TO MEET ITS OWN STANDARD TO ACT IMPARTIALLY

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

Mr. HOYER. Mr. Speaker, yesterday I sent a letter to Chief Justice Rehnquist asking that a new panel be appointed to determine whether the Sentelle panel, first, met its own "perceptions standard" by removing Special Counsel Robert B. Fiske, Jr., and appointing Kenneth W. Starr and, second, whether the judicial function of the panel has been tainted by political influence.

Mr. Speaker, when the three judge panel of the U.S. Court of Appeals replaced Fiske with Kenneth W. Starr it stated that it was not their "intent to impugn the integrity of the Attorney General's appointee, but rather to reflect the intent of the act that the actor be protected against perceptions of conflict. (T)he court therefore deems it in the best interest of the appearance of independence contemplated by the act that a person not affiliated with the incumbent administration be appointed."

Notwithstanding their own stated purpose for removing Mr. Fiske, the Sentelle panel has failed to meet its own standard and to act impartially.

In fact, they appointed an opponent of the incumbent administration.

At a minimum, the objective of instilling public confidence in the process by avoiding any appearance of partiality has not been achieved. At worst, it could be concluded that partisan politics played a significant role in the panel's decision.

Mr. Speaker, the Independent Counsel Act was enacted over 15 years ago in the wake of Watergate, following revelations of abuses and illegal activity by Nixon administration officials. The stated purpose of Congress was to establish a statutory scheme by which a special prosecutor outside the Department of Justice could be appointed to investigate and, if necessary, prosecute violations of criminal law by high-ranking executive branch officials. What was sought was a person free from divided loyalties and of actual and perceived conflicts of interest.

A second point and just as important, Mr. Speaker, is that the law established a process by which a rather unique legal entity—a three judge panel—would be set up with the sole function of selecting the independent counsel. It is arguable that the process is as important, if not more so, than the individual who is selected to serve as independent counsel.

For, it is that panel which is entrusted with, First, ensuring that public confidence is maintained; second, insulating the decision from political influence; third, making an unbiased

judgment as to who can best carry out the mandate of the law fairly; and finally with fourth, acting with judiciousness.

The appointment of the three-judge panel was a further safeguard to make sure that, First, the public officials who are investigated are treated equally and fairly under the law and second, that the investigations of public officials be done by an individual whose judgment would inspire public confidence.

It almost goes without saying that even though the Sentelle panel is a rather unique creature of law, it is subject to the rules of judicial conduct governing officials of the court.

For example, statutory mandates and ethical guidelines require judges to recuse themselves from participation in cases where they may have special relationships with the parties or issues in a given case—or where there is a real or even apparent conflict of interest. It is not so much an act of questioning the integrity of the judge, as it is a matter of enhancing the public's confidence in the integrity of the decision.

Indeed, Mr. Speaker, it was for this purpose that the Sentelle panel stated that it was removing Mr. Fiske and installing Mr. Starr. Yet, we know that very serious questions have been raised about contacts that occurred between Judge Sentelle and Senator FAIRCLOTH, a leading critic of the administration and of Mr. Fiske, at a pivotal time during the panel's determination of who should serve as independent counsel.

Mr. Speaker, Bruce Fein, a conservative constitutional scholar who is no friend of President Clinton's, concluded in yesterday's Washington Times that "appearances are critical, especially in proceedings bristling with partisan ramifications. The Faircloth lunch, even if only trivialities were discussed, should have prompted Judge Sentelle's recusal." (Washington Times, August 16, 1994)

Mr. Speaker, in light of Mr. Starr's well-known political positions as well as the panel's means of selecting him, any conclusions that Mr. Starr may come up with will be questioned and the panel's stated intent to build confidence in the investigation will be undermined.

Both the process and the newly independent counsel are engulfed in a cloud of suspicion and cannot meet the level of public trust that are critical to such an important legal mandate as investigating the President of the United States.

□ 1830

HEALTH CARE REFORM: GOOD FOR SENIORS

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Washington [Mr. KREIDLER] is recognized for 5 minutes.

Mr. KREIDLER. Mr. Speaker, older Americans spend more today on health care, out of their own pockets, than they did before Medicare was enacted.

That's an astonishing fact. It shows what the relentless growth in medical costs has done, over three decades, to seniors' pocketbooks.

And it shows why senior citizens are so vitally concerned with the health care debate we will have on this floor. We must slow the inflation in health care costs for all Americans. And we must make sure every American has affordable coverage, guaranteed, with choice and quality. Senior citizens, who have worked all their lives, paid their taxes, and played by the rules, deserve no less than the rest of us.

The Guaranteed Health Insurance Act, which our Democratic leader DICK GEHARDT has proposed, helps fill some of the biggest gaps in Medicare for our senior citizens:

It adds coverage for prescription drugs. This is one of the most devastating gaps in senior citizens' coverage today. Doctors can't treat patients effectively if they can't afford the drugs the doctor prescribes. And too many seniors on fixed incomes must choose between daily medicine or daily means.

It covers annual screening mammography for women over 65, to detect breast cancer so it can be treated early. Right now, Medicare only covers this procedure every 2 years.

It covers colorectal screening to detect colon cancer.

It improves mental health coverage.

It eliminates the limit on lifetime hospitalization.

It will put a cap on how much seniors have to spend each year from their own pockets, a feature of many private insurance plans which Medicare has not had. Seniors will know what's the most they might have to pay, and they can plan accordingly.

It expands managed-care plans under Medicare, offering additional benefits to seniors with no additional cost.

Finally, the Gephardt bill addresses the biggest worry for millions of families—long-term care. The bill includes a program of grants to States for home- and community-based long-term care services. It also sets standards for private long-term care insurance, so people can invest in this coverage with confidence and security.

These are all important and long overdue improvements. They will bring Medicare up to the standard of the best private insurance plans. That's what older Americans need and deserve.

But we also have to deal with the cost of Medicare. Senior citizens know, better than anyone else, that there's no free lunch. Medicare is the fastest-growing program in the Federal budget. Health care inflation is eating up the family budget and the Federal

budget. Unless we find a way to control this inflation, we will never make a dent in the Federal deficit, no matter how many programs we cut.

That's why every health care bill on the table includes provisions to hold down future Medicare spending. The Gephardt bill reduces the rate of growth from 11 to 8 percent a year.

What does that mean? Some people will tell you that it means seniors won't get the health care they need. That's baloney.

Some people will tell you it's impossible to control health care costs—they just have to keep rising out of control, year after year. That's baloney too. If we can put the defense of our Nation, and the education of our children, on a budget, then we can put the health care system on a budget too.

Finally, we hear some people talk about Government-run health care—the worst thing in the world, they tell us. Medicare is not perfect, but it provides health security for people who worked hard, raised their families, and paid their dues.

I don't know anyone who would prefer to go back to the days before Medicare, not even those who voted against it 30 years ago. But I guess all those who complain about Government-run health care are really saying they want to get rid of Medicare.

All Americans will benefit from the Gephardt bill. But seniors will be real winners. The bill adds much-needed Medicare benefits. It controls costs, so seniors don't have to keep paying more and more out of their own pockets. And it provides security and peace of mind—not only that they will have medical care, but so will their children and their children's children.

I'm proud to be on their side as this historic debate begins and I urge my colleagues to support the Gephardt bill.

HAITI

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

Mr. GOSS. Mr. Speaker, at this time I would like to yield to the distinguished gentleman from California [Mr. COX].

WHITewater INDEPENDENT COUNSEL

Mr. COX. Mr. Speaker, I thank the gentleman for yielding.

I rise in response to remarks made by my Democratic colleague from Maryland, who took to the floor to complain about the appointment of an independent counsel to investigate Whitewater matters. I wonder, with issues of health care and crime weighing so heavily on the Chamber at the moment, why it is that a Member would take time out to focus on Whitewater, to complain about the fact that it is being investigated by an independent

counsel appointed by, not the Congress directly, but by judges, a panel of judges convened at the request of Attorney General Janet Reno under a law supported by the Clinton administration and recently passed by the Democratic Congress.

I voted against the independent counsel law. I think the independent counsel law puts Congress and judges in the position of directing prosecutions, where we should not be. That is a violation of our notion of separation of powers. But the independent counsel law was urged upon us by the Clinton administration, by Janet Reno, and by the Democrats that control the Congress.

A three-judge panel was convened at the request of Janet Reno. Instead of leaving Mr. Fiske in his position, which would have been the result if Janet Reno had not requested that a three-judge panel be convened, they chose to appoint someone who did not have Mr. Fiske's conflict of interests.

□ 1840

We know not only that Mr. Fiske was appointed by the Justice Department and that he had announced in recent weeks that his investigation was leading into the Justice Department and the Justice Department's own involvement in Whitewater, but also that Mr. Fiske contributed to Democratic candidates for Congress; that Mr. Fiske had a 20-year relationship with Bernie Nussbaum, the White House counsel who, himself, had to resign as part of the Whitewater matters; that Mr. Fiske's clients had, in fact, borrowed money from Bill Clinton's State agency in Arkansas; and they had, in fact, sold land to the Whitewater Development Corp.

Nobody seemed to complain about these rather obvious conflicts of interest at the time. But now that there is a truly independent counsel appointed by three judges, not by Janet Reno, we are told that this is a terrible thing.

Who is this man Ken Starr? He was the Solicitor General of the United States. He was a judge of the U.S. Court of Appeals, approved unanimously by the U.S. Senate. In fact, he was selected just very recently by Democrats and Republicans on the Senate Ethics Committee to handle the very politically sensitive matter of going through the Packwood diaries. He was on Janet Reno's short list to be the special counsel, the position to which she named Mr. Fiske.

Why is it that we are hearing complaints that now, he is somehow a partisan figure? Perhaps it is because there is concern that a truly independent counsel will get to the bottom of Whitewater. Perhaps there is some concern that the coverup in the House Whitewater hearings was not total and complete and that more of this might come out.

I would hope that that is not the case, but it seems to me that it makes Congress look bad—and Congress already looks bad in its handling of Whitewater—to have Members of the body take to the floor and complain about the independent counsel who is just now beginning his work when, after all, he was appointed at the behest of the Attorney General who convened this three-judge panel.

Frankly, I have no idea whether Judge Starr will be a tiger or a pussycat. I do know that there is no member of the American bar with better legal credentials, and no member of the bar with a better reputation for fairmindedness and unimpeachable integrity—so much so that the Democratic and Republican members of the Senate Ethics Committee unanimously named him to the extraordinarily sensitive task of reviewing the Packwood diaries. I could go on at length about his credentials—a clerkship for the Chief Justice, partnerships in two national law firms, the youngest judge ever appointed to the D.C. Circuit, the Nation's second highest court. And I could go on about his character—his work for his church and for charities, his devotion to his family, the fact that after 15 years in Washington, and a longer time than that at the pinnacle of his profession, he is known as a man with no enemies, and—until now—virtually no critics.

But all that changed overnight when the court appointed Judge Starr to be the Whitewater independent counsel. Now we're told that Ken Starr is too partisan to serve because he is a prominent Republican lawyer who has contributed to political campaigns. Sounds a lot like Leon Jaworski—or Bob Fiske, who is, as the Clinton administration has reminded us ad nauseam, a very prominent Republican. And Mr. Fiske has given money to several political campaigns as well—including Democratic campaigns for, among others, the Republican Senate seat in New Hampshire. And, like Judge Starr, Mr. Fiske served in a key post in the Justice Department, during the Carter administration. Bob Fiske has yet another similarity with Judge Starr: they both were on the short list for special counsel that Bill Clinton's attorney general, Janet Reno, put together in January. Judge Starr was nonpartisan enough for Janet Reno then; he is also nonpartisan enough for the Bill Clinton now. On Tuesday morning Lloyd Cutler said categorically that, and I quote, "We have no reason to doubt the fair-mindedness of Ken Starr." The administration has said, and again I'm quoting, "The President does not think that Starr should step aside." And Mr. Fiske himself has publicly stated, "I can absolutely guarantee you nothing is endangered by the switch." Let me repeat that: Bob Fiske said that he could "absolutely guarantee you nothing is endangered" by Judge Starr's appointment. What do my Democratic colleagues know that Bob Fiske, Janet Reno, Lloyd Cutler, and the Clinton White House don't know? Why are they being more royalist than the King?

Then there is the court that appointed Judge Starr. Mr. Speaker, I'm no fan of the way the Ethics in Government Act provides for appointing independent counsels, and I voted against the law in part on that basis.

I think it is anomalous and in tension with the delicate balance created by our constitutional separation of powers. But the Clinton administration and the Democrats in Congress loved that law, and there was nothing about it they loved more than the way it allowed judges to pick the prosecutor. I could quote to you for hours from Democratic floor statements and committee reports calling that provision the linchpin of the bill; it was statements like that which led the court to find that continuing the Attorney General's appointee in office as independent counsel was contrary to the fundamental purpose of the law. But as soon as they reached that decision—as soon as an independent court actually had the temerity to appoint a truly, visibly independent prosecutor, the majority changed its mind.

The cataract of vilification and informed abuse that has fallen on those judges, and on Judge Starr, is truly astounding. I will not try to answer every one of the laughable criticisms that have been made. I will only point out that the court that appointed Judge Starr was composed of both Democratic and Republican appointees, and that these judges unanimously agreed that Mr. Fiske needed to go, and that Judge Starr should replace him.

The panel including Judge Butzner, appointed by President Kennedy to the district court and by President Johnson to the court of appeals, who has also served with distinction on the Judicial Ethics Commission. And Judge Butzner is no potted plant: he dissented from his colleagues' ruling on the Walsh report.

The panel includes Judge Sneed, who taught at Texas, Cornell, Stanford, and Duke before being named to the Federal bench, where he has enjoyed an enviable reputation for scholarship and integrity. As for the chief judge of the panel, Judge Sentelle, who has been singled out for particularly offensive abuse, he has served as a Federal prosecutor, a State and Federal district court judge, and—like Judge Starr—a unanimously confirmed judge of the D.C. Circuit, the second highest court in the land. I have a copy of the letter that the American Bar Association sent the Senate, unanimously attesting to Judge Sentelle's outstanding credentials for the bench. It is signed by Robert Fiske, who also joined in the ABA's endorsement of Ken Starr for the D.C. Circuit Court of Appeals.

The American people know why the Democratic Party has launched an indiscriminate smear campaign against four distinguished judges of both parties. They are aware that this is nothing but well-poisoning—an effort to discredit, in advance, whatever evidence of misconduct the independent counsel may unearth. It speaks volumes about my colleagues' confidence in their President that they feel this effort is needed.

Mr. Speaker, I was asked on "Crossfire" the other night how I would feel if the shoe were on the other foot, and Jimmy Carter's Solicitor General had been appointed to serve as an independent counsel during the Reagan administration. I think it is a revealing parallel. There were Carter administration lawyers, as there are Bush administration lawyers, whose roles in Government involved an engagement in policy and politics that would make their appointment as independent counsels inappropriate. The Solicitor General is not one of them.

The post has frequently been held by judges, or by people who went on to be judges. And it is known throughout the legal profession as a position of unique responsibility, untainted by partisanship. The Solicitor General during the Carter administration, the late Judge Wade McCree, was, like Ken Starr, a widely respected Federal judge who resigned from the bench to serve in that post. Like Judge Starr, he was known for his fairness. And I can attest, as one who served in the Reagan White House, that neither I nor anyone I knew in the administration would have said or believed that such an appointment was inappropriate, or anything other than a faithful execution of the mandate of independence required by the law. I certainly do not believe that we would have unleashed against him, or the judges who appointed him, the shameful campaign of ill-informed abuse and invective that has been directed at Judge Kenneth Starr.

[From the Washington Post, Aug. 10, 1994]

STARR, FISKE MEET AS DEMOCRATS CONTINUE TO PROTEST APPOINTMENT

(By Ruth Marcus)

Kenneth W. Starr, the new independent counsel investigating Whitewater, met in Little Rock, Ark., yesterday with his predecessor, Robert B. Fiske Jr., as the Democratic outcry over the appointment of a partisan Republican continued.

As evidence that Starr's partisan ties make him a bad choice to investigate Whitewater, one Democratic activist yesterday cited Starr's \$1,000 contribution to a candidate for Texas lieutenant governor, Tex Lezar. Lezar has run "Whitewater update" radio spots criticizing the Clinton administration.

In one spot, Lezar says Deputy Treasury Secretary Roger C. Altman should resign, saying he "is caught in the middle of an apparent coverup by the Clinton administration." Lezar and Starr are longtime friends who worked together in the Reagan administration Justice Department before Starr was appointed to the federal appeals court here. Starr made his contribution to Lezar's campaign Feb. 14, before Lezar began the Whitewater attacks, and Lezar said yesterday he did not believe Starr was aware of the ads. James Carville, one of President Clinton's closest political advisers, yesterday called on Starr to withdraw from the investigation. "I think he should never have been appointed," Carville said.

Referring to federal appeals court Judge David B. Sentelle, who headed the panel that selected Starr, Carville said, "What is a political protégé of [Sen.] Jesse Helms [R-N.C.] doing appointing a potential senatorial candidate to a position like that? * * * Partisan politics is driving this whole thing." Starr had considered running for the Republican Senate nomination in Virginia. One of the authors of the new independent counsel law yesterday called on Starr to withdraw or make a full disclosure of his political activities to the court panel that appointed him Friday to investigate Clinton and Whitewater.

Sen. Carl M. Levin (D-Mich.) said the panel should explain "why it is that they've concluded that all of these political activities on his [Starr's] part do not create the very type of appearance problem which caused them" to decide not to reappoint Fiske.

Fiske had been named special counsel by Attorney General Janet Reno when the earlier independent counsel law expired. After the law was revived, Reno asked the court to

reappoint Fiske under the law, but the court declined, citing the need for the "appearance of independence" in an independent counsel.

Another Democrat, Sen. Patrick J. Leahy (Vt.), said Starr should pledge not to enter electoral politics or to accept a political appointment after serving as independent counsel. "Here's a man who is talking about running for the U.S. Senate, who has always been named as a potential [Supreme Court] appointee if there's a Republican administration, and I think that if he's going to take this he ought to make it very clear that in doing so he's forgoing political ambitions."

Levin and the chief House sponsor of the independent counsel legislation, Rep. Barney Frank (D-Mass.), said they believed letters to the special panel that appoints independent counsels should be public record.

A group of Republican House members and a conservative group headed by one of Clinton's chief political opponents wrote the court to urge that Fiske not be reappointed. But there is no indication of the letters in the court file on the case, which contains only the four-page ruling naming Starr. Under the independent counsel law, no information about a case is released unless ordered by the special court in charge of appointing the counsels. The appeals court clerk, Ron Garvin, said Monday he was unaware of any letters. Through a spokeswoman, Sentelle declined to make public any letters sent to the court. "The general rule should be that if they're read they should be made part of the public record," Levin said of the letters.

"This is a public matter," Frank said. "This isn't some private deal between these wackos and the judges * * *. This is a pending case. I don't think you should be able to write secret letters to judges about pending matters." Frank said he did not believe Starr should step aside from the case.

I thank the gentleman for yielding to me.

Mr. GOSS. Mr. Speaker, I was going to speak about Haiti. I thought that it was very important that that timely response in response to the distinguished gentleman from Maryland be made.

The situation in Haiti is still terrible. We are now having a situation of rebellion going on in Guantanamo, disorders. We have the military police officers; 20 of them have been hurt in a melee down there. We have economic refugees asking to be taken back to Haiti. We have got asylees in Haiti trying to get out of harm's way. They cannot because of the sanctions that we have put on in that country.

We have taken a bad situation, and we have made it worse for true political asylees. We have made it worse for all Haitians, and we have certainly made it worse for the refugee problems which is now basically concentrated in a very miserable situation in Guantanamo.

I wish I could stand here and say we did not predict this, but we did predict this. This is a very bad policy. And we have got now the next potential coming up of this invasion which today's Washington Post said, "U.S. officials acknowledge that an invasion would be staged almost exclusively by U.S. troops."

That is absurd. There is no consensus for such an invasion. Even the United Nations is now trying to negotiate and sending an envoy to Haiti to negotiate a peaceful solution to the problem. This is the same United Nations that authorized anything we need to do to solve the problem in Haiti at our behest, at the United States behest so we could justify an invasion. Things are coming apart fast. We need a new policy in Haiti.

MIDDLE-INCOME AMERICA: PAYING MORE FOR LESS UNDER CLINTON-GEPHARDT HEALTH BILL

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

Mr. EVERETT. Mr. Speaker, President Clinton is now trying to dupe the American people into believing that the real group to benefit from the Clinton-Gephardt health plan are middle-income Americans. Sounds familiar—doesn't it—I believe candidate Clinton made a similar pledge about taxes.

In truth, the Clinton-Gephardt bill is a bad deal. Middle-income Americans will pay more for less. Let me repeat that; middle-income Americans would pay more money for less coverage under Clinton-Gephardt.

Mr. Speaker, if a businessowner wants to be successful and make a profit, he will offer his customer more goods or services at a lower price than his competitors.

But, unlike the real world, the President thinks he can fool the American people into paying more for less care. Apparently, Mr. Clinton missed the class on basic economics when he was at Oxford.

But, isn't this the same President who promised middle-income Americans a tax cut and then gave America the greatest tax increase in history? That's called a bait and switch. Let's take a closer look.

Under a Clinton-Gephardt system, middle-income Americans would be forced to buy a Government-sanctioned health care plan, regardless of whether they like their current policy or not.

These families would also be required to purchase benefits, many of them quite expensive such as drug and alcohol rehabilitation or abortion benefits, that they may not need or want.

Under global budgets and spending caps, there will be a tremendous amount of cost-shifting away from Medicare and Medicaid-eligible patients to those who have private insurance—hospitals and other providers will have little choice. The current Medicare reimbursement rate is on the average about 59 percent of what private insurers pay for the same procedures or treatment. In view of the funding limits and cuts in Medicare

spelled out in the bill, the disparity in reimbursement rates will only widen. The bottom line is that middle-income Americans will pay the toll through higher premiums, higher taxes, and less care.

Mr. Speaker, this entire discussion could really be boiled down to one simple question, "Who pays?"

Who pays for creating Medicare part C which will expand the total number of Medicare-eligible individuals to roughly half the entire population?

Who pays for the approximately \$170 billion a year in low-income subsidies provided for in this bill?

Who pays the 2 percent on health insurance premiums?

Who pays for the Clinton-Gephardt bill in lost or depressed wages, or with their jobs?

Who pays? The answer is simple—who pays now for the waste and fraud in our welfare system?

Who always pays? The middle-income American.

According to a study by the American Legislative Council, the average middle-income American worker who earns between \$14,000 and \$30,000, will lose anywhere from \$660 to \$2,300 per year in lost wages, under a Clinton-Gephardt-type employer mandate.

Why is that? Well, it's something that I don't think many policy wonks in the administration have had much experience with—it's called meeting a payroll. I have had to meet a payroll for more than 30 years now as a small business owner. Should a Clinton-Gephardt mandate be enacted, small business owners would be forced to pay 80 percent of the cost of a Fortune-500 equivalent benefits package whether they can really afford to or not. That leaves the small business owner with very few options at the end of the day. Either reduce the hours employees work, reduce their wages or eliminate their jobs altogether.

To highlight this point, an August 8th study by CONSAD Research indicates that in my State of Alabama, employer mandates in the Clinton-Gephardt plan will result in 18,824 people losing their jobs. What about the impact on the local economy? Mr. Speaker, I don't know about your State, but Alabama simply cannot absorb job losses of this magnitude.

In closing, let me say to my colleagues and to the American people watching tonight, Congress cannot seriously ask middle-income Americans to pick up the tab on more time. The alleged advantages of the Clinton-Gephardt plan for middle-income Americans ring hollow just like the ever-elusive middle-income Americans tax cut promised by the Clinton administration and the promise to "end welfare as we know it." Judging from the calls and letters I have received in my office, middle-income Americans are tired of being Washington's "fall guy."

The White House and the Democrat leadership have put on their best "trust us" faces regarding the benefits of the Clinton-Gephardt bill. This brings to mind a bit of wisdom from Abraham Lincoln about fooling all of the people all the time. But, the American people won't be fooled. The Clinton-Gephardt plan is based on paying more for less.

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EXCHANGE OF SPECIAL ORDER TIME

Ms. MCKINNEY. Mr. Speaker, I ask unanimous consent to exchange my time with that of the gentlewoman from Florida [Mrs. MEEK].

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

There was no objection.

THE TASK FORCE ON THE RADICAL RIGHT

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

Mr. DORNAN. Mr. Speaker, there was formed by the majority party a task force called the Task Force on the Radical Right. They met for the first time last Thursday. They selected a chairwoman, the distinguished gentlewoman from New York, LOUISE SLAUGHTER, who is on the floor at this very moment. It was formed by the gentleman from California, VIC FAZIO, who has been my friend of almost 20 years, but he wears two hats.

The gentleman from California is the director or chairman of the Democratic Congressional Campaign Committee, whose principal job is to raise money to defend incumbents. He is responsible also to try and win all open seats and to try to defeat every Republican in the House. He also wears the hat of codirector, with the gentleman from Maryland, STENY HOYER, of the Democratic Caucus, which is the caucus of all the Democrats in the House. He is a very important man. So he forms this task force on the radical right immediately on the heels of a rather offensive speech given at the National Press Club in which he talked about fire-breathing Christians.

Then the gentleman from California [Mr. FAZIO], my friend, says he was not really talking about Christians, just the radical right. However, at this task force meeting on government ground, funded by taxpayers, taxpayers paying for the lighting, the air conditioning, said room, HC-7 downstairs, they had their meeting and they used up the time and taxpayers money of eight Capitol Hill police. Maybe that was to

convey the impression that maybe some Operation Rescue unit was going to try and infiltrate the Capitol and make noise outside the hearing room.

Mr. Speaker, when they came out, one of the nine Members of Congress who showed up for this task force meeting said the following:

We think that religion should not be involved in politics. We are trying to figure out how we can dissuade churches from getting involved in partisan politics. Issues that ought not to have something to do with religion are being targeted by religious coalitions for partisan purposes.

Mr. Speaker, that was said by a gentleman seeking his third term, the gentleman from Virginia, JIM MORAN, of across the river. I drive through his district every night to get to the district of the gentlewoman from Virginia, LESLIE BYRNE, where I live when the House is in session.

Mr. Speaker, there was a Mormon at that meeting, a good friend of mine. We had three fellow Catholics, albeit they are Catholics who are in disagreement with the Magisterium of the church. They must certainly be in disagreement with Mother Teresa, on pro-life issues, and with Cardinal Connor, Cardinal Law, Cardinal Hickey, and all other Cardinals in the Nation, on special rights for homosexuals. But they are nevertheless proud to put "Catholic" after their biographies in the book.

Then there was a good Baptist from North Carolina, along with three Episcopalians representing some pretty big churches.

Just last week, it just so happens that I passed by a poster shop in Alexandria, in Old Town. I saw in the window this poster that I remember from my youth, painted by Norman Rockwell, to inspire all of his fellow Americans during the Second World War, so that we had a clear focus on what we were fighting for. We were fighting the warlords of Tojo, the fascism of Benito Mussolini, and even Nazi jackboots of Adolf Hitler. We were fighting for freedom of worship, freedom of speech, freedom from want, and freedom from fear.

Mr. Speaker, I remember collecting as a 10- or 11-year-old each one of the covers of the Saturday Evening Post as these paintings came out. Here it is, the most important one of all, freedom of worship. I am sorry it is curling, but this cost me a couple of C-notes, because it is an original, printed during the war, on canvas-type paper. Look at that beautiful picture.

Let me help my colleagues, there. I know the gentlewoman from Georgia, CYNTHIA MCKINNEY, is on the floor now. She was at that task force on the radical right. There it is, the Norman Rockwell, one of the originals: "Save freedom of worship, each according to the dictates of his own conscience." Then there is a little pitch at the bottom about buying War Bonds. I wish I had this mounted on an easel.

Mr. Speaker, when I showed it to the gentleman from California, VIC FAZIO, this afternoon, being a good-natured fellow, VIC said, "There I am in the back row." No, it does not look like VIC at all. One woman in the front has her rosary through her fingers. It reminds me a lot of the nuns and the people I have seen on the front row of some of the Operation Rescue units in front of those mass-killing abortuaries.

Mr. Speaker, here is my problem. They all had this meeting. Not 70 hours later, Bill Clinton, at taxpayer expense, in either a limousine or Marine helicopter, comes down from Camp David, deep in Maryland, where there are plenty of nice churches. He goes to one of the most beautiful churches in this town. The title is a mouthful, but it is fun to say, because it covers the Christian waterfront: The Full Gospel African Methodist Episcopal Zion Church. It is a big, beautiful church, and it has a choir as good as any in the entire United States, and there is Clinton in front of that choir, Mr. Speaker, saying that God wants us to vote for this soft on crime, hug-a-thug bill.

Mr. Speaker, I ask you to take a deposition down at the White House from the First Family and ask why they used that beautiful church Sunday.

Mr. Speaker pro tem, since you were at that infamous meeting, I add this article to my remarks:

[From the Washington Times, Aug. 12, 1994]

HOUSE 'RADICAL RIGHT' SUMMIT HAS CONSERVATIVES CRYING FOUL

(By Cheryl Weitzstein and Laurie Kellman)

The "Radical Right Task Force," a closed-door summit of House Democrats, yesterday evoked calls of religious bigotry and misuse of public funds from Republicans and conservative groups barred from the meeting at the Capitol.

"This is a pathetic action of the Democratic leadership of Congress to continue their assault on people of faith and people who want to change Congress," said Rep. Bill Paxon of New York, chairman of the National Republican Congressional Committee.

"Why are they meeting on the taxpayer's dime to develop strategies against people of faith being involved in the political process?" asked Marshall Wittmann, director of legislative affairs for the Christian coalition. "I'm sure there's plenty of rooms at the DNC [Democratic National Committee]."

The meeting was arranged by Rep. Vic Fazio of California, vice chairman of the House Democratic Caucus.

"Given Fazio's well-publicized anti-Christian sentiment, these meetings smack of religious bigotry," said Andrea Sheldon, director of government affairs for the Traditional Values Coalition.

But Rep. James P. Moran, Virginia Democrat, who attended the 40-minute meeting, said it was "to discuss the issues that the radical right has focused on and how it will affect the legislative agenda for the rest of the year."

"We think that religion should not be involved in politics," said Mr. Moran, who is running for a third term. "We're trying to figure out how we can dissuade other churches from getting involved in partisan politics."

"Issues that ought not have something to do with religion are being targeted by these

religious coalitions for partisan purposes," he said, adding that the "radical right" is partly responsible for yesterday's scuttling of President Clinton's anti-crime bill.

"They have a responsibility to define who is the 'radical right,'" Mr. Paxon said, adding that the task force's agenda and goals should be likewise clarified.

On Tuesday, Mr. Fazio sent a memo inviting "Democratic colleagues" to the meeting, which was to include "a general update and discussion on recent Radical Right activity."

The meeting was held in a House conference room in the Capitol and was attended by Democratic Reps. Louise M. Slaughter of New York, Mike Synar of Oklahoma, Richard J. Durbin of Illinois, Dick Swett of New Hampshire, Cynthia McKinney of Georgia, David Price of North Carolina and Sam Farr of California, among others.

Democratic House staffers guarded the door to the "members only" meeting, and, by special request, Capitol Hill police patrolled the halls and checked identification badges.

Members of the Traditional Values Coalition and the Christian Coalition waited outside the meeting door.

A spokesman for Mr. Farr, who won a special election for the seat vacated by White House Chief of Staff Leon Panetta, said "the main thrust of the meeting" was "non-profit groups vs. advocacy groups" and "When do [non-profits] cross the line and become advocacy groups?"

Nonprofits receive tax exemptions under the law, whereas advocacy groups do not.

According to House ethics rules, use of "official resources" for campaign purposes is prohibited and use of meeting rooms is restricted to "congressionally related purposes."

In recent months, many Democratic leaders—including Mr. Clinton, Surgeon General Joycelyn Elders, outgoing DNC Chairman David Iuliano and Mr. Fazio—have denounced broadcasters and groups of the "radical right."

And, Mr. Speaker, to clarify Mr. Clinton's hypocrisy, I include the Washington Times editorial:

[From the Washington Times, August 16, 1994]

GOD AND THE CRIME BILL

So God wants the crime bill passed, does He? President Clinton didn't say where he had gotten the Word, but in an appearance at the Full Gospel A.M.E. Zion Church in Temple Hills Sunday he demanded that Congress "do the will of God" and pass the crime bill. Not a version stripped of the more controversial and wasteful provisions that led to its defeat last week, mind you. No, God, like Mr. Clinton, apparently wants the whole thing.

One can just imagine the outrage that would have resulted if, say, Ralph Reed of the Christian Coalition had headed for the pulpit to announce that his legislative agenda had the Almighty's imprimatur. Obviously, there's a certain amount of hypocrisy involved here. But this holier-than-thou approach to politics, so typical of the First Family, is also another unpleasant reminder that the Clintons simply do not believe there is room for reasonable people to disagree with them. Anyone who does is profane—meaning set apart from God.

For the more secular-minded out there, Mr. Clinton claims that critics have set themselves apart from police. "Now the Republicans say, well, there's too much money for prevention in this bill," he said in his weekly radio address. "They call it pork.

Well, all I know is, all the police officers in this country know we need to give kids something to say 'yes' to."

Well, what do God and the police think of the bill's \$10 million handout for a new National Criminal Justice Center in the district of Democrat Jack Brooks? It's an important question because the handout won't end there. As a press release from Lamar University, recipient of the \$10 million, put it, "In 1986, Brooks and then-Senator Lloyd Bentsen had written into the Superfund Bill language that authorized \$5 million to create the Gulf Coast Hazardous Substance Research Center. Since that time, the research center has received more than \$16 million in federal funding."

Then there is the \$20 million "Hope in Youth" program mentioned in this space previously. Actually the word "youth" appears exactly twice in the entire section, including the title. "Hope in Left-wing Activists" is more accurate, since it would fund "advisory organizations" to provide, among other things, a "multi-issue forum for public policy discussion." This is walking-around money for liberal activists to lobby for still more money.

And what about the \$125 million for Juvenile Drug Trafficking and Gang Prevention Grants? The grants are supposed to "reduce juvenile involvement in organized crime." But aside from a few references to sports activities and "artistic enrichment," it's not clear how the \$125 million is supposed to do that.

To Washington Post reporter Kenneth Cooper, complaints about pork-barrel spending in the crime bill are just cover for the real objections of the Republicans and 58 Democrats who voted against the crime bill last week. Their real problem is the crime bill's gun-control provisions, he "reported."

No doubt it's true that many lawmakers doubt that taking guns from law-abiding citizens will do anything to reduce crime. But complaints about pork are not new. Wisconsin Republican James Sensenbrenner Jr. wrote an April 6 column in the Commentary pages of this newspaper noting that the "House crime bill has several defects, but perhaps the worst defect is the \$8 billion going to social-welfare programs. . . . I say they are a waste of money." Apparently a lot of Republicans agreed because more than 100 voted against the bill that month even though it included no assault-weapons ban.

The respective Senate and House crime bills cost \$22 billion and \$28 billion. Conferees "compromised" and settled on a total of \$33.2 billion. So if anything there was even more pork than before.

If Mr. Clinton wants to turn his moral minority into a majority, he ought to strip out the pork and the gun control measures and give lawmakers a chance to vote on a measure that could really do something about crime. Editors here can't claim a higher authority for such a bill, but one suspects voters would say, "Amen."

URGING MEMBERS' SUPPORT FOR THE OMNIBUS VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

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

Ms. ESHOO. Mr. Speaker, I rise this evening to urge my colleagues in the House of Representatives to support

the Omnibus Violent Crime Control and Law Enforcement Act of 1994, Americans know today that this is called the crime bill, and insist that this bill retain the major provisions of penalties and prevention, and, Mr. Speaker, it must include a ban on assault weapons.

Mr. Speaker, as Members of this House, we know the cost of crime in our districts. We see the cost in broken homes, we see the cost in broken bodies, we see the cost of the emotional and physical trauma of the people that we are privileged to represent.

In my district, Mr. Speaker, there is a community by the name of East Palo Alto, in California. In 1992 this small community beat out the District of Columbia as being the murder capital of our Nation, per capita.

Today people are still frightened to leave their homes. There are many other parts of my district that are very well known for their wealth, but this is still part of the 14th Congressional District of California.

Mr. Speaker, just last night this small community of 24,000 people endured an armed robbery, a grocery store shooting, and a shooting in a local tenant complex. We must take every step possible to stop this random, senseless violence which plagues our neighborhoods and our communities, and we can do this by passing the crime bill, which will ban 19 specific assault weapons. These weapons, which include the Streetsweeper, which, by the way, was invented for use in South Africa for crowd control, at, thank God, another time in our history, are designed to kill people, not wildlife, not targets, but people, human beings, and now small children riding their bikes to and from school.

Mr. Speaker, what has this country come to? Does the NRA have no shame? They don't want prevention money in a bill to prevent crime, and they fight and pay for Members here to vote their way to continue to have these assault weapons on our street. I do not think they are on the side of America, and I do not think that is American. That is not something I ever want to stand next to.

Mr. Speaker, I am proud to have supported the rule last week, and I want to make sure that Members stand next to this abiding principle. If there was a time during this second year of the 103rd Congress that I believe the American people felt that their voices had been heard, that a special interest had been passed over, it was when we voted on the assault weapon ban. I think we need to climb that mountain again this week, and I think we need to stand tall and prove to the American people that our own political careers are not what we are here for, but the oath of office that we took when we stood on the floor of this House in this Chamber, that it was for them that we have come here. They deserve better.

Mr. Speaker, we had a press conference yesterday, and they were all women, women Senators and women House Members. We heard the stories of constituents who have lost their spouses as a result of these assault weapons being sold like candy on our streets, available to anyone that wants to use them for whatever insane purpose they may have in mind.

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I wish that the NRA was there. I wish that they could have stepped up to a microphone and given an answer to these citizens as to why they would lobby the way they do.

So, America, do not be fooled. This is not about pork. It is about another kind of pork. Prevention is not pork.

If you talk about community centers and what we can do for our children of this Nation, I know what I gave to my children, and you know what? It worked. That may be pork in Beverly Hills, but it is not pork in my community of East Palo Alto. Whether they are black or brown or yellow or white, regardless of what their background is, our children deserve a vote that is going to offer them the kind of prevention that law enforcement from around the Nation have come together and have come to the Capitol this week and said, "This is what we need."

Make no mistake about it, this word pork has had some contagiousness to it. But examine it, America, and listen to really what this is all about. It is about the money that is made on assault weapons. We want to ban them. That must be part of the crime bill. I urge my colleagues to put aside partisanship and what they think is best for their political careers. Do what we were supposed to do in coming here and taking our oath of office. Stand next to every American. Do the right thing and pass a bill that is going to do well by every citizen in America.

TRIBUTE TO OFFICER DENNIS N. GLIVAR

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

Mr. FINGERHUT. Mr. Speaker, I rise today and invite the Members of the House of Representatives and all people across our country to join with me and the people of the 19th District of Ohio in honoring and paying tribute to the memory of Police Sergeant Dennis N. Glivar of Garfield Heights, OH who was killed in the line of duty August 14, 1994. Mr. Speaker, I also rise today to pay tribute to a civilian who was killed in this awful incident, John Bryant.

In the House of Representatives we are in the midst of a debate about how best to stop crime. While each Member of this body may have a different solution, all of us unite behind the brave

men and women who put their lives on the line every day to protect their fellow citizens. Our police forces are the first line of defense against criminals who commit heinous acts of violence.

This past Sunday, Sergeant Glivar was fatally shot during a six-hour standoff with a gunman who was holed up in his apartment after shooting and killing John Bryant. Glivar and his fellow police officer, Lt. Thomas Kaiser, approached the home of the gunman in the hopes of peacefully disarming him. They knocked and ordered the gunman to open the door. The gunman fired several shots, killing Sergeant Glivar and injuring two other officers—Sergeant Thomas Kaiser and Patrolman John Mackey.

Sergeant Glivar, who was 44, joined the Garfield Heights Police Department in September 1972. He was promoted to sergeant in 1990 and was a supervisor for basic patrol. He was a life-long member of the community, graduating from Garfield Heights High School in 1972. He attended Cuyahoga Community College and John Carroll University. He also served in the Coast Guard and Coast Guard Reserves.

Sergeant Glivar married his wife Debbie in 1983. They had celebrated their 11th anniversary the day before Sergeant Glivar was killed. Glivar always went home for lunch; he was devoted to his wife and family. He is also survived by his mother Helen Glivar, and his sister, Cheryl Janoviak.

Sergeant Glivar loved playing the drums and once played in a band with his late father. He was an avid scuba diver, an amateur meteorologist and had earned a black belt in karate.

Mr. Speaker, this tragic incident began with the shooting of a civilian, John Bryant, who was murdered in cold blood by the same killer who murdered Sergeant Glivar. Mr. Bryant was a 28-year-old man with his life in front of him. He and his girlfriend were walking home from the supermarket when the gunman emerged from a nearby apartment building. The gunman stopped about 10 feet from the couple, uttered a racial slur, and then shot Mr. Bryant in the chest. We cannot find words to express our grief and sorrow at this senseless death.

It is particularly shocking that John Bryant was singled out by this madman because of his race. Mr. Speaker, we know we cannot banish hatred from the hearts of angry men, but surely incidents like this should cause us to redouble our efforts to fight racism of all kinds.

Mr. Speaker, the deaths of Sergeant Dennis Glivar and Mr. John Bryant remind us of our duty to both police officers and civilians in our community. Sergeant Glivar was willing to give everything, including his life, in the line of duty to protect his community. His family, all of Garfield Heights and our community have suffered an enormous loss.

Mr. Bryant's girlfriend, his family and friends, along with Garfield Heights and the entire community have likewise suffered because of Mr. Bryant's death. We mourn with both sets of families and friends.

We can only hope that these senseless acts of violence will teach us all that we must do everything in our power to prevent the killing that we have witnessed in the last few days. We pray with the families of these victims that they will find peace everlasting and that we will work for peace in our own communities on earth.

COMMON SENSE AND THE CRIME BILL

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

Mr. TAYLOR of North Carolina. Mr. Speaker, I am here again tonight to talk about the crime bill and the area of common sense.

Some months ago we did a special order on the area of deception, pointing out what many times this body passes is nowhere close to what the advertisement and the press headlines are about that particular piece of legislation. I recalled, for instance, the \$8 billion that was supposed to be spent for earthquake relief for Los Angeles and all the hype that was given for the earthquake relief for Los Angeles. All of us felt a great deal of concern about the victims of the earthquake, and that \$8 billion was passed. Then we found that almost \$4 billion of it turned out to not even be close to Los Angeles, nor even close to a rumble of an earthquake. It went to Arkansas and West Virginia and various other places. I think one television network did, 3 weeks later, a special on that pointing out how much pork had been rushed in under the guise of being earthquake relief for Los Angeles.

We are finding it here again in the crime bill, or the so-called crime bill. Most of us in this country are seriously concerned about crime. The gentleman who just spoke before me gave evidence of a tragic situation where a police officer had been killed and a citizen before that police officer had been killed and I think all of us sympathize with the family of both of those victims, and we sympathize with victims all over the country. But we need to point toward what counts.

If you read a recent article in the National Review, they did a several-page study on the way we are releasing violent criminals. In fact, they pointed out nationally almost one-third of all violent crimes are committed by criminals on parole or pretrial release. They pointed out the shortness of time one gets for murder, the shortness they get for violent crimes such as assault or automobile theft or breaking and en-

tering. They point out that we are 8 times more likely today to be put on parole for a violent crime than we were 30 years ago in this country for crimes committed.

So those are the areas I would like to see us focus on, rather than focus on a \$33 billion bill that has such questionable crime prevention measures as a \$10 million gift to the chairman of the Judicial Committee's alma mater. It is hard for me to find the crime-fighting aggression there, but it must be. But if you look at the weaknesses of the bill, and that is all I have time to point out at the moment, none of the prison funding in the bill must be spent for prison construction or operation. There is over \$8 billion of prison construction money in the bill, \$1.8 billion of it is money to alleviate the cost associated with incarcerating illegal aliens, so it is not directly construction for new prisons. But even if you take that remaining, a little over \$6 billion, none of that has to be spent for funding prison construction or operation.

Then we look at the truth in sentencing law. The conferees' bill conditions as much as 40 percent of the so-called prison funding on States' implementation in the truth in sentencing and this is what we are talking about in trying to get sentences carried out rather than parole or pretrial release. But they merely have to make progress toward that goal of truth in sentencing, that is, completing sentences. They do not have to really serve the time that they are given.

I think most people in this country want those sentences served, or at least the great portion of them served, and this bill does not do it.

□ 1910

Then, last, we talk about the funding for the 100,000 police officers that has been touted so much. In the first place, that money has already been appropriated this year. It is coming back from conference. It appropriates \$13,000 per officer, one shot, \$13,000.

Most law enforcement agencies say that it will take close to \$70,000 to put policemen on the street. So this \$13,000 will go toward that \$70,000, and from then on the local police have to pick up the cost.

The past chairman of the National Sheriffs Association, a Democrat, has said, and he is in a metropolitan county, he does not intend for his office to use that process because first of all it provides no equipment. Second, it is too bureaucratic, and third, it provides \$13,000 and then leaves them in the county in a lurch for the policemen they may need, and if they had the funds they would already be putting the policemen on the streets, and \$13,000 is such a small impact it will hardly pay for the bureaucratic trouble of the national grant. This is from the National Sheriffs Association, the past chairman, a Democrat.

So Members can see why many of us, Mr. Speaker, are skeptical about this so-called crime bill.

THE CRIME BILL

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

Mr. BISHOP. Mr. Speaker, on Wednesday, August 10, more than 500 law officers from two States came to my hometown to pay their last respects to a Columbus, GA police officer who was gunned down in the line of duty.

Early that Sunday morning, officer Ed Osborne, a 31-year-old, 4-year veteran of the force, made what originally appeared to be a routine pickup of two youngsters violating the local curfew. An officer Osborne took the young men home, a gunshot shattered through the back of his head and took his life. A 15-year-old stands accused of murder and officer Osborne leaves behind a widow, two children, his parents and other family members. Officer Osborne is the 23d member of the Columbus police force to be killed in the line of duty.

In his eulogy, the Reverend Creede Hinshaw of the St. Mark United Methodist Church said:

A hero is a person who wears a uniform and drives a patrol car through the streets * * * who after the city has gone to sleep and after the parents care no longer, is there to take two juveniles home after curfew.

I would add to that:

A hero is a legislator who sets aside political wrangling to provide the necessary protection for police officers who risk their lives each day and night and for the people that legislator serves.

As Members of the House continue to send smoke signals with this bill, we are wasting precious time posturing and playing politics with a crime measure of life-saving importance to each and every individual and neighborhood in this Nation. This is not a measure to be used as a platform on which we should campaign or attempt to weaken the President. This is not a bill we can afford to withhold from the people for even just one more day. As we waste this precious time posturing and politicking, we risk losing more officers like officer Osborne. And we risk losing to our crime-plagued streets more 15 year olds like the one in the back of his patrol car by not banning the sale of handguns to minors who will take somebody's life and at the same time subject his own to a life of imprisonment.

Are the lives of the people we are sent here to represent not sacred enough to set aside the status quo of political posturing and politicking for this life-saving package that will also restore safety and sanity to the streets of America?

This is the first bill of its kind, Mr. Speaker, to evenly distribute funds for punishment, more police officers, and prevention programs. It is the first anticrime bill to come this close to becoming law in 6 years. A balanced approach that evenly provides protection and prevention approaches already tested on the streets will, I am confident, help us reclaim our streets and win the war on crime and is worthy of our approval.

Nevertheless, some Members, particularly from the other side of the aisle, have attacked this bill—claiming its preventive measures are nothing but pork.

For instance, the minority leader, Mr. MICHEL of Illinois, just last week called this measure, and I quote “an unholy trinity of pork, posturing, and partisanship.”

During their rounds on this weekend's network talkshows, we heard Republicans blast as pork the prevention programs such as midnight basketball, and gang prevention grants, which I thought—based on what I was hearing—were nothing but partisan proposals put forth by Democrats.

But what is odd, Mr. Speaker, is that the Republicans, in their malicious attempt to divide this House and sink this proposal, favored these programs less than 1 month ago.

Let's look at the facts. Title 10, subtitle E of the Republican anticrime proposal offered just last month called for \$128 million for, and I quote “sporting and recreational equipment * * * meals * * * an initial basic physical examination * * * first aid * * * and nutrition guidance.” The same subtitle calls for even more money for, and I quote “supervised sports programs.”

And there's more. The same section of the Republican's anticrime proposal calls for, and I quote “sports mentoring and coaching programs in which athletes serve as role models for juveniles to teach that athletics provides a positive alternative to drug and gang involvement.”

First, I want to applaud my colleagues on the other side of the aisle for including these preventive programs. These initiatives show that Democrats and Republicans are in fact on a more common ground than the public seems to have been hoodwinked into believing in terms of finding solutions to the problems that confront America's youth. However, this language runs contrary to this “trilogy of pork” pontification we heard preached by Republicans throughout the past week. Sporting and recreational equipment? Supervised sports programs? Sports mentoring and coaching programs to teach that athletics provide a positive alternative to drug and gang involvement? The creation of boys and girls clubs in public housing? Sounds like midnight basketball to me! In

fact, I don't know whether to be angry or elated. These are the type of programs we democrats have been defending for the last week when in fact they are bipartisan proposals.

Now is the time for Republicans to come out from under the Rocks where they have been hiding—while their leadership has allowed but a few of their leaders to speak their untruths—and accept and endorse the programs they have in fact supported and now run from.

Republicans not only will accept preventive measures like midnight basketball, Mr. Speaker, in fact they have proposed them. However, rank and file Republicans can only support them when their leaders unshackle them from silence and allow them to speak for and embrace what they know is right. To remain muzzled so as to gain political ground and attempt to cripple our President at the expense of our communities, constituents and law enforcement officers is wrong. Republicans, take off your muzzles. Come out and publicly support these preventive measures you have proposed.

Crime is not a partisan issue. Safe communities free from crime and drugs are nonpartisan, and I call on Democrats and Republicans alike to pass this crime bill and restore sanity and security to our streets in the name of Officer Osborne and even the life of the 150-year-old whose life is now lost to life imprisonment.

THE CRIME BILL

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

Mr. BARRETT of Wisconsin. Mr. Speaker, I will vote in support of the crime bill because it is the right thing to do, and I urge my colleagues to respond to the pressure and support this bill.

I am not talking about the pressure exerted by the President. I am not talking about the pressure exerted by lobbyists or special interests, and I do not mean the political pressure whether passage of this bill will be good for one's reelection. Anyone who makes a decision on this bill based on those pressures does not deserve to be back here next year.

I am talking about the pressure we should all feel because there are kids dying in violent ways in the streets of my hometown in Milwaukee and on streets throughout our country. Members of Congress should feel the pressure because the people of our country sent us here because they have faith in our ability to get something done. They did not send us here to use every procedural trick in the book to stop progress on the one issue they have said is most important: to safely walk the streets at night and to feel safe in their homes.

We all know that this bill or any other bill is no panacea. Congress will never be able to fashion a bill that completely obliterates crime, but a comprehensive approach to crime fighting is our only shot at making a difference, and this bill attacks crime from many important angles.

□ 1920

First, the bill would put an additional 100,000 police officers on the streets of America. For my home State of Wisconsin, that translates into another 2,000 cops walking the streets. It is plain and simple, more police on the beats means safer neighborhoods. We all know that.

Second, the bill increases penalties for violent crimes and puts repeat violent offenders behind bars for life. The “three strikes and you are out” provision counts State crimes as the first two strikes, thereby expanding the number of criminals the law covers.

The crime bill toughens penalties for gang activities and drug crimes.

Third, the bill bans the sale and manufacture of military assault weapons. I have heard the claim that the second amendment rights are being violated, but there is no doubt in my mind that following enactment of this law all the citizens of the United States will remain free to exercise their right to bear arms. The second amendment does not give anyone the right to have a big fighter jet parked in their driveway or a nuclear sub in the backyard pool.

I come from Wisconsin where hunting is very important. In fact, it is an integral part of the history, culture, and economy of my State. I have heard claims these weapons are needed for sport. I have studied this bill carefully. I believe it will not prevent hunters and sportsmen from engaging in legitimate hunting pursuits.

With over 650 weapons specifically exempted by name in this legislation, I am confident there remains ample opportunity for hunting and sport.

I have also heard the claims this provision will do nothing to reduce crime. While these weapons make up less than one-half of 1 percent of the firearms in this country, they account for 8 percent of the firearms that can be traced to crimes. The weapons prohibited under this measure are military weapons. They are not designed as toys. They are not designed for sport. They are designed with only one purpose in mind: killing people.

I talked to a constituent in my office recently who is opposed to the ban on assault weapons. He said the number of crimes committed with assault weapons is statistically insignificant. I told him to look in the eyes of a woman whose husband had been killed by an assault weapon, a police officer near our home, and tell her that her husband was statistically insignificant. He could not do so.

Fourth and finally, this bill also funds important crime prevention programs. We have heard a lot in this Chamber about the basketball program. I will tell you that I think the basketball program is a good program. When I look at basketball and what it can do for young people or any other sport, for that matter, I think it can provide positive outlooks.

I recently held a youth summit with the youth in my district and asked them, as the experts on what we could do for them, what they recommended. What they told me is they need positive outlets for their energy. They need positive things to do where they can work with other teens, and if you look at a team sport like basketball or baseball or football or any other team sport, I look at that sport and it teaches teamwork. It teaches hustle. It teaches determination. It teaches effort. It teaches a young person the value of winning, and it teaches a young person that they can get up after losing and go on.

In my mind those are all-American values that I think we should be pushing as hard as we can so that the young people in this country learn how to work with other young people. For me that is very important.

The United States has a higher incarceration rate than any advanced nation in the world. That tells me that the answer to our crime problem goes beyond just tougher penalties. It tells me there is something fundamentally wrong with the way many of our children are growing up.

Again, we have to provide ways to prevent them from committing crimes in the first place, and by having programs like the basketball program we can do so.

Many of these prevention programs are designed to provide positive alternatives for our youth. Included in these programs are education, job training, drug treatment, mentoring, and recreation initiatives. These activities do not coddle criminals at all. Rather, they seek to prevent children from growing up and becoming criminals.

We owe it to the American people to pass a crime bill. What higher responsibility do we have here than to work together to improve the safety of American families?

I respect the right of Members of Congress to disagree with some of the provisions of this bill. I don't agree with everything in it either. But Members of Congress must not abdicate their responsibility to work together to put new Federal laws on the books that put criminals out of business.

Let's stop playing politics with the crime bill. Let's show the American people we can work together to get something done for them.

THE CRIME BILL: PREVENTION PROGRAMS ARE NECESSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, as we debate the crime bill, it is critical not to lose sight of the purpose—to act upon the causes as well as the effects of crime.

This crime bill is not a perfect bill and there are things in this bill that I do not support—such as the 50 additional death penalty offenses, the three strikes and you're out; and the omission of the Racial Justice Act. But in spite of these limitations this bill has value for the American people and their communities; it includes law enforcement, jail construction, stricter sentencing, and prevention resources.

Some of my colleagues would have you believe that the only way to fight crime is to build more jails and more jails. We do need more jails and at the rate we are preventing crime—we will need many more jails, more jails than the Federal budget can support.

It is all well and good to spend the taxpayer dollars upon construction programs for additional prison space nationwide to house those already convicted of a crime. However, some on the other side of the aisle would have you think that all prevention programs are pork, frivolous and unnecessary, but why should prisons be the only beneficiaries of the Federal funding appropriated through this legislation?

I do not believe that tack to be in the best interest of the Nation. The cost-benefit analysis reflects that the smart and prudent legislator should support prevention programs because they give the most bang for your buck. It costs the State of North Carolina over \$24,000 a year to incarcerate a prisoner while it costs the Federal Government over \$20,000 dollars per year to incarcerate a prisoner—that \$20,000 is more effectively spent, I feel, in efforts to keep our youth from becoming criminals in the first place through educational programs, training programs, after school programs, boot camps, and recreational programs, including basketball leagues during the day as well as the evening.

Given the rate of construction jails—that seven billion dollars designed for prevention only goes so far—it will only pay to incarcerate 350,000 people—a finite number—the funds, if spent on prevention programs, have the potential to reach millions more of Americans—as well as to make them productive members of society, free, contributing to their Nation—not in jail, supported by society. Thus, I believe it is in our Nation's best interest to reach out and help as many young people as we can, and that is through prevention programs.

Ms. FURSE. Mr. Speaker, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Oregon.

Ms. FURSE. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, yesterday I looked into the eyes of two people whose loved ones were gunned down by a madman with an assault weapon. Mr. Speaker, we need a strong crime bill.

I would like to ask people: Do not listen to the talk-show hosts. What do they know about law enforcement? What do they know about crime prevention? Do what I do, talk to the experts, the police chiefs, the sheriffs of the First District of Oregon. They support this crime bill. Listen to those who dedicate their lives to protecting our communities.

I ask my colleagues, let us not posture on this bill. Let us legislate. That is what we are paid to do.

□ 1930

HEALTH CARE REFORM: REMARKABLE EROSION OF SUPPORT AMONG MIDDLE-INCOME AMERICANS

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

Mr. COX. Mr. Speaker, there has been a remarkable erosion of support among middle Americans, that is to say Americans of middle-income, for the Clinton health care bill and for the Clinton health care bill in its legislative form in the other body, where it is the Clinton-Mitchell bill, and in the House, where it is the Clinton-Gephardt bill. The same phenomenon occurred last year during consideration of the Clinton tax bill. During the 1992 campaign as a candidate he talked about middle-class tax cut, but in fact we know how quickly that evaporated once we got down to brass tacks. Instead this Congress pushed through the biggest tax increase in American history, one that directly impacted the middle class, for example, seniors receiving Social Security making \$14,000 got a 70-percent effective rate increase on their Social Security benefits. That is how much their income taxes went up on Social Security benefits.

That record-breaking tax increase passed by the Congress will pale in comparison to the Clinton-Gephardt bill that we are likely to take on here in the House, although it is difficult for us to talk about it as Members of Congress because while we have looked at the press releases and press statements about the bill, we are still waiting, we are still waiting for a bill even though we are just days away from adjournment. And the Congress hopes to act on

health care before we adjourn. But we do not have a bill. The Congressional Budget Office has not been able to give us an estimate of how much precisely in the way of new taxes the bill contains and precisely how much in the way of new spending the bill contains. We simply have not read it. This is more than a trivial point. Health care comprises one-seventh of our Nation's economy. It is also on a more personal level a matter of life and death for every American. One would think that a new health care plan prescribed by the Federal Government for the whole country would therefore be the most carefully studied document since the Constitution. But instead when, as, and if this Congress and House get around to seeing and voting on a bill, we are going to find that Members have not had a chance to read it, that in fact when we vote Members will know more about O.J. Simpson's blood type than they will about the content of our own health care legislation. But we operate necessarily in an environment of uncertainty. We do not have a bill, but we must debate what it is we anticipate because after all the vote will be upon us and that will be it and we will have an election. We must adjourn at some point, and that point is arriving rather quickly.

Why are people skeptical of what they have been seeing? The Heritage Foundation did an analysis of the Clinton-Gephardt bill as it was released. What they found is that the new taxes, and there are many of them in the Clinton-Gephardt bill, would amount to \$42.6 billion in the first full effective year of the plan in 1999, on top of the current costs on the system. People who are saying these new taxes are only going to displace existing health care costs or somehow limit the growth of health care costs must face this fact; \$42.6 billion in new taxes will be imposed by the Clinton-Gephardt health care bill on top of our current estimates for how much the existing system is going to cost.

Now, the average additional tax burden per individual as a result of the Clinton-Gephardt bill, according to the Heritage Foundation is \$430 per individual on average. The Clinton-Gephardt bill unquestionably is going to offer Americans less choice. It does not quite do justice to the fact to say less, almost none compared to what presently an insured American has available.

Congress and the Federal Government are going to prescribe a standard health care plan. And that is going to be the norm for the country, like it or not. If your existing plan is different than the standard plan, if you continue to get those benefits, you will pay a tax, not only will you pay a tax but your employer will pay a tax. The new taxes imposed by the Clinton-Gephardt bill are going to be split 80 percent by

the employer and 20 percent by the individual. So 20 percent of these new taxes will come directly out of the paycheck of the American worker. There will be far more bureaucracy in this plan because for a substantial part it is going to rely upon something called Medicare Part C. Medicare Part C is, in effect, a Government-run insurance plan that will extend, together with the existing Medicare program to over half the entire population or to about half the entire population, according to our best estimates. Half of the American people at that point will be getting their health care from a Government plan, as compared to the current system.

The more Americans learn, it seems the more likely they are to realize that instead of providing Americans with greater health security the Clinton/Gephardt plan, Clinton/Mitchell plan over in the other body, and whatever congressional cousins are aboard or are just now being written in so many different staff offices, will create greater uncertainty, especially for middle-income Americans. Middle-income Americans will pay more in both taxes and health care premiums for less in both taxes and health care premiums for less in both quantity, availability of health care and the quality of that care. Why will they be paying more in premiums? We discussed why they pay more in taxes under the Clinton/Gephardt bill, why pay more in premiums, because of the community rating system. That is where factors like age cannot be taken into account. Senior citizens incur about 4 times on average in the way of health care costs as younger working Americans. If you are under 45 years old, you will have a steep increase in your health care premiums under a community rating system. So for all Americans under 45 years old, the Clinton/Gephardt plan, the Clinton/Gephardt health care plan, is going to represent a big increase in premiums on top of the payroll tax increase. It is not surprising then that the strategy of the Democrat leadership is to, in the words of Senator ROCKEFELLER, pass health care regardless of the views of the American people. I would hope we would not handle it that way. I do hope instead of a legislative version of blindman's bluff we will get at least 30 days to read any health care bill that will come forth for a vote.

DO NOT CHANGE THE CRIME BILL

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

Mrs. MALONEY. Mr. Speaker, yesterday, I was privileged to stand side by side in New York City with the Attorney General of the United States, Janet Reno, the Governor of New York,

Mario Cuomo, the police commissioner of New York City, William Bratton, the U.S. attorney for the southern district of New York, Mary Jo White and my colleague CHUCK SCHUMER, to urge the House to pass the omnibus anti-crime bill with the ban on assault weapons.

I want to congratulate President Clinton and Attorney General Reno for their strong fight to pass the crime bill.

Clearly, in New York and across the country, guns and crime are out of control.

Most New Yorkers have feared for their lives at one time or another.

A few years ago, three armed thugs broke into my home, physically attacked my daughter, my husband, and me.

We escaped that attack with our lives.

Others have not been so lucky. Many of us remember all too well the horrible attack on religious leaders driving across the Brooklyn Bridge.

This attack was carried out by a crazed man with an assault weapon; a weapon that the crime bill would ban.

Crime is so bad that one of New York's daily newspapers publishes a daily count of how many of our citizens were shot and killed the day before; 621 have been gunned down this year; 5 people were killed on Monday. One was a 13-month-old infant shot to death while he slept in his mother's arms.

But last week, the House turned a deaf ear to those victims and their families by rejecting the Federal crime bill on a procedural vote.

The crime bill contained more than \$30 billion in Federal aid to localities to fight and prevent crime.

After 12 years of declining Federal aid to the cities under previous administrations, this crime bill is undoubtedly one of the best pieces of Federal legislation for my city in more than a decade.

And I want to congratulate Mayor Giuliani, who was here in Washington today to fight for this bill, for recognizing that there is no Republican or Democratic way to fight crime.

Thanks in part to the mayor's input, the crime bill would provide millions of dollars to upgrade police equipment and computer systems and pay for overtime costs. This will allow more cops to get out from behind desks.

The crime bill will provide millions for new prison construction. This will ensure that the bill's truth-in-sentencing provisions can be enforced so prison will not be a revolving door.

The bill will root out crime with prevention programs, including keeping schools open after hours and on weekends, and providing job training and job creation in high-crime areas.

To fight domestic violence, the bill will fund the Violence Against Women Act. Right now, if you assault a stranger, you go to jail. If you assault your

spouse, you get therapy. The Violence Against Women Act brings an end to this backward system. It provides new Federal penalties for interstate spousal abuse and stalking.

And it includes provisions to train the police in how to deal with domestic violence.

Out of 178,000 radio calls to the police relating to domestic violence, less than 7 percent result in arrests.

Clearly, we need to train our police better than we have been doing. This crime bill will accomplish that goal.

The bill will fund model intensive grants that enable high-crime areas to implement comprehensive and intensive anticrime efforts.

The bill requires mandatory drug treatment for prisoners; almost every expert agrees that drug rehab drastically reduces the number of repeat offenders.

The bill requires drug courts for non-violent drug offenders, freeing up court space for trying violent crimes.

The bill creates local partnership grants that will provide Federal support for the unique, successful programs developed by each community to combat crime within its jurisdiction.

This is not pork, it is prevention. And those who refuse to distinguish between the two are engaging in the most cynical kind of politicking.

Mr. Speaker, some people say that the crime bill needs to be changed so that it will pass.

Some have suggested stripping the assault weapons ban out of it. I say no, a thousand times no. It is a travesty that a narrow special interest, far out of step with the will of most Americans, is able to block this provision. If this Congress is unable to take assault weapons off the streets, then we should fly the white flag of surrender over the Capitol dome instead of the Stars and Stripes.

I think this bill does not need to change. It is Congress that needs to change.

It would be a crime to vote against it.

□ 1940

PASS THE CRIME BILL

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

Ms. MCKINNEY. Mr. Speaker, the crime bill has been kidnaped. The toughest, most balanced plan this Congress can pass has been hijacked and held hostage by the special interest terrorists. I want to take this opportunity to salute the brave Republicans who stood up to an enormous amount of pressure from the NRA and from within their own ranks. They put partisanship aside and did what was right for this country.

I am sure that those who voted against the rule had their reasons. The American people should make the distinction between those who voted against the rule out of moral objection to the death penalty and those who voted against the rule out of fear or partisan politics.

The forces that have kidnaped the crime bill threatened individual Members where it hurts the most, in their bid for reelection. There were threats to cut funding and run real Republicans against any that voted for the rule. The American people need to know that the crime bill is being held hostage by the propaganda of partisan politics.

The kidnapers' ransom note says that they want to cut the prevention money that goes to programs like midnight basketball, gang prevention grants, and other programs that get at the root causes of crime in our young people. The kidnapers believe that the only way to solve crime in America is after the fact. In other words, a crime has to be committed and that person be caught before anything can be done. The ransom note should read, "We don't want children to have a book or basketball in their hands. They should have a Uzi or an AK-47 instead."

By delaying this crime bill the special interests have done more than put our children at risk. They have kidnaped the Violence Against Women Act, the child pornography provisions, rural drug enforcement grants, the death penalty provisions, 100,000 new police officers, and the prevention programs. As many as 100,000 new police officers will be the first line to prevent crime. Police Chief Dan Norris of the Monticello Police Department wrote to me about the need for additional police officers to help turn the tide of the drug war in Jasper County. What am I to say to Police Chief Norris and my constituents that live in the crossfire? Sorry, your policemen have been kidnaped?

There has been a lot of talk about this crime bill being a social spending bill. Let us look at the facts and let the American people decide: 72 percent of the money in the crime bill will go to police and prisons. Another 13 percent goes to programs like the violence against women and drug courts. The prevention programs add up to less than 15 percent of the entire bill. So, contrary to the Republican line, this bill is not laden with pork. This bill is carefully crafted with an ounce of prevention and pound of punishment.

Now I would like to thank the Members of the freshman class of the 103d Congress for joining me here tonight in support of the crime bill. I would like to thank the freshmen who participated in this series of crime bill special orders: The gentleman from Georgia [Mr. BISHOP], the gentleman from Wisconsin [Mr. BARRETT], the gentleman

from Ohio [Mr. FINGERHUT], the gentleman from North Carolina [Mrs. CLAYTON], the gentleman from California [Ms. ESHOO], the gentleman from New York [Mrs. MALONEY], and the gentleman from Oregon [Ms. FURSE]. I would also like to take a moment to congratulate the gentleman from Texas [Mr. BROOKS], the gentleman from New York [Mr. SCHUMER], Chairman BIDEN and all of the Republicans who worked in good faith to pass this crime bill. This hour has been dedicated to the young people and their parents, to the policemen and to all Americans who live every day and night in fear and who merely want to feel safe once again.

Mr. Speaker, America deserves this crime bill. We encourage our colleagues to hear us, to hear the pleas of average, ordinary Americans and pass this crime bill.

THE HEALTH CARE BILL

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

Mr. RAMSTAD. Mr. Speaker, even though the official debate on health care has not begun in the House, it is extremely important to provide the American people with as much information about this legislation as possible.

American families and businesses will experience a dramatic change in the way they receive and pay for health care if the Clinton/Gephardt bill is adopted.

Despite claims by the Clintons that their proposal—reincarnated in the Clinton-Gephardt package—is designed to help middle-income people, a commonsense analysis of the plan shows that is simply not true.

In fact, instead of improving the health insurance and financial health of middle-income families, the Clinton-Gephardt bill provides expensive and inefficient coverage for a relatively small number of people, charging hard-working, middle-income Americans for the massive program.

As economist Martin Feldstein noted in a recent Wall Street Journal column:

If President Clinton really wanted to help middle-income people, he would focus on the health insurance issue that he knows is its primary concern: the ability to maintain existing coverage after a job change or the loss of an employed spouse.

Instead, the Clintons and the Democrats in Congress have devised a system that forces the employers of middle-income Americans to provide costly insurance policies designed by Congress or Federal bureaucrats.

Imposing this implicit payroll tax on employers and employees will hit small businesses—which shouldered the bulk of the Clinton tax hike last year—especially hard.

It does not matter whether employer mandates are employed now or triggered at some point in the future—they are wrong.

Even with employers paying 80 percent of premium costs, employees will be left to pay substantial premiums out of their own pockets because the plan mandates such a benefit-rich health care policy.

For the typical married couple, the required out-of-pocket premium would be \$872 a year. The administration itself has acknowledged that more than 40 percent of Americans could face higher out-of-pocket premiums under the Clinton plan than they do today.

The high-priced benefit package that the Clinton-Gephardt bill would force all Americans to buy would also reduce wages as employers would be forced to find a way to cover cost of the more expensive plan.

But as study after study has shown, the impact on middle-income workers will not end with lower wages. A recent JEC compilation of studies shows that an employer mandate—like the one the Clintons are trying to sell the American people—will kill jobs outright.

While the studies vary widely in their methodologies and assumptions, they all point to massive job loss. According to the survey, those at greatest risk of losing their jobs are low- and middle-income workers.

The cost of the proposal—seen in both lower wages and higher out-of-pocket costs—will hit young Americans just entering the work force and those beginning families particularly hard.

Mr. Speaker, instead of adopting a jobs-destroying, government-controlled health care plan, we should enact meaningful reform which includes malpractice reform, a reduction in administrative costs through streamlining and eliminating unnecessary duplication, and relief from many of the burdensome State mandates.

To expand access, we need to equalize the tax advantages of buying insurance, provide tax credits for low- and middle-income taxpayers, and vouchers for the very poor to purchase insurance.

In addition, everyone should be allowed to save, tax-free, for future medical expenses. Through a medical savings account, individuals and families could save for minor medical costs such as annual checkups and minor illnesses and purchase a catastrophic insurance policy for major expenses.

Mr. Speaker, as we begin the debate on this critical subject, we must keep in mind our overriding goals.

Instead of adopting policies that rob hard-working middle-income Americans through higher taxes and premiums, we need to act responsibly to give all Americans security and work to expand coverage to those who do not have it, without jeopardizing the quality of care now available.

□ 1950

HEALTH CARE REFORM AND THE MIDDLE CLASS

The SPEAKER, pro tempore (Mr. FARR of California). Under a previous order of the House, the gentlewoman from Ohio [Ms. PRYCE] is recognized for 5 minutes.

Ms. PRYCE of Ohio. Mr. Speaker, when the American people voiced support for the President's call for health care reform, I joined then but, they didn't mean they wanted to pay more

to receive less. But, that is just what will happen under the Clinton-Gephardt plan to "reform" our Nation's health care system. In fact, this attempt to expand coverage to the 15 percent of Americans who are uninsured, will leave the vast majority of Americans who already have insurance coverage far worse off. These Americans, largely referred to as the middle class, will pay more for less care, less choice, and less quality under the Clinton-Gephardt proposal.

By requiring employers to pay for up to 80 percent of their employees' health insurance premiums, the Clinton-Gephardt bill poses an enormous economic threat to the middle class. Let's be honest. Employees don't get a free ride when employers are forced to pay for benefits they can't afford. As employers struggle to pay for yet another costly government mandate, they will reduce wages for middle-class workers and raise prices for middle-income consumers.

While the middle-income Americans and hardworking employers pay more, low-wage firms and low-income employees will be subsidized under the Clinton-Gephardt plan. Low-income workers might be better off, but the middle class will pay for it in the form of lower wages and increased taxes. Is this the reward for working hard and playing by the rules? We want to restore the American dream, not tear down what's good and right and honest.

Not only will the middle class pay more for their own coverage and the coverage of others, they will get less. The Clinton-Gephardt bill will restrict choice for middle income Americans, requiring every person regardless of age, sex, and income, to purchase a one-size-fits-all, government-defined benefits package. That means the Government will force even those Americans who are happy with their insurance coverage to pay for benefits they may not want or need. Don't we have enough bureaucracy? Our Government is already too big and spends too much. Why are we even considering allowing it to expand?

Perhaps most troubling is that the middle class, and all Americans for that matter, will be forced to accept a reduced quality of care under the Clinton-Gephardt bill. You see, their bill would place a limit on the amount that Americans can spend on health care, including medical and pharmaceutical research and development. Simply stated, there will be less money available to provide more medical care to more people. In order to pay for the increased demand, the middle class will be forced to spend more and receive less.

Canada's attempt to impose spending limits has had tragic results. There are countless stories, but I have in my hand a letter from one of my constituents who recently visited Niagara

Falls, Canada. Mr. Anders was unfortunate enough to have had a small stroke during his stay there. He went to the local emergency room but, he received no treatment or care in this Canadian emergency room where he was left alone in seizures totally unattended for over 4 hours. You see, the hospital had more patients than beds and was extremely understaffed. Upon finding out that he was an American, a doctor advised Mr. Anders that he could be transferred to the United States where "they have good health care." In my view, and the view of Mr. Anders, the United States doesn't have a crisis in health care, Canada does.

Mr. Anders says this in his letter:

I think every liberal that wants a single payer system should spend a night with a stroke in a single payer system.

Mr. Speaker, clearly the President and the democratic leadership are out of touch with middle-class Americans. These folks don't want to pay more to receive less choice, less quality, and less care. They want health care security so that they can keep the care they already have.

Fortunately, there are alternatives to the Clinton/Gephardt bill. These proposals, including Republican and bipartisan bills, address the real needs of Americans, making health care and health insurance more affordable and ensuring that coverage can never be taken away due to illness or a change in jobs. Consumers will continue to have choice and quality without new taxes, without increased bureaucracy, or without rationed care.

THE BUDGET SHOULD BE BALANCED

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

Mr. KINGSTON. Mr. Speaker, the budget should be balanced, the treasury should be refilled, public debt should be reduced, the arrogance of officialdom should be tempered and controlled, and the assistance to foreign lands should be curtailed, lest Rome become bankrupt.

These words were written by Cicero in Rome in 63 B.C. Yet today they still are instructive to the United States Government. And I would like to tell you that I am an intellectual erudite who reads these kinds of things in his spare time, rather than Michael Crighton and Tom Clancy, but I do not want to say that.

This letter was sent to me by a man named Thomas McCaw, of Corpus Christi, TX. And why a gentleman from Texas would be writing a Representative from Georgia who he cannot vote for and really in most cases letters like this get thrown away, at first puzzled me.

Then when I think about it, I think about the public debt and the country.

You know, we are elected from one district, but we are not elected to represent that district only. We are elected, all 435 of us, to represent the United States of America. And the public debt is everyone's business. There are 435 of us who must have a plan, individually or collectively, or in a unified approach, to balance this debt and do something about it.

Now, Mr. McCaw in his letter said the Roman Empire took four centuries after Cicero's prediction to become bankrupt. With modern communications, the USA will require less than four decades. You can stop this by matching outgo with income, paying off the debt, eliminating your excess expenditures, and eliminating all foreign expenditures.

Well, of course, one of the things we debate about is how we spend money and what is excessive and what is not. I think if you go back to his first point, matching the outgo with the income, one of the things that I have learned as we debate the budget and the debt is that in 1980, the total revenues were about \$500 billion. Today I believe they are about one million. During that time, unfortunately, we have outspent the revenues every year, including this one, and this one we are going into. Certainly during that period of time, there were Republicans in control of the White House, but the Democrats were in control of Congress. The Republicans and the Democrats had joint control of the Senate.

So anybody who says it is a Ronald Reagan legacy or it is a Bill Clinton phenomenon is fooling his or herself. This is an American problem. It has been going on in a bipartisan fashion now ever since I believe 1969, when we had the last balanced budget under President Richard Nixon.

We need to deal with this thing. We are dealing right now with crime, it is front and center stage, health care is center stage. But as we make these decisions, we have to say, OK, the crime bill is good or bad, but we also always need to ask who is going to pay for it and how.

Health care, a lot of proposals are on the table right now. Some of them call for massive new taxes, some of them call for cuts in Medicare. But they all call for new spending.

As we look at \$4.4 trillion and realize that each year we have a deficit we are adding to that debt, we need to do the responsible thing and make sure that the centerpiece of every bill that we look at, every piece of legislation, is how it is going to affect the deficit and how it is going to affect the debt.

So as we have these important debates going right now, Mr. Speaker, I thought it was important for us to be mindful of our debt, and the people like Mr. McCaw from Corpus Christi, TX, and the fact that I have 589,000 people in the district that I represent is im-

portant, but what I guess is more important is the 260 million across America that will be paying that debt, either by being forced to or by default or voluntarily. But we as Members of Congress need to take the lead.

THE CRIME BILL

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

Mr. SHAYS. Mr. Speaker, I would like to talk about the crime bill during my 5 minutes. I would like to express some real concern that in the process of debating this bill, a lot of misinformation has been discussed that has really I think distorted the issue. Candidly, I have tremendous concern that in the end what we have been doing is bashing up on the cities.

□ 2000

I believe we need a crime bill. I believe we need to have a strong law enforcement component. I believe we need more prisons. I also believe that we need a preventative part to this legislation.

I represent a district that includes some of the wealthiest in the country, and yet it has one of the poorest cities in the country, Bridgeport, CT. A few years ago it attempted to go bankrupt. It simply was running out of resources. And it is coming back from the brink, and we are real proud of what Bridgeport is doing.

But it is really a tale of two cities, a Fairfield or a Greenwich and a Bridgeport. In my suburban communities, it would be hard for many constituents to imagine what it is like to raise a kid in an urban area like Bridgeport. During the Memorial Day parade, I had the incredible pleasure of marching in the parade at Fairfield, and there were so many people on both sides of the street.

It was about 2 miles in length. It was just filled with people. And we were at the beginning of the parade. By the time the parade ended and when I had reached the destination, I got to review the rest of the parade. It went on for about 2 or 3 hours.

The parade consisted of one group of children after another: Indian guides, Boy Scouts, Girl Scouts, soccer teams, little league teams, football teams, just a plethora of organizations for young people.

That would not happen in my city of Bridgeport. There would not be this kind of community involvement. There would not be these kind of activities for my young kids.

In a town like Fairfield, the young children have to decide what not to do. Their problem is getting overloaded. In a city like Bridgeport, when a kid is out after 2:30 at school, there is simply nothing for him to do or her to do.

There are no activities at all. If you go to a public housing project, you might see an improved situation because we are improving this public housing. But inside you will see a mother trying to make a home. But on the door will be padlocks and chains. The kids are arrested at night.

I just make the point to you that I believe with all my heart and soul that we need to build more prisons and we need more police. And I argue for that and I want it part of the bill. But I just do not see how we can leave out the preventative side of this legislation. We simply have got to deal with the young people in these urban areas.

So there have been tremendous complaints about what is on the preventative side. I take strong exception to those who talk about it as being pork. The general public has accepted this is more of a pork bill than a crime bill.

In judgment it is a crime bill with some strong preventative measures. I just plead for this country to have some sense that we have got to deal with our young children in our urban areas.

I weep for our kids in our urban areas. And if this debate is about pork and it forgets about the kids in these areas, one of the things that just amazes me, it is true, the bill grew by the time it went for the Senate, from the Senate to the House to the conference. I mean, it was 27.8 in the House. And by the time it came back from the conference, it was 33. But I submit that the 33 was not in the preventative side. It is not on the side that it has been accused of having all these programs that people, some people, particularly in suburban areas, do not want kids in urban areas evidently to have.

I just make the point to you, those numbers did not go up. What went up in the bill from the House to the conference was 5.5 in law enforcement to 13.9. What made the bill more expensive was more law enforcement and not preventative.

I just conclude by saying that I just hope in the next day or two we get to focus back on how we can deal with crime both from an enforcement and a preventative side and what can we do to help our cities. The mayors came down and they presented their case. They are in there. They are working day and night on these issues. Congress cannot turn a deaf ear to it.

EXTENSION OF GSP BENEFITS TO BELARUS AND UZBEKISTAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103-293)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without

objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

I am writing to inform you of my intent to add Belarus and Uzbekistan to the list of beneficiary developing countries under the Generalized System of Preferences (GSP). The GSP program offers duty-free access to the U.S. market and is authorized by the Trade Act of 1974.

I have carefully considered the criteria identified in sections 501 and 502 of the Trade Act of 1974. In light of these criteria, and particularly the level of development and initiation of economic reforms in Belarus and Uzbekistan, I have determined that it is appropriate to extend GSP benefits to these two countries.

This notice is submitted in accordance with section 502(a)(1) of the Trade Act of 1974.

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 17, 1994.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FARR of California). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Oregon [Mr. WYDEN] is recognized for 60 minutes as the designee of the majority leader.

HEALTH CARE

Mr. WYDEN. Mr. Speaker, I intend this evening to focus my remarks on health care. But before I go to those comments, I just would like to come back to the extraordinarily gracious and important statement that we have just heard from the gentleman from Connecticut [Mr. SHAYS].

CRIME BILL

It seems to me that in this time of really over-heated rhetoric and extreme partisanship, what the gentleman is really trying to do is heal and bring together Members of both political parties so we can get a good crime bill passed.

I think what he has done is exceptionally important, because I am of the view that you only get to write a perfect crime bill in your dreams. The fact of the matter is, we will never have a crime bill in this institution that is not opposed from one quarter or another. That is always going to be the case.

So what we are going to have to do is look to the best in the law enforcement area and put a special focus on more police. My community has one of the country's most innovative community policing programs. This legislation lets us build on that.

We ought to focus, as the gentleman has, on additional prison space, be-

cause that is an important deterrent. And we also have to focus on preventive kinds of services.

We know, for example, and the gentleman represents an urban area, as I do, that crime feeds on poverty and despair. And so when you have an opportunity for good preventive programs, for example, that train young people, for employment in the private sector, it seems to me, as the gentleman from Connecticut has just indicated, what the Congress ought to do is move and move quickly to pass that legislation and make those resources available to the American people.

We know that the Federal Government does not have all the answers to the crime problem. But what we know is that the Federal Government can be a better partner to local communities.

I yield to the gentleman from Connecticut [Mr. SHAYS] for a few additional moments of discussion on this matter, because what he has done, in my view, is especially important at this time, as Congress looks to possibly adjourning for the summer recess, but doing it in a way that ensures that before Congress goes home, a strong crime bill, built on tough deterrence, so that those who perpetrate violence on our streets are dealt with, but also a bill that focuses, as the gentleman has correctly said, on preventive programs, such as job training that can get our young people in the private sector.

I yield to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding and also to have a bit of a dialog.

I just do not think we can emphasize enough that there is almost \$14 billion for what we would call straight law enforcement, cops on the beat. Policemen went up in the House bill to the conference \$5.4 billion.

The overall bill went up 5.6. It is true there was a reduction of about \$3.5 billion from prisons, but we still left over \$10 billion for the construction of prisons.

My problem in our State is not the building of prisons right now. It is how do we pay to operate them once they are built? We have so many. But we do need to make sure that people who are sent to prison stay there, and we need to help local governments as well as State governments.

I believe strongly, as I know the gentleman does, that law enforcement is essential.

□ 2010

There are some of us who would like to see the sexual predator bill put back in, which passed the House, and the issue of rape penalties, which also passed both the House and Senate.

We would like to see some reduction in this bill, because as the gentleman points out, this is not a perfect bill. We

had our day. The rule failed, and there has to be some adjustment. The question is, where do these adjustments go?

I just do not want the whipping boy to be the programs that are preventative, that are absolutely essential to helping young children have meaningful activities. I cannot emphasize enough that our children in our suburban communities have the opportunities they have to lead constructive lives, plus in many cases they have two-parent families, and in our urban areas we see a big difference.

I think both you and I could agree that to some measure the welfare state has failed us. I certainly think 12-year-olds having babies and 14-year-olds who are selling drugs and 15-year-olds killing each other and 18-year-olds that cannot read their diplomas is in part the legacy of the welfare state, but that is not something we can solve in this bill.

We have a short-term need to address activities, meaningful, whether they are employment, recreational, tutorial. After-school programs in Bridgeport do not exist unless we have some help from either the State or Federal Government. If we have that kind of help, the gentleman will see many of these young kids who find themselves choosing to be part of a gang for fellowship and protection choosing to reject it.

Mr. Speaker, my sense is the gentleman's point is well taken. We will not find the perfect bill. In our dreams we will, and we could write it, and probably our bills would differ, but I would just like to see the rhetoric of bashing the municipalities, bashing programs that we know are working—and in some cases, we are not creating these new programs. They exist. We are taking programs that work.

Midnight basketball has taken a great hit. It starts at 9 o'clock. You cannot participate in these programs unless you are willing to hear a lecture from the police chief or a police officer or a social worker or someone who wants to talk about job opportunities, getting these young kids to dream. I would like to think that someone would choose to be in their community with activities, instead of be in jail because there are activities there.

I really thank the gentleman for yielding, and also for being so extraordinarily generous, which is kind of the way in this House, sometimes. I just want the gentleman to know I have tremendous admiration for him and his kindness in having this dialog.

Mr. WYDEN. I thank my friend. Let me just pick up for a moment on a couple of the points the gentleman has made, and continue this a bit.

First, Mr. Speaker, I think the gentleman is absolutely right about the importance of the sexual predator provision that is being discussed. I think many of us are especially concerned about this. We see these kinds of problems across our country. They are not

isolated and rare aberrations. I as a Democrat am very hopeful that it will be possible to get that addressed in the bill.

Mr. Speaker, I would also like to talk for a moment on the point the gentleman has made about the importance of these after-school programs for young people who are at risk and are getting involved in gangs.

What we know, and there is substantial evidence on this, is that a lot of the young people that are getting in trouble, that are getting caught up in the gangs and involved with drugs and violence and sexual promiscuousness and all of the problems that we see our young people facing, they go home to an environment where there is no parent there. Very often these are single-parent households. You have a parent, for example, struggling very often at two jobs until 7, 8, 9 o'clock at night.

Mr. Speaker, at home in my hometown, in Portland, OR, the schools get out at 2:30, 3:00, somewhere in that vicinity. You do not have to be a rocket scientist to figure out that if the youngsters have nothing to do between 3 p.m. and 8 or 9 o'clock in the evening when the parents get off work, that that is an invitation to trouble, an invitation to the kinds of gang activities and drugs and violence that the gentleman is talking about.

Mr. Speaker, I am very pleased that he has hammered at the idea of after-school programs. To tell you the truth, I would like to see this country go far further in terms of after-school programs.

We have in my district a situation where in a number of schools, the students that are doing well, that have been lucky enough to come from good families and good upbringing, they actually stay after school and help the youngsters that have not been so fortunate, help the youngsters with anti-drug counseling and things of that nature. I am told by school administrators that in our district, if they could have a faculty member even part-time to go even further in the after-school programs that the gentleman is talking about, that that would save us a whole lot of money down the road in terms of welfare, public assistance, juvenile justice, these kinds of problems.

I am happy to yield further to the gentleman from Connecticut.

Mr. SHAYS. You have hit it. In the city of Bridgeport we have a school called Longfellow School. The principal, with the community and some of the parents and some of the adult organizations, set up a Saturday school program. They were curious.

They said: "We are going to have some academics and we are going to have some more recreational kinds of activities. They might learn karate, they might do dancing, but they will learn how to look for a job. They will learn skills about why it is important

to show up on time and so on, things that some might just take intuitively in your own family environment, you pick it up."

They were amazed with how many young people signed up. There were so many, there were hundreds of young kids who signed up for this program on a Saturday, to come to school. They were in school Monday through Friday, and yet they wanted to come to school on Saturday and do academic programs, but they also did other things, like chess. I have to tell you, one of the great joys was to see this chess team play one of the suburban schools and win. It was really precious to see that.

It is also touching to see a very well-dressed, well-trained suburban football team, and then see one of the urban schools come and play them. They do not have the uniforms, they do not even have a bus. They come in sometimes in cars, or in a few vans, and I saw a few of these kids after they had lost pretty badly to the suburban team have to hitchhike back to their school district.

Mr. Speaker, I just have to tell you, I felt so darned guilty with the fact that we have allowed this debate to deteriorate to the point where we are forgetting what we are talking about. It is like someone, all they have to do is say "pork, pork, pork"; they do not have to document—they do not have to talk about it. They can give people the feeling that this bill became expensive because of pork.

If they are talking about why it became expensive, the reason it did was all the enforcement side. I am repeating myself, but the preventative side stayed at about \$6 billion.

Mr. Speaker, I just thank my colleague for giving me this opportunity to have more than 5 minutes, because I needed that, and I just think that those of us who represent urban areas have got to be more willing to speak out about this. It is almost like because you don't like to spend a lot of money, and I vote to cut a lot of programs, we have got to be willing to step up here and say "enough is enough."

We have got to pay attention to what is happening to our urban areas. We have got to realize that you need strong enforcement, you need prisons for people who break the law, and you need preventative activities to get these kids to be productive members of society.

If I could just indulge a little more on the gentleman's time. I would like to say that ultimately I think the solution of the cities is not all that complex. We need to rebuild them, not bail them out. We need to bring businesses back into our urban areas so businesses can pay taxes and create jobs. That is what we have to do, but we cannot do that overnight.

In the meantime, let us start with some of these programs, which are not

new, which are working, which are out there. There just need to be more of them.

Mr. WYDEN. The gentleman is absolutely right. There is no question that effective anticrime programs in the inner city are a prerequisite to growing businesses. It is not very likely that folks are going to locate or folks are going to be willing to put risk capital on the line for expansion if they fear that their employees are going to get clubbed over the head when they try to come in for work in the morning.

To me, what the gentleman has done that is so helpful is, first, indicate the desire to help bring the House together and heal some of the divisions that we have seen over the last few days, and second, and equally important, simply set the record straight.

□ 2020

I was watching one of the CNN shows yesterday, one of our colleagues was debating, and the debating partner said, the majority of money in the crime bill goes for pork and prevention. It was repeated and it was repeated. So I assume millions of viewers got the sense at the end of the show that this was the case and the vast majority of money was spent for prevention.

As the gentleman knows, more than 70 percent of the money in this bill goes for the deterrence side of the law enforcement effort—police and prisons and assistance to local communities.

Mr. Speaker, I hope that folks that are listening and watching the effort to bring Democrats and Republicans together will also pick up on that figure, because I think it is so important. The majority of the dollars in this bill is not even open to question in terms of it being for law enforcement. That is where the money goes.

Mr. Speaker, I am happy to yield to the gentleman for any comments.

Mr. SHAYS. I would just like to thank the gentleman for using some of his time to discuss health care to discuss what truly is an extraordinarily important issue, and to say that who knows what is going to happen in the next few days, but I hope in the end our country wins.

Mr. WYDEN. I think the country can win if the Members just pick up on the spirit and the concerns of the gentleman from Connecticut.

I came tonight to talk about health care. I will spend a few minutes on that. But I think the country is better off because we have heard a little bit more from the gentleman from Connecticut who is so anxious to bring this House together and help us get a good crime bill. I thank him for participating.

Mr. Speaker, let me turn just for a few moments to the health issue. I am fortunate also to have the gentleman from Hawaii [Mr. ABERCROMBIE] here, who comes from a State where they

have universal coverage, where we have seen that it is possible to cover all citizens.

I am going to begin with just a few comments on the matter of senior citizens and how senior citizens fare in the health reform debate.

I think that all of us know, and I have a special interest in this area, going back to the days when I was co-director of the Oregon Gray Panthers at home, we know that Medicare, which was enacted in 1965, was just half a loaf. It did not cover prescription drugs and long-term care and eyeglasses and hearing aids and many needs of the senior citizens. In fact, health costs have gone up so dramatically that now many senior citizens pay more out-of-pocket for their health care than they did when Medicare began in 1965. This is especially the case because prescriptions, a substantial number of seniors, millions, pay more than \$1,000 out of pocket each year for their pharmaceuticals, and millions more need long-term care; cannot even get decent care in their own homes.

I think it is especially important in this health reform effort that any bill, and particularly the bipartisan bills which in my view are so critical to getting this job done right, adequately address the concerns of the Nation's senior citizens.

The majority leader, the gentleman from Missouri [Mr. GEPHARDT], has taken an approach which I think has a strong consensus behind it. What the majority leader is saying in his approach to dealing with the concerns of the elderly is that there are savings to be found in the Medicare Program. There are areas where we can make the program more efficient without harming existing Medicare services. What the majority leader, the gentleman from Missouri [Mr. GEPHARDT], seeks to do is to take those dollars saved by making Medicare more efficient and, in effect, reinvesting them in new benefits and new services for seniors, such as long-term care and prescription drugs. I happen to think that that makes a great deal of sense, and I have heard the majority leader, to his credit, indicate that he is very open to hearing suggestions from Members of Congress of both political parties on how that might possibly be improved upon.

There is another approach that is being discussed. It is the one that was drafted and developed by our colleague, the gentleman from Georgia [Mr. ROWLAND]. I have served with the gentleman from Georgia [Mr. ROWLAND] on the Health Committee for a number of years and a more decent and caring individual in my view simply cannot be found than the gentleman from Georgia [Mr. ROWLAND]. But I think we have to do better for our senior citizens than the approach that is being offered in

the Rowland bill. What the gentleman from Georgia [Mr. ROWLAND] and a number of our colleagues on the other side of the aisle propose doing in their bill is, in effect, taking a substantial portion of the Medicare trust fund, more than \$60 billion, and simply spending it on matters unrelated to the elderly.

So here we are in a situation where we have a very rapidly growing, aging population, the demographics are relentless, we will have many more seniors in our country; yet the approach offered by our colleague, the gentleman from Georgia [Mr. ROWLAND] simply takes \$60 billion out of the Medicare trust fund and spends it on unrelated matters. Instead of taking the approach that our colleague, the gentleman from Missouri [Mr. GEPHARDT] has taken, who wants to find Medicare savings and reinvest them in long-term care and prescriptions, the approach offered by the gentleman from Georgia [Mr. ROWLAND] takes the \$60 billion out of the Medicare trust fund and at the same time offers not one dime for prescription drug coverage and not one dime for long-term care. As far as I can tell, the only reason one would go and take money out of the Medicare trust fund and not use it for prescriptions and long-term care is you basically subscribe to the theory that Willie Sutton gave for robbing banks. As you will recall, Willie Sutton said, "That's where we're going to look, because that's where the money is."

I can see why someone might offer that kind of theory, but I think we can do better on a bipartisan basis for our country's senior citizens. I think we can do better by our elders who so often are getting clobbered by these rising prescription drug bills, by long-term care costs, and the key to doing better is to build on the efforts of the majority leader who is saying, "Let's find savings in the Medicare Program, there are efficiencies to be found," and in order to help our Nation's seniors when we find those efficiencies, we will take those dollars and plow them back into the Medicare Program to provide some relief to vulnerable seniors faced with crushing long-term care and prescription drug bills.

Mr. Speaker, what I would like to do and wrap up, if I might, is describe a situation where we have one of the Nation's senior citizens who currently receives coverage through the Medicare Program describes how she would fare under the approach taken by the majority leader, the gentleman from Missouri [Mr. GEPHARDT] and describes how I think it would be possible for us in the kind of spirit that the gentleman from Connecticut [Mr. SHAYS] has brought to the House this evening, work together to kind of build a coalition in both political parties to make sure that in health reform, our Nation's senior citizens get a fair shake.

Under the proposal offered by the majority leader, the gentleman from Missouri [Mr. GEPHARDT] the Nation's senior citizens would continue to get coverage through the Medicare Program.

So right away we have a plank that I think both political parties can support, there is no need to frighten the Nation's elderly, no need to tear up the sidewalks and cause confusion, but to start, as the majority leader does, by in effect building on the Medicare Program.

□ 2030

The second part of his effort is to make sure that our senior citizens continue to have a choice of plan with unrestricted choice of physicians or a managed care program. This too is exceptionally important. This too is something that I think Members of Congress of both political parties can support, because I think if there is one thing the American people agree on it is that senior citizens and others in our country must have access to a widespread range of providers. And plank No. 2 that Mr. GEPHARDT pursues in his legislation is also an effort in my view to try to bring together a consensus to make sure that seniors are well cared for.

The third area is the matter of prescription drugs. Under this legislation the majority leader tries to balance the need for concern about cost with making sure that our seniors start getting some relief from the skyrocketing prescription bills. His proposal would add approximately \$8.50 per month to a senior citizen's premium so that there is going to be an additional cost. But never again would a senior citizen have to pay more than a thousand dollars a year on prescription drugs.

I would like to emphasize how important I believe this benefit is, because I remember from my days with the Gray Panthers constantly seeing instances where senior citizens could not afford their pharmaceuticals and seeing very detrimental health effects as a result. Many have heard the phrase that seniors are choosing between food and prescriptions. I found in my years working with senior citizens is what was more likely to happen is not that senior citizens would have to give up all of their meals to cover prescriptions, but what would happen is they could not afford to take all of their pills and their prescriptions in a timely way. So if a physician told them to take three pills, for example, for 2 weeks, maybe they would take three pills for the first 3 days of the prescription, but faced with the prospect of not being able to afford their pharmaceutical bills, after 3 days they would then have to cut back to two pills, and then eventually to one pill. Because pharmaceuticals can be so cost effective in terms of a treatment arrangement, when senior citizens are

in that kind of situation, not able to take their prescriptions in a timely kind of way, what is very likely to happen is that their health problems will get worse. Some may eventually need hospitalization, and it is simply not cost effective to ignore the need for some prescription drug relief for our Nation's senior citizens.

So I am very hopeful in the days ahead on a bipartisan basis the Congress will build on the third plank of the majority leader's program for senior citizens, and that is to ensure that is a fiscally responsible way a prescription drug program is started for our elderly.

The majority leader in his plan goes on. There is coverage for annual mammographies. There is mental health benefits. There is not a total limit on the amount senior citizens would have to pay beginning in the year 2003. All of these, in addition to the slowdown in the part B premium are I think very welcomed and measures that Members on both sides of the aisle can support and support enthusiastically.

But I think it is also important to focus on the last part of the proposal for seniors offered by the gentleman from Missouri [Mr. GEPHARDT] and that is the creation of a new home and community-based long-term care program for seniors. I emphasize this again as much out of personal experience as anything else.

During my years of codirector of the Oregon Gray Panthers I had a chance to work with seniors for many years in developing what I think has come to be regarded as really one of the Nation's finest long-term care programs. At home in Oregon we have a program known as Project Independence. It is a program designed to keep our seniors at home. As a result of this program we are saving money, we are saving money while at the same time having one of the lowest rates of nursing home stays in the country. We have in effect revolutionized geriatric care, revolutionized health care for seniors, in effect turned the system on its head by putting such a strong emphasis on cost-effective home health care.

What this legislation does, the legislation offered by the majority leader is in effect build on the model developed in Oregon, the Oregon Project Independence Program. The majority leader did not start from scratch. The majority leader did not make this up out of whole cloth. He in effect looked to the models across this country like we see at home in Oregon through Project Independence, and that is what he modeled his home health care program around.

So I am of the view that if the Congress and Members on both sides of the aisle look to a new home and community-based program built around what we have done in Oregon, and now a

number of other States have come up with other very sensible kinds of models, we will have a chance to do the best in health care for our seniors, which is to do more of what they want, which is to stay at home and be in the community and do it at a price tag that is less than what we face today when seniors are unnecessarily institutionalized in nursing homes.

So let me wrap up by saying it seems to me we are in effect presented with two kinds of alternatives. One is the approach that we have from Dr. ROWLAND which in effect takes \$60 billion over the next 5 years and takes it out of the Medicare trust fund. At a time when we are going to have many more seniors, at a time when the demographics are so clear, it takes \$60 billion out of the Medicare trust fund and instead of spending it on prescriptions and long-term care it spends it on matters unrelated to the concerns of the elderly that we are discussing tonight.

On the other hand, we have the approach that the majority leader has zeroed in on which is in effect to find cost-effective savings in the Medicare Program, find savings in the Medicare program that can be routed out without in any ways cutting existing Medicare services. The majority leader has said let us take those savings and reinvest them in the home and community-based services for the elderly and prescription drugs.

I am very hopeful that in a bipartisan way, as the gentleman from Connecticut [Mr. SHAYS], has done for us tonight on the crime bill, I am very hopeful that I and the gentleman from Hawaii [Mr. ABERCROMBIE], and other Members of Congress can work together in a cooperative kind of fashion, in a bipartisan fashion, so that we can make sure that our seniors have a dignified retirement, so they are not wiped out by the crushing costs of long-term care and prescriptions, and we do this in a bipartisan way as the country wants, and we do it in this session of Congress.

□ 2040

Mr. Speaker, I yield to the gentleman from Hawaii [Mr. ABERCROMBIE], who has been such a strong advocate of health care reform, because I know he believes it in his heart, but also because he has seen it work day in and day out in his home State. I am happy to yield to my friend.

Mr. ABERCROMBIE. I thank the gentleman for yielding.

I am very appreciative, and I am appreciative even more so because your last statement is, in fact, what I would like to dwell on for the remainder of the time in this special order hour.

Not everyone has had the opportunity to actually see a health plan in action. The description that the gentleman from Oregon [Mr. WYDEN] has given, Mr. Speaker, I think deserves a

bit more attention in terms of the reason for it.

He has very ably given what the plan would be in terms of the kind of coverage, but I think we deserve to have, and the people of the country deserve to have, a bit more of an explanation, a bit more perspective, if you will, minus the heated rhetoric that has been expended on the health care bill. I would like to do that at the present time.

I think that the tone, if you will, that was established in the colloquy that, in effect, existed between the gentleman from Connecticut [Mr. SHAYS] and the gentleman from Oregon [Mr. WYDEN] with respect to the crime bill offers us a bit of a model to address this question of long-term care and the overall health costs.

I want to draw on some material that has been presented by the director of our executive office on aging in the Governor's office in the State of Hawaii, Dr. Jeanette Tacamora, an old friend, an expert in the area of aging, gerontology, and geriatrics, who testified here before the Subcommittee on Housing and Urban Development last year.

What do we mean, in fact, by long-term care? What is it that we are trying to do? I hope some of our colleagues who may be observing and listening in and those Americans who are observing and listening in to what we are saying this evening will give us the opportunity to go into that in a little more depth.

Mr. Speaker, one of the things that I have learned in my political life is that it is the obvious that needs to be repeated most often, because it is the obvious we tend to take for granted and forget first.

The obvious in this instance is that we all know what long-term care means, that we all, after very substantive understanding as to what is involved in long-term care, that we have a response to the phrase "long-term care" that is, in fact, meaningful for us and allows us to have a presentation for the average American that is comprehensible, that is understandable, something that we are able to deal with in a manner that does not need further explication.

I would submit to you, Mr. Speaker, that is not the case. Think about it. Long-term care refers to the full range of rehabilitative, medical, and supportive social services needed by an individual who is dependent upon others for assistance with one or more basic activities of daily living, bathing, dressing, eating, ambulating, toileting. These are in fact, Mr. Speaker, what we are talking about. This is not an abstraction. We are talking about human beings. We are talking about human beings who now have a life expectancy beyond that which was ever thought to be achievable by any other society.

Mr. Speaker, we are, in fact, in an era unimaginable even 50 years ago. As the United States of America approaches the new century, as we approach the turn of this century and enter into a new era, we literally will be having before us a situation in which millions, not hundreds, not thousands, millions of people will be living 10 and 20 and 30 years longer than we ever expected, and many, if not most, will be dealing with the financial condition and circumstance which was fixed 10 and 20 and 30 years ago which did not anticipate in any respect the kinds of costs that will be associated with this new life expectancy.

Mr. Speaker, I was the chairman of the Human Services Committee in the Hawaii State senate and privileged to serve in that capacity for a number of years. I can recall when we made the first attempts to put together long-term-care insurance, in fact, I put out the first bill offering businesses in Hawaii the opportunity to have a tax deduction if they would put forward, as part of the benefit package in our health care plan, a plan which has existed since 1974, more than 20 years now, if they would put into that health plan a long-term-care insurance benefit. Mr. Speaker, you will be interested to know, and Members and the public will be interested to know, that I was defeated in that effort in great measure because, among other things, our own tax department thought that they might lose revenue. They did not want to give the businesses, and we are talking in the mid-1980's now, here we are less than 10 years later, at a crossroads, financial crossroads and social crossroads in our Nation's history, and in fact, the world's history; they thought they were going to lose revenue. My argument then, based more on instinct, and I hope educated projection, as I hope in turn as a responsible chairman of my committee, I said at that time to them, "We are going to have to expend funds beyond that which is now imaginable. If you think you are going to lose revenue now because we would be encouraging businesses to provide an insurance benefit and long-term care," I said, "just think what is going to happen 10 years from now."

Mr. WYDEN. Mr. Speaker, the gentleman is making a very useful and important statement.

Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. ABERCROMBIE] may control the balance of my time this evening.

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

There was no objection.

Mr. ABERCROMBIE. Mr. Speaker, I would be delighted to do that.

Mr. Speaker, I believe I was at a point where I was indicating that as chair of the human services committee

in the Hawaii State Legislature I was observing some dozens of people who were reaching an age in which we were, in fact, Mr. Speaker, having to come up with a new category. It was not just the elderly or senior citizens any longer, the euphemisms that were popular in the vernacular of the time. We developed a designation for people as aging elderly.

Mr. Speaker, I want to indicate for those who may not fully comprehend what is involved in that, when you have what we called the Medicaid spenddown, what that meant was that a lifetime's worth of work, generally in partnership with one's spouse, could be wiped out because of the necessity of meeting the criteria established for being poverty-stricken and eligible for Medicaid. In other words, your principal assets had to be expanded, had to be transferred, disapproved. Often that was, for most people, their home.

And there was an additional element, Mr. Speaker. This was gender-related. Women outlived men, and so women found themselves in a situation of having all of the assets expended of the couple, and then finding themselves poverty-stricken, and this category of aging elderly came in not only to existence but into an expanded realm beyond which we had no comprehension previously.

So now we find people, many female, widowed, made poor, their assets stripped from them, now living under circumstances of dependency, medically speaking, in terms of rehabilitation, in terms of support of social services, in the tens of thousands, in fact into the millions.

□ 2050

Mr. Speaker, long-term care may be provided either in an institutional setting or home- or community-based care, as the gentleman from Oregon [Mr. WYDEN] indicated. Long-term care is provided most often by paraprofessionals, such as homemakers, personal care and home health aides, and families.

We now find ourselves in a situation again which I anticipated in the middle eighties, and here we are less than 10 years later having to deal with it, where family leave does not just mean taking care of a child, it may mean taking care of a parent as well. Yet we find situations in which the newspapers are now regaling us with commentary on how people are not just holding down two jobs but three jobs just in order to make ends meet.

How is it possible for people to hold two or three jobs and at the same time take care of their parents let alone take care of their children? This is what is happening in the country. This is why it is needed. This is why the rhetoric has to start meeting reality.

People say, "Who is paying for it?" We are paying for it now. Why should

those people who have worked all their lives, sacrificed their lives, particularly those who have come through the Depression—as the President said, played by the rules and worked hard—why should they be stripped of every asset at this point? Why are we as a national legislature not capable of dealing with this in a straightforward way?

Is it your mother, Mr. Speaker, my mother, your father, my father, one of these statistics? They are not statistics to me. No one in this Nation should be a statistic.

We pride ourselves in looking out for the individual. The only way we can do that is on a communal basis. We have to look out for each other. We have a choice of whether we are all in this together or whether we are all on our own.

According to the 1990 census—I will give this, I hope, a human context—31 million Americans, 12.6 percent of the total population were 65 years or older. That is in 1990, 31 million Americans. Think of it in terms of individual human beings and their needs, comprising the fastest growing segment of the American population as well as the segment most likely to require long-term care.

One of the discouraging parts about some of the health plans, all of them put forward in good faith, I am certain, but nonetheless there are still health plans coming forward or amendments coming forward which differentiate whether or not the plans will be more expensive or less expensive, depending on one's age, depending on what the likelihood of disease or incapacity is.

In other words, just at the time when you are most vulnerable financially and physically, we say at just precisely that time we are going to make it more difficult for you to have health care insurance.

What has happened?

One of the reasons I went to Hawaii, Mr. Speaker, was the sense of family. One of the reasons I am proud to represent Hawaii, one of the reasons that I have such deep feeling about Hawaii, is that we have always had a tremendous sense of family, extended family.

We have what we call *ohana*, and that means family, that is Hawaiian for family. It is an expansive word, we take in everybody. They took me in.

There are no children in Hawaii going to go without a parent, their *hanai*.

If you have a *hanai* mother or a *hanai* father, they take children because they love children. It is the Polynesian way. They love the *kapuna*.

Mr. Speaker, I was at our dinner for the *kapuna* in the valley in which I live, on Malama. We have an organization, Malamao Manoa. Malama is where I live. We honored our *kapuna*. Our *kapuna* are our elderly, the people we look to for guidance, the people whom we respect. There were 40-plus

people whom we honored. And the criteria is that you are at least 65 years of age and have lived in the valley for 50 years.

We are doing an oral and written history of the valley by going to our kapuna, going to our elders, to those who have come before us and who are sharing the rich heritage and legacy of life in Hawaii with those of us who are here now so we can pass it onto those who are coming; the sense of balance, the sense of continuance that we have.

The person living the longest, 86 years, speaking to us and speaking about being in the valley for 86 years. Another person, 95 years. My mother, now 86 years of age. They have much to share, and yet we want to differentiate on the basis of age in a way that disadvantages our seniors? How is that possible? How is it possible for us to have that attitude?

No, I want to talk about long-term care and about seniors and about our plans in the human context.

Mr. Speaker, that segment which is growing most and most quickly in our country, most likely to require long-term care, individuals 65 and older, are expected to number more than 67.5 million people, more than 22 percent of the population, by the middle of the next century.

Mr. Speaker, you and I may be—maybe you, but I will not be—here by the middle of the next century. There is no statistical possibility of that, I am sure.

But, Mr. Speaker, are we not required as members of a national legislature, is it not incumbent upon us to provide for those who are coming by the middle of the next century?

No one, no one has a deeper feeling about the privilege of serving here in the House of Representatives, the people's House, than I do.

I am sure we all share that. And I feel every moment that I am on this floor that it is my duty as well as my privilege to be able to legislate in a way that reflects the high honor that has been given to us by the people of this Nation, the opportunity to legislate on behalf of the common good, on behalf of the people of this Nation and in fact the world.

That is what our duty is. That is what we need to do in terms of long-term care in the health bill. We do not need to have the rhetoric of division, we do not need to have the rhetoric of confrontation. What we need is more collaboration, what we need is more cooperation on behalf of those who sent us here, on behalf of all the kapuna, on behalf of all the grandmothers and grandfathers, all of those who are our parents, all of those who have come before us and worked so hard and put their faith and trust in us.

By the year 2010, analysts project that the number of elderly Americans in need of long-term care will have

grown from 6.2 million to at least 9 million. I can go on with these statistics.

I want us to see it in human terms. In the time remaining to me, Mr. Speaker, then I want to discuss a bit further what it is we are going to try to do to try to meet this necessity. I want to emphasize that word, this is a necessity, it is a national necessity. It is not something that NEIL ABERCROMBIE thinks would just be desirable in a manner that is electorally something which can be beneficial to me electorally or to any Member here on the floor. It is a matter of trying to be straightforward and honest about what it is we have to do. It is not going to be easy.

It does in fact have to be paid for, and I think we can do that. We can do that in one of two ways. We can do it where everyone, as I said, is left on their own to try to struggle with it as best they can, or we can do it as a Nation, all pull together. We are going to expand the Medicare benefit. We are going to have a prescription drug benefit that would be added to the Medicare program. You have to have it. My mom has to have it right now. We are struggling to find a formula right now to deal with some of the physical circumstances that my mom has to deal with, at 86.

Everybody has got a story. It is only a statistic until it hits you. Then, oh, yes, we as individuals, then we feel it; but we have got to feel for each other. The prescription part of it is one of the things that has to be addressed.

□ 2100

There is not anyone listening to me who does not have, or had at one time, their mom, or their dad, or their grandma or grandpa saying to them, "I don't want to be a burden to you, I don't want to be a burden." Is that what this country has come to? We will have our own mothers and fathers concentrating their emotional and psychological time as they approach the end of their life on not trying to be a burden? Think about it.

Mr. Speaker, that is not the best that is in America. That is not the best that we are as Americans. That is not the best that we can offer as national legislators. Far from it.

An unlimited prescription drug coverage with the cap that has been mentioned by the majority leader, that is what we need as a minimum start. We need to cover long-term care, home and community based, home and community based. We want to keep people in their homes as long as we can, and we want to have such services they need that I have described being provided out in the community.

We can do this by giving people a maximum amount of choice in the process. That is just exactly what our proposal is all about.

Those who have suggestions to make it better, I cannot imagine that we would not be open to it. I know the majority leader well, as my colleagues do. Mr. Speaker, and we both know that he is open to any suggestion with respect to expanding our capacity to provide these services.

I do not really want to get into, although I am quite prepared to talk about, the inadequacy I see in some of the other bills that have been offered: no prescription drug benefits for seniors, the utilization, as the gentleman from Oregon [Mr. WYDEN] indicated of presumed Medicare savings to pay other bills, no long-term-care plans, no out-of-pocket caps for seniors, no protection for continuing to limit cost increases. All of these things have come up, and all of these things can be criticized. I rather concentrate though on what we can do and what we should do in this area.

In Hawaii the population over 65 is expected to grow dramatically in the coming decades. We expect it to go to more than one quarter of our population, possibly as much as 30 percent. Mr. Speaker, this is a sobering statistic when you put it in human terms.

One of the things we are criticized. Mr. Speaker, in Hawaii for is that we are so healthy. In fact, in another special order I will be doing in the near future on small business and health care I will point out some people even refer to our climate as being the principal factor in longevity. The fact of the matter is on a per capita basis we probably have more people living longer and living healthier lives than virtually any place in the Nation, but there is a cost to that where long-term care in Hawaii is concerned. Those who are older than 80 years of age will triple by the turn of the century. triple. The cost, of course, has to be dealt with accordingly. Escalating costs and increasing utilization are a potent and ominous combination for Hawaii and its people and for the United States and its people.

The Federal Government, Mr. Speaker, as I draw to a close this discussion of the need for long-term care and its role in our health program, has been hesitant to this point to deal with this phenomenon, this unprecedented social phenomenon. Long-term costs, if left to drift on their own, Mr. Speaker, will increase expenditures dramatically, and the average family will be unable to cope with the situation. If there is anything, Mr. Speaker, that cries out for a national plan, if there is anything that demands of us that we address something on a nationwide basis, it is long-term care, and the only way we can do that, the only effective, efficient way we can do this in human terms, in social terms and economic terms is to see to it that long-term care is part of a national health plan, something that we can all be proud of

as legislators, something that we can facilitate as national legislators because it is, in fact, our duty and out time to see that that is accomplished.

I appreciate this privilege of being able to address our colleagues this evening.

UNDERSTANDING THE REALITY OF HEALTH CARE LEGISLATION

The SPEAKER pro tempore (Mr. FARR of California). Under the Speaker's policy of February 11, 1994, and June 10, 1994, the gentlewoman from Connecticut [Mrs. JOHNSON] is recognized for 60 minutes as the designee of the minority leader.

Mrs. JOHNSON of Connecticut. Mr. Speaker, it is a pleasure to be here this evening a little late, but it is important to talk about aspects of the health care bills that are before the Congress because people need to know.

I am endlessly fascinated that, as I work in my district, people will say to me, "You know, I don't like what I hear," and, as they talk about it, you can see that they are, A, afraid; B, concerned, and that their fear and concern are for the quality of their health care first and their jobs second.

So, their concerns are real. They are not light. They are not little. They are very deep. And they are very significant, and what interests me is that through what they say to me it is clear they get it, they really understand, that there is something about the macro bills, the big Clinton look-alikes, that does endanger their health care and their jobs. They do not understand quite why, and that is why I am here. I want people to understand the reality of these bills, the impact they will have on our lives to the extent that we currently understand it, and through that I want them to have the confidence that not just they have the intuition of fear but that their concerns are legitimate in this area or perhaps not legitimate in that area.

So, we are here tonight to kind of lay out some of the problems with the Gephardt health care bill. These were problems with the Clinton proposal. They are for the most part problems in the Mitchell proposal. But they are problems that follow from Government mandating health care on employers of all sizes and all levels of profitability.

Now, before we get into the issue of employer mandates, what is being mandated on whom, and what will be the consequences, I want to indicate the level of my concern by illustrating the fact that some of the consequences of the bills before us are going to create profound unfairness, and in 5 years, and 8 years, and 10 years our constituents are going to look at us and say, "You did this? On purpose?" Let me give you one example:

In the Gephardt bill companies under 100 cannot self-insure. Companies over

100 can self-insure. That sounds innocent enough. What it means to you and me and the guy working next to you is this:

If you work for a company under 100, and I work for a company over 100, and we get paid exactly the same wage, and we get exactly the same benefit package, after health care reform I will get paid less because I work for a company who has fewer than 100 employees and, therefore, pays a community-rated premium for its health care package which is high. My friend who works for an employer who has over 100 employees, earning the same wage, getting the same benefit package, still will get higher wages because his premium will be experience rated and, therefore, lower.

□ 2110

So reform will mean to those two people different wages and an unfair impact, an unfair premium cost, just because we did it from Washington.

I think we have to be real careful that what we do from Washington does not make it worse for people in America, does not give you less health care, does not make you pay more for it, does not erode your wage base. It is those unintended consequences, or those consequences that are less easy to see, that are part of what we want to talk about here tonight.

But in order to understand why bills clearly introduced by well-intended people, clearly introduced by people who do care about individual working Americans, could have these effects, we really want to start from the beginning.

I and my colleagues are going to start out by talking a little bit about what is being mandated in these bills, and who they are being mandated on, and what are going to be the consequences.

First of all, what is being mandated. It is not simple.

First, it is a national benefit package. With every committee that the national benefit package goes through, it grows. We are now up to a national benefit package in most of the Clinton-type bills that is more generous than all but 100 companies in America.

Now, that is nice, but there ain't no free lunch. And if you are being mandated to provide that level of benefit package, it is going to have consequences.

The premium of that kind of benefit package is high. Remember, every year Congress is going to enlarge it. But that national benefit package is not the only thing that we are mandating. There are other aspects to this benefit package that are part of the sneak attack that I was talking about.

My colleague from Louisiana was talking earlier about some of the provisions of the Gephardt bill that have the effect of expanding this national

benefit package, not for everyone. Not necessarily for your competitor, but possible for you.

Jim, if you would talk a little bit about the maintenance of efforts provision in the bill.

Mr. MCCREERY. I thank the gentlewoman for yielding. In fact, what is not generally known is that there is really a double mandate in the Gephardt-Clinton bill, and that is an employer currently provides insurance for his employees, under the Gephardt-Clinton bill that employer must, for a period of several years, maintain the level of benefits for his employees. Even if that level of benefits is greater than the standard level of benefits set in the bill, which is fairly generous, as you pointed out, that employer, nevertheless, cannot get a policy of insurance for his employees at that level of the standard benefit package. He must continue to provide a more generous package to his employees.

That is regardless of his profitability, regardless of his cash flow, regardless of his income as an employer. That is just not the real world.

As you know, particularly with small businesses, they live on a year-to-year basis, if not a month-to-month basis. And a package of benefits that they purchase for their employees this year may cost too much the next year. And in order to stay in business, because their profit margin is very, very slim, they must cut back on some of the benefits. That may be in paid vacation time, it may be in health care benefits. They may have to reduce the level of benefits in order to stay in business, in order to continue to employ as many people as they now employ.

That is the real world, and those are the types of decisions that employers, particularly small business employers, have to make every year.

So for the Federal Government to tell a small business person, who is really trying to do his best for his employees, who is really trying to attract and keep quality employees, for the Federal Government to tell that employer, I do not care what you have done in the past, how good a citizen you have been, how good an employer you have been, we are going to make you, regardless of your profitability, regardless of how your business fares in the next 5 years, we are going to make you continue to spend exactly what you have been spending on that fringe benefit.

That makes no sense in this society, no sense in a free society, no sense in a free-market economy, and I just think it is important for people to know that not only is there a mandate in this bill for a standard set of benefits, there is a double mandate. And that is, Mr. Employer, if you now provide a more generous package of benefits to your employees, you are going to have to keep providing that more generous package of benefits.

Mrs. JOHNSON of Connecticut. To give an example of that, because it really hit home with me in talking with a small employer in my district who provides some dental and some vision. Now, he does not provide any substance abuse or any mental health, but he does provide some dental and some vision.

Under reform, he will have to continue the dental and vision, but add also in the substance abuse and mental health and all the other things in the national benefit package. And there is one more thing he will have to add.

Now, to show you how difficult this is, as a member of the Committee on Ways and Means, I sat through two series of markups, I read all the material. We were all there, and it was not until the end of the second markup that we happened to ask the right question to find out that in addition to the national benefit plan and any maintenance of effort benefits you are providing, you will also be obliged to provide all State-mandated benefits.

So the cost of this is going to be extraordinary for our businesses. Most businesses now self-insure in order to go around and get out from under the State mandates. In Connecticut we have an organization that is providing packages to small businesses, which has just come out with some new and exciting and lower cost packages. And I said to them, how much could you cut your premiums if you did not have to comply with State mandates? The answer was 25 percent.

So we are going to now mandate a national benefit package. Then we are going to mandate maintenance of effort. In addition we are going to require all State mandates now to be met. So the total cost of this benefit package is going to be larger than most employers understand, and almost all employers will have to pay more for health care, and most will pay a lot more.

We have also been joined tonight by my colleague from Florida [Mr. STEARNS] and my colleague from Michigan [Mr. KNOLLENBERG]. CLIFF, I would like to yield to you.

Mr. STEARNS. Mr. Speaker, I thank the gentlewoman for yielding, and I commend the gentlewoman from Connecticut for what she is doing tonight. We did this some time ago when we talked about the Clinton plan. This might be like Yogi Berra said, *deja vu* all over again, because the Clinton-Gephardt plan certainly resembles the original Clinton plan.

As you will remember, when I talked about the mandates last time, I talked about some of the outside accounting firms, the outside different interest groups that scored this, not just CBO or OMB. And I asked them, what impact would the Gephardt-Clinton bill have on the amount of people that would be employed? And they looked at

it, and I would like to share with you some of the statistics from that.

Consad, a research organization that is reputable, estimates that between 850,000 and 1.3 million jobs will be lost with the Clinton-Gephardt bill. Laura Tyson, the chairman of the President's Council of Economic Advisors, estimates that 600,000 will be lost.

Citizens for a Sound Economy tells us according to a McGraw-Hill study commissioned by the CSE Foundation, such mandates could increase unemployment by as much as 900,000 when fully implemented.

The NIFB, which we all respect, looked at this and projected the State of Florida, my State, would lose almost 67,000 jobs due to the employer mandate. I have state-by-state how many jobs will be lost.

So we hear a lot of talk about the importance of health care and how it could affect our families, but we must realize that if this mandate as projected by the Gephardt-Clinton plan is instituted, we are going to have a huge amount of job loss across this country, and we should take that into consideration.

In fact, I think most of us agree that the Clinton-Gephardt plan is even more draconian for small businesses than the original Clinton plan. So that is hard for many of us up here to understand, how we could have a bill that is more draconian than the Clinton plan, when the majority of people out in the United States say they are against what they perceive as the Clinton plan.

Mrs. JOHNSON of Connecticut. I think that is a very important point. The burden in the Gephardt-Clinton bill is heavier than the Clinton bill on small business. One reason it is heavier is because in the Gephardt bill, they create what is called Medicare Part C.

□ 2120

They are going to put 55 percent of Americans into a government-run health care program. We all know that those government-run programs, Medicare and Medicaid, under-reimburse. They pay less than the cost of care and right now they are the biggest source of cost shifting, that is of putting costs on the private sector from the public sector.

When they put 55 percent of all Americans into government-run programs, they are going to increase that cost shift \$16 billion. Which means that all of these businesses we are talking about, they are going to have this very large mandate put in their shoulders, are going to have also the cost of the under-reimbursement for Medicare Part C shifted onto them, that \$16 billion. They are going to have the new costs of the stealth repeal of State malpractice reform laws shifted onto them.

In other words, in this bill, surprisingly enough, they actually repeal

State malpractice reforms. And when those get repealed, costs will go up, both of defense of medicine and of malpractice premiums. And so that cost is going to be shifted into the premium base.

And lastly, there is a 2-percent tax on all premiums that will again raise the cost of the very employers. That is why the jobs will hemorrhage out of the system.

I yield to the gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG. I thank the gentlewoman for conducting this special order, with her background and expertise in that subject area. It has been invaluable to a whole lot of us in the conference.

I just want to relate to what you just said. My State of Michigan just passed a malpractice reform bill, and you are saying to me that even though that did lower to the satisfaction of most people, of course, obviously certainly the physicians and the medical community, as well as doing, I think, justice for the entire State, what you are saying to me, by virtue of the Gephardt-Clinton bill, there is a repeal mechanism that is calculated or incorporated into this process so that even though they do have a program in effect that that will be repealed or downsized or removed?

Mrs. JOHNSON of Connecticut. Absolutely. In all the years, and people do not realize that actually Congress has been studying this subject for years, not all of Congress, but some significant groups in the Congress and outside groups, there has not been a single health reform proposal from any credible group of Members or outside experts that has not recommended good, solid, extensive, comprehensive malpractice reform at the national level. The President's proposal was very weak in that area. The Republican proposal, to its credit, was very strong. The bipartisan bill is very strong in that area.

But to everyone's sort of shock and amazement, not only is the Gephardt bill not strong, but it actually repeals progressive malpractice reform proposals that have been adopted at the state level. And yes, Michigan would have to abide.

Mr. KNOLLENBERG. I thank the gentlewoman for making that clarification. I know the gentleman from Louisiana had another point.

Mr. MCCREY. I just wanted to follow up on the gentlewoman's point of creating a system in which maybe half the population would be in a Government, direct government-controlled system like Medicare. You and I are not the only ones who fear that.

I want to quote to the gentlewoman from a letter written by two democratic Governors, two Governors who are Democrats, and two Governors who are Republicans. Governor Howard

Dean and Governor Romer, Democrats, and Tommy Thompson and Carroll Campbell, Republicans, wrote Congressman GEPHARDT on August 1 expressing concern about the Medicare Part C program which would put all these additional millions of Americans into a government program.

They said,

We believe that America's health care system must remain responsive to market conditions and should operate only with selective regulation by both the Federal and state governments. Medicare, a government run, price-controlled system, does not meet that goal. Moreover, expanding the use of Medicare reimbursement rates to major additional portions of the health care system would have disruptive, if not disastrous, effects on the health care delivery system. The Medicare program is also highly bureaucratic and unresponsive to local needs and has been ineffective at controlling overall costs.

That is a quote from two Democratic Governors and two Republican Governors who clearly agree with you that to force maybe half the population of the United States into a Medicare-like program is not the answer to solve our problems in health care.

Mrs. JOHNSON of Connecticut. I hope that one of these evenings we will take a special order and just talk about the implications of Medicare Part C. But for this special order on the impact of mandates, an employer mandate on both the job-creating capability of our economy and the quality of health care for our citizens, as well as the cost, it is important to recognize that just that portion of the Gephardt bill will have the effect of shifting billions of dollars of additional costs onto small businesses. That is why the job impact is going to be so steep.

It is the combination of the mandate, of the maintenance of effort that it puts even more benefits in there, of the State mandates that now come into play, of the cost shifting, which is billions, of the 2-percent extra in premium, 2-percent extra in all premiums, and the malpractice reform implications. What you end up mandating is, indeed, a very big package of costs.

Mr. KNOLLENBERG. I just wanted to, in terms of letting to the States, and Michigan is just one of the 50, but in my first town hall hearing on health care, and I have had 9, I had some 450 business people. It was billed as a business owners, small business-type forum. Over 450 people showed up. That was some months ago. At that time they told me the very same thing that you have been repeating and the gentlemen from Louisiana and Florida, that mandates are really a tax. It is going to do one of several things.

Any employer, small business employer facing a mandate in effect is facing a tax. That works, as I think you pointed out, several ways. It works as, for example, it either means that they have to increase prices to their

customers. They have to cut profits. They have to reduce wages or benefits or reduce employees. And then, finally, if all that does not work, they have one option: get out of the business.

Mrs. JOHNSON of Connecticut. That is right.

Mr. KNOLLENBERG. Those folks made it very clear to me that those were the options. And the last one might be one that they would have to consider. Small businesses that are threatened with those kinds of concerns do have to look at their bottom line. Many of the retail operations work on a very slim margin, and that favorite shop or store or restaurant might just go out of business because of mandates of this type that does not help any of us. It does not help any of our people on our States. And it certainly does not help the economy.

We seem to have a little bit of a building economy in Michigan these days, despite whatever might be taking place countrywide. What we should not want to do there, and I know across the country, is establish a mandate that is a tax that will do or create those kinds of problems for the small business people.

I just wanted to cite a couple of things. There was a survey done by Governor Engler in Michigan, who has done, I think, a number of remarkable things. But the survey that they conducted was with a number of businesses, small businesses around the State.

I just wanted to indicate some quotes that came out of the surveys that came back. Incidentally, it was heavily responded to, much more so than average. And these were mailed out to some 1,800 businesses.

Here is one quote from the Michigan Grocers Association:

The net effect would be fewer employees, both part and full time. Overtime would end up being cost effective or more cost effective than having people work 40 hours only and end up, therefore, with more employees. There will be less jobs, both part time and full time, in our company with these mandates in effect.

And then they also say in another case:

If all the government red tape restrictions and controls continue to be put on small business, which employ most of the people in Michigan, we cannot pay for it due to the competitiveness of our business.

Pricing, you can just raise the price a little bit, that may distort your sales. It may create some other problems. So it is not as easy as they say.

□ 2130

They are going on to say that "We cannot run our business like government runs theirs because we cannot run a deficit," so you look for those areas that you have to cut, one of which would be wages, or employees.

Mr. Speaker, this is something that came out of a survey, and I think it

serves to point out exactly what the gentleman has been pointing out.

Mrs. JOHNSON of Connecticut. I want to stay with this issue, so I'm not cutting you off, but I want to stay with this issue of the impact for a few minutes. It is complicated. People know it is a problem. They do not understand why, really, they are so afraid of it, but they know they are afraid of it.

As you go around your district, now Connecticut has been through probably as tough a recession as any State in the post-World War II era in the last 5 years. We have had a truly hard time, because we not only had the recession that the Nation went through, we had the banking crisis, we had defense downsizing, all at the same time.

We have been through very hard times. There are a lot of employers who have said to me "I would not have made it, but I went from a first-dollar-coverage plan to a catastrophic plan." They said "It was really hard to do that, but I saved those jobs, and in 2 years, I'm going to go back up, I'm going to have that full complement of people, and I'm going to be back up to a good, solid health plan for my folks."

One of the things people are not realizing is that if we mandate a rigid plan and an 80-percent employer cost, a recession comes, your orders drop off, and then you cannot reduce your costs by going to a lower cost plan. You can only reduce your costs by laying people off. Finally, you can only reduce your costs by going out of business.

Making a mistake by mandating too big a plan on businesses that cannot bear it will not only cost jobs, which, of course, is true, but more importantly, it will stop the development of the very kinds of small businesses that make that next generation of employers. Connecticut is an excellent example.

Defense is going down. Our big manufacturers are going to be smaller and smaller because they are primarily defense related. Our big insurers are never going to be as big in numbers of employees in the years ahead as they are today, and they are not as big now as they were last year. Banks are not going to be as big employers in the future as they have been in the past.

If we are going to build the companies of the future, you have to let the little guy with 5 employees become some guy of 10 employees, become some guy of 25 employees, and you make it harder and harder and harder when you put a heavy burden on them, and then they cannot make it when orders get down.

Mr. STEARNS. Just to follow along on that point, when you talk about mandating to employers that "You have to pay for it," you touched on the mandate that the employer has to pay for a mandated plan.

This particular plan, as you point out, is rigid and is expensive to the employer. They cannot have the flexibility that they need, particularly depending upon the kind of health service they want to provide across the gamut, so they are forced to pay for this plan, which is really not tailored, maybe, for their small business or for their large business.

When we talk about mandates, we are not just talking about the employer mandate to pay it, but we are talking about the mandate of this rigid package. I think we should touch a little bit on this plan, because this is sort of the main part of it which causes this increased cost.

Mr. Speaker, the NFIB, the National Federation of Independent Businesses, says that "The mandated benefits package is estimated to increase dramatically under the Gephardt-Clinton plan" than it did under the Clinton plan, and it is going to work out to the detriment of businesses. They have put together a comparison sheet. It says "The annual cost is going to go from \$2,000 to \$4,000 average for a person," for a firm. This is not for the employee, but for a firm.

So when we are talking about Connecticut having a hard time because of the cutback in defense and the other things up there, what is going to happen when you say to the employer, "Regardless, you are going to have to take this rigid plan, you are going to have to pay for it, and the employee is going to pay 20 percent and you are going to pay 80 percent," and they are going to look at this plan. You and I both know that Congress might again come back and mandate a bigger type of plan, a more rigid plan. We have seen Congress do that again and again.

What happens to this employer who has a sound business and he has a good bottom line? That is just going to deteriorate, and what is going to happen is going to be high unemployment, which is going back to the original statistics that I quoted.

Mr. MCCRERY. Will the gentleman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Louisiana.

Mr. MCCRERY. I thank the gentleman for yielding.

NFIB did a survey of their membership back in 1990 and found out that of their members whose owners took more than \$70,000 out of their business, so, in other words, if the owner made \$70,000 on his business, 90 percent of those provided health insurance to their employees. The ones who did not provide insurance to their employees were business owners who took out less than \$10,000 a year for their own income.

So that means that an employer mandate is not going to hurt the small businesses who are successful, because they, most of them already provide

health insurance, so they are already providing that cost, meeting it. But it is the small—it is particularly the new small businesses, the ones that are just getting started.

You have a man and his wife who put their life savings into a business and they are struggling to make it work in that first year, the first 2 years. They are not taking much out of it for income, because they cannot. Now here we come and we are going to say "It does not matter that you don't make any money off of your business, we are going to impose another cost of doing business on you." And as you pointed out, it could be as much as \$2,000 per employee, or if that employee has a spouse, it could be \$4,000, or if that employee has a spouse and a child, it could be \$5,700, according to the estimates of the Clinton-Gephardt plan.

Mr. Speaker, it is important to know what kind of businesses are going to be most hurt by this mandate. When you look at it closely, you will find that it is the smallest businesses, the businesses that are struggling, the businesses whose owners do not take very much money out of the business. They are not making very much money, but they are struggling to keep afloat, they are struggling to keep those 2, 3, 4, 5, 10 jobs in their community.

What we are about to do if we pass the Clinton-Gephardt bill is to tell those people "Keep struggling. In fact, we are going to make your struggle even harder, because we are going to impose a cost of doing business on you that you cannot get around. You must pay, regardless of if you make a profit, regardless of what your income is, regardless of your cash flow. You have got to pay this."

What that is going to do is exactly what the gentlewoman from Connecticut suggested. It is going to drive out of business a lot of those small employers, or it is going to cause them to lay off one employee to be able to absorb those additional costs of doing business, or maybe two employees. So then what happens to those folks? They do not have—not only do they not have insurance, they do not have a job. That is no answer. So I appreciate the gentlewoman bringing that up and encourage her to continue.

Mrs. JOHNSON of Connecticut. That certainly is no answer, and it is certainly no answer to controlling costs. Remember, what really is creating our problems is rising costs. When you mandate a plan on the employer and you mandate the employer to pay 80 percent and the employee to pay 20 percent, you create a rigid system that denies us as innovative Americans the opportunity to do, for instance, what Knox Semiconductor did.

Knox Semiconductor of Rockport, ME, has an insurance plan called Health Wealth, which is marketed by Progress Sharing Co., an insurance

broker in Saco, ME. Under the plan Knox raised employees' deductibility and copayments, lowering their premium costs. Then it put the money saved into a mutual fund account for each employee. Employees who make matching contributions can use the money in their accounts to pay for their deductibles and copayments. If they don't, they pay taxes on the money and keep it. Knox has had just one rate increase in the past 4 years.

Remember, at the beginning of this I talked about the 100 mark and how in the Gephardt bill, after a lot of fighting in the committee, we at least got the right to self-insure down to 100. This is a 32-employee company, and they are self-insuring through their own pool like this. It is saving them money, benefiting their employees.

I have to give just one more example, because all of these creative, inventive solutions to health care that employees cover costs, but help them do it in a way that reduces the overall costs in the society and rewards people for thinking health, for thinking wellness, will be literally wiped out by Washington, and sometimes our arrogance is simply astounding.

□ 2140

Forbes offered its employees in 1991 a great deal: If during the year an employee filed major medical and dental claims totaling less than \$500, Forbes would pay that person double the difference between the \$500 and the claims that they filed.

Suppose an employee and his family had \$900 in medical expenses. If the employee filed them, the most the insurer would reimburse him would be \$900 minus his deductible and copayments, the portion of the bill the employee is responsible for beyond the deductible. He would be out a few hundred dollars and since his claims were over \$500, Forbes would pay him nothing.

However, if he filed no claims for those expenses, \$500 minus zero for no claims comes to \$500 double, that is \$1,000. This would put the employee \$100 ahead. So he would be ahead if he filed no claims, which means no administrative costs for the company, he pays the whole \$900, he gets a bonus of \$1,000 and he is up \$100, and the whole system has not had to pay the costs of all of the reimbursements that go with insuring, and he has meanwhile shopped around looking to see who will charge me what for what health care service which now the people are beginning to do. They are finding that charges vary in health care just like they vary for sofas and couches and automobiles and everything else.

One of the aspects of the employer mandate and one of its impacts is that it will destroy any plan that is not the national health benefit package plus the maintenance of effort on the State mandates, that is, the wisdom of Government, and is not set up with an 80/

20 split dictated by Government. And really when you think how innovation, how being people-centered, how important one's own personal responsibility is to real health and wellness, we are actually about to adopt, if we adopt a solution like the Gephardt bill or the Clinton bill or the majority leader's bill in the Senate, if we adopt those kinds of plans, we will wipe out the very innovative, creative responses that are controlling costs, reducing the burden on society but providing quality health care. I just wanted to get those two examples on the record because if there is one thing that makes America unique and different, it is her remarkably resilient and creative people.

Mr. ABERCROMBIE. Will the gentleman kindly yield for a moment or two?

Mrs. JOHNSON of Connecticut. I would be happy to yield.

Mr. ABERCROMBIE. I thank the gentleman very much.

I have listened with some degree of interest to your concerns about particularly where small business is concerned and in employer mandates, and I recognize not only the sincerity of the presentation but the real and vital concern that I think is felt across the Nation. I just simply wanted to share with you just for a moment or two that the employer mandate which we put in really quite frankly at the heart of the bill we passed in Hawaii 20 years ago has not had that effect. In fact, we have increased the number of our small businesses, and the principal concern for staying in business today in Hawaii has less to do with health care than with other circumstances like workers' compensation, et cetera, that might be the basis of a discussion at some other time, some other piece of legislation or even special order.

But I just wanted to indicate that while your concerns, in fact I would say anxieties I think is a fair word, about launching a national program in this respect is, of course, quite pertinent, I can assure you that the health care mandate for employers in small business is not cited by small business people who have dealt with them for a number of years as the principal threat, if you will, to their financial bottom line.

Mrs. JOHNSON of Connecticut. I was very interested in the gentleman's special order before ours and was on the floor and did listen.

Mr. ABERCROMBIE. Yes, I saw you.

Mrs. JOHNSON of Connecticut. I have studied the situation in Hawaii, because Connecticut is a State with 91 percent coverage. According to the Employee Benefit Research Institute, which is I think the most unbiased source of these figures, they put Connecticut at 91 percent coverage. They put Hawaii at 93 percent coverage. Indeed most of the figures showed that

Hawaii is not at 100 percent coverage. They are somewhere between 93 percent and 95 percent coverage. Furthermore, Hawaiians have the choice, primarily 80 percent of them have the choice of only two insurers, Kaiser Permanente, an HMO, or Blue Cross-Blue Shield. Most of us who have dealt with Blue Cross-Blue Shield and some of the other big plans find that they are often inadequate. One of the things that keeps them honest on the mainland is that there is a lot of smaller companies and there are a lot of creative employers like I just quoted who frankly provide far better plans.

Then the other thing that is real interesting about Hawaii, two other things I should just mention about Hawaii, is that between 1980 and 1990, total health care costs in Hawaii rose 191 percent. The national average in the mainland was 163 percent. So the Hawaii system has not succeeded in controlling costs.

Lastly, I would comment that 4 in 10 employers had to reduce the number of employees when the mandate first went into effect; 1 in 10 employers hired part-time workers instead of full-time workers because part-time workers were not covered; 55 percent restricted their wage increases; 33 percent reduced other benefits; and 6 in 10 raised prices. But 1 in 5 of the firms knew other firms that had gone out of business because of the mandates. That is the unseen consequence.

So while I respect Hawaii's decision in this regard, I would also point out that Hawaii has a rather different population than the rest of the Nation. I do not think that you can say because Hawaii has an employer mandate that that makes an employer mandate good. It has not provided much more coverage for Hawaii than Connecticut has. It has not provided the diversity of insurers that the mainland has. It certainly does not allow the diversity that the system over here allows in self-insured and, therefore, it has not been the State in which things like medical savings accounts and other approaches have developed.

Mr. ABERCROMBIE. Will the gentleman yield?

Mrs. JOHNSON of Connecticut. I will be happy to yield since I threw all those things at you that are rather negative to your State.

Mr. ABERCROMBIE. If you would allow me just a moment or two to respond.

One of the reasons I came down, I have heard this, and I must say, you are the mistress of the information that has been given to you and present it very effectively.

One of the reasons I did want to come down because of the small business discussion is that virtually nothing of what you have been told is accurate as far as Hawaii is concerned, and it is important to us for those of us who do

live there to at least get the information on the record.

Mrs. JOHNSON of Connecticut. I think it is accurate that you have primarily Kaiser Permanente and Blue Cross-Blue Shield. Is that not accurate?

Mr. ABERCROMBIE. No. If you would just give me a moment or two. By the way, I am very familiar with the Small Business Hawaii executive director because we went to school together and we have been having a discussion about business and business regulation for the better part of three decades. So I know fully what the approach is.

Just very quickly, the original law was never intended to provide full coverage. It was based on employees who worked full time by definition of the law, which was 20 plus or more hours per week. That was to start it. We never did amend the bill for all intents and purposes except for a couple of benefits because virtually right away, with the mandate in operation even when there was a period of time when there was a dispute over whether we were going to have a waiver, the ERISA waiver, coverage was virtually universal. There are several plans that are put forward and choices to be made in addition to Kaiser and HMSA.

What happened almost immediately was many of the other businesses left because they were taking premiums out, and I think you are familiar with the phrase "cherry-picking." They would go in in those areas where they could maximize their profit and minimize their payout, and they left. Kaiser and Hawaii Medical Services Association, which is in fact the Blue Cross and Blue Shield, do in fact have the major part of the business because of the choice of the people. I think if you surveyed the people in the State, they are very well satisfied with it, although other competition has come up. For example, to try and achieve 100 percent coverage in our Health Quest program, there are five different plans including Kaiser and the Hawaii Medical Services Association, and three others that have come into the competition and succeeded and they are part of our plan toward achieving it.

I just want to conclude by citing to you the latest opportunity for small businesspeople to express themselves, and this was August 1 of this year, 1994, in the Honolulu Star Bulletin. The focus is on imperiled entrepreneurs, "Risky Small Business," is the title.

In the entire article, which focuses on three small businesses, as well as an overall portrait of the 29,000 businesses we have in Hawaii, 98 percent of them with less than 100 employees, and the overwhelming majority, less than 50 employees, only once does the question of health care costs come up. And the citation there is that over the past 12 years, the coverage went up approximately \$5 a year.

□ 2150

So there are genuine concerns. Let me rephrase that and I will conclude. The gentlewoman has been very generous to give me the time she has. I did not mean to imply at all that your concern was not genuine on the question of employer mandates. Obviously that has to be not only discussed but a conclusion has to be reached.

What I meant to say was that I believe that with respect to the dangers for small business and the difficulties for small business in Hawaii, there is much more of a problem with respect to Workers' Compensation, with respect to location and costs of actually being able to have a lease, et cetera, in Hawaii, factors which do in fact make it different and unique from some other areas, although I think Workers' Compensation is a difficulty shared by virtually all small businesses today. But you will find that being cited virtually 100 percent of the time with respect to the difficulties and health care coverage being cited occasionally or only when people are reminded of it.

So what I would ask is as we continue the conversation I hope over the next few days and weeks that we give some consideration to what the positive effects of health care and employer mandates might be in the sense of achieving cooperation in a national health care bill that we can all if not be happy with, feel that it is at least minimally fair one to another.

Mrs. JOHNSON of Connecticut. I would certainly say that I think there is a good, solid bipartisan health care reform bill that we ought to have on the President's desk this year that would do a lot of things that would be very important to all Americans that would eliminate the discrimination that currently exists against people with preexisting conditions, that would prevent companies from cherry-picking, as the gentleman alluded to that they used to do in Hawaii, and would prevent them from doing that nationwide. So there are lots of good things that we can do.

I also respect and am interested in Hawaii's decision to adopt an employer mandate, and I am glad it is working for them. I do not want Washington to force Connecticut to adopt an employer mandate when we are within two percentage points of Hawaii without one, and when we need small businesses to grow and take advantage of our manufacturing work force and of our plant capacity to produce new products, and when I know perfectly well that the majority of the uninsured in my State are in the big cities where there not only are lots of people without health insurance, but there is not a good health insurance infrastructure. And I know if we create an expanded community health center network so those people can get to providers, and we turn Medicaid from a fee-for-service

compensation program into an insuring program so people can have the doctor of their choice and establish relationships that they have chosen, I believe that Connecticut can get to 95 percent every bit as fast as every other State, including Hawaii. So I just do not want Washington to mandate on my State Hawaii's solution, which seems to be working nicely for them in many ways.

Mr. ABERCROMBIE. I appreciate the gentlewoman giving me the time.

Mrs. JOHNSON of Connecticut. It is nice to have you with us, and I thank you.

I would say you ought to go through and compare what the benefits plan is in Gephardt plus the maintenance of effort, plus the State mandates and see how that works out, how many of your employers would actually experience an increase in costs, because I believe it is correct to say that the national benefit plan is considerable richer than Hawaii's plan. We have to check that out.

Mr. ABERCROMBIE. We can discuss that at another time, and I thank the gentlewoman again for the opportunity.

Mrs. JOHNSON of Connecticut. I thank the gentleman from Hawaii.

Mr. MCCRERY. Mr. Speaker, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Louisiana.

Mr. MCCRERY. Mr. Speaker, I appreciate the gentleman coming to the floor and sharing with us his experience in Hawaii. I too had the opportunity to hear his remarks on the floor in the previous special order, and I know that he is sincere in seeking answers to some of the problems that plague our health care system.

With respect though to the data that the gentlewoman from Connecticut cited, with respect to Hawaii the gentleman should know that the figure of 93 percent coverage comes from the GAO, which is a fairly well-respected government watchdog, and the data that she cited with respect to the impact of the Hawaii plan on businesses, 4 in 10 employers had to reduce the number of employees and so on, that data came from a 1993 Kaiser family foundation study. So these are not things she just pulled out of the air.

Mr. ABERCROMBIE. May I just respond very briefly. You are right about that.

Unfortunately, as with everything else, it requires perspective and context. After hurricane Aniki came through you will find that both the failure of businesses and people being laid off, which was cited there, had virtually everything to do with the hurricane. I will not take your time tonight, but I can assure you that the latest statistics show that our health care costs are going down and our hiring is going back up as our economy recovers.

Mr. MCCRERY. I do not mean to criticize Hawaii. I think if Hawaii wants to do that, that is fine, and it has achieved 93 percent coverage. But there is another element to this that we have not talked about tonight, and I think we need to hit it because it is not just job loss that is the result of employer mandate. It is not just an increase to the cost of doing business. It is not just laying off employees or converting from full-time employees to part-time employees to try to avoid the full cost of the mandate. I think more important than all of that is the fact that when the government, the central government, the Federal Government chooses to impose a mandate on all employers in this country to provide health insurance, they are taking the first, the most important, the biggest step toward government control of our health care system. That should not be overlooked in this debate on employer mandates, because only through a mandate, short of a single-payer system where the government controls everything and pays all of the bills, short of that, an employer mandate is necessary for the government to control our health care system.

Think about it. Once the government says, "Mr. Employer, you must give your employees health insurance," then the government says, "Mr. Employer, you must give your employees this health insurance, these benefits," that the government prescribes, and then the government says, "We are also going to impose global budgets on health care spending on a State by State basis." If your State exceeds that global budget, guess what? "We are going to impose price controls and tell you what you must pay for that set of benefits." Then you have government control of health care.

I do not think anybody, well, there are a few in this country who want the government to control health care, but I would submit that the vast majority of Americans, the vast majority of the people in my district for sure do want the government to control their health care system.

So be careful, those of you who promote employer mandates, be careful because that is the first step to government control of our health care system.

Mrs. JOHNSON of Connecticut. I do think that it is absolutely true, and those of us who have been on the committee that have marked up this bill two times now, both the Subcommittee of Ways and Means and in the full committee, we saw how deeply interlocked mandates and price controls are. And once government adopts a price control policy, with it they do things like this: In the Gephardt bill there is a provision in law that says the Secretary of Health and Human Services shall have the power to decide whether a drug is being used appropriately, and if she

does not think that drug is being used appropriately she can deny reimbursement for that drug.

When you look at the future where drugs are going to be more expensive, and there are going to be fewer operations and more use of pharmaceuticals, you can see why the government in this bill is taking control over what drugs you will be able to have reimbursed under your health care plan.

It is the details that reveal the depth of the power shift from people to government that lies behind a bill whose fundamental structure is employer mandates and price controls.

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

Mrs. JOHNSON of Connecticut. I yield to my colleague, the gentleman from Florida.

Mr. STEARNS. Mr. Speaker, I just wanted to add a few comments to the debate from the gentleman from Hawaii. I think perhaps we should take a special order and point out the fallacies in the health care program that exists in Hawaii, because there have been many articles written upon it talking about how it has increased the tax base and how a lot of the research for health care comes from the mainland and the type of economy over there versus the economy that might be in Connecticut.

□ 2200

There are so many comparisons we could do to show that what the gentleman was talking about does not apply here and, in fact, that the Clinton-Gephardt bill is vastly different than that, and so I think at another time we might want to explore that.

But I wanted to make one final argument concerning this employer mandate. And I have heard this by the administration saying, "What is the big deal? You have minimum wage. We have increased the minimum wage, and it did not amount to a flick on the economy." It does.

This is a little different. If I am an employer or employee, the minimum wage applies to a very small segment within that corporation.

Mrs. JOHNSON of Connecticut. Just a few employees.

Mr. STEARNS. Just a few people. Now you are not mandating just that small group of employees. You are mandating all employees, all employers, all across the United States, and the impact is dramatic in comparing it to just raising the minimum wage and making the same comparison is the fallacy, and in the end the employer lots of times cannot control his health care if Government is going to mandate increased standard benefit packages. With all the bureaucracy that comes in with this bill, it is going to affect the employer. He will not be able to control the costs like he could with a small, narrowly segmented group of individuals who are on minimum wage.

I just wanted to bring up the fallacy about comparing this to minimum wage.

Mrs. JOHNSON of Connecticut. Not only are you imposing a cost for each employee, but each employee's spouse and each employee's children. At least, in the Clinton plan, President Clinton was going to have the employer have the spouse pay something and send it back to the employer who paid the family coverage, but this is so typical of Washington. Honestly, you have to have a sense of humor. It is not very funny if you have to pay the bill.

In the Gephardt plan the employer of the spouse is going to pay a premium, but it is not going to go back to the employer who provides the family coverage. It is going to go to the Government to pay the subsidies for small business and low-income workers. So remember, we talked about how small business is going to have to carry the cost of this big benefit plan and of the maintenance of effort benefits and of the State mandated benefits. They are also going to have to carry the costs of the subsidies necessary to subsidize the premiums of low-income workers and small businesses. So you are not going to be paying just for your employees' mandated benefits; you are also going to be paying for other employees' mandated benefits, and that is why the costs are going to go up far higher than they are now.

And then you get into what Europe has gotten into where they said in 1993, when President Clinton got them all together to look how we can make the economies grow, the European Community leaders said, "We must lower taxes on labor to enhance Europe's industrial competitiveness." By that, they meant lower the fringe-benefit costs on labor, not the wages, and in truth, since in the last decade, Europe has created, the last 20 years, Europe has created no new net jobs, no new net jobs. We have created lots of new jobs, because we create them in the small business sector.

Mr. STEARNS. I wanted to interject one thing. Is it not true in some of the European countries the employer health benefits are half of what the labor wage is? In other words, they are increasing so dramatically the labor wage itself is just about twice, but the whole health care is just increasing so dramatically in these countries that it is taking a bigger and bigger share of the employer benefits to the employee.

Mrs. JOHNSON of Connecticut. I thought we had 10 minutes left, but I am told we only have 2 minutes left.

So I yield to the gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG. I will take one quick minute, then you can close. I just wanted to say that one of the things I do not think we had talked about this evening is the fact these mandates do something else beside affecting existing businesses.

Think of the businesses, and I ran a business for years before I came to Congress. I had a small business. I had to borrow money to meet payroll sometimes. That is how it goes. That is how you do it. How about all the businesses that have not started because they cannot or will not be able to fund the requirement of the mandate to buy health coverage for those people in their employment? I would suggest to you that people are not blocks of wood. They behave normally. They understand what the liabilities are of going into business. Believe me, it is tough. I have seen people sweat and strain.

I think the gentleman from Louisiana pointed out that some have less than \$10,000 to show for it. That is not a livelihood, I can assure you.

These mandates, this is the hidden factor. I think it does impact greatly the startup of new businesses where all the net new jobs have come from.

I thank the gentleman from Connecticut.

Mr. STEARNS. I commend the gentleman again for the special order.

Mr. MCCRERY. I appreciate the gentleman inviting me to join her this evening, and I think we have done a good job in exposing the employer mandate as nothing but a new payroll tax.

Mrs. JOHNSON of Connecticut. That is important. I do want to just close with this comment that 90 percent of people who take home \$70,000 out of their business do provide health insurance for their employees. One-third of those who take home only \$10,000 provide health insurance. They want to do it. Those who do not, for the most part, cannot afford to do it, and mandating it on them will not make them able to afford to do it. But it will force them to reduce the number of jobs or go out of business.

So this has big implications both for people's jobs, the strength and vitality of our economy, as well as the quality of health care in America.

I thank the Members for joining me tonight.

A SENSE OF PURPOSE OF OUR COUNTRY

The SPEAKER pro tempore (Mr. FARR). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from Indiana [Mr. BUYER] is recognized for 60 minutes.

Mr. BUYER. Mr. Speaker, I come to the House floor tonight because I have pondered and given analysis to a sense of purpose of our country.

Our Nation was dedicated to basic principles of God's will. Our Founders called these rights to be self-evident and forged a great country from the wilderness.

Two hundred and eighteen years later the ambiance of America is defined by the soul of her people. While

many are filled with goodness, there is a lack of godliness, reverence, and direction among the American people.

When pillars of Christianity in a society are weakened, so are the fruits and blessings which flow from such a nation. The liberals mock George Bush for the "vision thing," and they also mocked Dan Quayle for preaching family values. You see, they were both right, the liberal goal is to replace Christian principles of our Republic with humanistic principles in that the human being can do whatever they want so long as they feel good and it does not hurt others.

We must, as a country, ameliorate our society neither by sanitizing her nor by living in her past, but by restructuring our Government and shoring up her originating foundations. These efforts will give direction and reignite the power of the American dream.

It will happen from those of us who are principled and exercise the courage of conviction with passion. You see, we will succeed, because there are so few of us who compete with their whole heart.

The reason I have made that comment is because I would like to discuss crime tonight. You see, all of this passion that a lot of people like to speak about on the crime issue really is about emotion into the issue.

Having been a former prosecutor, a Federal prosecutor, for 3 years out of the United States attorney's office, crime is an issue I know something about. You see, what we should be talking about here is the United States Code. That is what this is, Federal jurisdiction.

You see, there were four great landmarks in the history of the Federal criminal legislation. The first criminal law was enacted by the Crimes Act of 1790. The act defined back in 1790, among others, such offenses as treason; it also had forgery, bribery, and many of these punishments have not even been changed to today.

Then there was a revision in 1866; another revision in 1897; and the most recent revision was accomplished in 1948.

I think what we must remember is in the preface of title 18 a quote by Roy Fitzgerald of June 30, 1926. He said, "The scrutiny of this code is invited, constructive criticism is solicited. It is the ambition of the Committee of the Revision of the Laws of the House of Representatives," at that time, "was to perfect the code by correcting errors, eliminating an obsolete matter, restating the law with logical completeness, with precision, brevity, and uniformity of expression."

You see, the crime issue: We should be talking about the law. A successful judicial system needs a proper balance between restitution, retribution, deterrence, rehabilitation, and prevention.

What has occurred with the crime bill that came out after conference re-

port is that it is completely out of balance.

□ 2210

The crime bill that was defeated here on a procedural vote for the rule, the message sent was to send that bill back to conference to correct it, because this body voiced the will of the American people to say that the bill that was submitted for us was an obscene injustice of public responsibility.

You see, the responsibility that we have as Members is to come forth with political morality. Political morality is whatever bill that you bring forth, whether it is on welfare reform, on crime, whether it is on the space station, whether it is on many different appropriations, we need to begin paying for what we do. When we have approaching a \$5 trillion national debt, which is moving forward at a clip of \$870 million a day, that is what this deficit is costing us, money that could go to infrastructure of this country, to improvements in education, advanced technologies.

No, we have to pay it on the Nation's debt and our budget deficit. That is what this is causing to us. We cannot ignore it. We cannot stick our head in the sand and say we can continue on.

We must exercise political morality. For many, many years, you see, there was not a cry among America for a balanced budget amendment, there was not a cry for a line-item veto. Only recently has there been the lack of responsibility.

That act of public responsibility is also involved in the crime bill because when there is not enough funding to go around, we must exercise public responsibility to spend dollars wisely, prudently, effectively, focused so that they are effective programs; not to just on the crime issue, to spend money as if it is a starburst without realizing what impact those funds are being made, if any.

The message I received from the State of Indiana has been very clear, it is to stop the revolving door on violent crime and to, yes, place more police on the streets. You see, the people in Indiana are very pragmatic. They exercise good common sense. They say we realize that 7 percent of the violent criminals in our society are committing between two-thirds to 70 percent of the violent crimes, yet only serving 37 percent of their terms.

So what they are asking for is a tough crime bill with true truth-in-sentencing provisions. Now I understand that the President likes to get out there and say there are truth-in-sentencing provisions in the bill; but, you know, they are tremendously watered down and weakened. The President knows that. But he knows that the American people want to stop the revolving door on crime. So he throws out the terminology at the same time

while he knows that States can access prison funding without even having to access—excuse me—having to activate truth-in-sentencing provisions.

You know, since the House defeated the rule, the President did try to seize, Mr. Speaker, the initiative with numerous attacks upon the GOP. And the NRA. Of course, he has forgotten about 58 Democrats who also opposed him on that rule.

I, on Friday, after hearing the majority leader state that he would place the crime bill back on the docket, I immediately wrote a letter to the Speaker of the House, saying, "Let's move forward in a bipartisan fashion." I was one of 38 of the Republicans who voted for the crime bill that came out of the House. I very much would like to vote on a crime bill. But the crime bill that came out of the conference report is not a report of a bill for which I can support. I asked them to meet in a bipartisan fashion to send this bill back to the conference, so that, yes, the will of the American people can be served.

My fears are that rather than negotiate with individuals such as myself, who has not been contacted by the White House, is that they would rather try to find eight individuals, take them to the back rooms and negotiate back there, either by using the Mut-and-Jeff routines offering enticements and deals or outright punishment, threats, verbal coercion.

I am hopeful that my colleagues will exercise courage of conviction that I spoke in my opening because I see the trust deficit that is real between the American people and this Congress is there because they see a Member of Congress being nonresponsive to the will of the American people.

I also have mentioned what it felt like to be back at home at Monticello, IN, sitting on the couch with my son, to then see President Clinton on TV on the nightly news asking the American people from the pulpit of a church to pray for Members of Congress who voted against his crime bill.

I must say, Mr. President, that that was a tremendous statement to make from someone that, yes advocates the present statements of Christian bigotry that is occurring out there, not only you yourself, but also members of your Cabinet, talking about the unreligious Christian right.

Let me move to the President's comments that have been conclusively stated that the bill contains the "three-strikes-you're-out," 100,000 cops on the beat, prison funding and, as I said earlier, truth-in-sentencing provisions. You see, those are things which appeal to the American people. Clinton has not given the details about the plan in any of his statements. He has only repeated that what defeated the bill was a, I quote, "procedural trick." He has not explained how the bill was so drastically weakened in the conference. And I wonder why.

If the bill was so wonderful, why does he not let the American people in on the big spending secret?

You see, many of us are upset. We are upset because the crime bill got away from its original intent. Many of you are upset because, yes, we want to build more prisons; but what happened to that House version of the bill was that there was a decrease in funding of prisons by 50 percent.

Now, someone on the other side of the aisle would say, "No, STEVE, it is not 50 percent. There is \$10.5 billion in the funding of prisons." But, you know, folks, it is less \$1.8 billion for the housing of illegal aliens and \$2.2 billion of that is non-trust-fund spending, which is a non-appropriated fund. You may as well call it funny money.

Attached to the prison funding were the truth-in-sentencing provisions. Yes, that is a Federal enticement to say to the States, "Let's stop the revolving door." But as I said earlier, now they cannot access the funds without having to enact truth-in-sentencing provisions.

One of the funding mechanisms of this bill I would like to discuss is that there is no true, accurate funding mechanism of the crime bill. The crime bill is to be funded with a trust account.

You see, there is no requirement that Federal spending actually meet all the crime bill funding commitments. You see, what that does is set the stage for possible nonbudgeted supplemental appropriations.

Next I would like to discuss retroactive applicability of the waivers of minimum mandatory sentences for first-time drug felons. Yes, you have heard many talk on the House floor about the possibility of that impact, of the release of up to 10,000 drug felons.

Now, it is difficult to say what the exact number is going to be. But what we do know is the impact of that measure. The impact of the measure is very real.

According to the preliminary estimates developed by the Federal Bureau of Prisons, somewhere between 5,000 and 10,000 Federal prisoners could meet the eligibility requirements, as stated in the bill, section 201. A sentence reduction hearing would likely be required to reduce a prisoner's sentence each costing the judiciary about \$2,500 per case. If 5,000 or 10,000 hearings were conducted, the cost to the judiciary could be between \$10.5 million and \$25 million, which would likely be incurred in the first 2 or 3 years of the enactment of the provision.

□ 2220

So, you know when the President gets out, and he talks about this being a tough crime bill, I do not think the people have in mind the releasing of so many Federal prisoners back into the circulation of society, and you know it

is not just the individual that decided to experiment with marijuana for the first time. This also could be the moles, those individuals who are running drugs, and in Indiana that impact is real because they are running drugs up from the South, whether it is from the gulf, or from Miami, up I-75, and cut across I-69, or up I-65 to Chicago or to Detroit, and it is real, and to think we would take those drug felons and place them back on to the street is not my idea of a tough crime bill. When the American people say they want a tough crime bill, I believe they have in their image, in their mind, something of the Terminator, but what we have is something that looks more like Mr. Whipple squeezein' the Charmin.

Part of the bill which has also upset many is the social side. They call it the prevention. Yes, it is heavy in the prevention side, and we do need a balance with prevention. But what we do not need is the out of balance. You see, earlier when I had mentioned that we need a system that balances between prevention, restitution, retribution, rehabilitation, and deterrence, the American people have stood up and said, "Enough is enough. For 25-plus years we have had tremendous focus on the rehabilitative side, poured money into the prevention side, and what has the spending of \$5 trillion of social programs since 1965 done for this society? It has escalated violent crimes by almost 500 percent."

It is almost like what happened to individual and personal responsibility. Yes, some of the prevention side of the spending is good. I think that the statements by many about the midnight basketball and a lot of those provisions are silly, and the American people view them as being silly. I think what upsets a lot of us here is the placing of \$1.8 billion of the Local Partnership Act of the failed stimulus package in a crime bill. It has no place in this crime bill.

You see, earlier when I opened up, when I talked about title 18 and the law, it is because we should be talking about a focus in on the deterrence, the retribution, the law, and then seek the balance on the preventive side. Now I think the message of the American people has been very clear, and their clear message is:

What happened to deterrence?

What happened to retribution?

What happened to victims' rights?

We have had enough about the civil rights of criminals. Let us stop codding the criminal with hug-a-thug type programs. Enough is enough.

You see, I stand here and view this through the dimension of a Federal prosecutor, and I say, "Will this crime bill, if I were still in the U.S. attorney's office, would this bill help? Would it help me? Would it help members of the community to have the streets, and the schools, and the parks,

and the communities safer?" I could not look at an individual back in Indiana in the face and in their eyes and state with the passion and my conviction and say it will.

Let me mention about the funding of 100,000 police because I know many like to talk about the 100,000 police. I know what many have already talked about, that it really does not fund the 100,000 police on the street that the President and many others claim.

I think the American people would like to see more police. I know that there are communities that are strapped in the high tax, high crime areas that have high unemployment. I know that they are reaching out.

Sure, we would love to have better efficiencies of their local government. I do not want the Federal Government to be a bailout for the inefficiencies of the local communities. But on this issue of the 100,000 cops on the beat you almost have to say, "What's the catch?"

You see, I view this provision as an entrapment of police funds. The simple examination of title one of section 1003 of the conference report on page 20779 of the CONGRESSIONAL RECORD shows there is now a way that this bill could possibly fund police for our streets. You see, the bill provides \$8.8 billion to be doled out at the discretion of the Attorney General for both new police—now think of that, at the discretion of the Attorney General. You see, there are some of us that believe that not only these cops on the beat, but other preventative programs should be handed out in block grants, not to be spent at the discretion of the Attorney General, or at HUD, or at other Federal governmental agencies.

You see, my fear is that politics will permeate on the issue. Just go to Massachusetts, for example, and go ask two Republican Congressmen in Massachusetts by the name of PETER BLUTE and PETER TORKILDSEN. Ask them what happened to the Federal grants for more police in the State of Massachusetts. You see, the money went to other Congressional districts who are Democrat Congressmen in Massachusetts, and no money went to the two Republican districts in the State of Massachusetts.

Now, I have not analyzed where the funds have gone in other States, but that bothers me a whole lot because what that tells me is that politics are permeating the issue of where moneys will be doled out.

So you say, "STEVE, just allow the discretion of this \$8 billion-plus to be held in the hands of the capricious hands of the President's Cabinet." I think not. We have had enough of federalism, federalism, the Federal Government, moving into the States and local communities as if this body has all the answers. I disagree.

You know, I noticed earlier one of my colleagues commented that the

leader of the sheriffs' association here in the United States is a Democrat sheriff from a county in South Carolina who said he is not going to access this. He is not going to access it because the application process will be too bureaucratic and that he cannot, their county cannot, afford the expense.

You see, I was on the phone today also with a president of a county council in Marshall County, IN, by the name of John Zentz. He is president of the county council, and he said, "STEVE, we cannot afford this program." You see, they understand at the local community that it is an entrapment. In order for them to access these funds they must put up 25 percent of the costs of that new police officer, and then they are going to have to pay for, they, the counties, will have to pay for, the benefit package, health care and health care insurance, any kind of life insurance, their retirement programs. They will pick up the expense. So, they fund 25 percent. They are going to have to pay for the equipment if they are going to have to go out and buy new squad cars. The local communities are going to have to pick that up. The Federal Government will kick in the 75 percent. But the kicker is at the end of the 5 years the local communities have to pay it all.

Now at the end of 5 years what magically happens? Vesting. Vest. You see, that police officer has vested.

□ 2230

He becomes a permanent employee. It is a hidden tax increase to the local communities, who cannot afford it, and they know it. That is why I received a call from the president of the county council, to say Steve, I do not agree with that carrot-and-stick approach.

What I am hopeful for is that this body will move forward in a bipartisan fashion to address the crime issue. I think if they listen to the will of the American people, and I am very careful not to judge America by what happens in my district. Sometimes we get caught in that. I have to remember about the concerns of my colleagues that come from big cities. I recognize that this body at times, the Nation's agenda gets driven by the concerns of the big urban centers.

I am keenly aware of that, because I come from the rural areas. The rural areas are individuals who are very pragmatic, who are steeped in traditions and have great reverence. They have known what it is like to do more with less. They are not the ones with their hands out, looking for a handout, when they have poorly run their own local governments. So that is why earlier I said the Federal Government should not be the bailout. I recognize that as we discuss the issue of crime, we must remain responsible, exercise public responsibility, and public political morality.

What I hear from my district has been very clear on the issue thus far. The Fifth District of Indiana, the calls into my district are 16 to 1 against the President's crime bill. When I did a survey of my district, I asked a few questions, and this is how they responded.

Over 5,300 responses, from July 1 to July 31 of this year, to the question do you feel that crime control legislation should include truth-in-sentencing guidelines which require criminals to serve at least 80 percent of their sentences? 4,858, 92 percent, said yes, we want truth-in-sentencing provisions. So you see, when I want to stand up here on the House floor for truth-in-sentencing provisions to stop the revolving door, it is not stating just what I want. It is the will of the people that I represent in the Fifth Congressional District of Indiana.

On the issue of do you support the notion that gun control is crime control? 4,416, 84 percent of the 5,300 responses said no, they do not buy into that notion.

Now, there has been a lot of talk that it is the NRA that is stopping the crime bill. The NRA has played a part, but that is not the sole cause. You see, the crime bill got far away from its original intent. I voted against Brady. I voted against the assault weapons ban. I am a strong supporter of the second amendment.

But, you know, I recognize that what we must go after is the criminal intent. You see, if I hold a knife in my right hand, and I hold a weapon, a gun which they seek to ban in my left hand, can you tell me which is the assault weapon and which is the defensive weapon? No.

You see, what defines them is the criminal's intent. If I choose the knife in my right hand to either maim, disfigure, wound, or kill, and I come at you, and you choose the weapon that they seek to ban, the knife is the assault weapon based only on my intent, and the defensive weapon is the gun.

So the real assault weapon is the thug, is the criminal. That is what defines the assault weapon.

So I get a little upset when I hear the "assault weapons ban." Does that mean we are going to ban anything that is used? Are we going to ban feet? Are we going to ban hands? Are we going to ban an ink pen, if somebody uses an ink pen and stabs it into someone's heart? All of those are assault weapons. Tire irons, screwdrivers, ice picks. There are many things that could be classified as an assault weapon.

So I do not give in to the renaming. You see, there is that notion of gun control is crime control, and I do not question the sincerity of the Members of this body that believe that, because they believe it with all their sincerity. President Clinton believes that with all his sincerity.

But that which really gets me is to have in this crime bill gun control. And at the same time this conference stripped out the Senate provisions to get tough on criminals who use a weapon, a gun, in the commission of a crime.

On the floor of the Senate, PHIL GRAMM offered an amendment requiring 10 years in prison without parole for possessing a firearm during the commission of a violent crime or drug felony, 20 years imprisonment without parole for discharging a firearm during the commission of a violent crime or drug felony, life imprisonment without parole for murder, and the death penalty in aggravated cases.

You see, this was stripped in conference. Now, think of that disconnect. They want to take guns away from law-abiding citizens, but, at the same time, let us not punish criminals who use a gun or discharge it or kill someone in the commission of a crime. Let us not increase that.

Now, you see, the President is not saying that. He is not out there saying that, because if the American people knew that, they would be tremendously upset.

So that is why I am here tonight. I am here tonight to get the American people to understand there are many of us in this body who are upset that the crime bill was weakened.

Now, I understand what happens here. That in order to get a crime bill through this House, it is an incredible juggling act. It is a juggling act because you have Members who do not believe in the death penalty. You have Members who only want to do the social side or the preventive side. You have got those who really believe in the coddling of the criminal. You have got those who say well, that is really not a mugger, that is just a socially disadvantaged person who is reaching out for help. So he is not really a mugger. Allow him to complete his transaction so he can get back to a midnight basketball game.

Come on. The American people have seen through this crime bill. They do in fact want a tough crime bill. And being one of the 38 Republicans who voted for the crime bill, I want a tough crime bill. But I cannot support a crime bill that does not move back to conference and move in a bipartisan fashion. I cannot do it, and go back to Indiana and look at Hoosiers in the face and say "good deed."

Mr. Speaker, I include for the RECORD the following newspaper article.

[From the New York Times News Service, Aug. 17, 1994]

A VOTE AGAINST CRIME BILL IS A LESSON IN NEW POLITICS

(By R.W. Apple, Jr.)

WASHINGTON.—Rep. Lee L. Hamilton carries the look and the sound of small-town America with him. He uses the phrase "visit

with" to mean "talk to," he still wears his hair cut short and he has the same soft Hoosier manner that once made Herb Shriner a popular humorist.

But Hamilton, an Indiana Democrat, has spent 30 years on the Potomac, and he is now a major player on Capitol Hill as chairman of the House Foreign Affairs Committee. He is invited to the bigtime parties in Georgetown and at the White House (he was there for dinner recently with the Emperor and Empress of Japan). He regularly gets approval ratings in the 70s and 80s from most liberal groups and ratings in the 30s from most conservative organizations.

Hamilton is admired for his intellect. President Clinton, it is said, considered him last year for secretary of state and has thought of him, along with Walter F. Mondale, as a candidate to succeed Warren Christopher in that position. In short, he is someone the Democratic establishment considers one of its own.

So perhaps the most surprising element of last week's surprising defeat of the crime bill on a procedural motion was Lee Hamilton's "no" vote. It is understandable only in terms of the two worlds he inhabits and which one exerts the stronger influence in today's politics.

"It doesn't give me any joy to cast a vote against President Clinton or any other president, for that matter," he said Tuesday. "Would I like to see him get a victory when he obviously needs one? Yes. Do I make that my first or my second priority? No."

The basic nature of American politics has changed. I don't get elected because of what Bill Clinton thinks or what the House leadership thinks. The electorate makes up its own mind. That inevitably means that presidents have a lot less clout with Congress than they used to have. All presidents, I mean.

It's also true, of course, that when a president is riding high his influence goes up, and when a president is in the dumps, the way Clinton is, his influence declines."

Hamilton lives in Nashville, Brown County, Indiana (population 373) and represents most of southeastern Indiana, an 18-county region whose biggest town is Jeffersonville, across the Ohio River from Louisville, Ky.

People there tend to be conservative Democrats; many trace their roots back to the "Butternut" Democrats from the South who settled in the area. And they are much more suspicious of government spending and gun control and social engineering than people in Washington or, for that matter, Indianapolis.

"They elect Lee Hamilton," an old friend said, "because they know that deep down, there's a wide streak of Scottish conservatism in there."

Hamilton certainly sounded conservative as he discussed his vote in an interview Tuesday morning. He said he liked some things in the bill, such as the provisions for more police officers and more prisons, but he argued that Congress "can do better" and that if it did not, no bill was preferable to one he considered deeply flawed.

How? Well, the congressman said, he found the financing of the new programs "very shaky," in fact "largely phony," because they would be paid for by savings within the federal bureaucracy that would never be made.

There was "a lot of stuff that doesn't belong in a crime bill," he added, like \$300 million for economic development, and "another job training program, when we already have about 20 and the vice president has been running around saying we need to consolidate them."

But he spoke with special emphasis about the ban on assault weapons, which he voted against when it first passed the House, although he had voted in favor of the Brady law, which requires a five-day waiting period before handguns can be purchased.

Such laws are far more popular in cities, he conceded, than in the small towns and rural communities he represents; "In Indianapolis a gun is a threat, but in DuBols or Spencer County it's a security device."

"This is an exceedingly divisive issue," Hamilton said, "but no one has shown me any evidence that a ban would cut the crime rate."

He pictured his vote as a matter of principle, but at the White House, it was seen as a cave-in to political pressure. Asked why Hamilton had voted as he did, a senior adviser to Clinton answered.

"Guns. That's all it is."

In fact, Hamilton appears to be under no great pressure from anyone. Despite widespread talk of stripping him of his chairmanship as a disciplinary measure, something that would have been almost automatic 20 or 30 years ago, he said he had received no threats from House colleagues and no calls from the White House since the vote. (Beforehand, he was called by Vice President Al Gore, whom he told that he had already publicly pledged to vote "no.")

His hold in his district appears solid. He took 69 percent of the vote in 1992 and 70 in 1994, and his opponent this year, State Senator Jean Leising, is given little chance.

There has been no burst of editorial comment on his vote, and John Gilkey, managing editor of The Evening News in Jeffersonville, said that even the assault-gun ban "is not really an overwhelming concern to people here." The main complaints have come from local police chiefs. Dean Marble, the chief in Clerks County, said he was "really disappointed" because additional officers were "desperately needed in the country" and money was not available.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORAN (at the request of Mr. GEPHARDT) for today, on account of illness in the family.

Mr. BECERRA (at the request of Mr. GEPHARDT) for today, on account of official business in the district.

Mr. DERRICK (at the request of Mr. GEPHARDT) from 2 p.m. today, on account of illness.

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. ZIMMER) to revise and extend their remarks and include extraneous material.)

Mr. DORNAN, for 5 minutes, today.

Mr. DOOLITTLE, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

Mr. TAYLOR of North Carolina, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, on August 18.

Mr. WOLF, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. COX, for 5 minutes, today.

Mr. HEFLEY, for 5 minutes, today.

Mr. RAMSTAD, for 5 minutes, today.

Ms. PRYCE of Ohio, for 5 minutes, today.

Mr. MANZULLO, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. EHLERS, for 5 minutes, on August 18, 19, 20, 21, and 22.

(The following Members (at the request of Mr. BARLOW) to revise and extend their remarks and include extraneous material.)

Mr. HOYER, for 5 minutes, today.

Mr. KREIDLER, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

Ms. ESHOO, for 5 minutes, today.

Mr. FINGERHUT, for 5 minutes, today.

Mr. BISHOP, for 5 minutes, today.

Mr. BARRETT of Wisconsin, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mrs. MEEK, for 5 minutes, today.

EXTENSION OF REMARKS

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

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

Mr. SAM JOHNSON of Texas.

Mr. LEWIS of Florida.

Mr. PACKARD.

Mr. SOLOMON.

Mr. DELAY.

Mrs. MORELLA.

Mr. SANTORUM.

Mr. CRANE.

Mr. ZELIFF.

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

Mr. NADLER.

Mr. BRYANT.

Mr. OBERSTAR.

Mr. MILLER of California.

Mr. REED.

Mr. MARKEY.

Mr. GORDON.

Mr. HAMILTON in two instances.

Mr. RUSH in two instances.

Mr. UNDERWOOD in two instances.

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

Mrs. SCHROEDER.

Mr. KREIDLER.

Ms. BROWN of Florida.

Mr. BUYER.

ENROLLED BILLS SIGNED

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

H.R. 2815. An act to designate a portion of the Farmington River in Connecticut as a

component of the National Wild and Scenic Rivers System.

H.R. 4812. An act to direct the Administrator of General Services to acquire by transfer the Old U.S. Mint in San Francisco, California, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Thursday, August 18, 1994, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3713. A letter from the Secretary, Department of Defense, transmitting the 1994 Joint Military Net Assessment, pursuant to 10 U.S.C. 113(j)(1); to the Committee on Armed Services.

3714. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement with the Republic of Korea (Transmittal No. DTC-27-94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3715. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement with Finland (Transmittal No. DTC-26-94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3716. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed approval of manufacturing license agreement with Japan (Transmittal No. DTC-28-94), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3717. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Robert Edward Service, of California, to be Ambassador to the Republic of Paraguay, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3718. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 94-32: RFE/RL Relocation, pursuant to Public Law 103-236, section 308(k)(2)(B) (108 Sta. 439); to the Committee on Foreign Affairs.

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. BEILENSON: Committee on Rules. House Resolution 523. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year

ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-709). Referred to the House Calendar.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

Referral of H.R. 2680 to the Committee on Government Operations extended for a period ending not later than August 18, 1994.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. DUNN:

H.R. 4973. A bill to amend title 18, United States Code, to make it unlawful for any person to knowingly possess stolen firearms or stolen ammunition; to the Committee on the Judiciary.

By Mr. EVANS (for himself, Mr. CLAY, Mr. JEFFERSON, Mr. BARLOW, Mr. LIPINSKI, Mr. LEACH, Mr. GUTIERREZ, Mr. COSTELLO, Mr. OBERSTAR, Mr. WHEAT, Mr. BAKER of Louisiana, Mr. SANGMEISTER, Mr. MONTGOMERY, Mrs. LLOYD, and Mr. FORD of Tennessee):

H.R. 4974. A bill to amend the Mississippi River Corridor Study Commission Act of 1989 to extend the term of the Commission established by such act; to the Committee on Natural Resources.

By Mr. DREIER (for himself and Mr. KOLBE):

H.R. 4975. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exclude changes in tariffs from the paygo scorecard and to amend the Congressional Budget and Impoundment Control Act of 1974 to exempt changes in tariffs from certain points of order; jointly, to the Committees on Government Operations and Rules.

By Mr. HANSEN (for himself, Mr. SKEEN, Mr. BILBRAY, and Mr. PASTOR):

H.R. 4976. A bill to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner; to the Committee on Natural Resources.

By Mr. KREIDLER (for himself, Mr. MURPHY, Mr. FRANK of Massachusetts, Mr. BARLOW, Mr. MARTINEZ, Mr. OBERSTAR, Mr. JACOBS, Mrs. UNSOELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TORRES, Mr. VENTO, Mr. WYDEN, Mr. SYNAR, and Mr. JOHNSTON of Florida):

H.R. 4977. A bill to change the appeals process in the workers compensation provisions of title 5, United States Code; to the Committee on Education and Labor.

By Mr. KREIDLER (for himself, Mr. MURPHY, Mr. FRANK of Massachusetts, Mr. BARLOW, Mr. MARTINEZ, Mr. OBERSTAR, Mr. JACOBS, Mrs. UNSOELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TORRES, Mr. VENTO, Mr. WYDEN, Mr. SYNAR, and Mr. JOHNSTON of Florida):

H.R. 4978. A bill to require the administrative agency responsible for adjudicating

claims under the workers compensation provisions of title 5, United States Code, to follow certain procedures in seeking medical opinions; to the Committee on Education and Labor.

By Mr. KREIDLER (for himself, Mr. MURPHY, Mr. FRANK of Massachusetts, Mr. BARLOW, Mr. MARTINEZ, Mr. OBERSTAR, Mr. JACOBS, Mrs. UNSOELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TORRES, Mr. VENTO, Mr. WYDEN, Mr. SYNAR, and Mr. JOHNSTON of Florida):

H.R. 4979. A bill to require the administrative agency responsible for adjudicating claims under the workers compensation provisions of title 5, United States Code, to select board-certified physicians to provide second opinions; to the Committee on Education and Labor.

By Mr. LEWIS of Kentucky; (for himself, Mr. BUNNING, Mr. ROGERS, Mr. MAZZOLI, Mr. BAESLER, and Mr. BARLOW):

H.R. 4980. A bill to designate the bridge on U.S. Route 231 which crosses the Ohio River between Maceo, KY, and Rockport, IN, as the "William H. Natcher Bridge"; to the Committee on Public Works and Transportation.

By Mrs. SCHROEDER (for herself, Mr. MARKEY, and Ms. MARGOLIES-MEZVINSKY):

H.R. 4981. A bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, national origin, age, or disability; and for other purposes; jointly, to the Committees on Education and Labor and the Judiciary.

By Mr. TORKILDSEN:

H.R. 4982. A bill to improve the enforcement of child support obligations in both intrastate and interstate cases by requiring the imposition and execution of liens against the property of persons who owe overdue support; to the Committee on Ways and Means.

By Mr. VOLKMER:

H.R. 4983. A bill to amend title IV of the Social Security Act by reforming the Aid to Families with Dependent Children Program, and for other purposes; jointly, to the Committees on Ways and Means, Education and Labor, Energy and Commerce, and Agriculture.

By Mr. DREIER (for himself, Mr. GINGRICH, Mr. ARMEY, Mr. ARCHER, Mr. CRANE, Mr. KOLBE, Mr. ROBERTS, Mr. SAXTON, Mr. EWING, Ms. DUNN, and Mr. KNOLLENBERG):

H. Con. Res. 284. Concurrent resolution expressing the sense of the Congress with respect to funding for the Uruguay round of GATT negotiations; to the Committee on Ways and Means.

By Mr. DELLUMS:

H. Con. Res. 285. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2182; considered and agreed to.

By Mr. BALLENGER (for himself and Mr. HAMILTON):

H. Con. Res. 286. Concurrent resolution recognizing the contribution of President Alfredo Christiani of El Salvador to achieve peace and national reconciliation in El Salvador; to the Committee on Foreign Affairs.

By Ms. DUNN (for herself, Mr. DEAL, Mr. HYDE, Mr. SMITH of New Jersey, Mr. KYL, Mrs. FOWLER, Ms. MOLINARI, Mr. ZIMMER, Mr. CUNNINGHAM, Mrs. ROUKEMA, Mr. SAXTON, Mr. FRANKS of

New Jersey, Mr. MANZULLO, and Mr. CRAFO:

H. Res. 524. Resolution providing for the consideration of the bill (H.R. 3990) to provide protection from sexual predators; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

460. By the SPEAKER: Memorial of the General Assembly of the State of California, relative to Norton Air Force Base; to the Committee on Armed Services.

461. Also, memorial of the General Assembly of the State of California, relative to women's health care; to the Committee on Energy and Commerce.

462. Also, memorial of the General Assembly of the State of California, relative to the Federal Safe Drinking Water Act; to the Committee on Energy and Commerce.

463. Also, memorial of the General Assembly of the State of California, relative to human rights violations and political oppression in Vietnam; to the Committee on Foreign Affairs.

464. Also, memorial of the General Assembly of the State of California, relative to law enforcement; to the Committee on the Judiciary.

465. Also, memorial of the General Assembly of the State of California, relative to the imprisonment of undocumented alien criminals in Federal prisons; to the Committee on the Judiciary.

466. Also, memorial of the General Assembly of the State of California, relative to deportation of the spouses and children of permanent U.S. residents; to the Committee on the Judiciary.

467. Also, memorial of the General Assembly of the State of California, relative to hate crimes; to the Committee on the Judiciary.

468. Also, memorial of the General Assembly of the State of California, relative to illegal aliens; to the Committee on the Judiciary.

469. Also, memorial of the General Assembly of the State of California, relative to gaming on cruise ships; to the Committee on Merchant Marine and Fisheries.

470. Also, memorial of the General Assembly of the State of California, relative to the New River; to the Committee on Public Works and Transportation.

471. Also, memorial of the General Assembly of the State of California, relative to recognition of capital loss on the sale of a principal residence; to the Committee on Ways and Means.

472. Also, memorial of the General Assembly of the State of California, relative to the Federal income tax personal exemption; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 127: Mr. BEREUTER, Mr. COPPERSMITH, Mr. FROST, Mr. COYNE, Mr. MILLER of California, Mrs. VUCANOVICH, and Mr. DE LUGO.

H.R. 1110: Mr. DELAY.

H.R. 1164: Mr. KENNEDY.

H.R. 1190: Mr. DORNAN.

H.R. 2420: Mr. SOLOMON.

H.R. 2586: Mr. SYNAR.

H.R. 2910: Mr. BEREUTER, Mr. CANADY, and Mr. HANSEN.

H.R. 3251: Mr. CRANE, Mr. SENSENBRENNER, and Mr. BARCA of Wisconsin.

H.R. 3270: Mr. ANDREWS of Texas.

H.R. 3722: Mr. UNDERWOOD.

H.R. 3782: Mr. KLUG, Mr. DEUTSCH, Mr. ZIMMER, and Mr. WYNN.

H.R. 3897: Mr. FINGERHUT.

H.R. 4116: Mr. JOHNSON of South Dakota.

H.R. 4210: Ms. MARGOLIES-MEZVINSKY, Mr. HOLDEN, Mr. HUFFINGTON, Mr. RIDGE, and Mr. MANTON.

H.R. 4260: Mr. GUNDERSON.

H.R. 4375: Mr. EVANS.

H.R. 4411: Mr. VISCLOSKY.

H.R. 4449: Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. BOEHLERT, Mr. DELLUMS, Mr. EVANS, Mr. ENGEL, Mr. FOGLIETTA, Mr. HILLIARD, Mr. HOCHBRUECKNER, Mr. HUGHES, Mr. OWENS, Mr. SERRANO, and Ms. VELAZQUEZ.

H.R. 4541: Mr. HAMILTON, Mr. BURTON of Indiana, Mr. ACKERMAN, Mr. HASTINGS, Mr. EDWARDS of California, Mr. ENGEL, Mr. BERMAN, Mr. GEJDENSON, Mr. LANTOS, Mr. BACCHUS of Florida, Mrs. MEEK of Florida, Mr. PENNY, Mr. BARRETT of Wisconsin, Mr. DELLUMS, Mr. WYNN, Mr. OBERSTAR, Mr. WASHINGTON, Mr. HUGHES, Mr. MCCLOSKEY, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. DE LUGO, Mr. HOUGHTON, Mr. HILLIARD, Mr. REYNOLDS, Mrs. CLAYTON, Mr. CONYERS, Mr. JEFFERSON, Mr. HALL of Ohio, Mr. WALSH, Mr. KLEIN, Mr. RUSH, Mr. LEACH, Ms. FURSE, Mr. MFUME, Mr. BONIOR, Mr. DURBIN, Mr. WATT, and Mr. SYNAR.

H.R. 4548: Mr. ABERCROMBIE.

H.R. 4634: Mr. SMITH of Oregon.

H.R. 4699: Mr. MINGE and Ms. DELAURO.

H.R. 4780: Mr. ORTON, Mr. MORAN, Mr. PRICE of North Carolina, Mr. KLINK, Mr. PARKER, Mr. DINGELL, Mrs. KENNELLY, and Mr. MILLER of California.

H.R. 4792: Mr. GUNDERSON.

H.R. 4802: Mr. SANDERS, Mr. SCHUMER, Mr. GENE GREEN of Texas, Mr. CALVERT, Mr. POMEROY, and Ms. KAPTUR.

H.R. 4810: Ms. VELAZQUEZ and Mr. FILNER.

H.R. 4851: Mr. PARKER, Mr. APPEGATE, Mr. CLAY, Mr. McNULTY, Mrs. COLLINS of Illinois, Mr. ACKERMAN, Ms. FURSE, and Mr. REYNOLDS.

H.R. 4860: Mr. VISCLOSKY.

H.R. 4902: Ms. PRYCE of Ohio.

H.R. 4944: Mr. DORNAN and Mr. RICHARDSON.

H.J. Res. 338: Mr. McDERMOTT, Mr. ROEMER, and Mr. VISCLOSKY.

H.J. Res. 362: Mr. MEEHAN, Mr. JOHNSON of South Dakota, and Mr. THOMPSON.

H.J. Res. 382: Mr. BISHOP and Mr. MURTHA.
H.J. Res. 397: Mr. EMERSON, Mr. THOMPSON, Mr. PASTOR, Mr. FROST, Mr. TOWNS, Mr. McNULTY, Mr. FOGLIETTA, Mr. COPPERSMITH, Mr. REYNOLDS, Mr. REED, Mr. QUINN, Mrs. MEYERS, of Kansas, Mr. MCKEON, Mr. MANN, Mr. LAROCCO, Mr. PETE GEREN of Texas, Ms. WOOLSEY, Mr. SCHIFF, and Ms. WATERS.

H. Con. Res. 148: Mr. GILMAN.

H. Con. Res. 251: Mr. LANTOS, Mrs. MEYERS of Kansas, Mr. ROHRBACHER, Mr. MCCLOSKEY, Mr. SMITH of New Jersey, Mr. OBERSTAR, Mr. TRAFICANT, Mr. HALL of Texas, Mr. SERRANO, Mr. MILLER of California, Mr. LIPINSKI, Mr. PORTER, Mr. MORAN, and Mr. McNULTY.

H. Con. Res. 255: Mr. SHAYS and Mr. DUNCAN.

H. Res. 430: Mr. GINGRICH, Mr. MENENDEZ, and Mr. MANTON.

H. Res. 472: Mr. WELDON and Mr. BALLENGER.

H. Res. 485: Mr. LEWIS of Florida, Mr. TALENT, Mr. GRAMS, Mr. COOPER, and Mr. FRANKS, of New Jersey.

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.R. 140: Mr. ZIMMER.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

118. By the SPEAKER: Petition of the attorney general of the State of Arizona, relative to State health care fraud control units; to the Committee on Energy and Commerce.

119. Also, petition of the attorney general of the State of Texas, relative to State health care fraud control units; to the Committee on Energy and Commerce.

120. Also, petition of the attorney general of the State of Michigan, relative to State health care fraud control units; to the Committee on Energy and Commerce.

121. Also, petition of the attorney general of the State of New Mexico, relative to State health care fraud control units; to the Committee on Energy and Commerce.

122. Also, petition of the Department of Public Safety of the State of Utah, relative to State health and care fraud control units; to the Committee on Energy and Commerce.

123. Also, petition of the attorney general of the State of Minnesota, relative to State health care fraud control units; to the Committee on Energy and Commerce.

124. Also, petition of the attorney general of the State of North Carolina, relative to State health care fraud control units; to the Committee on Energy and Commerce.

EXTENSIONS OF REMARKS

HOW TO START REFORMING THE
OWCP

HON. MIKE KREIDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. KREIDLER. Mr. Speaker, in Colorado, there is an injured Federal employee who is contemplating suicide because he sees his insurance policy as his only apparent means of providing for his family.

In California, a Vietnam war hero came close to bankruptcy twice, lost a chance at buying a home, relinquished his military reserve pay, and lost thousands of dollars in wages—thanks to a dog bite while delivering the mail.

In New Jersey, a Federal employee went 3 years without pay or compensation, liquidated all his financial assets and "sold anything I could" to get money, and was then fired, over a herniated disk.

In Washington, a trusted naval shipyard employee is threatened, lied to, humiliated, interrogated, called names, spied on, and fired, because he injured his back on the job.

In Georgia, the undercover agent who cracked the biggest bribery case in IRS history saw 11 doctors who declared him totally and permanently disabled, linking his problems to the stress of undercover work. And still the Government insisted he see more doctors. "This [harassment]" he said, "is killing me."

In Michigan, a Federal employee requires ongoing physical therapy to have a relatively pain-free life following an on-the-job injury. Denial of therapy leads to severe pain, but her therapy is constantly hindered by the Government's failure to approve continued treatment.

This is the dark side of the Federal Employees' Compensation Act, a side filled with tremendous amounts of pain and suffering, with inexcusable chaos, with an overwhelming and under prepared bureaucracy, a tangle of procedures, overly protective managers, and a clientele all too frequently living on the very edge of harrowing personal tragedy.

It is also a side the Department of Labor would prefer you to ignore.

The Department of Labor, which administers the Federal Employees' Compensation Act, instead wants you to focus on the generosity of a program which pays out nearly \$1.7 billion a year in compensation, death and medical expenses. The Department is proud of the role it plays in helping 260,000 Federal workers with job-related injuries or occupational diseases, and that 88 percent of all workers' compensation cases are approved either initially or on appeal.

But all across our country, congressional caseworkers know there is an entirely different story of how the Department administers the program through its Office of Workers' Compensation Programs.

Through my office, I've been communicating with caseworkers who say, with unmistakable clarity, that the OWCP has serious structural and procedural problems that need to be reformed. They say the OWCP is structured and administered to receive a high volume of relatively routine cases expeditiously. The OWCP, they say, is competent at this task, and the vast majority of its work force handles this function with a high level of professionalism.

But once a case evolves beyond the routine, the OWCP's procedures and administration disintegrate to the point where many caseworkers, and many medical specialists, believe the rights and the needs of injured Federal employees are routinely placed in jeopardy.

I've prepared three bills to begin addressing this situation. These bills are only a beginning; a comprehensive package is required, but should be preceded by oversight hearings into the entire scope of OWCP operations—hearings which we haven't seen for years. These bills get at a variety of problems, including:

First, appeals and judicial review: The bill makes statutory changes in the operation of the Federal Employees' Compensation Act, generally by borrowing from the Social Security program a series of statutory and regulatory policies designed in part to accomplish the following:

Shorten the time it takes to pay compensation.—One of the major flaws in the current administration of OWCP is the time it takes to begin payment of compensation. For far too many claimants, the wait is from 6 to 12 months for approval, with an additional 3 months to receive retroactive compensation. Some cases I know of are approaching 4 years in length for a decision on the initial claim—incredible, but not unusual. Because of these delays, many injured workers have their cars repossessed, their homes foreclosed upon, and their credit reputation ruined. Several provisions of my bill shorten this period.

Expedite appeals.—The Employees' Compensation Appeals Board has jurisdiction over any appeal filed by a person adversely affected by a final OWCP decision. However, according to a 1992 memorandum from the House Education and Labor Committee, the Employees' Compensation Appeals Board "seems to lack both the will and authority to impose its decision on OWCP." Further, the committee memo said, "the perception of unfairness in the FECA program is exacerbated by the fact that appeals are conducted by the same organization [OWCP] that initially reviewed and denied a claim." My bill eliminates the Appeals Board and replaces it with hearings before Administrative Law Judges.

Judicial review.—Federal employees are the only employees in the United States who are not entitled to access the courts to contest an adverse denial of workers' compensation claims. My bill gives the fundamental right of

judicial review to Federal employees. The right to access the court will provide finality and clarity in the OWCP claims process. And it would serve as a check on arbitrary decisions by the Employees' Compensation Review Board.

Physician fees.—The OWCP pays high fees to the Government physicians who evaluate the claims for the agency. In many cases, these fees are four to five times as high as the fee paid to the attending physician. My bill requires that the fees paid to Government physicians shall not exceed the fees paid for the claimant's physician. It also requires the Government to make payments to claimants' physicians within 60 days; currently, many physicians wait over a year to be paid.

Second, hand picked doctors: The General Accounting Office, in a February 1994 report, noted that when the OWCP assigns a physician to conduct an initial examination of an injured Federal employee, it is legally required to use an impartial selection process. This, however, is not the case for a second-opinion examination. Instead, the GAO found that while there is no conclusive evidence of bias, three out of five OWCP districts "used either a manual card file, their own automated database systems, or other sources to select second-opinion physicians." These practices give rise to the belief that in some cases the OWCP handpicks physicians in the hope of achieving predetermined outcomes to the detriment of the claimant.

The second-opinion physician plays a crucial role in the OWCP process. Following a review of the second-opinion physician's report, a claims examiner may find that the second-opinion physician and the claimant's physician agree and, in these cases, continue with the adjudication process. If, on the other hand, the views of the second-opinion physician and the claimant's physician disagree, OWCP is required to appoint yet another physician to resolve the medical issues.

My second bill, therefore, requires the OWCP to use a strictly impartial system for the selection of all second-opinion physicians, to eliminate any allegation that a second-opinion physician had been handpicked by the OWCP. Indeed, the GAO wrote in February that unless the OWCP moves to an unbiased selection process there will be "continued perceptions of bias by claimants whose benefits are terminated."

Third, medical certification: When an OWCP examiner has questions about medical evidence following case file reviews, the examiner can request additional information from a claimant's physician or by scheduling the claimant for exams by second-opinion physicians. Second-opinion exams may also be conducted first, when surgery is recommended for certain medical conditions, and second, to determine the extent to which an injured worker has lost the partial or complete use of a body part.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Remarkably, considering the important role played by the second-opinion physician, the OWCP does not require second-opinion physicians to be certified by a board of medical specialties. My third bill requires this certification.

Again, these bills represent only a start—but a much needed start—at reforming the Office of Workers Compensation Programs.

I introduce these bills today with an outstanding group of original cosponsors, and I very much appreciate the support of Representatives AUSTIN MURPHY, BARNEY FRANK, TOM BARLOW, MATTHEW MARTINEZ, JAMES OBERSTAR, ANDY JACOBS, JOLENE UNSOELD, EDDIE BERNICE JOHNSON, ESTEBAN EDWARD TORRES, BRUCE VENTO, RON WYDEN, MIKE SYNAR, and HARRY JOHNSTON.

TRIBUTE TO VINCENT BRUNHARD,
SR.

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. LEWIS of Florida. Mr. Speaker, today it is my pleasure to honor a distinguished citizen from my district. Mr. Vincent Brunhard, Sr., of Lake Worth, FL, has made many outstanding contributions to all of Palm Beach County, particularly in the Polish-American community.

His entire life, Mr. Brunhard has actively contributed to American society and the entrepreneurial spirit by establishing and operating many successful businesses.

As an active member of the Polish Cultural Society of the Palm Beaches, he served as one of the first presidents of the society. His commitment extended to serving as an officer for the next 10 years. In addition, he has been an active member of the Knights of Columbus, and many other civic organizations, contributing to the quality of life for all Palm Beach County residents.

One of his most notable achievements is the organization of the first gala event, "A Night in Old Warsaw," which is recognized as a special event throughout Palm Beach County.

Mr. Brunhard will be honored this November 13, 1994, for his lifetime of accomplishments. The Polish Legion of American Veterans honors Mr. Brunhard with a national honorary membership.

Mr. Speaker, I am proud today to recognize Vincent Brunhard, on behalf of Post 202 of the Polish Legion of American Veterans, U.S.A. He is truly an exemplary citizen, and I am proud to represent him in the House of Representatives.

TRIBUTE TO NELLO BIANCO

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. MILLER of California. Mr. Speaker, I rise today to pay tribute to an old friend and supporter, Mr. Nello Bianco, who is retiring in

November as the longest-serving Bay Area Rapid Transit [BART] director on the current board.

Nello has been a fixture, a voice for mass transit and for creative management and planning since he was first appointed to the board by the Contra Costa Board of Supervisors in 1969. He has won election after election since.

Nello has resided in the bay area for over 50 years, where he has made contributions as a businessman, community leader, and as an exemplary citizen. Nello has been associated with the Richmond Boys Club, the National Safety Council, the Salvation Army Advisory Board, and the American Public Transit Authority.

Nello also served on the Richmond City Council, as well as on numerous citywide commissions. His contributions to the bay area have been substantive and lasting, but none more so than his 25 years of public service on the BART Board of Directors.

Nello has served in a variety of capacities for BART. He has served as the president and vice president of the BART Board of Directors five times during his quarter century on the board. During his tenure on the board, Director Bianco has been the chair and vice chair, and served on every BART committee.

He has been instrumental in implementing many changes to the BART system, particularly the extension projects that will bring service to eastern Contra Costa County and portions of Alameda County. He headed the committees that negotiated San Mateo County's unique \$200 million buy-in to BART, which initiated construction of the long awaited BART extensions in east bay cities—Martinez, Pittsburg, and Antioch—and the San Francisco International Airport.

Nello was also instrumental in bringing the Morrison-Knudsen BART car construction plant to Pittsburg. Once the company won a contract to build new BART cars, Bianco encouraged the company to manufacture the cars in an old steel plant in Pittsburg. This will create hundreds of jobs in the Pittsburg community, as well as a needed economic boost.

Director Bianco's long reign as BART director comes to an end in November with the expiration of his term. His dedication and commitment to the people of the bay area will be missed by all. The contributions he has made have affected nearly every resident of the area, as well as many others. His efforts and hard work will be missed, but his many accomplishments will be enjoyed by bay area residents for years to come.

Nello Bianco and I have been engaged in local politics in the east bay for many years together, sometimes in opposition, but generally working together in mutual support of candidates and initiatives to improve the lives of the residents of the bay area. I treasure Nello's friendship and I salute his decades of service to BART and to California.

HEALTH CARE REFORM

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. PACKARD. Mr. Speaker, like those old-time snake oil salesmen, President Clinton and the liberal leadership hawk the Clinton-Gephardt bill as a health care system cure all. But just like snake oil, their remedy for reform is a sham.

They claim that the Clinton-Gephardt bill is a cost-containment measure. But if you look at the ingredients, you find the same old prescription the liberals in Congress always dole out: More government bureaucracy mixed in with higher taxes.

If the American public is forced to swallow this brew, the side effects could be deadly: health care rationing and reduced quality. This is hardly, what the American people want from health care reform.

The proposal calls for a national health cost commission to monitor the growth of health care expenditures. A group of unelected bureaucrats would decide what care they feel is appropriate for Americans. Mr. Speaker, I always thought that was the doctor's job.

The cost of global budgets and price controls would fall squarely on middle-class patients. Meeting the Clinton-Gephardt global budget goals would require a 24 percent reduction in available health care resources by the year 2000—effectively rationing one quarter of our health care system.

This will reduce quality and access to care. Doctors and hospitals would no longer provide the best, most advanced, most sophisticated care. Instead, patients can look forward to long lines and delays, if they can get health care at all.

Mr. Speaker, what the American people need is not more feel-good tonic, but real medicine. They need health care reform that will work. I urge my colleagues to read the Dole plan and the Michel plan. They contain real cost-containment measures which will not threaten the quantity and quality of our health care resources.

SALUTE TO GEOFFREY B. AVILA

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Geoffrey B. Avila of Troop 6 in Bristol, RI, and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the

world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. This young man has distinguished himself in accordance with these criteria.

For his Eagle Scout project, Geoffrey located homes in Bristol, RI, that had no number designation for 911 rescue purposes.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Geoffrey B. Avila. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 64 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Geoffrey B. Avila will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

INTRODUCTION OF CIVIL RIGHTS PROCEDURES PROTECTION ACT

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mrs. SCHROEDER. Mr. Speaker, last week, the House voted 427-4 to extend to congressional employees coverage under Federal labor and civil rights laws, correcting a long-standing deficiency in these laws. Today, together with Representatives EDWARD MARKEY and MARJORIE MARGOLIES-MEZVINSKY, I am introducing legislation to address another serious problem that deprives many Americans of the legal protections Congress intended them to have when these laws were passed.

Our legislation, the Civil Rights Procedures Protection Act, would prevent the practice of requiring employees to agree to submit any claims of job discrimination that may arise to binding arbitration. The willingness to sign such an agreement is often made a condition of hiring, continued employment, or promotion. The practice of mandatory arbitration, which is already in widespread use in the securities industry, is growing in popularity among many individual corporations especially in the construction, insurance, banking, and information technology industries.

The Wall Street Journal profiled the handling of a sexual harassment case by the securities industry on June 9. The article described the case of Helen Walters, a secretary subjected to obscene name-calling, physical threats, and unwanted gifts of condoms from her boss—actions most reasonable people would agree constitute a hostile work environment. Her case was ultimately dismissed; not by a court or the Equal Employment Opportunity Commission, but by a three-member arbitration panel hired and paid for by the sec-

urities industry. A recent GAO report on the subject found that arbitrators employed by the securities industry are typically white males, averaging 60 years of age, with little or no specific training in employment law. In Ms. Walters' case, she did not realize that the agreement she signed when she became a registered securities agent contained the mandatory arbitration clause, nor did she know that barring fraud the arbitration panel's decision could not be overturned in court.

The Civil Rights Procedures Protection Act would amend seven Federal statutes to specify that the powers and procedures provided under those acts could not be overridden by any contract, Federal statute of general applicability or other mechanism. Our legislation specifically permits employees to voluntarily elect to resolve an employment claim under arbitration after the claim has arisen.

The Federal statutes amended by our bill are: title VII of the Civil Rights Act of 1964, section 505 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, section 1977 of the Revised States, which encompass the damages provided under the Civil Rights Act of 1991, the Equal Pay Act, the Family and Medical Leave Act, and the Federal Arbitration Act. The amendment to the FAA extends the protections of the bill to claims of unlawful employment discrimination that arise under State or local law as well as to any other Federal statute under which similar charges of job discrimination may be brought.

Congress passed each of these laws with the intention of extending its protections to all Americans. No one wants to believe at the time of hiring that he or she may one day be in a position to bring an employment discrimination claim against an employer. Mandatory arbitration represents a disturbing trend in employment law, one that forces many workers to choose between a job or promotion and their civil rights. This is a choice no one should be forced to make. I hope my colleagues will join us in cosponsoring the Civil Rights Procedures Protection Act.

INTRODUCTION OF THE CIVIL RIGHTS PROCEDURES PROTECTION ACT OF 1994

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. MARKEY. Mr. Speaker, today I am introducing, along with Congresswomen SCHROEDER and MARGOLIES-MEZVINSKY, legislation that responds to a growing threat to American employees' civil rights. Specifically, our bill would prevent employers from forcing their employees to give up their right to pursue employment discrimination and sexual harassment claims in courts of law. This bill responds to the burgeoning practice, engaged in most prominently by the securities industry, but also increasingly relied on by employers in information technology and other fields, of compelling employees to sign contracts that require all employee-employer disputes to be resolved through binding arbitration. This practice has resulted in an important—and, by all

accounts, growing—segment of corporate America simply opting out of the anti-discrimination laws on the books.

Signing away one's right to pursue a discrimination claim in court may be a condition of employment or advancement, or may be required in order to gain certain employee benefits such as stock options. In the securities industry, securities firms require that certain employees, as a condition of their employment, register with one or more stock exchanges, thus becoming registered representatives. As part of that process, they must submit a so-called U-4 application, which is a standard contract used by each of the securities exchanges. The U-4 agreement requires, somewhat elliptically, that all disputes or controversies with the employee's firm be arbitrated if the rules of the exchange with which the employee is registered requires them to be arbitrated. The exchanges, in turn, have rules that require registered representatives and member firms to arbitrate all controversies that arise between them.

Thus, in order for brokers to have a license to do business as employees of brokerage houses, they must sign or resign. The employee has no choice in the matter, and indeed, even if he or she were to have offers of employment from more than one firm, shopping around to find one that does not require arbitration would be to no avail: it is an industry-wide practice, with no opportunity for individual modification.

This practice, however, flies in the face of the spirit of the antidiscrimination laws passed by Congress and on the books of States and municipalities across the country. When Congress passed the various civil rights and fair employment practices laws, it established access to the courts as the means of enforcing the fundamental rights those laws sought to safeguard. The judiciary is the objective arbiter of these rights; without access to the courts, the employee has no clear means of establishing them. The employer, in turn, has less incentive to follow the letter of the law. The existence of an unassailable neutral forum in which to vindicate these basic rights is therefore critical to their vitality. For private employers to forcibly interpose instead a substitute forum—with a distinct set of procedures, no access to a jury, no right to appeal, and no requirement that the arbitrators even follow the letter of the law in rendering their decision—constitutes a constructive denial of the right to a nondiscriminatory workplace.

No industry has practiced such constructive denial of rights as consistently as the securities industry. Not only is the practice pervasive, but the impartial and independent judicial forum envisioned by Congress is exchanged for a captive one where neutrality and independence are in serious doubt. Securities industry arbitration is run by the industry self-regulatory organizations [SRO's], with industry members represented on each arbitration panel, and with arbitrators with little or no expertise in the area of employment law sitting in exclusive judgment. As the GAO discovered in its recent report to my subcommittee, the vast majority of arbitrators at the major SRO's are white males, above the age of 60. At best, such a setting has the appearance of unfairness; at worst, it is a tainted forum in which

an employee can never be guaranteed a truly objective hearing.

Procedurally, securities arbitration is a far cry from adjudication, with substantial limitations on discovery and no obligation on the part of the arbitrators to even explain the reasons for the final outcome. The secretive nature of the proceedings, combined with arbitrators' ability to follow whim rather than precedent, and not have to justify their decision either in writing or to an appellate tribunal, result in a system poorly adapted to the vindication of fundamental civil rights. Moreover, the broad public policy purpose behind individual enforcement of the civil rights laws is undermined. In addition to their remedial function, the antidiscrimination laws serve an important deterrent function. This purpose requires both a public forum and one that can bind employers through precedent, the fore of law, and moral suasion. Forcible industry-sponsored arbitration provides none of those.

At its best, arbitration is an efficient and low-cost alternative to the courtroom. If conducted fairly, both parties to the arbitration proceeding can benefit. But even at its best, arbitration is not suited to disputes over fundamental rights unless both parties, once a claim has arisen, decide that it is an appropriate means of resolving the dispute. The bill we are introducing today would invalidate all predispute agreements to arbitrate claims raised under Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; section 1977 of the Revised Statutes of the United States; the Equal Pay Act of 1963; and the Family and Medical Leave Act of 1993. It would also amend the Federal Arbitration Act by rendering it inapplicable with respect to a Federal, State, or local claim of unlawful discrimination based on race, color, religion, national origin, age, or disability. Together, these changes will ensure that all employees can enjoy the fundamental protections offered by the civil rights laws.

TRIBUTE TO UNITED MINORITY MEDIA ASSOCIATES

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. RUSH. Mr. Speaker, I rise today to honor the achievements of the United Minority Media Association as it celebrates its 20th anniversary.

The UMMA has been a leader in calling for increased minority participation and ownership in the telecommunications, print, broadcast, advertising, and public relations industries. For over 20 years, through many and varied programs such as professional skill enhancement and recruitment opportunities, UMMA has worked tirelessly to bring about changes that benefit black Americans.

Mr. Speaker, I am proud to salute and honor the kind of commitment and dedication shown by the UMMA.

SURGICAL PROCEDURES PATENTS

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. BRYANT. Mr. Speaker, putting aside for a moment all of the problems which exist in our Nation's health care delivery system—and they are legion—most of us would agree that the United States leads the world in the development and practice of state-of-the-art medicine.

Unfortunately, the U.S. Patent and Trademark Office may be erecting a barrier to providing the most up-to-date surgical procedures.

The American Society of Cataract and Refractive Surgery has brought a serious matter to the attention of Congress: the approval of patents for purely surgical procedures. For most of our history, medical procedures, independent of a medical device, were not considered patentable. In 1952, new and useful processes were added to the list of subject matter that could be patented, a move that was intended to codify existing policy, not change it. At the time, surgical procedures were not considered patentable.

In more recent years, however, the Patent and Trademark Office has issued process patents for purely surgical procedures and the holders of those patents have actively sought to enforce them. One example is a 1992 patent issued to a doctor for a particularly shaped incision for eye surgery. No patentable devices, instruments, or drugs were claimed. I have been told that this doctor is now suing and threatening to sue other surgeons for using the same or similar incisions.

Such patents pose a serious problem, both in terms of health care costs and medical treatment. License fees and infringement litigation would increase the cost of providing health care. In addition, the threat of litigation places a pressure on doctors to refrain from using surgical techniques or delay using surgical techniques, for non-medical reasons. Many foreign countries do not permit surgical procedures to be patented.

The American Society of Cataract and Refractive Surgery has presented to Congress its view that medicine has long had an alternative incentive system to promote surgical innovation and sharing of information: the recognition and prestige that flows from publishing in medical journals and presenting papers at medical conferences. The Society has pointed out that the extraordinary progress in surgical procedures during the past century has been accomplished with virtually no encouragement from the patent laws and that injecting patent law into this field is unnecessary and harmful.

Mr. Speaker, I would like to encourage my colleagues on the House Judiciary Committee to look into this matter. There is little to be gained and a great deal to be lost from a policy that discourages physicians from practicing state-of-the-art medicine.

AMENDMENT TO ANTI-HEAD TAX ACT

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. OBERSTAR. Mr. Speaker, the recently passed conference report on the Federal Aviation Administration Authorization Act included (section 112) an amendment to the Federal Anti-Head Tax (49 U.S.C. section 40116 (d)(2)(A)) to make it unlawful for States or their political subdivisions to levy or collect new taxes, fees, or charges imposed exclusively upon any airport business, if the tax, fee or charge is not used wholly for airport or aeronautical purposes. I would like to clarify that this provision was not intended to limit the grandfather authority of airports under 49 USC section 47107(b). That section permits qualifying airport operators to spend airport revenues for certain off-airport purposes. The recently passed amendment to the Federal Anti-Head Tax Act was not intended to prohibit airports from spending new taxes, fees or charges in accordance with the grandfather provisions of 49 USC section 47107(b).

RECOGNITION OF THE SERVICE OF E. GENE KEIFFER

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to recognize and commend the accomplishments of an exceptional individual who has worked for the strengthening of our national security and aerospace industry for 44 years.

On August 25, 1994, Mr. Gene Keiffer will retire as chairman of the board of E-Systems. E-Systems is headquartered in Dallas, TX and is vital to the national intelligence community in protecting our country.

He joined E-Systems as an antenna and microwave design engineer and was subsequently promoted to the vice president, general manager of the Garland Division located in the Third Congressional District. His managerial skills were further recognized in 1989 when he was elected to the position of chairman and chief executive officer. The selfless character and innovative skills that he has brought to the management of highly classified programs have made our country a safer and more democratic nation.

His service is exemplified in his support and participation in the Institute for Electrical and Electronic Engineers, American Defense Preparedness, the Association of the U.S. Army and the Space Advisory Board at Texas A&M University.

Keiffer is a graduate of Southern Methodist University with a degree in Electric Engineering where he went on to receive his Master's degree in the same discipline. In 1989 he was the recipient of the SMU Distinguished Alumni Award.

Fortunately, he and his wife Carole, who has been very supportive during his quality

years of service to our country and industry, will continue to reside in the third district. I thank him for his dedication and commend him on a lifetime of invaluable service to America.

**COLLEGE FACILITY TO BE NAMED
FOR COMMUNITY PILLAR HY
ROSENBLUM**

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. SOLOMON. Mr. Speaker, I think it would be appropriate for this body to add its voice to the chorus of tribute being prepared in honor of Hy Rosenblum of Rensselaer County in upstate New York.

Hy Rosenblum was born in East Schodack in 1911. This one-time product of a one-room schoolhouse graduated from the St. Lawrence University School of Law in Brooklyn and began his legal practice in 1937.

For over 50 years, Mr. Rosenblum became increasingly involved in community life. He was attorney for many years for the towns of East Greenbush and Schodack and the village of Castleton. In 1943, he created the Consideration Award, which he presents to local high school students judged by faculty members to have shown the highest regard for the personal and property rights of others.

In 1946, he incorporated the Hudson Valley Broadcasting Corp., the forerunner of WROW radio and WROW-TV. For many years he served on the company's board of directors.

In 1953, Gov. Thomas Dewey appointed Mr. Rosenblum to the original board of trustees for Hudson Valley Community College, a board he served for many years as secretary.

Mr. Rosenblum has also chaired the Rensselaer County Park Committee, during which time he played a major role in developing what became the Grafton Lakes State Park.

In addition, Mr. Rosenblum worked hard to secure additional state troopers for improved highway safety, to prevent the closing of the Fort Orange Paper Co. in 1973, saving hundreds of jobs, and the drive to close the Dunn Memorial Bridge during rush hour. He also served on the town of Schodack's advisory committee to develop a master plan for the Castleton Island State Park. And finally, he is a former assistant attorney general for the State of New York.

Mr. Rosenblum is a member of the Rensselaer County and New York State Bar Associations, the Kiwanis Club and Schodack Businessmen's Association, and a former member of the civic affairs committee of greater Albany Chamber of Commerce and the board of directors of the Daughters of Sarah Nursing Home.

In honor of his vital contributions to Hudson Valley Community Center, a former local monastery will be named the Hy Rosenblum Administration Center. The dedication will take place on Friday, September 9, 1994, and I hope to be there to pay my respects.

Meanwhile, Mr. Speaker, I ask this House to join me so that we may forward our respects

as a body to a great American and good friend, Hy Rosenblum, who has worked tirelessly to improve the lives of his neighbors.

**BEWARE OF U.S. TROOPS ON THE
GOLAN HEIGHTS**

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. DELAY. Mr. Speaker, despite repeated assurances by administration officials that any discussion of deployment of United States soldiers to the Golan Heights is premature, there is reason to believe that in the event of a peace agreement between Israel and Syria, American troops will be dispatched to the Middle East. In fact, when Secretary of State Warren Christopher was asked whether United States troops on the Golan might be part of any Israeli-Syrian agreement, his response was, absolutely. This would be the first major stationing of U.S. forces there since the catastrophic 1983 Beirut deployment.

The possibility of such a deployment raises serious concerns about the safety of United States troops, the sustainability of such a mission, and the longterm security of Israel. I would like to submit for the CONGRESSIONAL RECORD an article that appeared in the Houston Chronicle on August 5 by Yoram Ettinger entitled, "Doubt a U.S. Presence on Golan is Sustainable." I encourage my colleagues and administration officials to read it, as it makes a number of very important points about the risks of such a plan.

[From the Houston, Chronicle, Aug. 5, 1994]

**DOUBT A U.S. PRESENCE ON GOLAN IS
SUSTAINABLE**

(By Yoram Ettinger)

Former U.S. Defense Secretary Les Aspin suggested at a June meeting in Tel Aviv that a current proposal to deploy U.S. troops on the Golan Heights—following total evacuation by Israel—will have to be in the magnitude of a brigade in order to be significant. Under current Pentagon guidelines, he noted, such an initiative would constitute a strain on the U.S. military, since it would require preparing a division—one-tenth of all American forces. Aspin indicated that if the scope of the deployment would be limited to the monitoring presence in Sinai, "then it would be trivial."

In addition, Rep. Lee Hamilton, D-Ind., chairman of the House Committee on foreign Affairs, has recently indicated that a survey is already under way to determine the specific locations of a U.S. peacekeeping force on the Golan.

Such a force would, supposedly, constitute an essential reassuring component. It would ostensibly be essential in light of:

(A) Syrian leader Hafex Assad's military potential and his record of brutality and unpredictability.

(B) The short-lived tenure of hundreds of Mideast Inter-Muslim political agreements.

(C) The violently abrupt nature of their abrogation.

(D) Israel's risk-taking by giving away the Golan.

However, in order to bolster a potentially vulnerable accord, a U.S. presence on the Golan is required to be a durable, long-term and political/military sustainable undertak-

ing. Moreover, it is required to be compatible with U.S. interests, lest it be summarily withdrawn, thus upsetting a fragile arrangement and undermining the prospects for real peace. Is the deployment of U.S. peacekeepers (monitoring or combat, unilateral or multinational) consistent with such requirements?

A Washington power broker agreed with me last week that the question of a complete withdrawal from the Golan should be decided by Israel voters. He stated, however, that the fate of U.S. peacekeepers and their implications for U.S. national security should be debated by the American public and the appropriate congressional committees, independent of Israel's stance. I believe that public debate should go forward with the following in mind.

Unlike U.S. observers in Sinai (22,000 square miles of empty desert), U.S. personnel on the Golan (450 square miles) would be situated about 25 miles from two of the most notorious training/operational centers of international terrorism and narco-terrorism: Damascus and the Damascus-controlled Beqa Valley ("Medellin Drug Cartel East"). Unlike ordinary U.N. forces, U.S. servicemen on the Golan would serve as a lightning rod for these terrorists.

U.S. observers in Sinai are located on the Red Sea across from Saudi Arabia, a relatively predictable ally of the United States. On the other hand, a Golan contingency—stationed in a neighborhood the size of a small U.S. congressional district—would border Lebanon, a microcosm of Mideast volatility, violence, fragmentation and Islamic and Arab nationalist, anti-U.S. sentiments.

Moreover, the Sinai presence is situated between Israel and Egypt, which is ruled by a pro-U.S., relatively moderate Arab regime. However, a Golan contingency would separate Israel from Syria, a traditional ally of Iran, North Korea, Cuba and Somalia's Col. Mohammed Aided. Damascus has also demonstrated its capability to defy the United States, as evidenced by the devastation of the Marine headquarters in Beirut, the bombing of Pan Am Flight 103, etc.

Furthermore, the safe location of the Sinai monitors and their distance from Israeli and Egyptian military forces, puts them out of the line of fire should a clash occur. On the other hand, the Golan forces would be geographically sandwiched between Israel and its mightiest Arab neighbor, Syria, a few miles away from its armory, infantry and artillery.

Moreover, terrorist proxies of hostile, radical regimes (Syria, Iran, Iraq, Libya, etc.) could target U.S. servicemen. They could also preserve the element of deniability, while intimidating Washington, constraining its ability to respond to provocations elsewhere (e.g. the Persian Gulf area) and extorting political concessions.

In the absence of an effective U.S. combat force (which is precluded—even theoretically—by the diminished overall size of the U.S. military), one may predict a possible withdrawal of the peacekeepers in the face of hostage-taking and casualties. Such a withdrawal would be perceived as another retreat following Beirut, Somalia and Haiti. It would further erode the U.S. posture of deterrence, shrinking its public support for future well-thought-out and globally essential overseas military involvement.

While on the Golan, U.S. presence would constrain Israel by forcing her to coordinate preemptive and reactive operations with the United States, thus inadvertently shielding terrorists operating outside the Golan. It

would also deny the United States the benefits from Israel's "unauthorized actions" (e.g., the 1981 bombing of Iraq's nuclear reactor).

In fact, requiring Israel to seek prior approval in countering belligerence would strain U.S. relations with Israel. At the same time, appearing to have enabled Israel to act freely would damage U.S.-Arab ties. However, as demonstrated by the precedent of the 1982/83 U.S. episode in Lebanon, and as evidenced by Mideast complexities, one can expect the undermining of the relationship between the United States and both sides, which is essential to the achievement of a genuine peace.

In addition, a U.S. presence at a stormy junction bordering Israel, Lebanon, Syria, Jordan and numerous terrorist groups, could draw the United States unwillingly into regional and costly inter-Arab and inter-Israel disputes, expanding the scope of these conflicts, otherwise confined to local significance (e.g., Somalia). It would certainly deepen the involvement of Russia (which has resumed strategic cooperation with Syria), France (which still views Lebanon as a French auxiliary) and other powers, further exacerbating global and regional tensions at the expense of U.S. concerns.

Keeping in mind the American public reaction to the U.S. military involvement in Lebanon and Somalia, and recognizing the likely pitfalls of a U.S. force on the Golan, such an undertaking would probably be neither durable, nor long term, nor politically/militarily sustainable. Thus, a political arrangement predicated upon such a tenuous component would ultimately imperil regional stability, threaten U.S. interests and jeopardize the quest for a solid, long-term peace in the Middle East.

TRIBUTE TO HOWARD H. PENUEL

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. GORDON. Mr. Speaker, I rise to thank a devoted resident of my hometown of Murfreesboro and a great friend, Mr. Howard H. Penuel, for his 16 years of outstanding service as Rutherford County trustee and to congratulate him for serving longer than any other trustee in the history of Rutherford County.

A lifelong Middle Tennessean who was born in Wilson County, Mr. Penuel moved in 1941 to Murfreesboro, where he began his public service by driving a school bus and then serving the community as a salesman at Haynes Hardware Company.

Seeking self-employment, Mr. Penuel later formed a partnership and opened a business that he would later own, Seventy-Nine Auto Body Repair. After selling this business, Mr. Penuel opened Penuel's Surplus Sales, a furniture and general merchandise store in Rutherford County.

Mr. Penuel was an active force in State and county Democratic campaigns for several years, working tirelessly and selflessly for causes and candidates he believed in. This experience paid off for Mr. Penuel himself when he ran for—and won—his first political office in 1978: Rutherford County trustee.

His service made quite an impression not only on natives of Rutherford County but on all

Tennesseans, who elected him "Trustee of the year" after he served just one term. The County Officials Association of Tennessee, for which he served as president, also named him Outstanding Trustee of the Year.

Mr. Penuel displayed both foresight and vision as a trustee. Because he developed the county's first idle money investment program, the only debt Rutherford County owes is a debt of gratitude to Mr. Penuel. His initiative held the property tax rate low by earning the county millions of dollars in interest.

Rutherford County is indeed losing a valuable leader who has shown all of us what it means to serve and undoubtedly will continue to do so. Rutherford County's loss, however, is a big gain for Mr. Penuel's seven grandchildren and two great-grandchildren, who will be the new beneficiaries of his energy and attention. The golf course beckons him as well.

Please join me and all other Middle Tennesseans in wishing him well in his retirement.

EDUCATION IN THE 103D CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, August 17, 1994, into the CONGRESSIONAL RECORD:

EDUCATION IN THE 103D CONGRESS

This is an exciting time in education. Major reform efforts are underway at all levels of government. The 103d Congress has approved several initiatives with broad support from educators, parents' groups, and members of Congress from both parties. The federal government has always played an important role in postsecondary education, but these efforts focus on elementary and secondary education. Congress has made two things clear: its commitment to education reform, and its belief that state and local governments must continue to take primary responsibility for education.

NEW INITIATIVES

Congress has passed bills aimed at improving educational opportunities for students in preschool to high school:

Head Start: This program, which provides educational and social services to disadvantaged preschool children, has been widely acclaimed. However, there have been concerns about the quality of some Head Start programs, and Congress enacted a law aimed at improving their effectiveness. The law sets aside a portion of Head Start funding for quality improvements, and requires evaluations before Head Start providers can expand services. Head Start programs will now identify highly skilled teachers to supervise and advise less experienced ones. The law also requires the creation of more stringent quality standards for Head Start programs, and evaluations of each provider at least once every three years. Providers are now required to make greater efforts to involve parents in the development of their children's program. Moreover, the law seeks to expand services for children under three, and calls for a study on the need for full-day and full-year Head Start instruction.

Goals 2000: Considered the centerpiece of President Clinton's education reform efforts,

Goals 2000 establishes a framework for federal support of states' comprehensive reform efforts. Participation in the program is strictly voluntary. The law codifies the National Education Goals, first drafted by President Bush and the nation's governors. It continues the National Education Goals Panel, which will monitor the nation's progress toward meeting the eight goals by the year 2000. In addition, a new board is charged with identifying the skills that students will need to pursue certain occupations so that they can better plan their course of study. A separate panel will develop recommended curriculum content, pupil performance, and opportunity-to-learn standards, which states can use as guideposts for their own reform efforts.

States wishing to participate in Goals 2000 must develop plans for systemic reform, and are not required to adopt the national standards. Most of the funding for reform must be passed along to local school districts. Goals 2000 fosters flexibility by allowing states and local schools to apply for waivers of federal regulations and by permitting the use of reform funds for public school choice.

Elementary and Secondary Education Act (ESEA): The House and Senate have passed different bills to reauthorize the ESEA, the law through which elementary and secondary schools receive most federal aid. Originally enacted almost 30 years ago, the ESEA primarily provides assistance for four purposes; to help meet the special needs of disadvantaged students; to improve instruction in certain subject areas, such as math, science, and drug abuse prevention; to support teacher training and development; and to provide aid for a variety of other resources, such as library books and computers.

By far the largest portion of ESEA funds are devoted to programs for disadvantaged students. Most congressional debate has focused on the degree to which funding should be concentrated on those schools with the highest proportion of poor students, and on allowing these funds to be used for schoolwide programs. Both the House and the Senate have sought to expand on the flexibility initiated in Goals 2000 by allowing schools to seek further exemptions from federal regulations. Greater emphasis is also placed on providing more extensive professional development for teachers.

School-to-Work Transition: Targeted at the 50% of students who do not go to college, this law provides aid to develop programs to prepare students for the workplace. Students will be able to integrate school-based and work-based learning in a course of study providing them with a high school diploma as well as additional certification in an occupational area. The program will be operated by local partnerships including employers, educators, and labor.

ASSESSMENT

I have never been pessimistic about the education system in the United States. There is always plenty of room for improvement, but I believe that we do a reasonably good job of educating our young people and preparing them for work. There isn't any doubt that we have to lift the performance of youngsters coming out of schools so that they have the skills required in today's world. No one of us should be satisfied with an educational system that is average or even just above average. The test is really whether we have the knowledge or skills to prosper in the arena of increased global competition.

The last thing we need is federal control of schools. But we do need to give expression to

legitimate national concerns about revitalizing and supporting local efforts to improve schools. Developing ideas about what constitutes high-quality education does not entail a national curriculum or standardization curriculum or standardization. Standards represent goals, and imaginative teachers will find a wide variety of ways to reach them. All of us want to see every student have a quality education and achieve proficiency in basic skills. We want every student to be economically productive and a good citizen. And we would like every school to have a healthy climate for learning. All of us want to give more dignity and status to our teachers. And we want each school to be free to shape creatively its own program.

I believe that states and localities are primarily responsible for providing the services that will help us achieve our educational goals, but I also believe that the federal government has an important role to play. All levels of government need to contribute to making America a nation of learners. The new education initiatives continue the ongoing national conversation about what our children will need to know in the 21st century.

COMMENDING CAPT. JUAN
TUDELA SALAS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. UNDERWOOD. Mr. Speaker, I would like to commend Capt. Juan Tudeła Salas of the U.S. Coast Guard, a native son of Guam and a distinguished graduate of the U.S. Coast Guard Academy, for the exemplary manner in which he has discharged his duties as commander of the Marianas section and as the marine safety officer of the U.S. Coast Guard on Guam.

Since assuming this post 2 years ago, Captain Salas efficiently dealt with an unusual heap of natural and manmade disasters which have struck Guam and its neighboring islands. Five typhoons, including typhoon Omar, which passed directly over Guam with winds in excess of 150 miles an hour, battered the island within the span of 3 months in 1992. The careful precautions that Captain Salas took assuming command of instructing his personnel and their families in typhoon preparations helped hold to a minimum the damage to Coast Guard personnel and facilities during this exhausting period. Under his command the Coast Guard was able to respond promptly and efficiently to the typhoon related emergencies in Guam's Apra Harbor. These included the grounding of 2 U.S. Navy vessels, the sinking of 13 fishing boats, oilspills caused by damage to these various vessels and damage to various navigational aids. Additionally, Captain Salas was able to alleviate the strains of water and power outages experienced by Coast Guard personnel and their dependents after Typhoon Omar by making arrangements for the use of shower and laundry facilities and obtaining portable generators from California and Hawaii.

The Coast Guard headed by Captain Salas responded once again on August 8, 1993, when a substantial portion of the island was

damaged by an earthquake measuring 8.1 on the Richter scale. Water and electricity was again cut off and the same prompt and immediate response of the Captain and his team directly helped in the island's swift recovery. He and his personnel were duly recognized with the award of special certificates for volunteer service by the First Lady's Committee for Special Projects in 1993 and 1994 for the assistance they gave their Sister Village of Merizo in the aftermath of typhoons and the earthquake.

Captain Salas has also proven himself a formidable commander beyond the scope of these natural disasters. The Marianas section, under his command, has responded to more than 300 search and Rescue missions during the past 2 years. Seventeen persons who had abandoned their ship at sea were rescued on one of these missions leading to the winning of the Controller of the Year Award for the entire Coast Guard in April 1993 by the Operations Center staff under Captain Salas. In the same respect a Reserve Coast Guard unit proposed to be disbanded just a few months before the captain assumed command was revitalized by this leadership to such an extent that it was nominated for the ROA Congressional Unit of the Year Award. The active command was also nominated for the Total Force Award and a Certificate of Appreciation was awarded to Captain Salas in May 1994 from the National Committee for Employer Support of the Guard and Reserve.

Advances in the field of environmental protection and maritime safety were also implemented through the Captain's efforts. Efforts initiated by him in the Coast Guard's enforcement of maritime and other Federal laws have led to the detection of numerous violations of the Lacy Act and the collection of substantial fines through the U.S. attorney's office for illegal fishing activities by foreign vessels within the U.S. Exclusive Economic Zone. Marine life, a valuable natural resource to the people of Guam was afforded significant protection as a result of this. Oilspill contingency plans for Guam, the Northern Marianas, and Palau, under the Captain's direction, have also improved. He has chaired and establishment of an oilspill response organization in Guam that had acquired 1.5 million dollars' worth of oilspill response equipment for Palau and Rota, formerly isolated and neglected locations. On top of these, he has assisted the Guam and the Northern Marianas legislatures in the preparation and enactment of oilspill responder immunity laws. He also has implemented with the governments of Guam and the Northern Marianas memoranda of understanding that delineate responsibility in the case of major oilspill, the first and third of such signed in the entire United States.

I commend Captain Salas for these accomplishments and the service he has given to the U.S. Coast Guard, the people of Guam and the Marianas. We all look forward to all the good things that will surely materialize during the next 2 years under his leadership.

THE 200TH ANNIVERSARY OF THE
TOWN OF BROOKFIELD, NH

HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. ZELIFF. Mr. Speaker, this weekend is a special time for the town of Brookfield, NH, as residents there are celebrating the town's 200th anniversary.

The people of Brookfield can be proud of the strong heritage they have created over the past 200 years. Their town has been a positive example to others of a cohesive working community. And, these traits have made the town a landmark and a welcome home to people of all ages.

Without the benefits of carriages or wagons, families such as the Lyfords, Wiggins, Chamberlains, and Robinsons made their way to what was then wilderness and now the establishment of Brookfield. These pioneers of New Hampshire carved their permanence from Governor's Road to the mighty slopes of Tumbledown Dick; a mountain named for Oliver Cromwell's ill-lated son.

This town relishes its ancestry and honors its history. In fact, the proud citizens of Brookfield still hold their annual town meetings and other community functions in the town hall that was built in the 1820's. Moreover, the National Register of Public Buildings retains Brookfield's town hall in its listing of historic places. Indeed, the residents of Brookfield find their future firmly rooted in the past.

Mr. Speaker, the good people of Brookfield have reason to take pride in their heritage and I join with them in paying tribute to the spirit, hard work, and vision of the towns ancestors. I'm confident that when Brookfield celebrates another 100 years, our grandchildren and great-grandchildren will look upon this time with optimism and prosperity.

SOUTHWESTERN PENNSYLVANIA
GIRL SCOUTS

HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. SANTORUM. Mr. Speaker, I rise to recognize an outstanding organization in our country today—the Girl Scouts of America.

Since 1912, when Juliette Gordon Lowe founded the Girl Scouts, they have actively developed self-esteem, values, and leadership skills in America's young women. As the pre-eminent organization for school-aged girls, the Girl Scouts bring together young women from all walks of life and introduce them to new and dynamic experiences. For a Girl Scout, receiving the Gold Award, their highest achievement, is no easy task. Along the way, girls are required to complete difficult tasks to prove their abilities in leadership, citizenship, and outdoor skills.

Girl Scouts practice and offer the skills they learn by volunteering in local schools and organizations, and by enriching the community in which they live. Currently, the Girl Scouts of

southwestern Pennsylvania have achieved a membership of 21,063 girls and 6,155 adults. Additionally, their membership has risen consistently since 1986. On September 8, the Girl Scouts of southwestern Pennsylvania will celebrate the grand opening of their new headquarters in Pittsburgh. I rise today to acknowledge this upcoming event.

Mr. Speaker, I ask you, and my colleagues in Congress, to salute the valiant job the Girl Scouts have done in promoting the maturation of America's young women. In its 72 years, the Girl Scouts have consistently promoted leadership skills, and a commitment to public service in America's young women.

It is my sincere belief that the Girl Scouts will continue their service to our communities and further distinguish their members. I join all those in southwestern Pennsylvania and across the Nation in saluting the Girl Scouts of America.

CELEBRATING THE WORK OF
SCULPTOR GREGG WYATT

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. NADLER. Mr. Speaker, last year, a constituent of mine, Greg Wyatt, sculptor-in-residence at the Cathedral Church of St. John the Divine, New York City, was honored to exhibit his bronze sculptures in the Senate Russell Building rotunda. Three dimensional works by studio apprentices under Mr. Wyatt's tutelage were also displayed at that time. Mr. Wyatt previously exhibited his works in the Cannon House Office Building where I maintain my Washington office.

CBS-TV has informed Greg Wyatt that on Sunday, August 21, 1994, on "Sunday Morning," WCBS-TV will rebroadcast the interview by Charles Kuralt, filmed in the cathedral crypt studio in Manhattan. The program will show Mr. Wyatt's famous work at New York's Cathedral of St. John the Divine, the 40-foot-high "Peace Fountain," and feature his apprenticeship for art students. I am proud to have this accomplished artist living and working in my district.

At this time, Mr. Wyatt's bronze sculpture entitled "Eternal Spring" is featured at the Kennedy Galleries in New York City. Additionally, he informs me that a retrospective exhibit of his bronze sculptures was selected by the Newington-Cropsey Foundation trustees to join the permanent Jasper Cropsey painting collection at the foundation's new Gallery of Art at Hastings-On-Hudson. As you may know, Jasper Cropsey was the American master of the 19th century Hudson River School of Painting.

As the representative of New York's vital arts community, it is my privilege to commend the outstanding work of an inspirational artist. I believe that every Member of this House will recognize, after viewing Mr. Wyatt's work, that the arts matter, and merit continued support by Congress.

YOUNG BETHESDA ENTREPRENEURS EXPERIENCE ADVERTISING WORLD

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mrs. MORELLA. Mr. Speaker, starting a small business has been the first step on the path to success for tens of thousands of Americans, but seldom is that first step taken when the entrepreneur is only 10 years old. However, two of my constituents, that age, have decided this summer to take a leap forward into the world of small business and, specifically, into the world of advertising.

Rachel Marx and Elizabeth Whitman of Bethesda, MD, have chosen to start an advertising business as their summer venture, and this has earned them not only profits in the bank and publicity in the Washington Post, but also a letter of encouragement from Hal Shoup, vice president of the American Association of Advertising Agencies [AAAA]. In his letter to the young entrepreneurs, Mr. Shoup applauds their creativity and invites them to apply, when they are a little older, for the AAAA's LEAP program. This initiative, the Loaned Executive Assignment Program, provides for young advertising executives to spend a year in Washington learning about public service and Government operations.

These two young advertising executives and budding small business women will no doubt consider this future invitation seriously, but for now, they are experiencing an exciting summer. Excerpts from their story in the Washington Post follow:

TWO GIRLS PURSUE AD VENTURE, AND THE PERFECT JOB

[By Caroline E. Mayer]

Rachel Marx and Elizabeth Whitman are just 10 years old, but when it comes to making money, they don't kid around. They've tried the traditional lemonade stand. "But there's no money in that," said Marx. The two Montgomery County six-graders are after bigger bucks. So three months ago, the pint-size entrepreneurs launched a grown-up advertising business, called Kidz' Koupouns. The venture got started when Marx was sick with chicken pox. One afternoon, when Whitman visited the convalescing Marx, the friends decided they needed more spending money. Marx came up with the advertising idea. They would buy a page of advertising from a weekly community paper, then divide the page into smaller advertisements and sell space to local retailers who wanted to offer discounts. With a childhood enthusiasm that didn't take "no" for an answer, the two began calling businesses frequented by kids.

The product of their first endeavor was published in Washington Parent newspaper. The cost was small said Katherine Newell Smith, vice president of communications for Sutton Place Gourmet. What's more, Smith added, the money went to "a good cause—developing entrepreneurial spirit." "The girls were as efficient as any person I've ever dealt with," said Deborah Benke, Washington Parent's editor. "The copy arrived on time, in an envelope with a check and with camera-ready art. It was great—no hassle. I have many writers and advertisers that I have to call more than once." Sutton Place owner, Debora Shalom, was impressed with

Marx and Whitman. "It's amazing to me what they accomplished," she said. "They were able to do something a lot of adults can't pull off."

CONGRATULATING CAPT. EULOGIO C. BERMUDES ON HIS APPOINTMENT TO THE U.S. NAVAL SHIP REPAIR FACILITY, GUAM

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. UNDERWOOD. Mr. Speaker, I would like to commend and congratulate Capt. Eulogio Bermudes of the U.S. Navy on his command appointment to the U.S. Naval ship repair facility on Guam.

The distinguished captain is the son of the late Juan L.G. Bermudes and Maria Concepcion. He is married to the former Carmen Meno Paulino and is the father of five children: Florina, Tanya, Vincent, Eloy, and Renee. He graduated from George Washington High School as valedictorian of his class in 1965 and subsequently attended the University of Guam. Receiving his appointment from the late Governor Manuel F.L. Guerrero, he had the prestigious honor in 1970 of being the first Chamorro to graduate from the U.S. Naval Academy in Annapolis where he was awarded a degree in mechanical engineering. He also holds a master of science degree in mechanical engineering from the U.S. naval post-graduate school.

Captain Bermudes built upon his educational training through a wide range of assignments. Prior to his present assignment on Guam, Captain Bermudes served at the Pearl Harbor Naval Ship Yard, the Mare Island Naval Ship Yard, the U.S. Naval Ship Repair Facility at Subic Bay in the Philippines, the U.S.S. *Samuel Gompers*, the CINCPACFLT at Pearl Harbor in Hawaii, the Naval Reactor's Representative's Office at Pearl Harbor, the U.S.S. *Henry W. Tucker*, and the U.S.S. *Benecia*. Upon his recent appointment, Captain Bermudes became the first Chamorro to take command of the U.S. Naval Ship Repair Facility on Guam, the only U.S. facility in the Western Pacific to provide vital repair, maintenance, overhaul, and shore support to naval ships, to the Government of Guam, and to other agencies.

Through his distinguished military service and outstanding achievements, Captain Bermudes has brought recognition upon himself, the island, and its people. On behalf of the people of Guam, I congratulate and welcome home an exceptional native son.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily